

HOBSONS BAY PLANNING SCHEME

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THE OBJECTIVES OF PLANNING IN VICTORIA

Planning Schemes in Victoria must seek to achieve the objectives of planning in Victoria as set out in Section 4(1) of the Planning & Environment Act 1987. These objectives are:

- To provide for the fair, orderly, economic and sustainable use and development of land.
- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- To facilitate development in accordance with the objectives set out in the points above.
- To balance the present and future interests of all Victorians.

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PURPOSES OF THIS PLANNING SCHEME

To provide a clear and consistent framework within which decisions about the use and development of land can be made.

To express state, regional, local and community expectations for areas and land uses.

To provide for the implementation of State, regional and local policies affecting land use and development.

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**State
Planning
Policy
Framework**

10 STATE PLANNING POLICY FRAMEWORK

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This section sets out the State Planning Policies which apply to all land in Victoria.

These policies must be taken into account when preparing amendments to this scheme or making decisions under this scheme.

11 INTRODUCTION, GOAL AND PRINCIPLES

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11.01 Introduction

The purpose of State policy in planning schemes is to inform planning authorities and responsible authorities of those aspects of State level planning policy which they are to take into account and give effect to in planning and administering their respective areas. It is the State Government's expectation that planning and responsible authorities will endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development.

Planning policies are directed to land use and development, as circumscribed by the Planning and Environment Act 1987, a primary objective of which is to provide for the fair, orderly, economic and sustainable use and development of land.

Planning, under the Planning and Environment Act 1987, is to encompass and integrate relevant environmental, social and economic factors. It is directed towards the interests of sustainable development for the benefit of present and future generations, on the basis of relevant policy and legislation. Planning authorities and responsible authorities are responsible for the effective planning and management of land use and development in their districts for the broad interests of the community, through the preparation of strategic plans, statutory plans, development and conservation plans, development contribution plans, and other relevant plans to achieve the objectives of the Act.

The State Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. It is comprised of a statement of general principles for land use and development planning and specific policies dealing with sectoral issues. The specific policies encompass objectives, generic implementation techniques applying across Victoria in relation to the specified policy and geographic strategies that set out directions for particular areas. Planning and responsible authorities must take account of and give effect to both the general principles and the specific policies applicable to issues before them to ensure integrated decision-making.

The State Planning Policy Framework is dynamic and will be built upon as the government develops and refines policy, and changed as the needs of the community change.

11.02 Goal

The State Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development

11.03 Principles of land use and development planning

Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social well-being affected by land use and development.

Following are seven statements of general principles that elaborate upon the objectives of planning in Victoria and describe the factors that influence good decision-making in land use and development planning. A planning authority preparing amendments to a planning scheme or a responsible authority administering a scheme must consider these

overarching and interlocking principles as well as relevant specific policies in Clauses 14 to 19.

11.03-1 Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to recognise the need for, and as far as practicable contribute towards:

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

11.03-2 Environment

Environment and resource management principles for ecologically sustainable development have been established by international and national agreements. Foremost amongst the national agreements is the Inter-Governmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Response Strategy, the National Water Quality Management Strategy, The National Strategy for the Conservation of Australia's Biological Diversity and the National Forest Policy Statement. The National Environment Protection Council is preparing National Environment Protection Measures to provide a common policy framework for environmental quality throughout Australia.

These national agreements, strategies and policies provide a broad framework for the development of strategies and policies at the State level to encourage sustainable land use and development. In Victoria these include State environment protection policies made under the Environment Protection Act 1970, which are binding on all sectors of the Victorian community. The Flora and Fauna Guarantee Strategy (Victoria's Biodiversity, Department of Natural Resources and Environment 1997) provides a framework for conservation of biodiversity in Victoria, in the wider context of ecologically sustainable development. Victoria's Native Vegetation Management - a Framework for Action (Department of Natural Resources and Environment 2002), establishes the goal of Net Gain of native vegetation, and the principles for achieving this.

Planning is to contribute to the protection of air, land and water quality and the conservation of natural ecosystems, resources, energy and cultural heritage. In particular, planning should:

- Adopt a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards.
- Prevent environmental problems created by siting incompatible land uses close together.
- Help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity).
- Protect areas and sites with significant historic, architectural, aesthetic, scientific and cultural values.

11.03-3 Management of resources

Planning is to assist in the conservation and wise use of natural resources including energy, water, land, flora, fauna and minerals to support both environmental quality and sustainable development over the long term through judicious decisions on the location, pattern and timing of development.

Integrated catchment planning for land use and resource management provides the basis for planning to protect waterways and water quality, and to minimise flood hazards, drainage infrastructure costs and downstream impacts, including on estuarine, coastal and marine environments.

Nine regional Catchment Management Authorities have been established across the State to lead planning for catchment management and be responsible for floodplain and river management outside metropolitan Melbourne, with the Port Phillip and Westernport Catchment Management Authority having responsibility for catchments including the metropolitan area. These authorities are responsible for overseeing sustainable land and water management and natural resource development within the framework of regional catchment strategies approved by the Minister for Environment.

Land Conservation Council recommendations approved by Government provide a context for management of resources on public lands and should be recognised as a significant component of integrated local area planning. When making planning decisions affecting Crown land, the role of the Department of Sustainability and Environment and Committees of Management as managers of Crown land must also be recognised.

11.03-4 Infrastructure

Planning for development of urban physical and community infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely. Growth and redevelopment of settlements should be planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.

Strategic planning should facilitate efficient use of existing urban infrastructure and human services. Providers of urban infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning. Planning authorities are to consider the use of development contributions (levies) in the funding of infrastructure.

11.03-5 Economic well-being

Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.

11.03-6 Social needs

Planning is to recognise social needs by providing land for a range of accessible community resources, such as affordable housing, places of employment, open space, and education, cultural, health and community support (mental, aged, disabled, youth and family services) facilities. Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through the appropriate location of uses and developments and quality of urban design.

11.03-7 Regional co-operation

Some issues dealt with by planning and responsible authorities have impacts that extend beyond municipal boundaries. These impacts may be economic, social or environmental and particularly arise around such issues as coordinated planning for transport and water infrastructure, catchment management, including floodplain management and water quality protection, and waste management.

Consistent with the objectives of local government under the Local Government Act 1989, municipal planning authorities are required to identify the potential for regional impacts in their decision-making and co-ordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

12 METROPOLITAN DEVELOPMENT

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Operation

This clause provides specific objectives and strategies for Metropolitan Melbourne. These are in addition to the principles of land use and development planning in Clause 11 and the relevant specific objectives and strategies in Clauses 14 to 19.

In the event that a strategy in Clauses 14 to 19 is different from a strategy set out in this clause, the strategy in this clause applies.

Application

This clause applies to Metropolitan Melbourne.

The objectives and related strategies aim to ensure that land use and transport planning and investment always contribute to economic, social and environmental goals.

The objectives and strategies also influence municipalities beyond Metropolitan Melbourne and should be taken into account where relevant.

12.01 A more compact city

12.01-1 Objective

To facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.

12.01-2 Strategies

Activity centres

Concentrate new development at activity centres near current infrastructure and in areas best able to cope with change. Development is to respond to its landscape, valued built form and cultural context and achieve sustainable objectives.

Build up activity centres as a focus for high-quality development, activity and living for the whole community by:

- Developing a network of activity centres that:
 - Comprises a range of centres that differ in size and function.
 - Is a focus for business, shopping, working, leisure and community facilities.
 - Provides different types of housing, including forms of higher density housing.
 - Is connected by public transport.
 - Maximises choice in services, employment and social interaction.
- Ensuring activity centres are developed in a way that:
 - Reduces the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible locations.
 - Encourages economic activity and business synergies.
 - Broadens the mix of uses appropriate to the type of centre and needs of the population served.
 - Provides focal points for the community.

- Improves access by walking, cycling and public transport to services and facilities for local and regional populations.
- Supports the development of the Principal Public Transport Network.
- Ensuring planning for activity centres:
 - Sets the strategic framework for the use and development of land in and around the centre and gives clear direction in relation to preferred locations for investment.
 - Supports the role and function of the centre given its classification, the policies for housing intensification, and development of the public transport network.
 - Improves the social, economic and environmental performance and amenity of the centre.
- Broadening the base of activity in centres that are currently dominated by shopping to include a wider range of services over longer hours by:
 - Locating significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Principal or Major Activity Centres with good public transport.
 - Locating new small scale education, health and community facilities that meet local needs in or next to Neighbourhood Activity Centres.
- Defining the role and function of activity centres, preferred uses, scale of development and links to the public transport system based on five classifications of activity centres comprising the Central Activities District, Principal Activity Centres, Major Activity Centres, Specialised Activity Centres and Neighbourhood Activity Centres.

Central Activities District

- Supporting the role of the Central Activities District as Metropolitan Melbourne's largest centre of activity with the greatest variety of uses and functions including commercial, retail, housing, highly specialised personal services, education, government and tourism.
- Reinforcing the Central Activities District as the preferred location for activities that have State or national significance, and for activities that generate a significant number of trips from the metropolitan area and beyond.

Principal and Major Activity Centres

- Development Principal and Major Activity Centres to accommodate ongoing investment and change in retail, office, service and residential markets.
- Ensuring Principal and Major Activity Centre:
 - Have a mix of activities that generate high number of trips including business, retail, services and entertainment.
 - Are well served by multiple public transport routes and are on the Principal Public Transport Network or capable of linking to that network.
 - Have, for Principal Activity Centres, a large catchment covering several suburbs and attracting activities that meet metropolitan needs.
 - Have the potential to grow and support intensive housing developments without conflicting with surrounding land uses.
- Locating new Principal and Major Activity Centres on the Principal Public Transport Network or linking them to the network as part of developing the site.
- Broadening the role of stand-alone centres to provide a greater mix of uses and improving linkages to the Principal Public Transport Network.
- Ensuring Principal Activity Centres are a focus for a range of government and community activities, services and investment and are priority locations for government investment and support.
- Giving priority to Principal Activity Centres for investment and the location of significant land uses where catchments overlap in any part of the network of centres.

- Encouraging Major Activity Centres with good public transport links to grow in preference to other centres with poor public transport links serving the same catchment.

Specialised Activity Centre

- Ensuring Melbourne Airport, major university campuses and key research and development precincts, including the specialised precincts of particular importance to the State's innovation, are developed as Specialised Activity Centres.
- Reinforcing the specialised economic functions of the Specialised Activity Centres and supporting use and development consistent with the primary specialist function of the centre.
- Encouraging complementary mixed uses that do not compete with nearby Principal or Major Activity Centres or inhibit the centre's specialised role.
- Locating Specialised Activity Centres on the Principal Public Transport Network.

Neighbourhood Activity Centres

- Ensuring Neighbourhood Activity Centres:
 - Have a mix of uses that meet local convenience needs.
 - Are accessible to a viable user population by walking and cycling;
 - Are accessible by local bus services with public transport links to Principal or Major Activity Centres.
 - Are an important community focal point.
- Encouraging higher density housing in and around Neighbourhood Activity Centres that is designed to fit the context and enhances the character of the area while providing a variety of housing options for different types of households.
- Providing for new Neighbourhood Activity Centres in the redevelopment of middle and outer suburbs and the development of new growth areas.

Out-of-Centre Development

- Ensuring that proposals or expansion of single use retail, commercial and recreational facilities outside activity centres are discouraged by giving preference to locations in or on the border of an activity centre.
- Ensuring that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the regional served by the proposal.
- Discouraging large sports and entertainment facilities of metropolitan, State or national significance in out-of-centre locations unless they are on the Principal Public Transport Network and in locations that are highly accessible to their catchment of users.

Housing

Locate a substantial proportion of new housing in or close to activity centres and other strategic redevelopment sites that offer good access to services and transport by:

- Increasing the proportion of housing to be developed within the established urban area, particularly at activity centres and other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.
- Encouraging higher density housing development on sites that are well located in relation to activity centres and public transport.
- Ensuring housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.
- Supporting opportunities for a wide range of income groups to choose housing in well-serviced locations.
- Identifying strategic redevelopment sites for large residential development that are:

- In and around the Central Activities District.
- In or within easy walking distance of Principal or Major Activity Centres.
- In or beside Neighbourhood Activity Centres that are served by public transport.
- On or abut tram, train, light rail and bus routes that are part of the Principal Public Transport Network and close to Principal or Major Activity Centres.
- In or near major modal public transport interchanges that are not in Principal or Major Activity Centres.
- Able to provide 10 or more dwelling units, close to activity centres and well served by public transport.
- Ensuring planning for growth areas provides for a mix of housing types and higher housing densities around activity centres.
- Ensuring an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development.
- Ensuring all new development appropriately responds to its landscape, valued built form and cultural context.

12.02 Better management of metropolitan growth

12.02-1 Objective

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

12.02-2 Strategies

Urban growth boundary

Establish an urban growth boundary to set clear limits to Metropolitan Melbourne's urban development by:

- Defining the urban area of Metropolitan Melbourne with an urban growth boundary to manage outward expansion, to facilitate achievement of a compact city, to protect non-urban areas and to ensure ready access to infrastructure in the key transport corridors.
- Defining the non-urban area of Melbourne to be retained for rural and agricultural uses, natural resources, landscape, heritage, open space and conservation values.
- Containing urban development within the established urban growth boundary. Any change to the urban growth boundary must only occur to reflect the needs demonstrated in the designated growth areas.
- Protecting the continued rural use of land within the urban growth boundary until conversion to urban use is required and the extension of urban services is approved as part of the sequencing of development.

Growth areas

Concentrate urban expansion into growth areas that are served by high-capacity public transport by:

- Encouraging new development in those growth areas best served by existing major rail lines within the Werribee, Hume, Epping, Pakenham and Cranbourne corridors.
- Ensuring the ongoing provision of land and supporting infrastructure and ensuring sufficient land is available to meet forecast demand.
- Developing growth areas that will:

- Achieve increases in average housing density significantly higher than 10 dwellings per hectares.
- Deliver timely and adequate provision of public transport and local and regional infrastructure, in line with a preferred sequence of land release.
- Provide for significant amounts of local employment opportunities.
- Create a network of mixed-use activity centres and developing an urban form based on Neighbourhood Principles.
- Meet housing needs by providing a diversity of housing type and distribution.
- Restrict low-density rural residential development that would compromise future development at higher densities.
- Retain unique characteristics of established areas incorporated into new communities to protect and manage natural resources and areas of heritage, cultural and environmental significance.
- Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.
- Developing and maintaining up to date development plans for the growth areas to determine:
 - The form and density of development.
 - Development phasing and sequencing.
 - Major infrastructure needs.
 - The timing and provisions of public transport services.
 - The amount of land in the growth area including its location, the extent and direction of expansion and the position of the urban growth boundary.
 - The role of surrounding rural areas and settlements.
 - The location of new Principal or Major Activity Centres.

Manage the sequence of development in growth areas so that services are available from early in the life of new communities by:

- Defining preferred development sequences in growth areas to better coordinate infrastructure planning and funding.
- Ensuring that new land is released in growth areas in a timely fashion to facilitate coordinated and cost-efficient provision of local and regional infrastructure.
- Requiring new development to make a financial contribution to the provision of infrastructure such as public facilities, public transport and roads.
- Monitoring land supply and demand for housing and industry to ensure 15 year continuous land supply.

Green wedges

Protect the green wedges of Metropolitan Melbourne from inappropriate development by:

- Ensuring strategic planning and land management of each green wedge area to promote and encourage its key features and related values.
- Supporting development in the green wedge that provides for environmental, economic and social benefits.
- Consolidating new residential development with existing settlements and in locations where planned services are available and green wedge area values can be protected.
- Planning and protecting major transport facilities that serve the wider Victorian community, such as airports and ports with their associated access corridors.
- Protecting important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.

- Protecting areas of environmental, landscape and scenic value.
- Protecting significant resources of stone, sand and other mineral resources for extraction purposes.

12.03 Networks with the regional cities

12.03-1 Objective

To develop Metropolitan Melbourne and the surrounding regional cities [sic] as a network of cities to provide a choice of places to live, set up business and find a job.

12.03-2 Strategies

Regional cities

Promote the growth of regional cities and key towns on regional transport corridors as part of a 'networked cities' model by:

- Planning and supporting regional centres of Geelong, Ballarat, Bendigo and the towns of the Latrobe Valley that are close to Metropolitan Melbourne as viable alternative urban locations to Metropolitan Melbourne.
- Ensuring that infrastructure services are in place so that Geelong, Ballarat, Bendigo and the towns of the Latrobe Valley and their surrounding regions are able to take advantage of opportunities for growth that will accrue from improved linkages to Metropolitan Melbourne.
- Encouraging planning for regional areas and cities that:
 - Delivers an adequate supply of land for housing and industry to meet forecast growth.
 - Ensures that new development is supported by strong transport links that provide an appropriate choice of travel.
 - Limits the impact of urban development on non-growth areas and supports development in those areas that can accommodate growth.
 - Protects conservation and heritage values and the surrounding natural resource base.
 - Develops and reinforces the distinctive roles and character of each city.
 - Fosters the development of towns around the regional cities that are on regional transport routes.

Rural residential development

To control development in rural areas to protect agriculture and avoid inappropriate rural residential development by:

- Reducing the proportion of new housing development provided in rural areas and encouraging the consolidation in existing settlements where investment in physical and community infrastructure and services has already been made.
- Ensuring planning for rural living avoids or significantly reduces adverse economic, social and environmental impacts by:
 - Maintaining the long-term sustainable use and management of existing natural resource attributes in activities such as agricultural production.
 - Protecting existing landscape values and environmental qualities such as water quality, native vegetation, biodiversity and habitat.
 - Minimising or avoiding property servicing costs carried by local and State governments.
 - Discouraging development of isolated small lots in rural zones from use for rural living or other incompatible uses.

- Encouraging consolidation of existing isolated small lots in rural zones.

12.04 A more prosperous city

12.04-1 Objective

To create a strong and innovative economy.

12.04-2 Strategies

Resource management

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

- Providing an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.
- Protecting natural resource-based industries, industrial land and energy infrastructure against competing and incompatible uses.
- Protecting the Laverton North and Dandenong heavy industrial areas from inappropriate development and maintaining adequate buffer distances from sensitive or incompatible uses.
- Protecting strategic deposits of sand, mineral and stone, to maintain their potential for exploitation.
- Protecting areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.
- Encouraging manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.
- Developing appropriate infrastructure to meet community demand for energy services and setting aside suitable land for future energy infrastructure.
- Ensuring adequate separation between existing and future infrastructure and residential areas.
- Concentrating industrial development in locations near road and rail freight networks.
- Preventing the loss of industrial land to uses that are better located in Principal and Major Activity Centres to ensure there is an adequate supply of industrial land for all categories of industry.

Central Melbourne

Strengthen Central Melbourne's capital city functions and its role as a primary business, retail, sport and entertainment hub for the metropolitan area by:

- Maintaining and building on Central Melbourne's role as a major hub of transport and communications networks and the State's gateway to the global economy as Victoria's largest and most varied centre of business, tourist, cultural, entertainment, research and government activities, attracting globally-oriented business activities and tourists from overseas and interstate.
- Improving the quality and capacity of the public transport system in Central Melbourne.
- Maintaining high standards of Central Melbourne's parks and gardens, conference and exhibition facilities, museums, concert halls and art galleries and other public buildings and high standards of urban design.
- Locating large-scale sport and entertainment facilities of State or national significance within Central Melbourne and close to the Principal Public Transport

- Network with the Yarra River Precinct being Victoria's premier sport, recreation and entertainment destination.
- Developing the Yarra River precinct as a vibrant waterfront environment for tourism, commercial and residential activity with high-quality pedestrian and cycling linkages.
 - Retaining the Central Activities District as the prime office and retailing centre for the metropolitan areas as well as a major destination for visitors.
 - Developing Southbank and Docklands as mixed residential and commercial precincts.
 - Supporting research focused uses around the biotechnology research, education and production precinct centred in Parkville that are sympathetic to the character and amenity of the area.

Transport and freight

Further develop the key transport gateways and freight links and maintain Victoria's position as the nation's premier logistics centre by:

- Identifying and protecting options for access to, and future development at, the ports of Melbourne, Geelong and Hastings.
- Ensuring port areas are protected by adequate buffers to minimise land-use conflict.
- Improving rail freight access to ports.
- Ensuring that planning and development of the Fishermans Bend precinct does not jeopardise the needs of the Port of Melbourne as a working port and as one of the State's most important transport gateways.
- Retaining the Port of Hastings as a long-term option for future port development should the ports of Melbourne and Geelong no longer meets the State's needs.
- Protecting the region's airports from incompatible land uses.
- Ensuring that in the planning of airports, land-use decisions are integrated, appropriate land-use buffers are in place and provision is made for associated businesses that service airports.
- Ensuring the planning of airports identifies and encourages activities that complement the role of the airport and enables the operator to effectively develop the airport to be efficient and functional and contributes to the aviation needs of the State.
- Protecting the curfew-free status of Melbourne Airport
- Protecting the environs of Avalon Airport so it can operate as a full-size jet airport focusing on freight, training and services for the Geelong region.
- Preserving long-term options for a new general aviation airport south-east of Metropolitan Melbourne by ensuring urban development does not infringe on possible sites, buffer zones or flight paths.
- Recognising Essendon Airport's current role in providing specialised functions related to aviation, freight and logistics and its potential future role as a significant employment and residential precinct that builds on the current functions.
- Maintaining Point Cook Airfield as an operating airport complementary to Moorabbin Airport.
- Recognising Moorabbin Airport as an important regional and State aviation asset by supporting its continued use as a general aviation airport, ensuring future development at the site encourages uses that support and enhance the State's aviation industry and supporting opportunities to extend activities at the airport that improve access to regional Victoria.
- Ensuring suitable sites for intermodal freight terminals at key locations around Metropolitan Melbourne including Tottenham, Somerton and Dandenong are protected.
- Improving the freight and logistics network to optimise freight handling.

Innovation and knowledge economy

Create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education by:

- Encouraging the expansion and development of logistics and communications infrastructure.
- Supporting the development of business clusters.
- Promoting a physical environment that is conducive to innovation and to creative activities.
- Encouraging the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in activity centres and near public transport.
- Improving access to tertiary education facilities by concentrating new facilities around existing campuses and requiring new campuses on outer suburbs to be located in Principal and Major Activity Centres or as part of Specialised Activity Centres.
- Developing the area around Monash University and the Synchrotron site as a Specialised Activity Centre.
- Improving access to community-based information and training through further developing libraries as community learning centres.
- Supporting well located, appropriate and low-cost premises for not-for-profit or start-up enterprises.

Telecommunications

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

- Increasing and improving access for all sectors of the community throughout the region to the broadband telecommunications trunk network.
- Supporting access to transport and other public corridors for the deployment of broadband networks in order to encourage infrastructure investment and reduce investor risk.

12.05 A great place to be

12.05-1 Objective

To create urban environments that are of better quality, safer and more functional, provide more open space and easily recognisable sense of place and cultural identity.

12.05-2 Strategies

Urban design

Promote good urban design to make the environment more liveable and attractive by:

- Ensuring new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
- Requiring development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.
- Ensuring sensitive landscape areas such as the bays and coastlines are protected and that new development does not detract from their natural quality.

- Ensuring transport corridors integrate land use planning, urban design and transport planning and are developed and managed with particular attention to urban design aspects such as open space potential and the use of vegetation to maintain wildlife corridors and greenhouse sinks.
- Improving the landscape qualities, open space linkages and environmental performance in green wedges and conservation areas and non-urban areas.

Cultural identity and neighbourhood character

Recognise and protect cultural identity, neighbourhood character and sense of place by:

- Ensuring development responds and contributes to existing sense of place and cultural identity.
- Ensuring development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
- Ensuring development responds to its context and reinforces special characteristics of local environment and place by emphasising:
 - The underlying natural landscape character.
 - The heritage values and built form that reflect community identity.
 - The values, needs and aspirations of the community.

Safety

Improve community safety and encourage neighbourhood design that makes people feel safe by:

- Ensuring the design of building, public spaces and the mix of activities contribute to safety and perceptions of safety.
- Supporting initiatives that provide safer walking and cycling routes and improved safety for people using public transport.
- Ensuring suitable locations for police stations and fire brigade, ambulance and emergency services are provided for in or near activity centres. In newly developing areas these services should be located together.

Heritage

Protect heritage places and values by:

- Supporting the identification, conservation, protection and management of cultural heritage.
- Conserving places of Indigenous and non-Indigenous cultural heritage including places of spiritual importance or meaning to Indigenous people, cultural landscapes and relics and historic places while encouraging appropriate new development that respects established heritage values.
- Supporting adaptive reuse of heritage buildings whose use has become redundant.

Neighbourhood design

Promote excellent neighbourhood design to create attractive, walkable and diverse communities by:

- Applying Neighbourhood Principles to the development of new areas and to major redevelopment of existing areas, to create liveable neighbourhoods. These principles include:
 - An urban structure where networks of neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network.
 - Compact neighbourhoods that are oriented around walkable distances between activities and where neighbourhood centres provide access to services and facilitates to meet day-to-day needs.

- Reduced dependence on car use because public transport is easy to use, there are safe and attractive spaces for walking and cycling, and subdivision layouts allow easy movement through and between neighbourhoods.
- A range of lot sizes and housing types to satisfy the needs and aspirations of different groups of people.
- Integration of housing, workplaces, shopping, recreation and community services, to provide a mix and level of activity that attracts people, creates a safe environment, stimulates interaction and provides a lively community focus.
- A range of open spaces to meet a variety of needs, with links to open space networks and regional parks where possible.
- A strong sense of place created because neighbourhood development emphasises existing cultural heritage values, attractive built form and landscape character.
- Environmentally friendly development that includes improved energy efficiency, water conservation, local management of stormwater and waste water treatment, less waste and reduced air pollution.
- Protection and enhancement of native habitat and discouragement of the spread and planting of noxious weeds.
- Comprehensively planning new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.
- Clustering of complementary facilities in Neighbourhood Activity Centres to provide good and easy access, opportunities for co-location and the sharing of resources and support for local economic activity.

Open space

Improve the quality and distribution of open space and ensure long-term protection of public open space by:

- Applying open space planning principles to the planning and management of public open space. These principles include:
 - Encouraging management plans or explicit statements of management objectives for urban parks to be developed.
 - Ensuring exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.
 - Ensuring the provision of buildings and infrastructure is consistent with the management objectives of the park.
 - Protecting large regional parks and significant conservation areas.
 - Ensuring land identified as critical to the completion of open space links is transferred for open space purposes.
 - Ensuring public access is not prevented by developments along stream banks and foreshores.
 - Ensuring public land immediately adjoining waterways and coastlines remains in public ownership.
 - Protecting the overall network of open space by ensuring that where there is a change in land use or in the nature of occupation resulting in a reduction of open space, the overall network of open space is protected by the addition of replacement parkland of equal or greater size and quality.
 - Providing new parkland in growth areas and in areas that have an undersupply of parkland.
 - Ensuring that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction and peace and solitude. Community sports facilities should be accommodated in a way that is not detrimental to other park activities.

- Protecting sites and features of high scientific, nature conservation, biodiversity, heritage, geological or landscape value.
- Ensuring open space is designed to accommodate people of all abilities, ages and cultures.

Rectify gaps in the network of metropolitan open space by creating new parks and ensure major open space corridors are protected and enhanced by:

- Developing open space networks in growth areas, where existing open space is limited and demand is growing, and in the surrounding region of Metropolitan Melbourne including:
 - Werribee River Regional Park
 - Werribee Township Regional Park
 - Kororoit Creek Regional Park
 - Merri Creek Regional Park
 - Toolern Creek Regional Park
 - Cranbourne Regional Park
- Creating continuous open space links and trails along the:
 - Western Coastal parklands (linking Point Gellibrand, Point Cook and Werribee)
 - Merri Creek parklands (extending to Craigieburn)
 - Maribyrnong River parklands
 - Frankston parklands (linking existing parks from Carrum to Mornington)
- Providing long term planning protection to meet demand for future open space along the Plenty Gorge parklands, Yarra Valley parklands, Cardinia Creek parklands, Heatherton/Dingley 'Sandbelt' parklands and Dandenong Valley Parklands.
- Ensuring development does not compromise the Yarra River and Maribyrnong River corridors and other waterways as significant open space, recreation, aesthetic, conservation and tourism assets.
- Continuing the development of the lower Yarra River as a focus for sport, entertainment and leisure.

Coastal areas

Improve the environmental health of the bays and their catchments by:

- Reducing major environmental pressures associated with urban growth and development within catchments of Port Phillip Bay and Western Port by:
 - Requiring growth area planning to protect significant natural assets.
 - Improving the quality of stormwater entering waterways, particularly that emanating from construction sites and road development.
- Improving waterway management arrangements for the whole of the Port Phillip Bay and Western Port catchments.

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

- Requiring coastal planning and management to be consistent with the *Victorian Coastal Strategy 2002*.
- Managing privately owned foreshore consistently with the adjoining public land.

Tourism

Maintain and develop Metropolitan Melbourne as a desirable tourist destination by:

- Maintaining Melbourne's position as a destination in its own right and as a gateway to regional Victoria by:
 - Facilitating local, national and global connections and alliances.
 - Developing city precincts and promenades.
 - Revitalising the retail core of the Central Activities District.

- Nurturing artistic and cultural life.
- Improving public facilities, amenities and access.
- Maintaining city safety.
- Providing information and leisure services.
- Integrating communications systems.
- Improving transport infrastructure.
- Ensuring efficient resource use.
- Protecting biodiversity.

12.06 A fairer city

12.06-1 Objective

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

12.06-2 Strategies

Affordable housing

Increase the supply of well-located affordable housing by:

- Encouraging a significant proportion of new development, including development at activity centres and strategic redevelopment sites, to be affordable for households on low to moderate incomes.
- Facilitating a mix of private, affordable and social housing in Transit Cities projects.
- Ensuring the redevelopment and renewal of public housing stock better meets community needs.

Social and physical infrastructure

Plan for a more equitable distribution of social infrastructure by:

- Identifying gaps and deficiencies in social and cultural infrastructure and encouraging their location in activity centres, especially those identified as Principal Activity Centres.

Improve the coordination and timing of the installation of services and infrastructure in new development areas by:

- Ensuring effective working arrangements between State government agencies, non-government service providers and local councils to coordinate installation of infrastructure and services in new development areas.
- Supporting opportunities to co-locate facilities.

Culture and the arts

Develop a strong cultural environment and increase access to arts, recreation and other cultural facilities by:

- Encouraging a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres, at Principal and Major Activity Centres.
- Reinforcing the existing major precincts for arts, sports and major events of Statewide appeal and establishing new facilities at locations well served by public transport.

12.07 A greener city**12.07-1 Objective**

To minimize impacts on the environment to create a sustainable path for future growth and development.

12.07-2 Strategies**Water resources**

Ensure that water resources are managed in a sustainable way by:

- Protecting Melbourne's water catchments and water supply facilities to ensure the continued availability of clean, high-quality drinking water.
- Encouraging the use of alternative water sources such as rainwater tanks, stormwater and recycled water by governments, developers and households.
- Protecting reservoirs, water mains and local storage facilities from potential contaminations.
- Ensuring that planning for water supply, sewerage and drainage works receives high priority in early planning for new developments.
- Ensuring the development of new urban areas and green spaces takes advantage of any opportunities for effluent recycling.

Waste management

Reduce the amount of waste generated and encourage increased reuse and recycling of waste materials by:

- Establishing new sites and facilities to safely manage Victoria's solid hazardous waste in areas that will be viable long term and do not adversely affect sensitive land uses.
- Providing sufficient waste management facilities to promote recycling.
- Encouraging waste generators and businesses that use or recycle waste to locate near each other.
- Ensuring buffers for waste management facilities are protected and maintained.

Energy use

Contribute to national and international efforts to reduce energy usage and greenhouse gas emission by:

- Ensuring that building and subdivision design improves efficiency in energy use.
- Improving efficiency in energy use through greater use of renewable energy.
- Ensuring Victoria's greenhouse sinks are protected and enhanced by controlling land clearing, containing the growth of Metropolitan Melbourne and supporting revegetation programs.

Stormwater management

Reduce the impact of stormwater on bays and catchments by:

- Supporting integrated planning of stormwater quality through a mix of on-site measures and developer contributions.
- Mitigating stormwater pollution from construction sites.

- Ensuring stormwater and groundwater entering wetlands do not have a detrimental effect on the wetlands.
- Incorporating water-sensitive urban design techniques into developments to:
 - Protect and enhance natural water systems.
 - Integrate stormwater treatment into the landscape.
 - Protect quality of water.
 - Reduce run-off and peak flows.
 - Minimise drainage and infrastructure costs.

Groundwater

Protect groundwater and land resources by:

- Preventing the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments.
- Encouraging the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.

Air quality

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

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

Native habitat and biodiversity

Protect native habitat and areas of important biodiversity through appropriate land-use planning by:

- Developing regional catchment strategies to guide Landcare projects, local landscape plans and whole farm plans.
- Development native vegetation management plans to achieve a net gain in native vegetation by improving and creating habitats.
- Protecting critically important flora and fauna habitat and important landscapes such as the coastal areas, the Dandenong and Yarra Ranges, the Yarra Valley, Western Port and the Mornington Peninsula.

12.08 Better transport links

12.08-1 Objective

To create a more sustainable transport system by integrating land-use and transport.

12.08-2 Strategies

Principal Public Transport Network

Upgrade and develop the Principal Public Transport Network and local public transport services to connect activity centres and link Melbourne to the regional cities by:

- Establishing fast train services that serve key regional cities and townships and connect them with Principal and Major Activity Centres along the radial routes leading to Central Melbourne.
- Improving connections to Principal and Major Activity Centres that are not adequately serviced by the Principal Public Transport Network and public transport services and interchanges at stand alone shopping centres.
- Ensuring new activity centres are connected to the Principal Public Transport Network as they develop.
- Identifying key strategic transport corridors capable of providing fast, reliable and frequent public transport services.
- Supporting the Principal Public Transport Network with a comprehensive network of local public transport services.
- Designing local bus services to meet the need for local travel as well as providing for connections to the Principal Public Transport Network.
- Achieving greater use of public transport by increasing densities, maximizing the use of existing infrastructure and improving the viability of the public transport operation.

Improve the operation of the existing public transport network with faster, more reliable and efficient on-road and rail public transport by:

- Improving the movement, efficiency and reliability of the road-based public transport by road-space management measures including transit lanes, clearways, traffic-light prioritisation and stop design.
- Improving the rail network by identifying and treating rail 'red spots' and expanding rail corridor speed and loading capacities.

Transport planning

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

- Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of the urban area.
- Concentrating key trip generators such as higher density residential development and Principal, Major and Specialised Activity Centres on the Principal Public Transport Network.
- Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.
- Providing routing, bus stop and interchange arrangement for public transport services in new development areas.
- Providing safe pedestrian and cycling access to activity centres, public transport interchanges and other strategic redevelopment sites.

Coordinate development of all transport modes to provide a comprehensive transport system by:

- Requiring transport system management plans for key transport corridors and for major investment proposals.
- Reserving land for strategic transport infrastructure.
- Incorporating the provision of public transport and cycling infrastructure in all major new State and local government road projects.

Review transport practices, including design, construction and management, to reduce environmental impacts by:

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

Road network

Manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure by:

- Making better use of roads for all road uses through such techniques as the provision of wider footpaths, bicycle lanes, transit lanes (for buses and taxis) and specific freight routes.
- Selectively expanding and upgrading the road network to provide for:
 - High-quality connections between regional cities.
 - Upgrading of key freight routes.
 - Ongoing development in outer suburban areas.
 - Higher standards of on-road public transport.
 - Improved key cross-town arterial links in the outer suburbs.
- Improving road networks where public transport is not viable, and where the road development is compatible with the Neighbourhood Principles and urban design objectives.
- Improving roads in developing outer-suburban areas to cater for car, public transport, and freight, commercial and service users.
- Improving the management of key freight routes to make freight operations more efficient while reducing their external impacts.
- Ensuring that road space complements land use and is managed to meet community and business needs.
- Upgrading major arterial road links from Metropolitan Melbourne to regional cities.

Walking and cycling

Give more priority to walking and cycling in planning urban development and in managing the road system and neighbourhood by:

- Ensuring Neighbourhood Activity Centres are located within convenient walking distance in the design of new subdivisions.
- Encouraging the use of walking and cycling by creating environments that are safe and attractive.
- Developing high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.
- Developing local cycling networks and new cycling facilities that link to and complement the metropolitan-wide network of bicycle routes – the Principal Bicycle Network.
- Providing improved facilities, particularly storage, for cyclists at public transport interchanges and rail stations.
- Providing bicycle end of trip facilities in commercial buildings.

Promote the use of sustainable personal transport options by:

- Ensuring development provides opportunities to create more sustainable transport options such as walking, cycling and public transport.

12.09 Geographic strategies

Decision making by planning and responsible authorities must have regard to the following incorporated document:

- Activity Centres and Principal Public Transport Network Plan, 2003

and the following reference documents (as relevant):

- Melbourne 2030 – Planning for Sustainable Growth (Department of Infrastructure 2002)

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- Upper Yarra Valley and Dandenong Ranges Region – Regional Strategy Plan (1996)
 - Port Phillip and Westernport Regional Catchment Strategy (Port Phillip Regional Catchment and Land Protection Board, 1997)
 - Victorian Coastal Strategy (Victorian Coastal Council 2002)
 - Victorian Heritage Strategy (Heritage Victoria 2000)
 - Linking People and Spaces: A Strategy for Melbourne’s Open Space Network (Parks Victoria 2002)
 - Growing Victoria Together (Department of Premier and Cabinet 2001)
 - The Victorian Greenhouse Strategy (Department of Natural Resources and Environment 2002)
 - Flora and Fauna Guarantee Strategy: Victoria’s Biodiversity (Department of Natural Resources and Environment 1997)
 - Maribyrnong River – Vision for Recreational and Tourism Development (Melbourne Parks and Waterways 1996).

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14 SETTLEMENT

19/01/2006
VC37

14.01 Planning for urban settlement

14.01-1 Objective

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

To facilitate the orderly development of urban areas.

14.01-2 General implementation

Planning authorities should plan to accommodate projected population growth over at least a 10 year period, taking account of opportunities for redevelopment and intensification of existing urban areas as well as the limits of land capability and natural hazards, environmental quality and the costs of providing infrastructure.

In planning for urban growth, planning authorities should encourage consolidation of existing urban areas while respecting neighbourhood character. Planning authorities should encourage higher density and mixed use development near public transport routes.

Planning authorities should facilitate the orderly development of developing urban areas through the preparation of structure plans. The plans should take into account the strategic and physical context of the location, provide for the development of sustainable and liveable urban areas in an integrated manner, facilitate the development of walkable neighbourhoods and facilitate the logical and efficient provision of infrastructure.

Structure plans may consist of a hierarchy of plans that provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts within an area. Planning authorities should facilitate the preparation of a hierarchy of plans appropriate for the development of an area.

Responsible authorities should use any relevant structure plan in considering applications for subdivision.

Environmentally sensitive areas with significant recreational value such as the Dandenong and Macedon Ranges, the Upper Yarra Valley, Western Port and Port Phillip Bays and their foreshores, the Mornington Peninsula, the Yarra and Maribyrnong Rivers and the Merri Creek, the Grampians, the Gippsland Lakes and its foreshore, the coastal areas and their foreshores and the Alpine areas as well as nominated urban conservation areas, historic buildings and precincts should be protected from development which would diminish their environmental conservation or recreation values.

Decision making by planning and responsible authorities must be consistent with any relevant requirements of State environment protection policies as varied from time to time, including the Air Environment, Waters of Victoria and specific catchment policies, Control of Noise from Commerce, Industry and Trade, Control of Music Noise from Public Premises, and Siting and Management of Landfills Receiving Municipal Wastes.

14.01-3 Geographic strategies

In planning for urban growth, planning authorities should have particular regard to the Victorian Government population projections and land supply estimates.

15 ENVIRONMENT

19/01/2006
VC37

15.01 Protection of catchments, waterways and groundwater**15.01-1 Objective**

To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

15.01-2 General implementation

Decision-making by planning and responsible authorities must be consistent with any relevant requirements of State environment protection policies as varied from time to time (Waters of Victoria and specific catchment policies).

Catchment planning and management

Planning authorities must have regard to relevant aspects of:

- Any regional catchment strategies approved under the Catchment and Land Protection Act 1994 and any associated implementation plan or strategy, including regional vegetation plans, regional drainage plans, regional development plans, catchment action plans, landcare plans, and management plans for roadsides, soil, salinity, water quality and nutrients, floodplains, heritage rivers, river frontages and waterways.
- Any Action Statements and management plans prepared under the Flora and Fauna Guarantee Act 1988.
- Any special area plans approved under the Catchment and Land Protection Act 1994.

Planning and responsible authorities should coordinate their activities with those of the Boards of catchment management authorities appointed under the Catchment and Land Protection Act 1994 and consider any relevant management plan or works program approved by a catchment management authority.

Planning and responsible authorities should consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments and, where possible should encourage:

- The retention of natural drainage corridors with vegetated buffer zones at least 30m wide along waterways to maintain the natural drainage function, stream habitat and wildlife corridors and landscape values, to minimise erosion of stream banks and verges and to reduce polluted surface runoff from adjacent land uses.
- Measures to minimise the quantity and retard the flow of stormwater runoff from developed areas.
- Measures, including the preservation of floodplain or other land for wetlands and retention basins, to filter sediment and wastes from stormwater prior to its discharge into waterways.

Responsible authorities should ensure that works at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses and are consistent with Guidelines for Stabilising Waterways (Rural Water Commission 1991) and Environmental Guidelines for River Management Works (Department of Conservation and Environment 1990), and should have regard to any relevant river restoration plans or waterway management works programs approved by a catchment management authority

Water quality protection

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

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

Planning and responsible authorities should ensure land use and development proposals minimise nutrient contributions to waterways and water bodies and the potential for the development of algal blooms, consistent with the Preliminary Nutrient Guidelines for Victorian Inland Streams (EPA 1995), the Victorian Nutrient Management Strategy (Government of Victoria 1995) and the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999).

Responsible authorities should use appropriate measures to restrict sediment discharges from construction sites in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

Planning and responsible authorities should utilise mapped information available from the Department of Sustainability and Environment to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources of proposed land use or development.

15.01-3 Geographic strategies

Planning and responsible authorities should have regard to regional catchment strategies where relevant.

For land adjoining the Murray River, planning and responsible authorities should consider the recommendations of the Murray River Regional Environmental Plan No 2 (REP2) of New South Wales.

15.02 Floodplain management

15.02-1 Objective

To assist the protection of:

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

15.02-2 General implementation

Planning controls for areas subject to flooding should be consistent throughout the State.

Flood risk must be considered in the preparation of planning schemes and land use planning decisions to avoid intensifying the impacts of flooding through inappropriately located uses and developments.

Planning authorities should have regard to the following documents when preparing planning schemes for areas affected by flooding:

- Regional catchment strategies and special area plans approved by the Minister for Environment and Water.
- State environment protection policies as varied from time to time (Waters of Victoria and specific catchment policies).
- Any floodplain management manual of policy and practice, or catchment management or floodplain management strategy adopted by the relevant responsible floodplain management authority.
- Any best practice environmental management guidelines for stormwater adopted by the Environment Protection Authority.

Land affected by flooding, including floodway areas, as verified by the relevant floodplain management authority, should be shown on planning scheme maps. Land affected by flooding is land inundated by the 1 in 100 year flood event or as determined by the floodplain management authority

Emergency facilities (including hospitals, ambulance stations, police stations, fire stations, transport facilities, communications facilities, community shelters and education centres) must be located outside the 1 in 100 year floodplain and, where possible, at levels above the height of the probable maximum flood.

Developments and uses which involve the storage or disposal of environmentally hazardous industrial and agricultural chemicals or wastes and other dangerous goods (including piggeries, poultry farms, feedlots and sewage treatment plants) must not be located on floodplains unless site design and management is such that potential contact between such substances and floodwaters is prevented, without affecting the flood carrying and flood storage functions of the floodplain.

15.03 Salinity

15.03-1 Objective

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

15.03-2 General implementation

Planning and responsible authorities should use zoning, overlay controls and permit conditions to:

- Promote vegetation retention and replanting in aquifer recharge areas contributing to groundwater salinity problems.
- Prevent inappropriate development in areas affected by groundwater salinity.

Planning authorities should have regard to the following documents in planning for areas affected by salinity:

- A Local Government Planning Guide for Dryland Salinity (Department of Conservation and Natural Resources 1995).
- Any relevant regional catchment strategy and any associated implementation plan or strategy (particularly salinity management plans and regional vegetation plans), as well as special area plans approved under the Catchment and Land Protection Act 1994.

15.04 Air quality**15.04-1 Objective**

To assist the protection and improvement of air quality.

15.04-2 General implementation

Decision-making by planning and responsible authorities must be consistent with any relevant requirements of the State environment protection policy (The Air Environment) as varied from time to time.

Planning and responsible authorities should ensure that development is not prejudiced and community amenity is not reduced by air emissions by ensuring, wherever possible, that there is suitable separation between potentially amenity reducing and sensitive land uses and developments. Consideration should be given to Recommended Buffer Distances for Industrial Residual Air Emissions (EPA 1990) to determine the extent of separation.

Responsible authorities should have regard to the potential for conflict between land uses or development within a zone due to air emission impacts.

15.05 Noise abatement**15.05-1 Objective**

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

15.05-2 General implementation

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

Decision-making by planning and responsible authorities must be consistent with any relevant aspects of the following documents:

- State environment protection policy (Control of Noise from Commerce, Industry and Trade) No N-1 (in metropolitan Melbourne).
- Interim Guidelines for Control of Noise From Industry in Country Victoria (EPA 1989).
- State environment protection policy (Control of Music Noise from Public Premises).

15.06 Soil contamination**15.06-1 Objective**

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

15.06-2 General implementation

Minister's Direction No. 1 under the Planning and Environment Act 1987 applies to the preparation of a planning scheme or amendment which would have the effect of allowing land used or known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel to be used for agriculture, public open space or a residential use, a child care centre, a pre-school centre or a primary school.

In considering applications for use of land used or known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel, responsible authorities should require applicants to provide adequate information on the potential for contamination to have adverse effects on the future land use.

Planning and responsible authorities should have regard to the following documents when making decisions regarding contaminated land:

- Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC/MHNRC 1992).
- Planning Measures for Environmental Protection: A Practical Guide for Local Government (EPA 1994).
- Relevant Information Bulletins published by the Environment Protection Authority.

15.07 Protection from wildfire**15.07-1 Objective**

To assist the minimisation of risk to life, property, the natural environment and community infrastructure from wildfire.

15.07-2 General implementation

In consultation with relevant fire authorities, planning authorities must identify wildfire risk environments in planning schemes.

Fire hazards must be considered in planning decisions affecting wildfire risk environments to avoid intensifying the risk through inappropriately located or designed uses or developments.

Planning and responsible authorities must have regard to the following documents when considering land use or development in wildfire risk environments:

- Municipal Fire Prevention Plans.
- Code of Practice for Fire Management on Public Land (Dept of Conservation and Natural Resources 1995).
- Bushfire Prone Areas (Building Control Commission and Country Fire Authority 1995).
- Wildfire Intensity Maps prepared by the Country Fire Authority.
- Building in bushfire-prone Areas - CSIRO & Standards Australia (SAA HB36-1993), May 1993.
- Requirements for Water Supplies and Access for Subdivisions in Residential 1 and 2 and Township Zones (Country Fire Authority 2004).
- Planning Conditions and Guidelines for Subdivisions (Country Fire Authority 1991).
- Any relevant regional catchment strategy.

The advice of the relevant fire authority should be sought if compliance with the above codes of practice or guidelines is not likely or additional measures are believed necessary.

15.08 Coastal areas

15.08-1 Objective

In coastal areas, to protect and enhance the natural ecosystems and landscapes of the coastal and marine environment, ensure sustainable use of natural coastal resources and achieve development that provides an environmental, social and economic benefit enhancing the community's value of the coast.

15.08-2 General implementation

Land use and development planning is to be coordinated with the requirements of the Coastal Management Act 1995 to:

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

Decision-making by planning authorities and responsible authorities should be consistent with the following hierarchy of principles for coastal planning and management as set out in the Victorian Coastal Strategy 2002:

1. Provide for the protection of significant environmental features.
2. Ensure the sustainable use of natural coastal resources.
3. Undertake integrated planning and provide direction for the future.
4. When the above principles have been met, facilitate suitable development on the coast within existing modified and resilient environments where the demand for services is evident and requires management.

15.08-3 Geographic strategies

Planning for coastal areas should be consistent with the Victorian Coastal Strategy 2002, any relevant coastal action plan or management plan approved under the Coastal Management Act 1995 or National Parks Act 1975, any relevant State environment protection policy, the purpose for which land is reserved under the Crown Land (Reserves) Act 1978 and approved recommendations from the Land Conservation Council or the Victorian Environment Assessment Council.

Great Ocean Road Region

Planning for the Great Ocean Road Region should:

Protect the landscape and environment by:

- * Protecting public land and parks and identified significant landscapes.
- * Ensuring development responds to the identified landscape character of the area.
- * Managing the impact of development on catchments and coastal areas.
- * Managing the impact of development on the environment and cultural values of the area.

Manage the growth of towns by:

- * Respecting the character of coastal towns and promoting best practice design for new development.
- * Directing urban growth to strategically identified areas.
- * Encouraging environmentally sustainable development.

Improve the management of access and transport by:

- * Managing the Great Ocean Road for tourism and regional access.
- * Enhancing the safety and travelling experience of the Great Ocean Road.
- * Improving the safety and operational performance of the inland routes from the Princes Highway to the Great Ocean Road.
- * Providing travel choices to and within the region.

Encourage sustainable tourism and resource use by:

- * Developing a network of tourism opportunities throughout the region.
- * Supporting tourism activities that provide environmental, economic and social benefits.
- * Supporting the land use and transport needs of key regional industries including tourism.
- * Using natural resources with care.

Planning for the Great Ocean Road Region should have regard to the Great Ocean Road Region – A Land Use and Transport Strategy (Department of Sustainability and Environment, 2004).

15.09 Conservation of native flora and fauna

15.09-1 Objective

To assist the protection and conservation of biodiversity, including native vegetation retention and provision of habitats for native plants and animals and control of pest plants and animals.

15.09-2 General implementation

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Planning authorities should have regard to the National Strategy for the Conservation of Australia's Biological Diversity (Department of Environment, Sport and Territories 1996), any Strategy, relevant Governor-in-Council orders and Action Statements prepared under the Flora and Fauna Guarantee Act 1988, and any relevant regional catchment strategy and associated implementation plans and strategies, particularly regional vegetation plans and roadside management strategies, as well as special area plans approved under the Catchment and Land Protection Act 1994, when preparing planning scheme amendments or municipal strategic statements affecting native vegetation, flora, fauna, waterways or wetlands.

Planning authorities should utilise mapped information available from the Department of Sustainability and Environment to identify areas of significant native vegetation and biodiversity.

Decision-making by planning and responsible authorities should:

- Assist the protection of conservation values of national parks and conservation reserves.
- Assist the conservation of the habitats of threatened and endangered species and communities as identified under the Flora and Fauna Guarantee Act 1988, including communities under-represented in conservation reserves such as native grasslands, grassy woodlands and wetlands.
- Address potentially threatening processes identified under the Flora and Fauna Guarantee Act 1988.
- Assist re-establishment of links between isolated habitat remnants.

Planning and responsible authorities must have regard to Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and

Environment 2002). If a permit is required to remove native vegetation, or an amendment to this scheme or an application for subdivision could result in the removal of native vegetation, planning and responsible authorities should follow the three-step approach as defined in the Framework. This is achieved firstly, as a priority, by avoiding the removal of native vegetation; secondly, if the removal of native vegetation cannot be avoided, by minimising the loss of native vegetation through appropriate consideration in planning processes and expert input into project design or management; and thirdly, by identifying appropriate offset actions.

Planning and responsible authorities must ensure that any changes in land use or development would not adversely affect the habitat values of wetlands and wetland wildlife habitats designated under the Convention on Wetlands of International Importance (the Ramsar Convention) or utilised by species designated under the Japan-Australia Migratory Birds Agreement (JAMBA) or the China-Australia Migratory Birds Agreement (CAMBA).

Planning and responsible authorities should consider the potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into natural ecosystems.

Responsible authorities should ensure that the siting of new buildings and works minimizes the removal or fragmentation of native vegetation.

Responsible authorities should encourage the use of property vegetation plans or works programs and consider the need to protect waterways and soil from degradation that may result from the loss of native vegetation and the use of voluntary conservation agreements between land owners and the Department of Sustainability and Environment.

15.10 Open space

15.10-1 Objective

To assist creation of a diverse and integrated network of public open space commensurate with the needs of urban communities and rural areas.

15.10-2 General implementation

Planning authorities should plan for regional open space networks to be used for recreation and conservation of natural and cultural environments.

Planning and responsible authorities should ensure that open space networks:

- Are linked through the provision of walking and cycle trails and rights of way.
- Are integrated with open space contributions from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest, as well as maintaining public accessibility on public land immediately adjoining waterways and coasts

Planning and responsible authorities should ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

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

15.11 Heritage**15.11-1 Objective**

To assist the conservation of places that have natural, environmental, aesthetic, historic, cultural, scientific or social significance or other special value important for scientific and research purposes, as a means of understanding our past, as well as maintaining and enhancing Victoria's image and making a contribution to the economic and cultural growth of the State.

15.11-2 General implementation

Planning and responsible authorities should identify, conserve and protect places of natural or cultural value from inappropriate development. These include:

- Places of botanical, zoological or other scientific importance, including national parks and conservation reserves and the habitats of rare or endangered plants and animals.
- Places and sites of geological, palaeontological or other scientific importance, including rock formations and fossil sites.
- Places of Aboriginal cultural heritage significance, including historical and archaeological sites.
- Sites associated with the European discovery, exploration and settlement of Victoria.
- Important buildings, structures, parks, gardens, sites, areas, landscapes, towns and other places associated with the historic and cultural development of Victoria, including places associated with pastoral expansion, gold mining, industrial development and the economic expansion and growth of Victoria.

Planning and responsible authorities should take account of the findings and recommendations of the Victorian Heritage Council and the provisions of the Heritage Act 1995.

Planning and responsible authorities must take account of the requirements of the Victorian Archaeological and Aboriginal Relics Preservation Act 1972, the Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984 and the views of local Aboriginal communities in providing for the conservation and enhancement of places, sites and objects of Aboriginal cultural heritage value.

Planning authorities should have regard to Local Government Heritage Guidelines (Department of Planning and Housing 1991) when preparing planning schemes or amendments to assist the conservation and enhancement of places, sites and objects of non-Aboriginal cultural heritage value.

15.12 Energy efficiency**15.12-1 Objective**

To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

15.12-2 General implementation

Planning and responsible authorities should:

- Promote energy efficient building and subdivision design.

- Promote consolidation of urban development and integration of land use and transport.
- Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.

15.13 Alpine areas

15.13-1 Objective

To protect and manage significant environmental features and ecosystems and facilitate sustainable use and development of Alpine Resorts for year round use and activity, and to provide a framework for the planning of the alpine areas.

15.13-2 General implementation

The Alpine Resorts 2020 Strategy provides a framework for the sustainable long term planning and management of Victoria's six alpine resorts: Falls Creek, Lake Mountain, Mount Baw Baw, Mount Buller, Mount Hotham and Mount Stirling. Planning and responsible authorities should have regard to the strategic directions contained within the Alpine Resorts 2020 Strategy.

Planning and responsible authorities, in conjunction with the Resort Management Boards, should develop, monitor and regularly review Alpine Resort Environmental Management Plans and Comprehensive Development Plans for each alpine resort, recognising their unique characteristics, constraints and opportunities. In doing so, the distinct environments, infrastructure needs and capabilities to support different activities of the alpine resorts of Falls Creek, Lake Mountain, Mt Baw Baw, Mt Buller, Mt. Hotham and Mt Stirling and other alpine areas should be considered.

Planning and responsible authorities should maintain a close working relationship with Resort Management Boards recognising that ongoing implementation of approved plans and management of developments is crucial to the effective operation of the alpine resorts and protection of alpine resources.

Planning authorities and responsible authorities should:

- Take into account the sensitive and fragile nature of the alpine environment.
- Ensure that there is a mixture of uses and developments to cater for users of the alpine areas in all seasons.
- Provide for the development of consolidated alpine villages, including a diverse range of employment, social and economic opportunities.
- Ensure that proposals for use and development are generally in accordance with any approved Comprehensive Development Plan and comply with any approved Alpine Resort Environmental Management Plan.
- Encourage best practice for low impact and environmentally sensitive management that minimise disturbance of indigenous flora and fauna and sensitive landscape in both construction and operation of all developments.
- Encourage best practice in urban design that responds to the alpine character and histories from Aboriginal culture, mining, logging, grazing and recreation.

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

Planning and responsible authorities should have regard to the Alpine Development Code 1997 and to any relevant approved Land Conservation Council or Environment Conservation Council recommendations.

Decision making by planning and responsible authorities should be consistent with any relevant State environment protection policy as varied from time to time.

15.13-3 Geographic Strategies

In planning for Alpine areas planning authorities and responsible authorities should:

- Promote development for active recreation solely at Falls Creek, Lake Mountain, Mt Buffalo, Mt Baw Baw, Mt Buller and Mt Hotham.
- Promote intensive residential and commercial development at Falls Creek, Mt Baw Baw, Mt Buller and Mt Hotham.
- Maintain Mt Stirling as an all season nature based tourist, recreational and educational resource.

Planning authorities should have regard to:

- The Memorandum of Understanding in relation to the Co-operative Management of the Australian Alps National Parks agreed to by the member states and territories of Victoria, Australian Capital Territory and New South Wales.
- Any approved management plans and guidelines endorsed by the Minister for Environment and Water.
- Alpine Resorts 2020 Strategy.

15.14 Renewable energy

15.14-1 Objective

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

15.14-2 General implementation

Energy underpins the economy and quality of life of all Victorians. The Government is committed to achieving a more sustainable energy future for all Victorians by:

- Contributing to national and international efforts to reduce greenhouse emissions by reducing the long term dependency on energy from fossil fuels.
- Increasing the security and diversity of Victoria's energy supply by increasing the proportion supplied from renewable sources including wind energy.
- Encouraging and supporting the development of sustainable industries.

Planning should contribute to the provision of renewable energy by facilitating wind energy development in appropriate locations. In particular, planning should:

- Facilitate the consideration of wind energy development proposals.
- Recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year and that such sites are likely to be close to the exposed coastline and may be highly localised.
- Consider the economic and environmental benefits to the broader community of renewable energy generation and the effects on the local environment.

In planning for wind energy facilities, planning and responsible authorities must take into account the Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria, 2003.

16 HOUSING

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16.01 Residential development for single dwellings**16.01-1 Objective**

To encourage:

- Subdivisions in locations with access to physical and community infrastructure and providing a range of lot sizes, a convenient and safe road network, appropriate pedestrian and cycle paths, sufficient useable public open space and low vulnerability to fire.
- Residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water-sensitive design principles and encourages public transport use.
- Opportunities for increased residential densities to help consolidate urban areas.

16.01-2 General implementation

Maximum use should be made of Clause 56 to plan subdivisions for development of single houses.

16.02 Medium density housing**16.02-1 Objective**

To encourage the development of well-designed medium-density housing which:

- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure.
- Improves energy efficiency of housing.

16.02-2 General implementation

Responsible authorities should use Clause 54 and Clause 55 in considering applications for medium-density housing.

16.03 Rural living and rural residential development**16.03-1 Objective**

To identify land suitable for rural living and rural residential development.

16.03-2 General implementation

Minister's Direction No 6, Rural Residential Development applies to the preparation of planning scheme amendments to allow rural residential development.

Land should only be zoned for rural living or rural residential development where it:

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

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

Planning authorities and responsible authorities, in considering proposed residential development in the vicinity of:

- Cattle feedlots should have regard to the Victorian Code for Cattle Feedlots (Department of Agriculture, Energy and Minerals, 1995).
- Broiler farms, should have regard to the Victorian Code for Broiler Farms, September 2001.

16.04 Crisis accommodation and community care units

16.04-1 Objective

To encourage the establishment of crisis accommodation and community care units in residential areas and to ensure that their location is kept confidential.

16.04-2 General implementation

Planning schemes must not require a planning permit for or prohibit the use of a dwelling of up to 10 habitable rooms in a residential area as shared housing or crisis accommodation.

Planning schemes must not identify the site of a community care unit or a dwelling used for crisis accommodation as having that use.

Planning schemes must not require a permit for or prohibit the use of buildings for community care units (with accommodation for no more than 20 clients plus supervisory staff) in areas used mainly for housing.

17 ECONOMIC DEVELOPMENT

19/01/2006
VC37

17.01 Activity centres**17.01-1 Objective**

To encourage the concentration of major retail, commercial, administrative, entertainment and cultural developments into activity centres (including strip shopping centres) which provide a variety of land uses and are highly accessible to the community.

17.01-2 General implementation

Activity centres should be planned to:

- Provide a range of shopping facilities in locations which are readily accessible to the community.
- Incorporate and integrate a variety of land uses, including retail, office, education, human services, community facilities, recreation, entertainment and residential uses where appropriate.
- Provide good accessibility by all available modes of transport (particularly public transport) and safe pedestrian and cycling routes, and to encourage multi-purpose trip-making to such centres.
- Facilitate ease of pedestrian movement between components of centres, public transport interchanges and parking areas.
- Maximise opportunities for the co-location, multiple use and sharing of facilities.
- Provide child care facilities to a level consistent with the role of the centres.
- Minimise the effects of commercial development on the amenity of residential and parkland areas, for example as a result of traffic congestion, noise or overshadowing.
- Provide attractive environments for community activities.

17.02 Business**17.02-1 Objective**

To encourage developments which meet community's needs for retail, entertainment, office and other commercial services and provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

17.02-2 General implementation

Commercial facilities should be located in existing or planning activity centres unless they are:

- New freestanding commercial developments in new residential areas which have extensive potential for population growth or will accommodate facilities that improve the overall level of accessibility for the community, particularly by public transport.
- New convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.
- Outlets of trade-related goods or services directly serving or ancillary to industry and which have adequate on-site car parking.

Cinema based entertainment facilities should be located within or on the periphery of existing or planned activity centres and should not require a permit for use in activity centre zones. Such facilities are not encouraged on freestanding sites.

A five year time limit for commencement should be attached to the planning approval for all shopping centres or expansions of over 1,000 square metres in floorspace.

17.03 Industry

17.03-1 Objective

To ensure availability of land for industry and to facilitate the sustainable development and operation of industry and research and development activity.

17.03-2 General implementation

Industrial activity in industrial zones should be protected from the encroachment of unplanned commercial, residential and other sensitive uses which would adversely affect industry viability.

Planning authorities should zone land for industrial development in urban growth areas where good access for employees and freight transport is available and where appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.

Planning authorities should protect the quantum of large areas of industrial land of state significance to ensure availability of land for major industrial development, particularly for industries and storage facilities that require significant threshold distances from sensitive uses. Industrial areas of state significance include but are not limited to:

- Dandenong South in the City of Greater Dandenong;
- Campbellfield and Somerton in the City of Hume and Thomastown in the City of Whittlesea; and
- Laverton North in the City of Wyndham and Derrimut in the City of Brimbank.

Existing industrial areas that include key manufacturing or processing industries; a major clustering of allied industries; key industrial infrastructure should be protected and carefully planned where possible to facilitate further industrial development.

Responsible authorities should not approve non-industrial land uses which will prejudice the availability of land for future industrial requirements in industrial zones.

Adequate separation and buffer areas must be provided between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards. Planning and responsible authorities must have regard to Recommended Buffer Distances for Industrial Residual Air Emissions (EPA 1990) and promote best practice risk and environmental management.

Responsible authorities should ensure that industrial activities requiring substantial threshold distances are located in the core of suitably zoned industrial areas and encourage activities with minimal threshold requirements to locate towards the perimeter of the zone.

Responsible authorities should, where possible, minimise inter-industry conflict and encourage like industries to locate within the same area.

Planning and responsible authorities should consult with the Victorian Workcover Authority on requirements for industrial land use or development under the Dangerous Goods Act 1985 and associated legislation.

Industrial uses that meet appropriate standards of safety and amenity should be encouraged to locate within activity centres.

17.04 Tourism

17.04-1 Objective

To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.

17.04-2 General implementation

Planning and responsible authorities should encourage the development of a range of well designed and sited tourist facilities, including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail opportunities. Facilities should have access to suitable transport and be compatible with and build upon the assets and qualities of surrounding urban or rural activities and cultural and natural attractions.

Responsible authorities should use the Planning and Building Tourism from Concept to Reality: Guidelines for Planning and Developing Tourism Projects in Victoria (Tourism Victoria, 2000) in considering applications for tourist development.

17.04-3 Geographic strategies

Planning and responsible authorities should have regard to any relevant regional tourism development strategy.

17.05 Agriculture

17.05-1 Objective

To ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use and to enable protection of productive farmland which is of strategic significance in the local or regional context.

17.05-2 General implementation

Land capability is a fundamental factor for consideration in rural land use planning.

Planning authorities should consult with the Department of Primary Industries and utilise available information to identify areas of productive agricultural land.

Regional and State, as well as local, issues and characteristics should be taken into account in the assessment of agricultural quality and productivity.

Permanent removal of productive agricultural land from the State's agricultural base must not be undertaken without consideration of its economic importance for the agricultural production and processing sectors.

Planning should support effective agricultural production and processing infrastructure, rural industry and farm-related retailing and assist genuine farming enterprises to adjust flexibly to market changes.

Planning and responsible authorities should encourage sustainable land use.

Planning should provide encouragement for sustainable agriculture and support and assist the development of innovative approaches to sustainable practices.

Subdivision of productive agricultural land should not detract from the long-term productive capacity of the land.

In assessing rural development proposals, planning and responsible authorities must balance the potential off-site effects of rural land use proposals (such as degradation of soil or water quality and land salinisation) which might affect productive agricultural land against the benefits of the proposals.

In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:

- The desirability and impacts of removing the land from primary production, given its agricultural productivity.
- The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.
- The compatibility between the proposed or likely development and the existing uses of the surrounding land.
- Assessment of the land capability.

Where inappropriate subdivisions exist on productive agricultural land, priority should be given by planning authorities to their re-structure.

Planning and responsible authorities should consider the potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.

In considering proposals for land based aquaculture facilities, responsible authorities should have regard to the Planning Guidelines for Lane Based Aquaculture in Victoria (Department of Primary Industries, No. 21, September 2005).

17.06 Intensive animal industries

17.06-1 Objective

To facilitate the establishment and expansion of cattle feedlots, piggeries, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

17.06-2 General implementation

In considering proposals for use and development of cattle feedlots, responsible authorities must have regard to the Victorian Code for Cattle Feedlots (Department of Agriculture, Energy and Minerals 1995).

In considering proposals for use and development of piggeries, responsible authorities should have regard to the Code of Practice: Piggeries (Health Commission of Victoria and Department of Food and Agriculture 1992).

In considering proposals for use and development of broiler farms, responsible authorities must have regard to the Victorian Code for Broiler Farms, September 2001.

17.07 Forestry and timber production**17.07-1 Objective**

To facilitate the establishment, management and harvesting of plantations, harvesting of timber from native forests and the development of forest based industries consistent with the National Forest Policy Statement.

17.07-2 General implementation

Planning and responsible authorities should consider environmental, social and economic factors in planning for forestry and timber production activities, including protection of water quality and soil stability. Timber production in native forests should be conducted in an environmentally sustainable manner.

Planning and responsible authorities should promote the establishment of softwood and hardwood plantations on predominantly cleared land as well as other areas subject to or contributing to land and water degradation.

Planning authorities should identify areas which may be suitably used and developed for plantation timber production.

Timber production (except agroforestry, windbreaks and small woodlots) on leased Crown land and private land is to be conducted in accordance with the Code of Forest Practices for Timber Production (Department of Natural Resources and Environment, Revision No 2, November 1996) or as amended from time to time.

17.08 Mineral resources**17.08-1 Objective**

To protect identified mineral resources, to encourage mineral exploration and mining in accordance with acceptable environmental standards and to provide a consistent planning approval process.

17.08-2 General implementation

Planning schemes must not prohibit or require approval for mineral exploration. Mineral exploration is to be managed solely under the Mineral Resources Development Act 1990.

The provisions of the Planning and Environment Act 1987, the Mineral Resources Development Act 1990, the Environment Protection Act 1970, the Environment Effects Act 1978 and the Flora and Fauna Guarantee Act 1988 should be applied to mining activities in a timely and coordinated manner.

Planning and responsible authorities should endeavour to maintain access to land prospective for mining where this is consistent with overall planning considerations and application of acceptable environmental practice.

Planning schemes should recognise the possible need to provide mining infrastructure in urban areas with mineral deposits.

In considering planning permit applications for mining operations, responsible authorities should follow the procedures set out in Draft Planning Guidelines For Mining (Department of Natural Resources and Environment & Department of Infrastructure

1996) and must have regard to relevant provisions of State environment protection policies.

17.08-3 Geographic strategies

Planning and responsible authorities in Central Gippsland must act to protect the brown coal resource and should ensure that:

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

17.09 Extractive industry

17.09-1 Objective

To identify and protect stone resources accessible to major markets and to provide a consistent planning approval process for extraction in accordance with acceptable environmental standards.

17.09-2 General implementation

Except for costeaning and bulk sampling activities, planning schemes must allow the use and development of land for search for stone without planning approval.

Planning schemes must not prohibit extractive industry in non-urban zones, except if it is prohibited by an Act of Parliament.

The provisions of the Planning and Environment Act 1987 and the Extractive Industries Development Act 1995, the Environment Protection Act 1970, relevant State environment protection policies and the Flora and Fauna Guarantee Act 1988 should be applied to extractive industry activities in a timely and coordinated manner.

Provision for buffer areas between new extractive industries and sensitive land uses should be determined on the following principles:

- Clearly defined buffer areas appropriate to the nature of the proposed extractive uses, which are to be owned or controlled by the proponent of an extractive industry, are specified in an application for permit.
- Performance standards for the buffer area are set in accordance with requirements of the Extractive Industries Development Regulations 1996 or a work authority or a permit and have regard to the zoning of the land surrounding the extractive industry.
- Activities within land zoned for public use may be taken into consideration in determining the buffer areas.

Provision for buffer areas between existing extractive industries and sensitive land uses should be determined on the following principles:

- The buffer areas are determined so that appropriate limits on effects can be met at the sensitive locations using practical and readily available technology.
- The required buffers are taken into consideration if a change of land use in the vicinity of the extractive industry is proposed.

- Land within the buffer areas may be used for purposes that are not adversely affected by the extractive industry.

17.09-3 Geographic strategies

The long term protection of stone resources in Victoria is to be generally in accordance with:

- Provisions and recommendations expressed in Extractive Industry Interest Areas, Melbourne Supply Area - Extractive Industry Interest Area Review, Geological Survey of Victoria, Technical Record 2003/2 (Department of Primary Industries 2003) for stone resources in the Melbourne Supply Area.
- The concept of the Extractive Industry Interest Areas expressed in Extractive Industry Interest Areas, Melbourne Supply Area Geological Survey of Victoria, Technical Record 1996/1 (Department of Natural Resources and Environment 1996) for the remainder of Victoria. Extractive Industry Interest Areas have been defined for the Ballarat, Bendigo, Geelong and Latrobe Supply Areas.

17.10 Apiculture

17.10-1 Objective

To facilitate the use of land for apiculture including the proper location and management of bee hives for the production of honey and other apiary products and for the pollination of crops, and to ensure that the location and density of bee hives have a minimal impact on people

17.10-2 General implementation

In considering a proposal for apiculture, responsible authorities should have regard to the Apiary Code of Practice, May 1997 and any relevant scientific reports.

18 INFRASTRUCTURE

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18.01 Declared highways, railways and tramways**18.01-1 Objective**

To integrate land use and transport planning around existing and planned declared highways, railways, principal bus routes and tram lines.

18.01-2 General implementation

Transport routes should be located to achieve the greatest overall benefit to the community and with regard to making the best use of existing social, cultural and economic infrastructure, minimising impacts on the environment and optimising accessibility, safety, emergency access, service and amenity.

New transport routes and adjoining land uses should be located and designed to minimise disruption of residential communities and their amenity.

New uses or development of land near an existing or proposed transport route should be planned or regulated to avoid detriment to, and where possible enhance, the service, safety and amenity desirable for that transport route in the short and long terms.

Higher land use densities and mixed use developments should be encouraged near railway stations, major bus terminals, transport interchanges, tramways and principal bus routes. Pedestrian access to public transport should be facilitated and safeguarded.

The design of transport routes and nearby areas should be planned and regulated to achieve visual standards appropriate to the importance of the route with particular reference to landscaping, the control of outdoor advertising and, where appropriate, the provision of buffer zones and resting places.

The design of transport routes must provide for grade separation at railway crossings except with the approval of the Minister for Transport.

18.01-3 Geographic strategies

Planning and responsible authorities should have regard to any relevant highway strategy published by VicRoads when preparing planning scheme amendments or considering permit applications for the location of transport routes or developments that are in proximity to major transport routes.

18.02 Car parking and public transport access to development**18.02-1 Objective**

To ensure access is provided to developments in accordance with forecast demand taking advantage of all available modes of transport and to minimise impact on existing transport networks and the amenity of surrounding areas.

18.02-2 General implementation

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

The integration of public transport services should be encouraged in new development.

In allocating or requiring land to be set aside for car parking, planning and responsible authorities should:

- Have regard to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.
- Encourage the efficient provision of car parking through the consolidation of car parking facilities.

Planning and responsible authorities should prepare or require parking precinct plans for the design and location of local car parking to:

- Protect the role and function of nearby roads, enable easy and efficient use and the movement and delivery of goods.
- Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.
- Create a safe environment for users, particularly at night.
- Facilitate the use of public transport.

The amenity of residential precincts should be protected from the effects of road congestion created by on-street parking.

Adequate provision for taxi ranks should be planned as part of activity centres, transport interchanges and major commercial, retail and community facilities.

18.02-3 Geographic strategies

In the City of Melbourne, on-site car parking in the CBD and Southbank is to be limited in view of limited road capacity, good access to public transport and the need to preserve pedestrian amenity.

18.03 Bicycle transport

18.03-1 Objective

To integrate planning for bicycle travel with land use and development planning and encourage cycling as an alternative mode of travel.

18.03-2 General implementation

Wherever possible, off-road bicycle networks should be planned for in new urban development.

Responsible authorities should require that adequate bicycle parking and related facilities to meet demand be provided at education, recreation, shopping and community facilities when issuing planning approvals. Bicycle facilities should be developed in accordance with Guide to Traffic Engineering Practice Part 14-Bicycles (AUSTROADS 1993).

18.03-3 Geographic strategies

Planning and responsible authorities should have regard to Victoria for Bikes (State Bicycle Committee 1994) in their decision-making affecting bicycle plans, including the location of routes.

18.04 Airfields**18.04-1 Objective**

To facilitate the siting of airfields and extensions to airfields, restrict incompatible land use and development in the vicinity of airfields, and recognise and strengthen the role of airfields as focal points within the State's economic and transport infrastructure.

18.04-2 General implementation

New airfields should not be located in areas which have greater long-term value to the community for other purposes.

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

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

Planning for areas around all airfields should:

- Preclude any new use or development which could prejudice the safety or efficiency of an airfield.
- Take into account the detrimental effects of aircraft operations (such as noise) in regulating and restricting the use and development of affected land.
- Preclude any new use or development which could prejudice future extensions to an existing airfield or aeronautical operations in accordance with an approved strategy or master plan for that airfield.

18.04-3 Geographic strategies**Melbourne Airport**

Planning for areas around Melbourne Airport should:

- Strengthen the role of Melbourne Airport as a key focal point within the State's economic and transport infrastructure.
- Ensure the effective and competitive operation of Melbourne Airport at both national and international levels.
- Ensure any new use or development does not prejudice the optimum usage of Melbourne Airport.
- Ensure any new use or development does not prejudice the curfew-free operation of Melbourne Airport.

Planning and responsible authorities must have regard to the Melbourne Airport Master Plan (Australia Pacific Airports (Melbourne) Pty Ltd, December 1998), the Melbourne Airport Strategy (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated Final Environmental Impact Statement in relation to planning decisions affecting land in the vicinity of the Melbourne Airport. In making decisions, reference should be made to the Melbourne Airport Ultimate Capacity (1998) Australian Noise

Exposure Forecast (ANEF) endorsed for technical accuracy by the Manager, Environment Monitoring Section, Air Services Australia, Canberra on 25/9/98.

Avalon Airport

Planning and responsible authorities should have regard to the Avalon Airport Strategy (Department of Business and Employment/AeroSpace Technologies of Australia 1993) and its associated Aircraft Noise Exposure Concepts.

18.05 Ports

18.05-1 Objective

To recognise the importance to Victoria of economically sustainable major ports (Melbourne, Geelong, Portland, Hastings) by planning for appropriate access, terminal areas and depot areas.

To plan the land resources adjacent to ports to facilitate the efficient operation of the port and port-related uses and minimise adverse impacts on surrounding urban development and the environment.

18.05-2 General implementation

The land resources adjacent to ports should be protected to preserve their value for uses which depend upon or gain significant economic advantage from proximity to the ports' particular shipping operations.

Port and industrial development should be physically separated from sensitive urban development by the establishment of appropriate buffers which reduce the impact of vibration, intrusive lighting, noise and air emissions from port activities.

Planning for the use of land adjacent to ports should aim to achieve and maintain a high standard of environmental quality, be integrated with policies for the protection of the environment generally and of marine environments in particular and take into account planning for adjacent areas and the relevant catchment.

18.05-3 Geographic strategies

Planning for land-based port and port-related facilities adjacent to the deep channel in the North Arm of Western Port Bay (the mainland between Hann's Inlet and Watson's Inlet and to the east of the Tyabb Fault and the Clyde Monocline) should have regard to Statement of Planning Policy No 1 - Western Port (1970-varied 1976).

Planning for the future development of the Hastings port industrial area is to be undertaken in accordance with the Hastings Port Industrial Area Land Use Structure Plan (Department of Planning and Development 1996).

18.06 Health facilities

18.06-1 Objective

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

18.06-2 General implementation

Planning and responsible authorities should facilitate the location of health-related facilities (including acute health, aged care, disability services and community care facilities) with consideration given to demographic trends, the existing and future demand requirements and the integration of services into communities.

Consideration should be given to planning public and private developments together and to including some degree of flexibility in use.

Hospitals and other large health service facilities should be located in areas highly accessible to public and private transport.

Adequate car parking facilities should be provided for staff and visitors.

18.07 Education facilities**18.07-1 Objective**

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

18.07-2 General implementation

Secondary and tertiary education facilities should be located in areas which are highly accessible to public transport. Primary education facilities should be located to maximise access by walking.

Tertiary education facilities should be encouraged to locate within or adjacent to activity centres.

In planning for the location of education facilities, planning authorities should consider demographic trends, the existing and future demand requirements and the integration of facilities into communities.

In planning areas near to education facilities, adjoining streets and accessways should be designed to encourage safe bicycle and pedestrian access.

18.08 Survey infrastructure**18.08-1 Objective**

To protect geodetic sites (survey marks) that support infrastructure projects, land development, survey, mapping and geographical information systems.

18.08-2 General implementation

Planning and responsible authorities should be aware of the location of survey marks established by the Office of the Surveyor-General and ensure that planning decisions do not prejudice their safekeeping.

18.09 Water supply, sewerage and drainage**18.09-1 Objective**

To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

18.09-2 General implementation

Planning and responsible authorities should ensure that water quality in water supply catchments is protected from possible contamination by urban, industrial and agricultural land uses.

Urban development must be provided with sewerage at the time of subdivision, or lots created by the subdivision must be capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot consistent with the Code of Practice - Septic Tanks (EPA 1996) and relevant State environment protection policies.

Planning and responsible authorities should ensure that:

- planning for urban stormwater drainage systems considers the catchment context and is coordinated with adjacent municipalities.
- best environmental management practice is used where practicable in the design and management of urban stormwater drainage systems, including measures to reduce peak flows and assist screening, filtering and treatment of stormwater, to enhance flood protection and minimise impacts on water quality in receiving waters.
- drainage systems are protected where practicable from the intrusion of litter, in accordance with strategies set out in Victoria's Litter Reduction Strategy (EPA 1995).

The re-use of wastewater including urban run-off, treated sewage effluent and run-off from irrigated farmland should be encouraged where appropriate, consistent with the Guidelines for Wastewater Re-use (EPA 1996).

18.09-3 Geographic strategies

Metropolitan councils should have regard to the Litter Prevention and Control Strategy for the Greater Melbourne Area (Waste Management Council 1995).

Planning and responsible authorities should have regard to the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999).

18.10 Waste management**18.10-1 Objective**

To assist control of the generation, transport and disposal of wastes so as to prevent pollution and land degradation.

18.10-2 General implementation

The siting and management of waste disposal facilities must be in accordance with State environment protection policy (Siting and Management of Landfills Receiving Municipal Wastes) and relevant regional waste management plans.

18.10-3 Geographic strategies

Planning authorities should have regard to Victoria's Litter Reduction Strategy (EPA 1995) and participate in the development of regional waste management plans.

Planning and responsible authorities in the metropolitan area should have regard to the Litter Prevention and Control Strategy for the Greater Melbourne Area (Waste Management Council, 1995).

18.11 High pressure pipelines**18.11-1 Objective**

To plan for the development of pipeline infrastructure subject to the Pipelines Act 1967 to ensure that gas, oil and other substances are safely delivered to users at minimal risk to people and the environment.

18.11-2 General implementation

Existing transmission-pressure gas pipelines should be recognised in planning schemes and protected from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

The siting of new pipelines should be planned along routes with adequate buffers to residences, zoned residential land and other sensitive land uses and with minimal impacts on waterways, wetlands, flora and fauna, erosion prone areas and other environmentally sensitive sites.

Planning for pipeline easements should ensure appropriate provision for environmental management during construction and on-going operation.

18.12 Developer contributions to infrastructure**18.12-1 Objective**

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

18.12-2 General implementation

Development Contributions Plans, prepared and approved under the Planning and Environment Act 1987, should be used to manage contributions towards infrastructure.

Development contributions may be collected on the basis of an approved Development Contributions Plan.

When preparing Development Contributions Plans planning authorities should have regard to the Development Contributions Guidelines (Department of Sustainability and Environment, June 2003).

18.13 Telecommunications**18.13-1 Objective**

To recognise the importance of telecommunications to all aspect of modern life and the essential and beneficial contribution of modern telecommunications facilities to local communities and the State and national economy.

18.13-2 General implementation

Planning decision should recognise that telecommunications is an essential utility service and, in particular, should:

- Facilitate the upgrading and maintenance of telecommunications facilities.
- Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.
- Facilitate the orderly growth of telecommunications by recognising that new communications technology needs to meet the continuous and growing demand for better communications and multi-media facilities in business, domestic, entertainment and community services.
- Reflect the economic contribution of telecommunications through improvements in business and industrial technology, rapid communication, and helping business and industry remain competitive and provide increased employment opportunities.

Planning schemes should not prohibit the use of land for a Telecommunications facility in any zone.

Planning decisions should reflect a reasonable balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Planning decisions should reflect the national implications of a telecommunications network and the need for consistency in infrastructure design and placement. *A Code of Practice for Telecommunications Facilities in Victoria* should be used in the consideration of applications for the use and development of telecommunications facilities and sites.

19 PARTICULAR USES AND DEVELOPMENT

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19.01 Subdivision**19.01-1 Objective**

To control the subdivision and consolidation of land and the removal and variation of easements and restrictions through planning schemes, within the framework of the Planning and Environment Act 1987 and the Subdivision Act 1988.

19.01-2 General implementation

Planning schemes should enable:

- Referral of applications for subdivision and plans of subdivision to relevant statutory authorities and relevant Government agencies responsible for water, sewerage, drainage, electricity, gas and telecommunications services, the management of water supply and drainage catchments, the management of fire risk areas, the allocation of water rights or access to a freeway, highway, main road, tourist road or forest road.
- The placing of open space requirements on development proposals.
- The removal or variation of easements and restrictions to enable use or development that complies with planning schemes after the interests of affected people are considered.
- The adjustment of boundaries to comply with other legislation.

19.02 Gaming**19.02-1 Objective**

To provide consistent planning controls for the installation and use of gaming machines throughout Victoria, coordinated with the provisions of the Liquor Control Act 1987 and the Gaming Machine Control Act 1991.

19.02-2 General implementation

The installation and use of a gaming machine should be allowed in a hotel or club if it does not result in a change of land use.

Gaming machines should not be located in a shopping complex if the complex is specified in the planning scheme.

Gaming machines should not be located in a strip shopping centre, except on:

- Land used as a hotel or club on 19 December 1997;
- Land in relation to which on 16 June 1998, a permit to use or develop a hotel or club is in force and a licence under the Liquor Control Act 1987 has been granted;
- Land formerly used as a hotel or club which has been recently destroyed by fire; or
- Land for which a permit to install or use a gaming machine in a restricted area is in force on 19 December 1997.

Gaming premises should provide a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.

19.03 Design and built form

19.03-1 Objective

To achieve high quality urban design and architecture that:

- Reflects the particular characteristics, aspirations and cultural identity of the community.
- Enhances livability, diversity, amenity and safety of the public realm.
- Promotes attractiveness of towns and cities within broader strategic contexts.

19.03-2 General Implementation

Development should achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

Responsible authorities should require that all permit applications for:

- Non-residential development include a site analysis and descriptive statement explaining how the proposed development responds to the site and its context
- Residential development other than residential development of four or more storeys or which is not covered by Clause 54, Clause 55 or Clause 56 include a site analysis and descriptive statement explaining how the proposed development responds to the site and its context.
- Residential development of four or more storeys include an urban context report and design response explaining how the design responds to the existing urban context and preferred future development of the area.

For development proposals for non-residential development or residential development not covered by Clause 54, Clause 55 or Clause 56, planning and responsible authorities must have regard to the following design principles:

Context

- Development must take into account the natural, cultural and strategic context of its location.
- A comprehensive site analysis should be the starting point of the design process and form the basis for consideration of height, scale and massing of new development.

The public realm

- The public realm, which includes main pedestrian spaces, streets, squares, parks and walkways, should be protected and enhanced.

Safety

- New development should create urban environments that enhance personal safety and property security and where people feel safe to live, work and move in at any time.

Landmarks, views and vistas

- Landmarks, views and vistas should be protected and enhanced or, where appropriate, created by new additions to the built environment.

Pedestrian spaces

- Design of the relationship between buildings and footpaths and other pedestrian spaces, including the arrangement of adjoining activities, entrances, windows, and architectural decoration, should enhance the visual and social experience of the observer.

Heritage

- New development should respect, but not simply copy, historic precedents and create a worthy legacy for future generations.

Consolidation of sites and empty sites

- New development should contribute to the “complexity” and diversity of the built environment.
- Site consolidation should not result in street frontages which are out of keeping with the “complexity” and “rhythm” of existing streetscapes.
- The development process should be managed so that sites are not in an unattractive, neglected state for excessive periods and the impacts from vacant sites are minimised.

Light and shade

- Enjoyment of the public realm should be enhanced by a desirable balance of sunlight and shade.
- This balance should not be compromised by undesirable overshadowing or exposure to the sun.

Energy and resource efficiency

- All building, subdivision and engineering works should promote more efficient use of resources and energy efficiency.

Architectural quality

- New development should aspire to the high standards in architecture and urban design.
- Any rooftop plant, lift over-runs, service entries, communication devices, and other technical attachment should be treated as part of the overall design.

Landscape architecture

- Recognition should be given to the setting in which buildings are designed and the integrating role of landscape architecture.

Planning authorities should emphasise urban design policies and frameworks for key locations or precincts.

19.03-3 Geographic strategies

Planning and responsible authorities should have regard to the following documents:

- Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004) in assessing the design and built form of residential development of four or more storeys.
- Activity Centre Design Guidelines (Department of Sustainability and Environment 2005) in preparing activity centre structure plans and in assessing the design and built form of new development in activity centres.

19.04 Brothels**19.04-1 Objective**

To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria, coordinated with the provisions of the Prostitution Control Act 1994.

19.04-2 General implementation

Responsible authorities should consider the matters set out in section 73 of the Prostitution Control Act 1994 before deciding an application to use or develop land for a brothel.

Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the Prostitution Control Act 1994, unless section 76(2) of that Act applies.

If the effect of -

- An application to amend a permit in accordance with section 87 of the Act, or
- A request to amend a permit in accordance with section 73 of the Act, or
- A request to amend plans, drawings or other documents under a permit in accordance with section 62(3) of the Act -

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for permit for a use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the Prostitution Control Act 1994.

**Local
Planning
Policy
Framework**

20 OPERATION OF THE LOCAL PLANNING POLICY FRAMEWORK

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This section sets out the Municipal Strategic Statement and the Local Planning Policies which apply to the area covered by this scheme.

20.01 Operation of the Municipal Strategic Statement

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The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.

20.02 Operation of the Local Planning Policies

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Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy (LPP) is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority's expectation of what should happen. The LPP gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. An LPP provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this scheme and before making decisions about permit applications, planning and responsible authorities must take the LPPs into account.

21 MUNICIPAL STRATEGIC STATEMENT

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21.01 WHAT IS THE MUNICIPAL STRATEGIC STATEMENT?

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The Hobsons Bay Municipal Strategic Statement (MSS) is a concise statement of the Hobsons Bay Council's objectives and strategies that relate to the use and development of land within the municipality.

The MSS must be considered in the assessment of planning applications or a plan approval. It must also be taken into account by planning authorities in preparing amendments to the Hobsons Bay Planning Scheme.

The MSS contains the strategic planning, land use and development objectives and policies. The primary purposes of the MSS are:

- To provide clear and positive directions for the future use and development of land in Hobsons Bay City Council;
- To assist in the implementation of both the municipality's vision and the State Planning Framework through a series of interlinked objectives, strategies and policies which address social, economic and environmental planning perspectives and;
- To identify additional local and regional strategic work that needs to be undertaken.

The MSS contains:

- A profile of Hobsons Bay or snapshot of the municipality which outlines the local and regional features and characteristics;
- A strategic planning context which provides an outline of the Hobsons Bay Strategy, Council's Corporate Plan and the linkages with the MSS;
- The vision statement which describes the overriding strategic direction for the municipality; and
- Thematic strategic directions comprising relevant objectives and strategies.

Note on Maps

Maps in the Municipal Strategic Statement are for general information only and should not be taken as indicating present or future boundaries of zones or overlays. The adopted Planning Scheme maps should be used to determine formal boundaries.

21.02 PROFILE OF HOBSONS BAY

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21.02-1 Location

The City of Hobsons Bay is an area of 66 square kilometres situated on Port Phillip Bay and Hobsons Bay between 7 and 20 kilometres south-west of central Melbourne.

21.02-2 Character and Image

The unique character of Hobsons Bay results from its geography, history and its current land use patterns. The municipality's character is highly valued by its residents.

Hobsons Bay's character was created in part by its history as a relatively isolated area. Tightly defined communities evolved around particular industry that were distanced from the rest of Melbourne's development by geography and limited transport infrastructure. These factors have contributed to the development of strong, distinct 'village' identities, particularly in centres such as Williamstown and Altona.

A distinguishing feature of the municipality is Williamstown which developed in tandem with Melbourne's early beginnings in the 1830s. Much of the early character remains and is highly important to the image of the municipality.

Different periods of development brought different architectural styles, subdivision patterns, street widths and streetscaping all of which contribute to the individual character of the various villages.

The coast is a strong influence on the character and image of Hobsons Bay. It contributes substantially to existing amenity and provides opportunities for recreation. Another striking feature of Hobsons Bay is the extensive and varied open spaces. This together with the coastline and the Yarra River, plays a major role in the municipality's character and the image it projects. Many of the open spaces are along the watercourses and coastline. Some have particular environmental and ecological importance.

While some of the old industries have declined or disappeared, significant buildings such as the Newport Railway Workshops and Substation remain a testament to the area's heritage and are viewed as important icons by many in the community.

The image of the municipality is also projected by community events such as the Williamstown Summer Festival and the Bayside Festival. They take place within important community and cultural precincts and serve to celebrate aspects of the built and natural environment, along with the heritage, contemporary values and cultural identities of the municipality's communities.

21.02-3 Population and Housing

The estimated residential population in 1997 is about 77,800. It is expected to grow to a peak of about 80,400 by 2011 and stabilise at about 80,000 (*Victoria in Future*, Department of Infrastructure, 1996).

The age structure of the population, the distribution of family types and the distribution of household sizes are similar to that of the Melbourne Statistical Division (MSD) as a whole.

The percentage of the population in Hobsons Bay over 50 years of age is expected to grow from 26.3% (1996) to 32.6% by 2011. Average household size is expected to contract from 2.66 (1996) to 2.52 by 2011. These changes reflect those in Melbourne as a whole.

Hobsons Bay has a mix of older established residential areas such as Williamstown and Altona (where the population generally has an older age structure) and more recently developed areas such as Seabrook and Altona Meadows.

Hobsons Bay has a lower percentage of medium density housing than the MSD (17.4% compared with 22.8% for the MSD in 1996). However, the number of persons per occupied dwelling is about the same as the MSD (2.7 persons per dwelling, 1996).

While about 26.7% of the 1996 population were born in non-English speaking countries (compared with 25.2% for MSD), the distribution across the municipality is uneven. The statistical local area of Altona is one of the more multicultural areas of the Western Region with about 28.6% of residents from non-English speaking backgrounds. This compares to 16.4% for the statistical local area of Williamstown.

21.02-4 Industry and Employment

Hobsons Bay is home to the State's petrochemical industry and one of the State's two petroleum refineries. Ship building, motor vehicle manufacturing, glass manufacturing, power generation, railway maintenance and transport and storage are major enterprises.

About 75% of the 27,000 jobs in Hobsons Bay are filled by non-residents indicating the importance of the local economy to surrounding areas (*City of Hobsons Bay Economic and Tourism Development Plan, 1997*).

In 1996 the production and transport sectors engaged 18% of the resident male workforce (12.6% for MSD) and 8% of the female workforce (4% for MSD). Clerical, sales/service engaged 8% of male workers (9.1% for MSD) and 28% of female workers (24.9% for MSD).

The proportion of the resident workforce engaged as managers and administrators and associate professionals in 1996 was lower than Melbourne generally. These occupations accounted for 30% of males (40.1% for MSD) and 32% of females (36% for MSD).

Unemployment in the municipality is around 10% compared with 10.4% in the MSD. The largest unemployed group is in the 15 to 24 year's age group.

21.02-5 Commercial Centres

The municipality is well served by existing shopping centres. The major retail centres with more than 2500 square metres of retail floor area are:

- Altona Gate
- Williamstown
- Pier Street, Altona
- Central Square, Altona Meadows
- Newport Junction
- Borrack Square, Altona North
- Harrington Square, Altona
- The Circle, Altona North
- The Range, Williamstown.

Altona Gate, Central Square and The Range are free-standing shopping centres. The others are traditional strip centres, with Williamstown and Pier Street, Altona being the largest.

There are also several smaller neighbourhood retail centres which form the nuclei of local village centres. Spotswood and Laverton are important examples of these.

The retail centres contain other commercial activities and community facilities and are the focus for further community facilities development.

21.02-6 The Natural Environment

Hobsons Bay is on the eastern extremity of the lava plains that stretch from Melbourne to Mount Gambier in South Australia. The volcanic plains of Melbourne's Western Region are characterised by flat topography, basalt rock and originally, extensive native grasslands with relatively few substantial trees.

Soils are typically very expansive clays which provide a difficult medium for new gardens.

The Western Region has a relatively dry climate with about 15% lower rainfall than eastern parts of Melbourne. Hobsons Bay has an average annual rainfall of about 650 mm.

The climate, topography, soil conditions and lack of natural tree cover are factors that combine to produce an urban landscape that tends to be hard edged.

The watercourses of Hobsons Bay are biologically significant. For example, Cheetham Wetlands is of international faunal significance and the Williamstown Foreshore and Altona Bay are of national significance. Kororoit Creek is of state faunal significance while the Altona Foreshore, Truganina Drainage Basin and Greenwich Bay are of regional faunal significance ([Schulz et al, 1991](#)).

The Laverton North Grasslands Reserve is one of only two reserves for the conservation of Western (Basalt) Plains Grassland. It is estimated that less than 0.1% of the original grassland which once covered much of western Victoria now remains. The grassland community is listed as a threatened community under the Flora and Fauna Guarantee Act 1988 and supports a variety of rare and threatened species of plants and animals.

The Coast

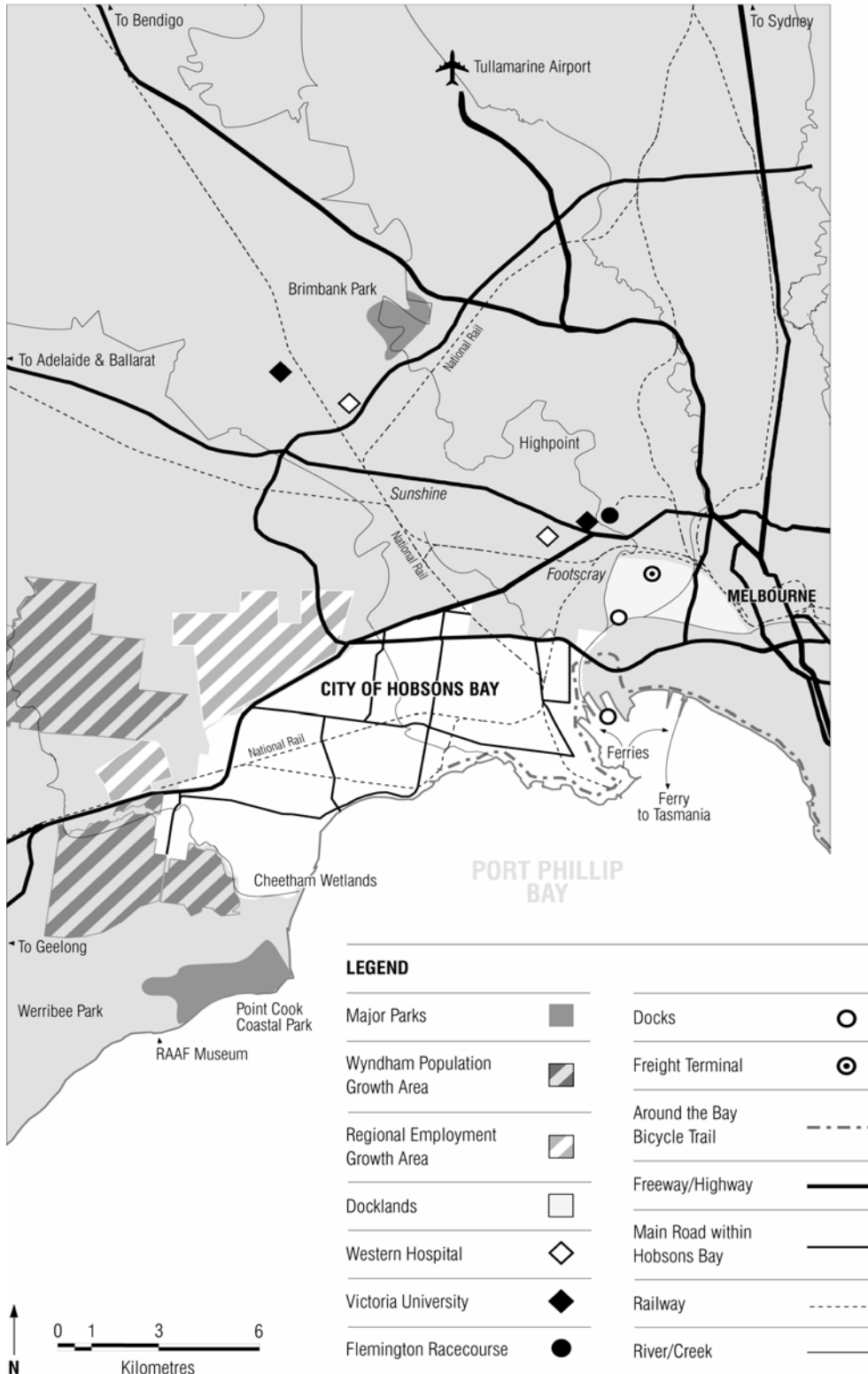
The municipality occupies the coastline of Port Phillip Bay from the west bank of the Yarra River to Skeleton Creek. The coastline is a major feature of the geography of Hobsons Bay. Unlike the coastline of the eastern bayside suburbs of Melbourne, it contains sections that are relatively unchanged by urban or recreational development.

Creeks, Watercourses and Wetlands

In addition to the coast, several creeks flow through the municipality, including Kororoit, Cherry, Skeleton and Laverton. The Cherry Creek wetlands were enlarged to create Cherry Lake to alleviate flooding problems caused by the confluence of Cherry and Kororoit Creeks. This is now a valuable ecological and recreation area. The Newport Lakes and surrounding natural recreation area have been created from the former quarry site. The Truganina Swamp covers an area of 143 ha west of Altona, eventually forming a tributary to Laverton Creek. The Altona Coastal Park at the mouth of Kororoit Creek, formally containing the Williamstown racecourse, is a significant mangrove and salt marsh habitat. The Jawbone Flora and Fauna Reserve and Williamstown Wetlands also contain a very important remnant of the original salt marsh - mangrove community. The Cheetham Wetlands Coastal Park, 505 ha of which was formally used as the Cheetham Saltworks is an area in regeneration and a feeding ground for a wide variety of birds.

These natural open areas are prized by residents and visitors. They have cultural significance and help to give the municipality its unique character.

MAP 1 REGIONAL INFLUENCES AND LINKS



21.03 HOBSONS BAY IN THE REGION

19/01/2006
VC37

21.03-1 Industry in the Regional Economy

Hobsons Bay and its immediate neighbours - Wyndham, Brimbank and Maribyrnong - each contain extensive areas of major industry, whilst the western sector of the City of Melbourne is the home of Melbourne's rail and shipping freight operations. These industries are closely linked and are vital to the State's economy.

To the north-west of Hobsons Bay, Wyndham and Brimbank have extensive reserves of industrial land which are expected to attract significant growth. This growth should provide opportunities for links to industry and business in Hobsons Bay and employment for residents.

Due to its locational advantages, Hobsons Bay is an integral part of the industrial heartland of Melbourne's west. Hobsons Bay enjoys convenient access to the Princes Highway and the Western Ring Road and is located within 11 kilometres of the CBD and the Port of Melbourne. The municipality also has excellent road connections to the Western Ring Road link to Tullamarine Freeway with access to Melbourne Airport and the City Link project.

Historically, industrial jobs have been the backbone of the regional economy. At the time of the 1996 census, 27.3% of the workforce was employed in the manufacturing, transport and storage sectors of the economy.

The availability of industrial jobs has declined due to macro-economic changes and the pressures of the recession of the late 1980s. Some of the old industries have declined or disappeared. As a result, unemployment levels in the region are higher than the average when compared with the MSD.

The councils of the region must therefore make a special effort to attract and expand viable industries and to encourage employment growth in other sectors.

The present and continuing vitality of important industries and industrial precincts is of fundamental significance. However, responsible authorities must also take into account the fact that major industries and transport facilities can have substantial off-site impacts on adjoining residential populations, and that they share responsibility for contributing to the liveability of their region.

21.03-2 Regional Population Growth

The City of Wyndham to the immediate west of Hobsons Bay is a regional population growth area. Consequences of this growth for Hobsons Bay are likely to include:

- increased pressure on the regional road network,
- increased use of the rail system through Hobsons Bay,
- steady improvement of the substantial open space recreational facilities in Wyndham,
- expansion of the employment and educational facilities in Wyndham,
- increased regional tourist visits to Hobsons Bay from Wyndham, and
- opportunities for business links between Hobsons Bay businesses and the growth area.

21.03-3 The Regional Transport Network

Hobsons Bay is generally well placed in the regional transport network. The northern boundary of the municipality is largely defined by the West Gate Freeway and Princes Highway which connect to the Western Ring Road. These are three of the six major highways that form the arteries of the region and play a major role in defining regional land use patterns.

The West Gate Freeway and Docklands Highway (Francis Street/Whitehall Street) provides easy access to Melbourne's docks, freight hub and Central Business District. The Western Ring Road provides an easy road link to Melbourne Airport and the Hume, Western and Calder Highways. The Princes Highway links Hobsons Bay to Geelong and the Western District beyond.

The West Gate Freeway also provides a direct link to the south-eastern suburbs and beyond to Western Port and Gippsland. This link will be enhanced with the completion of the City Link project.

These highways provide high levels of access to Melbourne, regional Victoria and the gateways to the State including the Tasmanian ferry terminal in Port Melbourne. This level of access encourages business development.

Local Links to the Regional Network of Roads

As a consequence of its coastal location and main road boundaries, the municipality does not have large volumes of regional traffic passing through it. Traffic pressure is less than in other parts of Melbourne. However, there are some difficulties at access points to the network that will require improvements.

While vehicular access to and from the municipality is generally good, north-south movement to other parts of the region is an identified deficiency.

Railways

The suburban rail network connects to Werribee and central Melbourne. Regional trains run to Geelong and the western district of Victoria and the national standard gauge route passes through the municipality.

This means that there are opportunities for development around passenger rail stations and some opportunities for development in association with the national freight service.

21.03-4 Regional Activity Centres and Amenities

The major activity centres in the surrounding municipalities that are accessible to Hobsons Bay's population are:

- Melbourne Central Business District
- Highpoint City Regional Shopping Centre
- Footscray Business District and
- Werribee Plaza Shopping Centre.

These centres also compete to some degree with services offered in centres in Hobsons Bay.

The Melbourne CBD is accessible to residents by road and public transport, as is the Footscray business area. Highpoint City is about 20 minutes drive from most parts of the municipality.

Regional Amenities

The surrounding region provides residents of Hobsons Bay with access to amenities and facilities including:

- Victoria University of Technology campuses in Hoppers Crossing, Footscray and St Albans
- Western Melbourne Institute of TAFE, Footscray
- Western Hospital, Footscray
- Point Cook Coastal Park
- Point Cook RAAF Museum
- Werribee Park
- Flemington Racecourse
- Royal Agricultural Society Showgrounds
- entertainment and arts facilities of central Melbourne and
- entertainment facilities at Highpoint Shopping Centre, Maribyrnong.

21.04 STRATEGIC PLANNING CONTEXT

19/01/2006
VC37

21.04-1 Charting Our Future:

The Hobsons Bay Strategy

Charting Our Future: The Hobsons Bay Strategy outlines the vision and comprehensively sets out the actions Council will undertake to realise the vision. It also suggests actions for other agencies and performance targets for a sustainable municipality.

The preparation of the Strategy was based upon an extensive public consultation process that took place over a period of several months during 1996. It involved a series of workshops around each of the Strategy's themes as well as written submissions from the public. Approximately 250 people participated in the workshops and about 310 written submissions were considered.

The actions in the Strategy are expected to be implemented over a 10 to 15 year period. *The Hobsons Bay Strategy* provides the base material for future Corporate Plans, which set targets for a three year period.

Themes

The Hobsons Bay Strategy seeks to improve the environment and liveability by preserving and enhancing open space and the coast, managing the impacts of transport and industry, encouraging public transport, pedestrian and bicycle trips and protecting and enhancing local urban character and the vitality of activity centres.

The Hobsons Bay Strategy has six main themes.

1. Environment
2. Economic Development and Tourism
3. Transport and Mobility
4. Leisure and Recreation
5. Arts and Culture
6. Community Services and Facilities.

Threads

The actions within each of the six themes in *The Hobsons Bay Strategy* are often interconnected or complementary. Some common threads bind all the themes together.

They are:

Vibrant villages - actions that strengthen the municipality's unique villages, places of community interaction and cultural identification that meet everyday needs and provide a sense of belonging.

Prosperous community - actions that improve prosperity and contribute to employment growth, healthy retail centres, attractive and cared for natural and heritage areas, and access to quality sports venues, recreation opportunities, cultural expression and community services.

Sustainable future - actions that contribute to the survival of natural species and habitats and reduce air and water pollution and energy use.

Strategy Key Objectives

The key objectives for each of the themes of *The Hobsons Bay Strategy* are set out below:

Environment

- Protect the diversity of habitats in Hobsons Bay including coasts, wetlands and grasslands.
- Improve the municipality's air and water quality.
- Use resources wisely/reduce, reuse, and recycle.
- 'Green' Hobsons Bay through a coordinated planting program.
- Recognise and strengthen the individual character of the municipality's villages.

Economic and Tourism Development

- Facilitate employment and investment in the municipality's key economic areas.
- Define a sustainable future for all commercial centres.
- Establish business information and networks.
- Co-ordinate, promote and expand the range of tourism experiences in the municipality.
- Stimulate the growth of small business within the municipality.
- Improve the visual amenity and perceived image of the municipality.

Transport and Mobility

- Ensure that changes to urban form will support the municipality's contribution to a more ecologically sustainable form of development.
- Facilitate vehicular traffic, including buses, on arterial roads; reduce travel times, delays and stops and the costs of travel.
- Improve the amenity and safety of residential areas by reducing through traffic, vehicle speeds, traffic noise, vibration and air pollution.
- Encourage cycling in the city on a continuous bicycle path network (both on-road and off-road) of safe and direct routes for all types of cyclists.
- Enable the efficient operation of truck transport on suitable routes and minimise disruption to the community.
- Provide a safe, reliable, coordinated and convenient public transport service for all users.
- Encourage walking in the municipality on safe, direct and continuous routes and pedestrian crossings.
- Consolidate and enhance Williamstown's status and operation as one of the principal water transport terminals on Port Phillip Bay and integrate Altona as a regular stopping point as water transport services develop along the western coast of Port Phillip Bay.

Leisure and Recreation

- Regularly consult with groups and individuals to plan for future leisure and recreation needs of the municipality and to disseminate information about Council's leisure and recreation directions and policies.

- Assist community groups to provide leisure and recreation opportunities for all sectors of the community.
- Ensure there is improved, equitable and safe access to leisure and recreation services, programs and facilities for all sectors of the community.
- Develop management policies and master plans to ensure there is an equitable distribution and development of open space (quality and quantity) across the municipality.
- Manage the municipality's recreation assets efficiently and effectively.
- Upgrade recreation facilities where required and plan for the construction of new facilities.
- Promote leisure and recreation services, facilities and programs.

Arts and Culture

- Active leadership and partnership role for Council in promoting arts and culture.
- Support community organisations to provide diverse and high-quality cultural events and activities.
- Recognise the importance of the role of cultural industries in the broader economy of Hobsons Bay, note their impact on employment opportunities and promote their integration with other economic initiatives.
- Support and develop festivals and cultural events which reflect and benefit the communities of Hobsons Bay.
- Recognise, protect and enhance the built and natural environment as significant cultural assets.
- Value and promote the living histories of our communities.
- Recognise the cultural integrity of the various neighbourhoods and villages within the municipality and reflect their strengths and diversity in planning and service provision.

Community Services and Facilities

- Ensure the availability of a range of flexible and accessible community services which better match the needs and lifestyles of residents.
- Provide well-designed community facilities in convenient locations throughout the municipality, located where possible in retail centres and at other community and public transport nodes.

The actions proposed for each of these themes are set out in full in *The Hobsons Bay Strategy, 1997*.

21.04-2 Council's Corporate Plan

The Hobsons Bay City Council Corporate Plan details the goals, key directions and actions of Council, which reflect the external (community) focus and the internal (organisational) focus.

The Corporate Plan is the umbrella under which all of the Council's strategic planning is conducted. It sets out broad strategies for the upcoming three years for all of the Council's activities and so forms the basis of the MSS.

The Corporate Plan is reviewed annually. To the extent that these reviews affect the MSS, they will lead to consequential changes to the MSS.

The Hobsons Bay MSS has drawn upon the principles within the Corporate Plan. The Corporate Plan and the MSS share a common vision encompassed by following goal areas.

The community goals are:

- transport and physical infrastructure,
- human services,
- environment, open space and conservation,
- industry, business and employment, and
- culture and leisure.

The organisational goals are:

- quality improvement,
- staff and teamwork,
- competitiveness and customer service,
- community advocacy and participation, and
- finance and resources.

21.04-3 Linkages with the MSS

The MSS seeks to support the Hobsons Bay Strategy and Council's Corporate Plan through interlinked strategies. The MSS, through the objectives and strategies, proposes to achieve the vision and implement both the Hobsons Bay Strategy and the Corporate Plan.

21.04-4 MSS Strategic Directions

The overall vision for the municipality will be achieved through the implementation of a series of Strategic Directions outlined in the MSS. Each Strategic Direction comprises objectives, strategies and policies. The Strategic Directions provide clear and positive directions for the future use and development of land in Hobsons Bay City Council. The thematic Strategic Directions are:

- Residential Development
- Heritage
- Activity Centres
- Industry
- Transport and Mobility
- Open Space, Environment and Conservation
- The Coast
- Community Infrastructure
- Arts and Culture

21.0519/01/2006
VC37**THE VISION**

The Council's vision for Hobsons Bay is:

A community that works together to achieve a sustainable and prosperous future. A municipality of villages which form a strong backdrop for community life and where there is harmony between the old and new.

A place in which big and small industries provide employment and prosperity while respecting the community and environment; where our coast, parks and open spaces with their distinctive natural features are treasured; and where services which are important to people's everyday life and which reflect their particular needs are available.

And above all, a community which embraces a sense of pride and belonging, and celebrates the diversity of its people - their traditions, values and heritage.

21.06 RESIDENTIAL19/01/2006
VC37**21.06-1 The vision**

A municipality where the residential areas have their own special character. Where each residential area provides a neighbourhood focus and a coherent sense of community and association. Where the separation between the residential areas by natural conservation areas is reinforced to ensure that neighbourhoods have a uniqueness that encourages a sense of local scale and relaxed feel. Where the amenity of residential areas will be protected from the effects of noise, air, water and land pollution.

The residential areas will provide diversity in choice of housing types to meet the needs of the diverse households in the municipality. Dwelling styles and designs will contribute to neighbourhood character by harmonising with existing buildings and also by architectural innovation, uniqueness and excellence. A high standard of development and maintenance will be encouraged in the municipality and gardens and trees in private areas will complement green streetscapes. Further development of the residential areas will contribute to ecological sustainability and energy efficiency through urban consolidation, building design and public transport use.

21.06-2 Objectives and Strategies**Objective 1**

To ensure that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

Strategies

- Work with development proponents to achieve outcomes that enhance the preferred neighbourhood character.
- Ensure that a sense of openness in backyards is retained in precincts where this is an important character element.
- Encourage high quality contemporary and innovative architectural responses, and avoid period reproduction styles.
- Minimise the loss of front garden space and the dominance of car parking structures by discouraging additional vehicular crossings and encouraging car access from rear laneways if available.
- Discourage the use of basement garages where they lead to the loss of effective landscaping, or where it has the effect of increasing the height of buildings.
- Protect and improve streetscapes by minimising the effects of development on street trees and nature strips, requiring the reinstatement of footpaths, kerbs and channels with appropriate materials and through the use of underground power and telecommunications lines.
- Establish a cross-Council team to coordinate all aspects of design in road reserves and to ensure a consistent character with the precincts identified in the *Hobsons Bay Neighbourhood Character Study, December 2002*.

Objective 2

To encourage and facilitate the provision of a range of dwelling types to suit the varying needs of the community in a high quality living environment.

Strategies

- Provide a mix of housing types that better reflects the cross section of household sizes and the provision of housing for people with particular needs.
- Encourage subdivision that provides a range of lot sizes to cater for a diversity of housing stock and a better matching of house size and type with varying community needs.
- Support medium density residential development where the character and amenity of the neighbourhood is not prejudiced.
- Support medium density residential development where it can be accommodated with the capacity of existing infrastructure.
- Encourage medium density residential development within activity centres in a manner that does not detract from the concentration and viability of retail and commercial activity in the centres and does not compromise the amenity of future residents.
- Encourage residential development at first floor level within activity centres.
- Support opportunities for residential development of former industrial sites adjacent to established residential areas.
- Provide retirement housing to meet the needs of retirees within their local areas.
- Encourage energy efficient design of new dwelling constructions

Objective 3

To protect and enhance the amenity of residential areas.

Strategies

- Encourage applicants to exceed minimum compliance with the requirements of Clause 54 and Clause 55 in the preparation of applications, to ensure the protection and enhancement of the amenity of residential areas.
- Encourage innovation and creativity in design and planning for medium density housing and residential areas.
- Promote innovative designs, which are functional, aesthetically pleasing and pleasant to live in and promote the concepts of environmentally sustainable development through energy efficient design.
- Discourage non-residential land uses in or close to residential areas unless the levels of activity and traffic they generate, the times of operation and the amount of car parking provided are compatible with the protection and enhancement of the amenity of the residential area.
- Encourage the establishment of a landscape and streetscape urban setting for new development, which reflects the local and wider landscape character.

Objective 4

To protect the amenity of residential areas adjacent to particular land use and protect sensitive areas from residential development.

Strategies

- Protect existing residential amenity from the intrusion of industrial uses and ensure that future residential areas are not compromised by industrial development.
- Facilitate appropriate forms of residential development at the interface between residential and sensitive or particular land uses, such as:
 - residential areas adjacent to industrial land use,
 - residential areas adjacent to the coast, creeks, wetlands and grasslands,
 - residential areas adjacent to parks and open space reserves, and
 - other urban/non urban interface areas.

Objective 5

To facilitate communication with applicants that leads to better neighbourhood and site description and design response within the context of Clause 54 and Clause 55 and other relevant Council and State Government policies.

Strategies

- Improve the community understanding of the planning process through information sheets, brochures and publications with examples of good and bad design.
- Document and distribute decision-making guidelines and criteria.
- Use consistent methodologies in planning decisions and urban design.
- Provide ongoing training for council staff in urban design skills.

Objective 6

To implement the Development Contribution Plan, which sets out, for any development or part thereof, the infrastructure to be provided, the source of funds for the infrastructure, the amount and timing of the development contributions to be levied for this infrastructure and other relevant matters.

Strategies

- Identify the land, works, facilities and services required by new residential development and set out the arrangements for their funding and provision in regard to:
 - the impact of proposed development,
 - the Council's policies and the policies of the Victorian Government,
 - accepted standards of services provision, and
 - the type and capacity of infrastructure already in place.
- Incorporate the Development Contribution Plan into the planning scheme.

21.06-3 Implementation

These objectives and strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Levy development contributions to finance improvements and additions to physical infrastructure where new development is likely to impact on the existing infrastructure.
- Using the *Neighbourhood Character Local Policies* at Clause 22.07 - 22.10 when considering an application to develop land within the Residential 1 zone, except on sites that are included in the Heritage Overlay
- Use the *Hobsons Bay Signage Policy, 1999* in the consideration of planning applications.
- Use the *Hobsons Bay Landscape Guidelines, 1999* to emphasise the importance of landscaping in determining applications for residential development and in the consideration of planning applications.

Applying zones and overlays as follows:

- Apply the Residential 1 Zone, Residential 2 Zone and Mixed Use Zone.

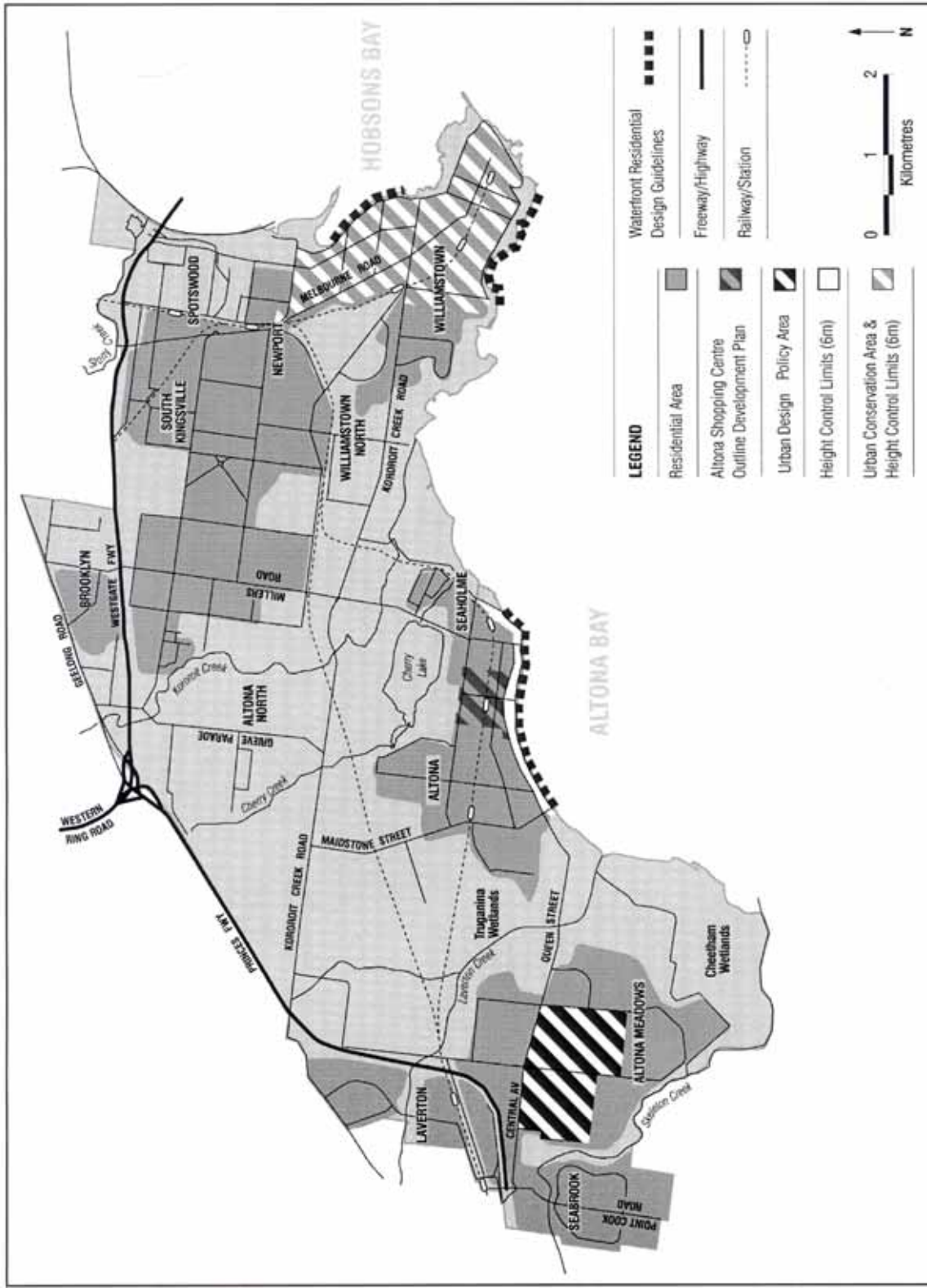
21.06-4 Further strategic work:

- Develop local policies to facilitate medium density housing in areas identified by *Living in Hobsons Bay: Population & Housing Beyond 2000* which have the capacity to accommodate medium density residential development and which are close to public transport, activity centres and other social infrastructure.
- Develop additional schedules and overlays to implement *Living in Hobsons Bay: Population & Housing Beyond 2000* to guide future decision-making and direction for residential growth and development.
- Prepare and adopt the Development Contributions Plan for incorporation into the Planning Scheme.
- Prepare a Precinct Plan for the Altona Meadows area that identifies suitable sites for medium density developments such as around the Central Square Shopping Centre.
- Develop a Local Area Traffic Management Plan for the Altona Meadows area for the consideration of new residential development.
- Review the vision for the broader Altona Meadows Area with a view to provide the basis for the future direction of growth and to ensure that the future growth provides for a neighbourhood focus and a cohesive pattern of development.

21.06-5 Reference documents

- *Hobsons Bay Neighbourhood Character Study, December 2002, including Neighbourhood Character Precinct Brochures.*
- *Hobsons Bay City Council Landscape Guidelines, 1999*
- *Hobsons Bay Advertising Signs Guidelines, 1999*
- *Living in Hobsons Bay: Population and Housing Beyond 2000 Our Changing Neighbourhoods, 1999*
- *Street Tree Planting Strategy, 1996*
- *Hobsons Bay Waterfront Residential Design Guidelines, 1990*

MAP 2 RESIDENTIAL AREAS



21.07 HERITAGE

19/01/2006
VC37

21.07-1 The vision

A community where we value our heritage and the important role it plays in helping us to understand and interpret our past, and also enhancing our future prosperity and way of life.

A municipality where all places of heritage significance (including a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land) are identified, protected and conserved, and receive the highest standard of care and management in accordance with best conservation practice.

21.07-2 How the vision will be achieved**Objective 1**

To conserve and enhance heritage places of identified natural and cultural significance and those elements which contribute to the significance of heritage places.

Strategies

- Consider the findings and recommendations of the *Hobsons Bay Heritage Study* in the determination of planning applications.
- Apply the *Guidelines for Infill Development in Heritage Areas* and the *Guidelines for New Development in Heritage Areas* to ensure that new development is sympathetic and complementary to places of heritage significance.
- Identify significant heritage places which require conservation management plans.
- Investigate funding opportunities and other forms of assistance available through the Australian Heritage Commission, Heritage Victoria, and the National Trust of Australia (Victoria) for conservation and enhancement of places of heritage significance.
- Develop and implement conservation management plans for heritage places owned or managed by Council including:
 - The Williamstown Botanical Gardens, in conjunction with Heritage Victoria.
 - Cox's Gardens Cottage.
 - Williamstown Mechanics Institute.
- Encourage the continued use, re-use, internal adaptation and external restoration of places of heritage significance.
- Provide information and advice to owners and occupiers in relation to infill guidelines and new development in conservation areas.

Objective 2

To ensure that any development does not adversely affect the significance of heritage places and is compatible with the historic character of the heritage place or precinct.

Strategies

- Ensure that the design of new development in heritage precincts is compatible with and recessive to the original character of the streetscape or heritage place.
- Ensure that any new development does not adversely affect the setting or context of the heritage place.
- Encourage sympathetic restoration, maintenance and repair of heritage places.
- Maintain and enhance the environmental and social aspects which contribute to the historic character of heritage places and precincts.
- Promote designs for new development which will be sympathetic to or complement the heritage places, in terms of building form, setbacks, frontage width, height, finish and fenestration without simply copying historical detailing.
- Ensure new buildings and additions respond to special features in terms of views, vistas, existing vegetation and landmarks.
- Encouraging landscaping and gardens that are compatible with the historic character of the heritage place or precinct.

Objective 3

To continue to promote and enhance community awareness, interest and support in relation to the conservation of the heritage of Hobsons Bay.

Strategies

- Prepare a guide to promote the heritage of the municipality to local residents and tourists alike.
- Continue to provide community access to a heritage adviser and make historical information readily available to the community.
- Establish partnerships with historical societies to promote and research local history including indigenous heritage.
- Involve Aboriginal communities in the protection and management of Aboriginal sites and the use and development of their history and culture.
- Facilitate discussions between historical societies to determine current and future needs, long term sustainability and links with the broader community.
- Establish partnerships with historical societies to promote and value the heritage of Hobsons Bay.
- Continue the role of the libraries in the provision of local history services.
- Encourage research, documentation and promotion of local community histories.
- Ensure that Council's material history is professionally catalogued and photographed and that each item is annotated according to its heritage significance.
- Promote heritage week and local festivals as a means to increase the community awareness of heritage issues in Hobsons Bay.
- Apply for funding for a heritage advisor, heritage brochures and other community publications

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Using the Heritage Policy at Clause 22.01 to assist in the consideration of applications to use or develop heritage places.
- Considering what is significant about a heritage place, and how and why it is significant as described in the *Hobsons Bay Heritage Study* when considering any application to use or develop heritage places.
- Using the Aboriginal cultural resource map and guidelines provided by Aboriginal Affairs Victoria when considering an application to develop or rezone land.

Applying zones and overlays as follows:

- Applying the Heritage Overlay to heritage places identified by Heritage Victoria, the *Hobsons Bay Heritage Study*, or any other relevant heritage study or report.

Undertaking further strategic work as follows:

- Prepare and exhibit an amendment to introduce incorporated plans, which set out permit exemptions for industrial heritage places, the former Cheetham Saltworks, and other complex heritage places.
- Finalise and adopt the *Significant Tree Study* for Hobsons Bay.
- Undertake an Aboriginal cultural heritage study.
- Undertake a cultural landscape study.
- Undertake a Port of Williamstown heritage study in conjunction with other relevant statutory authorities.

Other actions

- Continue to monitor and assess the effectiveness of heritage planning controls and policy.
- Continue to examine heritage places with a view to their inclusion in the Hobsons Bay Conservation Study.
- Continue to develop an understanding of Hobsons Bay heritage places.
- Undertake ongoing community awareness programs relating to the value of heritage places.
- Provide ongoing opportunities for the community to participate in local heritage initiatives.
- Apply for relevant heritage funding and other forms of assistance.

References

- *Hobsons Bay Heritage Study*, which comprises:
 - *Hobsons Bay Thematic Environmental History*
 - *City of Williamstown Conservation Study Review*
 - *Altona, Laverton & Newport Districts Heritage Study*
- *Guidelines for Alterations and Additions to Dwellings in Heritage Areas*
- *Guidelines for Infill Development in Heritage Areas*
- *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter)*

21.08 ACTIVITY CENTRES

19/01/2006
VC37

21.08-1 The vision

A municipality which hosts vibrant local, neighbourhood and regional activity centres providing a range of retail and social opportunities which meet the needs of the community. A municipality where the activity centres have a strong sense of identity and place and provide a focus for community life and association. Where the activity centres provide ongoing employment and business opportunities for the local community, attract visitors and encourage investment.

21.08-2 How the vision will be achieved**Objective 1**

To promote the retention of existing activity centres in the municipality to cater for the shopping needs of residents, workers and visitors.

Strategies

- Prepare a commercial centres strategy for the whole municipality and develop structure plans to guide future planning and improve the appearance and amenity of the centres.
- Retain and enhance the individual character of the activity centres in the municipality.
- Encourage the retention and strengthening of the mix of land uses within and around the centres to support the activity centres.
- Focus further commercial development within the existing business zones and consolidate retail activity within core retail areas.
- Ensure that residential development in proximity to activity centres does not compromise existing commercial businesses.

Objective 2

To stimulate, co-ordinate and facilitate further commercial and service business development within activity centres.

Strategies

- Focus major new retailing activities to Williamstown, Altona Gate, Altona Pier Street Village, Newport/Mason Street, Central Square and Aviation Road as the major activity centres in the municipality.
- Encourage and facilitate the clustering of community facilities within centres.
- Facilitate infill development in strip centres to encourage consolidation of retail activities.
- Encourage and facilitate the expansion of retail facilities to meet needs not readily catered for in existing activity centres.

Objective 3

To improve the amenity and enhance the economic viability of the existing activity centres in the municipality.

Strategies

- Encourage new commercial and business development to locate within identified activity centres.
- Encourage businesses and activities that increase opportunities for social interaction, recreation and enjoyment of the arts.
- Discourage new uses and development that are incompatible with surrounding residential land use by way of the proposed level of activity and generation of traffic, hours of operation and car parking.
- Ensure that new commercial uses and development contributes to the supply of public car parking in and around centres.
- Ensure that new commercial uses and development address traffic flow in and around centres.
- Enhance trading by improving pedestrian and vehicular access.
- Ensure that new commercial uses and development facilitates public transport use, pedestrian flows and bicycle use.
- Enhance the viability of activity centres through directional and identification signage and other urban design or related improvements.
- Ensure that the 'significance' aspects of the Precinct Character Statements of *Hobsons Bay Neighbourhood Character Study: Character Components, March 1997* are taken into account.
- Ensure that new commercial uses and development respect and contribute to the heritage value of the centre.
- Discourage non-commercial retail uses at ground level in the core retail areas of activity centres.

Objective 4

To maintain and enhance the role of the existing Williamstown precinct activity centre.

Strategies

- Develop a structure plan to strengthen the Williamstown activity centre including Douglas Parade, Ferguson Street and Nelson Place.
- Conserve the historic quality of heritage places through careful consideration of proposed developments.
- Protect and enhance the national heritage significance of the Nelson Place streetscape.
- Ensure heritage places can be viable places for users without compromising the cultural heritage significance of the place or the amenity of surrounding uses.
- Identify areas to accommodate additional retail floor space in the centre.
- Facilitate the expansion of the provision of supermarket facilities in the centre which will strengthen the centre's weekly shopping role.
- Enhance tourism opportunities within and around the Williamstown centre.

- Facilitate linkages between the Williamstown centre and other leisure, entertainment and recreational nodes.
- Protect the viability of the nearby marine activities to the Williamstown centre.
- Protect the amenity of adjacent residential areas.
- Encourage and facilitate the expansion of retail facilities to meet needs not readily catered for in existing centres.
- Improve local area traffic and car parking management within and around the Williamstown centre.
- Require the provision of car parking in accordance with the Williamstown Car Parking Strategy and Implementation Plan.

Objective 5

To maintain and enhance the role of the existing Pier Street precinct activity centre.

Strategies

- Encourage a centre with a positive identity and strong sense of place, defined retail/commercial precincts and a focus for community activity.
- Enhance the commercial focus of the centre as a village precinct.
- Create strong visual linkages and physical connections to the foreshore, Port Phillip Bay, the regional open space network and Cherry Lake.
- Utilise the Pier Street Altona Shopping Centre Outline Development Plan to guide the use and development of land in and around Altona Shopping Centre.
- Encourage and facilitate a wide range of activities in the Pier Street precinct activity centre.
- Encourage a mix of retail uses to reinforce existing retail activity and encourage new and continuing investment.
- Encourage a mix of peripheral retail and non-retail commercial uses to develop a strong trading function and competitive base.
- Ensure that future development has regard to the vehicular circulation and car parking requirements of the area.
- Strengthen vehicular and pedestrian links within the wider City of Hobsons Bay to the Pier Street activity centre.
- Enhance the environmental qualities of the Pier Street centre.
- Enhance and reinforce the visual amenity of Pier Street centre via urban design, landscape and built form guidelines.
- Reinforce the tourism potential of the foreshore area.
- Protect the amenity of adjacent residential areas.

Objective 6

To maintain and enhance the role of the existing Newport Junction activity centre.

Strategies

- Prepare a structure plan for the Newport/Mason Street activity centre to guide planning and future development.
- Encourage and facilitate the expansion of retail facilities to meet needs not readily catered for in existing centres.

- Promote and facilitate the development of the Newport Junction activity centre as a cultural/art/tourism precinct.
- Protect the amenity of adjacent residential areas.
- Improve the visual amenity of the Newport Junction centre.
- Progressively develop community facilities in the Newport Junction centre.
- Improve the integration of activities in the Newport Junction centre.
- Facilitate residential development in and around the Newport Junction centre.
- Improve pedestrian amenity in the Newport Junction centre.

Objective 7

To maintain and enhance the role of the existing Central Square activity centre.

Strategies

- Encourage the expansion of the Central Square centre's role to include community and health facilities.
- Ensure that any extension of retailing activities in Central Square is appropriate in scale in relation to existing centres in the vicinity and contains a range of other uses to facilitate its role as a community focus for the local neighbourhood.
- Encourage and facilitate the expansion of retail facilities to meet needs not readily catered for in existing centres.
- Identify opportunities for medium density housing in proximity to the centre.

Objective 8

To create a distinctive and appealing identity for the Aviation Road activity centre through an improved user amenity and expanded range of shops and services.

Strategies

- Facilitate the development and performance of the Aviation Road activity centre.
- Encourage and facilitate the improvement and expansion of the retail business mix in the centre.
- Encourage and facilitate the owners, operators and the community to become better 'self managers' of the centre.
- Make the centre more usable in terms of traffic and parking for the local catchment population.
- Create a more distinctive identity through co-ordinated signage and themes.
- Encourage and facilitate the centre as a destination for recreation and leisure as well as for shopping and personal business.
- Encourage the promotion of the centre to the local and wider community as well as to passing traffic.

Objective 9

To enhance the economic opportunities and provide planning certainty for activities on Millers Road, Altona through the preparation of a comprehensive structure plan.

Strategies

- Provide guidance and certainty as to land use patterns and opportunities for the precinct, particularly Altona Gate Shopping Centre.
- Encourage Altona Gate Shopping Centre to prepare an overall master plan for the centre.
- Provide guidance for land use opportunities on the former Altona North Technical School site.
- Develop a node for community facilities.
- Improve transport, pedestrian safety and car parking in the area.
- Undertake a landscape and streetscape strategy and guidelines for the area.
- Review the level of existing facilities and services in the area to meet the needs of the community.

Objective 10

To identify smaller activity centres which may not have a retail future and identify appropriate alternative land uses.

Strategies

- Undertake a review of all of the marginal activity centres with a view to facilitating their evolution into service activity centres or conversion to residential land use.
- Discourage the conversion to industrial uses, as in the case of Blackshaws Road.
- Develop a concept plan for the Woods Street Shopping Centre to enhance trading viability, with the view to identifying the rezoning of the Lohse Street precinct to residential.

Objective 11

To prepare a Development Contribution Plan, which sets out, for any development or part thereof, the infrastructure to be provided, the source of funds for the infrastructure, the amount and timing of the development contributions to be levied for this infrastructure and other relevant matters.

Strategies

- Identify the land, works, facilities and services required by new development in the activity centres and set out the arrangements for their funding and provision having regard to:
 - the impact of proposed development,
 - the Council's policies and the policies of the Victorian Government,
 - accepted standards of services provision, and
 - the type and capacity of infrastructure already in place.
- Incorporate the Development Contribution Plan into the planning scheme.

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Use local policy to identify and facilitate appropriate locations for medium density housing in proximity to activity centres.
- Levy development contributions to finance improvements and additions to physical infrastructure where new development is likely to impact on the existing infrastructure.
- Use the *Williamstown Car Parking Structure Plan, 1999* in the consideration of planning applications.
- Use the *Pier Street, Altona Shopping Centre Outline Development Plan, 1999* in the consideration of planning applications.
- Use the *Hobsons Bay Signage Policy, 1999* in the consideration of planning applications.
- Use the *Hobsons Bay Landscape Guidelines, 1999* in the consideration of planning applications.

Applying zones and overlays as follows:

- Apply the Business Zones to existing retail and commercial activity centres.
- Apply a Heritage Overlay over places of heritage significance.

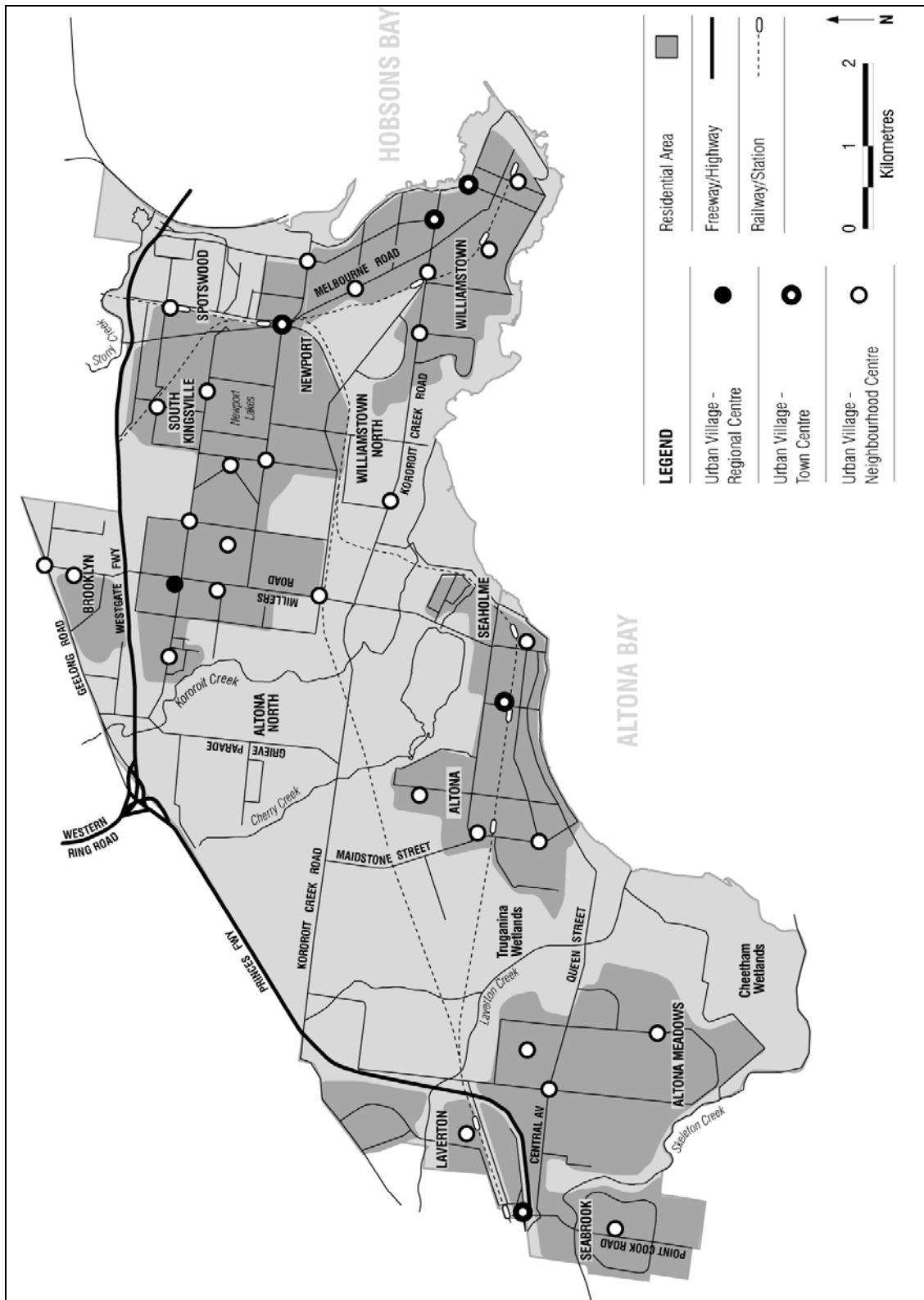
Undertaking further strategic work as follows:

- Undertake a Commercial Centres Strategy for the municipality.
- Undertake local area planning for the Millers Road, Altona precinct to ensure that the area develops in an orderly and proper manner in accordance with its strategic objectives.
- Prepare structure plans for Williamstown and Newport/Mason Street activity centres.
- Prepare a Development and Community Contributions Plan which relate to the existing activity centres in the municipality.
- Prepare an Outdoor Seating and Furniture Policy to manage the quality and quantity of outdoor seating in the municipality and to guide decision-making in regard to appropriate car parking for the use of the land.

Other actions

- Provide ongoing opportunities for local businesses to participate in activity centre development by way of improving the amenity of centres, promotion and co-ordination between the various commercial and service business enterprises.

MAP 3 ACTIVITY CENTRES



21.09 INDUSTRY

19/01/2006
VC37

21.09-1 The vision

A municipality which is part of the industrial heartland of Melbourne's west and the focus of Victoria's chemical and petroleum industries containing some of the State's largest industrial enterprises. Where industry will have a positive impact on the visual and environmental amenity and the image of the municipality. A municipality where industry contributes to economic and environmental sustainability, providing ongoing employment and prosperity and the minimisation of waste production. A municipality which will continue to be home to some of the most important industries in the State, while also attracting and nurturing new major industries and smaller businesses.

21.09-2 How the vision will be achieved**Objective 1**

To stimulate and facilitate appropriate industrial activity and employment opportunities.

Strategies

- Apply the objectives and development standards in the Hobsons Bay Industrial Land Management Strategy in the assessment of industrial planning applications and to guide future industrial land use and development.
- Apply the goals, objectives, key planning principles and actions contained within The Burns Road Industrial Estate Structure Plan in the assessment of industrial planning applications and to guide the future use and development of the Estate.
- Work with the *Western Region Economic Development Organisation (WREDO)* to promote economic development, a positive image for the region and amenity improvements.
- Provide for an improved understanding of population density controls which influence land use management.
- Negotiate with VicRoads and local industry to provide signs identifying the municipality and the access routes to its industrial areas.
- Promote the improvement of the arterial road system to service the industrial areas.

Objective 2

To promote and provide a high amenity environment.

Strategies

- Protect the amenity of people living and working in Hobsons Bay from the effects of noise, air, water and land pollution.
- Encourage existing industries to improve their sites and operating conditions to contribute positively to the image and amenity of the municipality.
- Ensure that industries at the interface between industrial areas and residential areas preserve the amenity of residential areas.

-
- Discourage industries that have significant off-site impacts from locating near residential areas or activity centres.
 - Encourage mixed use or light industrial buffer areas between residential and heavier industrial areas.
 - Encourage the relocation of industries that are poorly located because they are unsightly, derelict or have amenity conflicts with residential areas (including industries in residential zones).
 - Discourage industries that rely upon frequent visits by heavy vehicles using roads through residential areas or activity centres in the municipality.
 - Ensure that significant environmental values are protected and that best practice environmental standards are adopted by industry.
 - Ensure that industrial development respects and enhances the natural environment, including Kororoit Creek, Cherry Creek, Cherry Lake, Laverton Creek and its tributaries, the coast, Truganina Swamp, Stony Creek and its backwash and other watercourses and low lying areas and native grasslands, particularly between Princes Highway and Kororoit Creek Road.
 - Ensure that there is a soft transition between industrial development and the natural environment reserves with appropriate landscaping within development sites so that the final built environment is well integrated with the surrounds.
 - Consider the impact of relevant industries on air, noise, land, surface water and ground water quality in the assessment of planning applications.
 - Ensure appropriate buffers are planned for any new industrial development and that these buffer distances are maintained.
 - Ensure that future industrial development is connected to the City West Water/Melbourne Water sewerage reticulation system.

Objective 3

To promote and encourage a worlds best practice philosophy by industry.

Strategies

- Ensure that new industrial development meets high standards of site development, emission control, landscaping and motor vehicle parking and movement management.
- Encourage existing industries to reduce their discharge of pollutants to improve air and water quality.
- Consider the impact of relevant industries on air and groundwater quality in the assessment of planning applications.
- Promote the role of Community Liaison Committees to the community and to industry for the airing of complaints and the dissemination of information about industry.
- Work with the Environment Protection Authority and the agencies responsible for the *Dangerous Goods Act* and the *Occupational Health and Safety Act* to ensure that industries do not threaten the health and safety of employees and residents or damage the local environment.
- Encourage industry to develop a waste water reuse program.
- Ensure that development is consistent with the relevant State Environment Protection Policies and current Best Practice Environmental Management Guidelines.
- Ensure that sediment runoff during the construction phase is minimised by requiring the development of environmental management plans incorporating best practice

environmental management (refer to EPA publication No. 480 Environmental Guidelines for Major Construction Sites).

- Encourage industry that will investigate and implement, where possible, the potential benefits of cleaner production.
- Monitor groundwater contamination in Altona North and Newport and work with industries to develop groundwater management plans.

Objective 4

To ensure that future industrial development in Williamstown North Garden Industrial Estate provides for smaller enterprises in a well landscaped, properly planned and managed estate.

Strategies

- Ensure that proposed land uses are compatible with nearby residential areas and with the development of a garden industrial estate.
- Encourage the landscaping and development of the area as a garden industrial estate which pays particular attention to the appearance of the precinct from the major roads and the railway lines.
- Ensure that planning controls are observed and that the amenity of the precinct is respected by operators.
- Ensure that adequate off-street parking is provided for cars and trucks.
- Discourage panel beating, motor vehicle repairs, car sales and transport terminals from locating in the estate.
- Discourage heavy traffic to and from the estate from entering the adjoining residential areas.

Objective 5

To prepare a Development Contribution Plan, which sets out, for any development or part thereof, the infrastructure to be provided, the source of funds for the infrastructure, the amount and timing of the development contributions to be levied for this infrastructure and other relevant matters.

Strategies

- Identify the land, works, facilities and services required by new industrial development and set out the arrangements for their funding and provision having regard to:
 - the impact of proposed development
 - the Council's policies and the policies of the Victorian Government
 - accepted standards of services provision
 - the type and capacity of infrastructure already in place
- Incorporate the Development Contribution Plan into the planning scheme.

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Levy development contributions to finance improvements and additions to physical infrastructure where new development is likely to impact on the existing infrastructure.
- Use the *Hobsons Bay Industrial Land Use & Development Guidelines, 1997 and Industrial Land Management Strategy, 1997* in the consideration of planning applications.
- Use the *Hobsons Bay Signage Policy, 1999* in the consideration of planning applications.
- Use the *Hobsons Bay Landscape Guidelines, 1999* in the consideration of planning applications.

Applying zones and overlays as follows:

- Apply the Special Use Zones to the petroleum refining, petrochemical, special industries and ship building industries.
- Apply the heritage overlay over places of heritage significance.
- Apply the potentially contaminated land overlay over contaminated sites.

Undertaking further strategic work as follows:

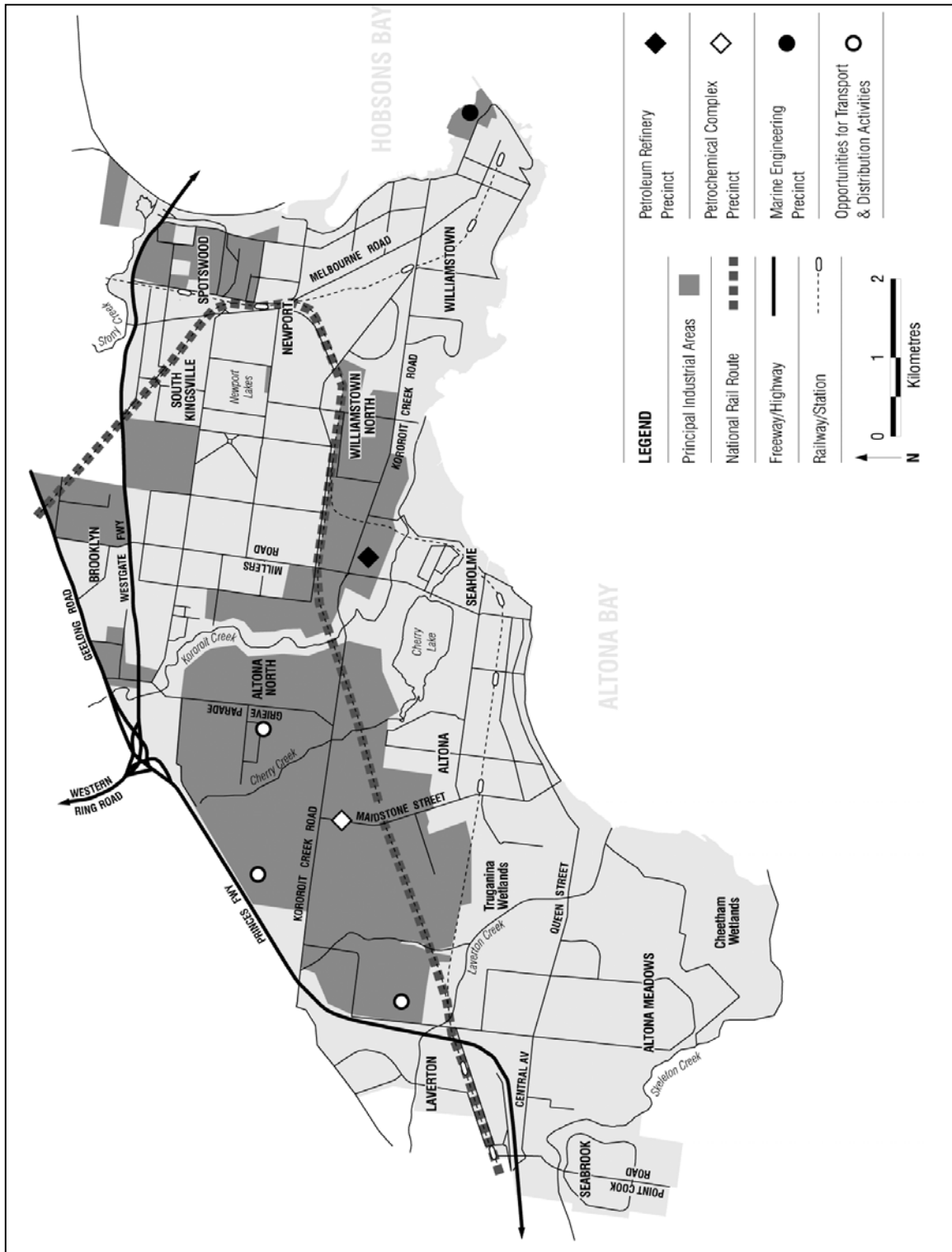
- Develop performance standards for the design of new industrial development in Williamstown North which address issues such as parking, landscaping, signage, storage areas, fencing, traffic and parking.
- Undertake local area planning for the industrial properties near to Newport Lakes, including those fronting Mason Street between Margaret Street and Johnston Street, which addresses future land use objectives, amenity, local area traffic management, urban design and landscape works.
- Undertake the preparation of a Strategy for the Newport Railway Workshops which identifies an optimal future for the site which maximises liveability and addresses future land use objectives, heritage and cultural issues, tourism opportunities, traffic management, pedestrian and open space linkages.
- Undertake local area planning for the Spotswood Industrial Precinct, comprising the area bounded by Halls Street, McLister Street, Birmingham Street, Stephenson Street and Blackshaws Road, which addresses future land use objectives, amenity and residential interface issues, local area traffic management and urban design and landscape works.

Other actions

- Undertake a study of the population density controls to address the issues of negative perceptions and their inherent complexities, which discourage investment and are detrimental to economic development strategies. The population density controls effectively prohibit the presence of high employment density industries, thereby reducing the range of activities which can occur in proximity to the Altona Petrochemical Complex.
- Provide information about:
 - the competitive strengths of the local economy, the locational advantages of Hobsons Bay's industrial areas and developments in local industry including new products and services and moves towards worlds best practice,

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- the opportunities for new businesses to locate in the municipality's industrial areas and the development potential of industrial land in Hobsons Bay,
 - the Council's commitment to an efficient, customer focused development approvals system,
 - the efforts of Council and industry to improve the local environment,
 - Undertake enforcement of car parking, amenity and landscaping conditions in planning permits.

MAP 4 INDUSTRIAL AREAS AND MAIN TRANSPORT ROUTES



21.10 TRANSPORT AND MOBILITY

19/01/2006
VC37

21.10-1 The vision

A municipality which hosts a carefully planned, integrated transport network for all vehicles, cyclists and pedestrians adding to the quality of life and strong sense of community for the Hobsons Bay residents. The transport network will encourage visitors to enjoy the area and ensure that the needs of industry and commerce are met while minimising the impacts of heavy vehicle traffic on the amenity of the area.

The municipality will have a well planned and constructed network of industrial roads connecting to main roads and freeways to service industrial areas without affecting the amenity of more sensitive land uses within the municipality.

There will be adequate parking facilities to serve activity and tourist precincts. On site parking will be adequate to meet the need generated by particular land uses without overloading public facilities.

There will be a network of well connected bicycle and pedestrian paths that are safely separated from vehicle traffic and encourage commuter and recreational use.

Altona and Williamstown will be important water transport terminals and tourism nodes on Hobsons Bay and Port Phillip Bay.

21.10-2 How the vision will be achieved**Objective 1**

To provide access to, through and within the municipality by all modes of transport.

Strategies

- Ensure that the cost of new road and transport infrastructure required to serve specific development is met by the developer.
- Encourage the development of water transport and associated land based facilities.
- Encourage the development of bicycle paths in new residential subdivisions.
- Encourage the development of new connector roads to service industrial areas.
- Promote more direct connections to the Western Ring Road, the widening of the Princes Freeway and improved interchange access at Point Cook Road and Kororoit Creek Road.
- Liaise with surrounding municipalities and VicRoads to improve the connectivity of the bicycle network.
- Have regard to the Outer Western Suburbs Transport Study and any future studies in the assessment of broader regional patterns of land use and transport movements.

Objective 2

To protect residential and other sensitive land uses from adverse effects of vehicular traffic.

Strategies

- Advocate the introduction of lower speed limits (40 or 50 km/h) in residential areas.
- Ensure that new land uses and development provide adequate parking and loading and unloading facilities.
- Ensure that new land uses and development do not generate volumes of traffic that cause congestion or affect the safety of other road users and pedestrians.
- Discourage the development of transport, storage and distribution facilities in locations that require heavy trucks to use roads through residential areas.
- Conduct traffic management studies of the surrounding areas to avoid transferring problems.
- Encourage industries dependent upon heavy road transport or high volumes of vehicle trips to locate in the North Altona area away from residential areas and close to the freeway network.
- Promote and facilitate walking, cycling and other alternative transport modes to driving.

Objective 3

To encourage increased use of public transport and an efficient network.

Strategies

- Lobby State government, private operators and the Public Transport Commission to provide a safer, more convenient and efficient public transport service to and within Hobsons Bay.
- Encourage medium density housing development around public transport nodes.
- Promote the provision of bus interchanges at major activity centres.
- Seek to co-ordinate and publicise timetables.
- Enhance modal interchanges and their operation, particularly Newport and Altona.

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Levy development contributions to finance improvements and additions to physical infrastructure where new development is likely to impact on the existing infrastructure.

Applying zones and overlays

- Apply the Road Zone Category 1 over VicRoads declared main roads.

Undertaking further strategic work as follows:

- Undertake parking precinct plans for Newport/Spotswood, Altona Gate, Aviation Road and Pier Street activity centres and the Millers Road Altona commercial area.
- Undertake a prioritised street tree planting, management and replacement strategy for key roads and boulevards in the municipality.
- Conduct traffic management studies of local area precincts on a prioritised basis.

21.11 OPEN SPACE, ENVIRONMENT AND CONSERVATION

19/01/2006
VC37

21.11-1 The vision

A municipality where the urban areas are surrounded and punctuated by an extensive system of public open space, watercourses, the coast and foreshore. The municipality will be recognised for its open spaces of international, national, State and regional conservation significance comprising the foreshore, salt marsh, waterways, wetlands, remnant vegetation and mangroves.

The open spaces and watercourses will create a distinctive landscape and provide for active and passive recreation, nature conservation and breathing spaces. The open spaces and watercourses will also be important for their regional drainage, flood management, riparian habitat and water quality functions.

21.11-2 How the vision will be achieved

Objective 1

To provide adequate open space for active recreation to meet the needs of the community and to provide a diverse range of experiences and leisure opportunities.

Strategies

- Ensure effective open space assessments are undertaken in the process of changing uses, assessing development and subdivision proposals and the potential rationalisation of open space in the municipality.
- Provide open space generally in accordance with the following:
 - local parks,
 - sports grounds, and
 - regional parks.
- Allocate and spend the open space funds collected under the Subdivision Act in accordance with:
 - the open space needs of incoming residents,
 - opportunities for new facilities in existing adjacent or nearby open space,
 - opportunities to link with existing open space, and
 - improving the usability and quality of open space.
- Provide open space in areas identified as having a deficiency, through shared use of school facilities, enlarging existing parks and providing linkages to other open space.
- Investigate opportunities to increase the amount of quality open space in Laverton South, Williamstown North, Brooklyn and Spotswood.
- As far as practicable, provide public access for all groups to the watercourses and foreshores, where appropriate.
- Implement the recommendations contained within the *Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003*.

Objective 2

To improve the overall quality of the open space system by enhancing the diversity of leisure opportunities available throughout the municipality.

Strategies

- Provide and develop a range of active and passive open space throughout the municipality based on various needs.
- Provide support services and facilities, such as toilets, seating, shelter and barbecues in appropriate locations throughout the municipality, to encourage greater usage by various age groups, particularly the elderly.
- Provide co-ordinated development of facilities by preparing master plans for significant open space areas.
- Incorporate cultural development principles in open space planning and development.
- Involve local ethnic communities in the development of parks projects, master plans and management plans.

Objective 3

To provide opportunities for people with special needs to gain access to open space.

Strategies

- Undertake an assessment of access to open space and develop design measures to improve access, particularly for people with disabilities and the aged.
- Provide playground equipment in highly accessible locations for people with disabilities.

Objective 4

To ensure a co-ordinated and integrated approach to the management and development of open space and watercourses.

Strategies

- Integrate open space planning and work in partnership to facilitate the proper planning and provision of leisure resources with the relevant state government agencies, including the Department of Natural Resources and Environment, Parks Victoria, Sport and Recreation Victoria and adjacent municipalities.
- Foster responsibility to implement regional strategies for linkages as part of the wider open space system.
- Work with and provide ongoing support to the various management committees and other club groups and associations in the management and maintenance of open space.
- Investigate the potential for the private sector to provide a wider range of services within the open space system.
- Pursue other funding sources for the provision, development and enhancement of open space, including State and Commonwealth Government, business, users and clubs, groups and associations.
- Foster and support community involvement in the management and maintenance of open space and allocate resources to support community initiatives.
- Manage open spaces in accordance with master plans.
- Utilise principles of efficient water and energy use in the maintenance of active and passive recreation areas.

Objective 5

To protect and conserve the environmental significance of open space as habitat for indigenous flora and fauna.

Strategies

- Protect and conserve the environmental and cultural significance of open space, in particular flora, fauna and geomorphology.
- Facilitate the protection of native flora and fauna and seek to preserve their natural habitats in a manner that ensures their long-term survival.
- Continue to support environmental conservation as a valid use of open space.
- Where appropriate, support the revegetation of open space and watercourses using indigenous species.
- Strengthen, protect and encourage extensions to habitat corridors.

Objective 6

To ensure that development enhances the environmental and conservation values of open space.

Strategies

- Ensure that development adjacent to open space and along watercourses, addresses but does not dominate, the waterway or open space.
- Encourage the design of developments to minimise the impact of stormwater runoff, by measures such as limiting the extent of impervious areas and managing both stormwater quality and quantity from the site.
- Encourage the use of treatment methods such as wetlands and litter traps for the control of urban runoff.
- Ensure the establishment of dense vegetated buffer zones for the protection of drainage lines, in accordance with the EPA recommended 30 metres buffer on either side of a watercourse.
- Encourage landowners to set aside privately owned land along watercourses for public open space.
- Encourage major land uses to contribute towards the improvement of watercourses and open spaces in their localities and to integrate the landscaping of their internal site buffers with adjoining public open spaces.
- Encourage the retention and expansion of the open space conservation areas to ensure opportunities for people to experience the natural environment.
- Protect the cultural features of open space and where appropriate provide interpretation.
- Place an emphasis on interpretation to develop a greater awareness of outdoor leisure opportunities and the value of the environment through appropriate interpretative, education programs and information dissemination.
- Protect and maintain the visual environment and amenity of the open space conservation areas.
- Promote innovative, attractive design and presentation of facilities and provide appropriate landscape screening.

Objective 7

To create a network of useable open space which caters for a range of leisure needs.

Strategies

- Construct a continuous trail (the Bay Trail) along the coast of Hobsons Bay.
- Create a continuous coastal park from Point Gellibrand to Skeleton Creek.
- Establish linear parks along Skeleton, Stony, Kororoit and Laverton Creeks as well as drainage and other corridors to provide opportunities for cycling and walking and to enhance the environmental appeal of the municipality.
- Undertake the preparation of a bicycle strategy for the municipality.
- Develop a master plan for trails and linkages within the municipality and identify linkages with other trails and reserves in adjoining municipalities.
- Prioritise trail networks and linkages in areas deficient in open space to provide greater access to existing open space.
- Enhance accessibility and usability of the trail network through development, promotion, safety and security and linkages to other public uses and residential areas.
- When opportunities arise, provide future open space along desired linkages.

Objective 8

To foster and encourage landscaping that enhances the open space areas and the surrounding amenity.

Strategies

- Encourage and undertake landscaping that:
 - emphasises areas of high visibility such as gateways, major boulevards and creeks,
 - uses indigenous vegetation in natural areas and introduces a wider range of species, particularly trees in the developed areas of the municipality,
 - integrates all existing planting in public areas, and
 - takes into account the traffic calming effects of street tree planting.
- Apply the *Hobsons Bay Landscaping Design Guidelines, 1999* in the assessment of planning applications.
- Encourage improvements to the nature and quality of the landscaping along VicRoads declared roads.
- Give careful consideration to the landscaping of sites as a condition of the approval of applications for all types of land uses and development.
- Encourage private landscaping that enhances the streetscapes of the municipality and complements the landscaping of public areas.
- Encourage landscaping that provides shade but does not damage buildings and pavements and is designed to take into account public safety.
- Continue to carry out the street tree planting program taking into account the *Hobsons Bay Neighbourhood Character Study Street Space Guidelines* and the need to minimise the impact of overhead telecommunications cabling in sensitive areas.
- Promote landscape design, particularly key focal points, areas in proximity to areas of nature conservation and large industrial developments.

Objective 9

To identify, manage and protect waterways, flood plains and other flood prone areas.

To minimise the impacts of flooding in urban and non-urban areas.

Strategies

- Liaise with the floodplain authority on a continuing basis to identify urban and non-urban areas affected by flood risk.
- Introduce land use and development control measures into the Hobsons Bay planning Scheme in consultation with the floodplain authority, to minimise the impact of development on the local and regional drainage systems.
- Prevent incompatible land use and development in areas affected by flood risk to avoid intensifying flooding impacts in urban and non-urban areas.

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Levy development contributions to finance improvements and additions to physical infrastructure where new development is likely to impact on the existing infrastructure.
- Implement and apply existing Strategic Directions Plans and master plans.
- Use the *Hobsons Bay Signage Policy, 1999* in the consideration of planning applications.
- Use the *Hobsons Bay Landscape Guidelines, 1999* in the consideration of planning applications.
- Discourage land use and development proposals which generate significant adverse impacts on the local waterways and capacity of the local drainage system.

Applying zones and overlays as follows:

- Apply the Public Purpose and Recreation Zone to areas of public open space.
- Apply the Land Subject to Inundation Overlay and the Special Building Overlay to particular areas.
- Apply the Environmental Significance Overlay, Significant Landscape Overlay and the Vegetation Protection Overlay to particular areas.
- Apply a Heritage Overlay over places of heritage significance.

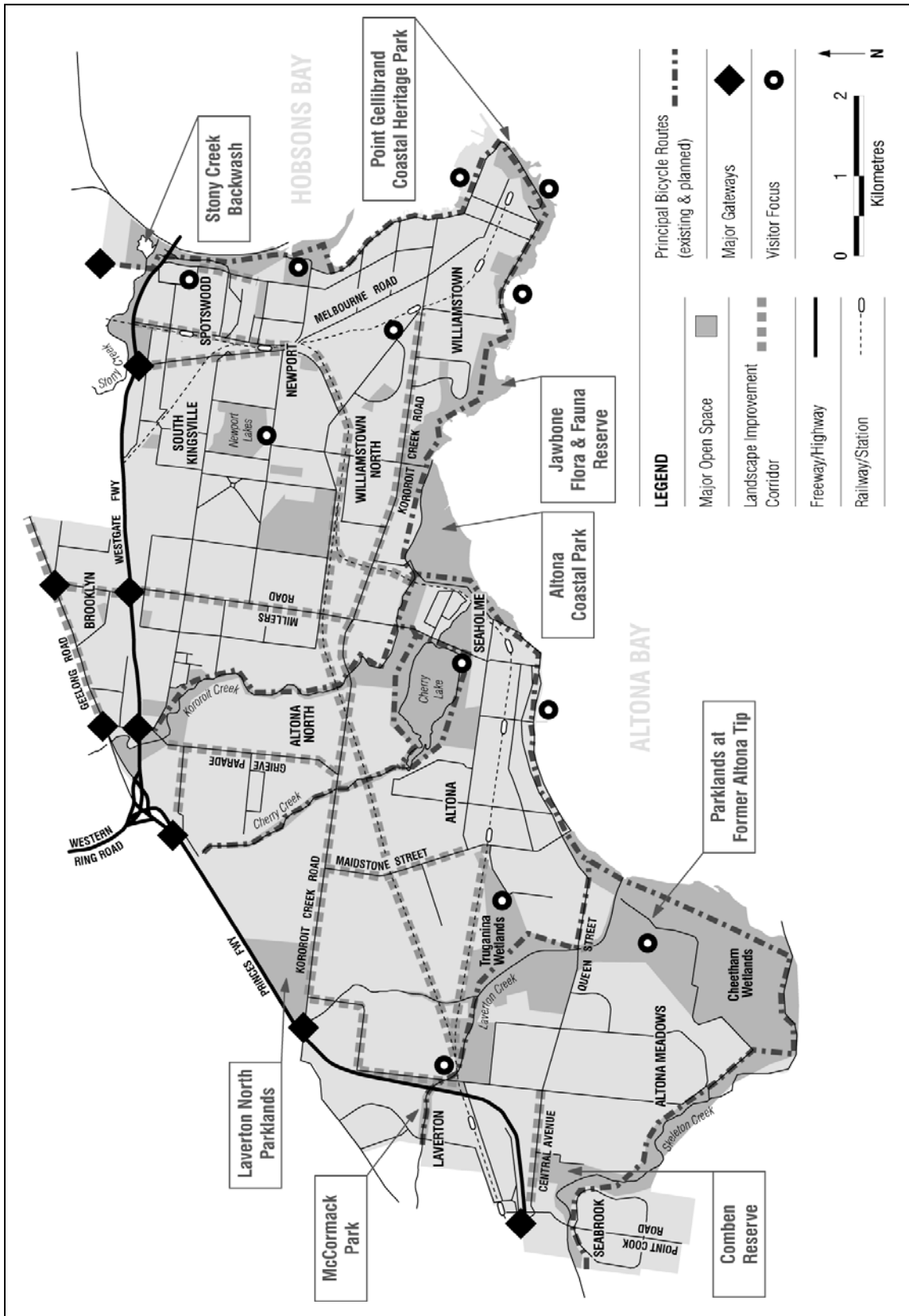
Undertaking further strategic work as follows:

- Undertake a Recreation and Open Space Strategy to provide Council with a sound basis and direction from which it can plan, co-ordinate and make future decisions with regard to recreation and open space in a manner which best meets the community's needs.
- Develop a master plan for the former Truganina Explosives Reserve and undertake consultation with the various stakeholders to secure the majority of the site as public open space as part of the continuous parkland along the coast.

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- Develop a Greening Framework for the municipality and commence planting to strengthen the landscape character, emphasising areas of high visibility such as gateways, major boulevards and creeks.
 - Undertake local area planning for the industrial properties in proximity to Newport Lakes, including the properties fronting Mason Street between Margaret Street and Johnston Street. This will address future land use objectives, amenity, local area traffic management, urban design and landscape works and improved visibility and access to the park from Mason Street with an enlarged entrance and signage.
 - Undertake a comprehensive local drainage survey to identify areas which are affected by flood risk.
 - Develop storm water management plans which identify strategies for managing storm water flows.

Other actions

- Develop a program to progressively upgrade car parking, security lighting, pavilions, public toilets and change rooms and signage at major recreation and open space facilities.



MAP 5 OPEN SPACE, ENVIRONMENT AND CONSERVATION

21.12 THE COAST

19/01/2006
VC37

21.12-1 The vision

A municipality identified by its relationship to the coastline including:

- an integrated system of open space and waterways which is managed in partnership between government agencies, Council and the local community
- the views to the city and across Hobsons Bay and Port Phillip Bay
- the beaches
- sites of cultural heritage significance
- the coastal parklands and wetlands with their diversity of tranquil and active recreational experiences
- high conservation values
- the coastal town residential character fringing the coast
- the coastal village centres of Altona and Williamstown
- the use of the bay for pleasure boating and fishing
- ferry travel to and from Williamstown and Altona
- bicycle and pedestrian trails
- recreational fishing and boating
- scenic drives and picnic spots

A municipality where the coast will be managed to enhance this diversity of experiences whilst respecting and celebrating the rich history of the area and conserving its environmental values for current and future generations to enjoy.

21.12-2 How the vision will be achieved

Objective 1

To protect the environmental values of the coast and develop an increased awareness of sustainability principles across the municipality.

Strategies

- Develop public awareness of the environmental values of the coast through promotion and education programs.
- Support local community groups and associations that provide forums for the community to participate in local coastal initiatives.
- Provide creative interpretation of the cultural heritage and environmental values of the coastal parklands to the community both on site through signage and off site through publicity and education.
- Provide educational opportunities within the coastal parklands.
- Recognise and enhance where appropriate the value of habitat conservation and reconstruction, ecotourism and natural area interpretation.

Objective 2

To protect and enhance the significant features of the coast by using Council's statutory and policy-making powers.

Strategies

- Develop guidelines for habitat protection to be used in the assessment of development applications.
- Require the proper management of storm water discharges to the bay from new and existing development and the discharge of effluent to the sewer or approved treatment or re-use systems.
- Give consideration to the marine environment in the assessment of any planning issues relating to the coast.
- Promote catchment management as the most effective and sustainable approach to improving the marine environment.
- Prepare guidelines for planners and applicants for water conservation and delivery of high-quality storm water into drainage systems and incorporate these into approval processes.

Objective 3

To ensure that development in proximity to the coast protects the environmental and landscape values of the coast.

Strategies

- Ensure that the bulk, scale and finish of new development does not compromise the generally modest scale of the area, especially along the foreshore where there is likely to be continued pressure to build large developments to exploit water and city views.
- Ensure that new development is designed and sited to enhance the coastal landscape.
- Ensure that existing living patterns and residential quality of life issues are enhanced by coastal developments.
- Develop a height control policy for development along the Williamstown and Altona foreshore to protect these special areas from inappropriate building height and overshadowing of adjacent land use.
- Ensure that new facilities are low scale and complementary to existing activities and facilities.
- Encourage innovative and sensitively designed medium density residential development at appropriate locations.
- Ensure that any development on land adjoining the coast, which could impact on the coast, is consistent with the Victorian Coastal Strategy, the Siting and Design Guidelines for Structures on the Victorian Coast and any relevant, adopted Coastal Action Plan prepared under the Coastal Management Act.

Objective 4

To ensure that coastal land is planned and managed in accordance with local strategies and strategies for the Port Phillip Bay and the Victorian coast.

Strategies

- Continue to work towards achieving a continuous parkland along the southern coast of Hobsons Bay, to be known as the Williamstown-Altona Coastal Parklands.
- Retain and extend public ownership of the coastline.
- Create a continuous open space and waterway system between Point Gellibrand and Cheetham Wetlands/Point Cook.
- Provide links between each part of the coastal parks through the construction of the Bay Trail.
- Encourage the removal of the tank farm at Point Gellibrand and increase public access to Breakwater Pier.
- Develop a new park at Point Gellibrand in accordance with the *Point Gellibrand Park Concept Plan*.

Objective 5

To manage, conserve and enhance the diversity of land and marine ecosystems.

Strategies

- Work with other spheres of government and the community to pursue improved environmental sustainability.
- Work with other agencies and the community to manage the Point Cook Coastal Park and the Cheetham Wetlands unique coastal environment.
- Ensure that structures do not cause undesirable changes to terrestrial and marine ecosystems.
- Advocate the declaration of a marine park in the Jawbone Reserve in Williamstown.
- Use indigenous species in preference to introduced species in revegetation programs.
- Ensure that the beaches are kept clean.
- Manage access and use to areas in accordance with its environmental values.
- Ensure that developments are consistent with the State Environment Protection Policy (The Waters of Port Phillip Bay).
- Implement a storm water management plan to manage storm water discharges to the Bay.

Objective 6

To facilitate appropriate development within proximity to the coast.

Strategies

- Ensure that the special needs of the various clubs are balanced against those of the wider community.
- Ensure that structures are sited and designed to respect their cultural setting and visually complement the surrounding coastal landscape.
- Encourage the retention of the maritime industry in the future, maintaining links with the history of Williamstown.
- Provide safe and easy-to-read pedestrian/bike path routes along the coast in accordance with relevant management plans.

-
- Develop the Altona Pier area as an activity node and investigate the construction of a kiosk & ferry/casual boating services to the pier.
 - Conserve and maintain the existing wharf facilities in the Nelson Place precinct, in particular Gem Pier and Ferguson Street Pier
 - Encourage the development of the old PMA site, which respects the historic fabric of the site and provides public access to the waterfront.
 - Facilitate casual berthing opportunities along Gem Pier.
 - Maintain the existing level of development along The Strand.
 - Maintain the low level of boating activity within The Strand precinct and the mooring facilities located within the bay.

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Use local policy to protect water and city views from public areas and from the bays.
- Use local policy to identify and facilitate appropriate locations for medium density housing.
- Ensure development takes into account relevant coastal considerations (including sites of cultural and heritage significance, relevant management plans and strategies, and creation of open space).
- Levy development contributions to finance improvements and additions to physical infrastructure where new development is likely to impact on the existing infrastructure.

Applying zones and overlays as follows:

- Apply the Conservation and Resource Zone to conserve and protect the natural coastal environment.
- Apply a Design and Development Overlay to restrict the height of development adjacent to the coast.
- Apply a Vegetation Protection Overlay over identified significant vegetation.
- Apply a Heritage Overlay over places of heritage significance.

Undertaking further strategic work as follows:

- Finalise and adopt the comprehensive Heritage Conservation Study for the municipality.
- Develop guidelines for habitat protection to be used in the assessment of development applications.
- Develop guidelines for planners and applicants for water conservation and delivery of high-quality storm water into drainage systems and incorporate these into approval processes.
- Develop urban design guidelines that address height, visual integration and design outcomes.
- Prepare a Stormwater Quality Policy.

Other actions

- Continue to develop an understanding of Hobsons Bay's coastal assets.
- Undertake ongoing community awareness programs relating to the cultural heritage and environmental values of the coastal parklands.
- Provide ongoing opportunities for the community to participate in local coastal initiatives.
- Implement the master plans for sites along the coast, including:
 - strategy for the coast/foreshore between Point Gellibrand and Stony Creek Backwash
 - Sandy Point and Greenwich Reserve Habitat Management and Rehabilitation Plan
 - Altona tip Redevelopment Masterplan site
 - Williamstown/Altona Coastal Parklands Plan
 - Rifle Range Reserve master plans
 - Point Gellibrand Masterplan.
- Use the open space contributions from subdivisions to acquire and develop the coastal park lands.

21.13 COMMUNITY INFRASTRUCTURE

19/01/2006
VC37

21.13-1 The vision

A municipality with a supportive community sharing a strong sense of local pride and community spirit. A wide range of community services and facilities located throughout the municipality, which will meet the needs of the community.

21.13-2 How the vision will be achieved

Objective 1

To develop a range of community services which meet the needs and lifestyles of the local and wider community. Services will assist in sustaining, supporting and promoting communities and provide for a better quality of life.

Strategies

- Provide community infrastructure to members of the community in a way that is equitable, accessible, efficient and timely.
- Continue to pursue a proactive approach to service provision.
- Provide well designed community facilities in convenient locations throughout the municipality, co-located where possible with activity centres, other community nodes and public transport.
- Involve existing and incoming residents in the planning and development of the area through the community planning process.
- Refer to the Community Infrastructure Checklist for New Residential Developments when assessing land use and development and subdivision planning applications.
- Adopt a *four tier* hierarchy of community facilities for the municipality respecting population distribution, urban form and residents' lifestyles.
 - *First order community service nodes.* These include a Council service and referral point, community development program, single purpose facilities such as libraries and a local community centre (multi-purpose). It will be co-located with a retail/commercial centre.
 - *Second order community service nodes.* These include single purpose facilities and a local community centre (multi-purpose). The centre will be co-located with a retail/commercial centre where possible.
 - *Local order node.* This includes a local community centre (multi-purpose). It may be co-located with other community facilities and a retail/commercial centre.
 - *Neighbourhood order node.* This will be part of local primary schools. It includes a neighbourhood facility where one or more multi-purpose rooms are managed by the nearest local community centre by arrangement with the primary school.
- Develop or improve first order community service nodes at:
 - Central Square, Queen Street Altona Meadows
 - Hobsons Bay Corporate Centre/Pier Street - Altona axis (including Altona Hospital site)
 - Mason Street precinct, Newport
- Develop or improve second order community service nodes at:
 - McCormack Park, Laverton (new centre),

-
- Williamstown Town Hall and precinct.
 - Develop or improve local community service nodes at:
 - Homestead Run, Laverton South (new centre)
 - Brooklyn Reserve, Brooklyn
 - W. J. Irwin Reserve, Altona North
 - South Kingsville Community Centre, Paxton Street, South Kingsville
 - Spotswood (new centre - site to be determined, with links to Primary School)
 - Outreach Community Centre, Melbourne Road Williamstown
 - Bayside Secondary College, Kororoit Creek Road Williamstown (new centre)
 - Develop or improve neighbourhood community service nodes at:
 - Laverton Plains Primary School
 - Laverton Primary School
 - Seabrook Primary School
 - Altona Meadows Primary School
 - Altona Green Primary School
 - Altona West Primary School/Altona Secondary College
 - Altona Primary School
 - Seaholme Primary School
 - Altona Gate Primary School
 - Altona East Primary School
 - Newport West Primary School
 - Williamstown Primary School
 - Encourage investment in nursing home/hostel beds in the municipality, particularly in the suburb of Altona.

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Levy development contributions to finance improvements and additions to physical infrastructure where new development is likely to impact on the existing infrastructure.

Other actions

- Participation in the redevelopment of both primary health and community support services (PHACS) and youth and family services (YAFA) to represent the interests of residents and improve services.

21.14 ARTS AND CULTURE

19/01/2006
VC37

21.14-1 The vision

A municipality with a unique environment, which supports and develops participation in the creation and expression of an active community life for all its people. The culture of Hobsons Bay will embrace a sense of pride and belonging and celebrate the diversity of its people, their traditions, values and heritage. Places of cultural significance, including places of Aboriginal cultural heritage significance, will be conserved and protected.

21.14-2 How the vision will be achieved**Objective 1**

To promote and increase the range and quality of arts and culture programs and resources in the municipality.

Strategies

- Adopt an active leadership and partnership role in promoting arts and culture.
- Recognise, protect and enhance both the built and natural environment as significant cultural assets.
- Support community organisations to provide diverse and high quality cultural events and activities.
- Recognise and strengthen the cultural integrity and diversity of the municipalities, neighbourhoods and precincts.
- Encourage the establishment and growth of cultural activities and the use of public art in preferred precincts as a catalyst to business growth and amenity improvements.
- Adopt a neighbourhood approach as an important strategy for cultural development, including:
 - develop and implement a cultural development strategy for Newport and Spotswood,
 - develop and implement a cultural development strategy for Williamstown, Newport East and Spotswood as an events and tourism precinct,
 - develop and implement a cultural development strategy for Ferguson Street Williamstown as a gallery precinct,
 - develop and implement a cultural development strategy for Pier Street Altona as a cultural precinct,
 - develop and implement cultural development strategies for Altona North which focuses on the needs and lifestyles of older people,
 - develop and implement cultural development strategies for Laverton and Altona Meadows which focus on families and young people,
 - develop and implement cultural development strategies for Altona North and Altona East as a culturally diverse precinct,
 - develop and implement cultural development strategies for South Kingsville and Brooklyn as a community arts precinct.

Objective 2

To increase the public awareness, participation and appreciation of arts and culture resources in the municipality for residents and visitors.

Strategies

- Review the current level of funding and resourcing to community organisations.
- Review access to cultural facilities to ensure affordable access for community organisations.
- Explore options for broadening the mix of programs offered by Council and acknowledge and support cultural diversity.

Objective 3

To support the development and promotion of sustainable festivals and special events which contribute to community life.

Strategies

- Continue to support festivals and special events which celebrate major national and international events, enhance the welfare, well-being and sense of community among the local and wider community.
- Review Council's support for and development of festivals and cultural events to maximise their benefits across the municipality.
- Continue to support and develop festivals and cultural events which deliver benefits in the areas of community, cultural and economic development and which promote positive images of the municipality.
- Support the festivals and events which enhance leisure opportunities through cultural, recreational and environmental development.
- Improve the amenity of Council-owned facilities and venues for the presentation of festivals and cultural events.
- Maximise the potential of community resources in cultural festivals and events.

Objective 4

To promote the identification, protection and management of Aboriginal cultural heritage values.

Strategies

- Have regard to the Aboriginal Cultural resource grid map and guidelines provided by Aboriginal Affairs Victoria when considering an application to develop or rezone land.
- When considering an application to develop or rezone land in areas where there is a known site or the potential for Aboriginal archaeological sites to occur, request a report from a suitably qualified archaeologist demonstrating that the impact of the proposed developments on Aboriginal cultural heritage values has been addressed.

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion as follows:

- Levy development contributions to finance improvements and additions to physical infrastructure where new development is likely to impact on the existing infrastructure.

Applying zones and overlays as follows:

- Apply the Environmental Significance Overlay, and the Vegetation Protection Overlay to particular areas.
- Apply a Heritage Overlay over places of heritage significance.

Undertaking further strategic work as follows:

- Undertake and adopt a comprehensive Heritage Conservation Study for the municipality.
- Develop a Tourism Policy, which recognises, protects, develops and promotes cultural, environmental and recreational assets.

Other actions

- Establish a senior multi-disciplinary internal planning team to ensure integrated cultural planning within Council.
- Maintain a comprehensive and accessible culture and arts register which includes Council and private, professional and non professional providers, all cultural and arts events, arts organisations and clubs, groups and associations, venues, resources and other information.
- Professionally catalogue and photograph Council's material history and ensure that each item in the collection is annotated according to its cultural heritage.
- Establish an Arts and Cultural Advisory Group to advise on implementing the Arts and Cultural Plan.

21.15 MONITORING AND REVIEW19/01/2006
VC37

A review of this Planning Scheme will be undertaken at least once every three years. An ongoing program of performance monitoring, in relation to both Planning Scheme operation and objectives, strategies and policies, will be developed to assist this review.

Monitoring the Objectives of the Scheme

Key Strategic Objective	Target/s	Indicator/s
<u>RESIDENTIAL</u> * To encourage and facilitate community focused residential areas, which meet the needs of the community and have regard to the surrounding neighbourhood character.	* To undertake and adopt the Population and Housing Strategy.	* The incorporation of local policies, overlays and schedules to guide medium density development in appropriate locations. * The degree of compliance with the MSS and local policy objectives.
<u>HERITAGE</u> * To conserve and enhance heritage places.	* To undertake and adopt a comprehensive Heritage Conservation Study for the municipality. * To prepare conservation management plans for significant heritage places.	* The completion of the comprehensive Heritage Study. * The preparation of the conservation management plans.
<u>ACTIVITY CENTRES</u> * To foster and promote activity centres that are accessible, meet the needs of the community and are economically viable.	* To develop structure plans for each major activity centre.	* The implementation of the activity centre structure plans.
<u>INDUSTRY</u> * To stimulate and facilitate appropriate industrial activity in a high amenity environment.	* To undertake local area planning of obsolete industrial land for the conversion to an appropriate zone.	* The implementation of the review of the obsolete industrial sites.

Key Strategic Objective	Target/s	Indicator/s
<p><u>TRANSPORT & MOBILITY</u></p> <ul style="list-style-type: none"> * To develop an integrated transport system that caters for the needs of residents, industry and commerce and encourages visitors to the area. 	<ul style="list-style-type: none"> * To undertake parking precinct plans for the major activity centres. * To conduct traffic management studies of local area precincts on a prioritised basis. * To increase walking, cycling and public transport as modes of transport. 	<ul style="list-style-type: none"> * The implementation of parking precinct plans. * The implementation of traffic management studies. * The extent of bike paths created and/or upgraded.
<p><u>OPEN SPACE ENVIRONMENT & CONSERVATION</u></p> <ul style="list-style-type: none"> * To provide adequate open space to meet the leisure needs of the community as well as protecting and conserving the environmental and conservation values of open space. 	<ul style="list-style-type: none"> * To undertake the preparation of a Recreation and Open Space Strategy for the municipality. * To develop a Greening Framework for the municipality. * Create green paths within the municipality through creation of linear trails and high standards of streetscaping and landscaping. 	<ul style="list-style-type: none"> * The adoption of the Recreation and Open Space Strategy. * The continuation of plantings to strengthen the landscape character of the municipality.
<p><u>THE COAST</u></p> <ul style="list-style-type: none"> * To protect and enhance the environmental and landscape values of the coast and the marine ecosystems. 	<ul style="list-style-type: none"> * To develop the coast in accordance with the Williamstown-Altona Coastal Parklands Plan and other relevant management plans. 	<ul style="list-style-type: none"> * The progressive implementation of the Williamstown-Altona Coastal Parklands Plan.
<p><u>COMMUNITY INFRASTRUCTURE</u></p> <ul style="list-style-type: none"> * To develop a range of community services which meet the needs and lifestyles of the local and wider community. 	<ul style="list-style-type: none"> * To ensure residents have reasonable access to the community services they require. 	<ul style="list-style-type: none"> * The provision of community services in accordance with PHACS/YAFS guidelines.

Key Strategic Objective	Target/s	Indicator/s
ARTS & CULTURE * To promote and increase the range and quality of arts and culture programs and resources in the municipality.	* To enhance the diversity and richness of community experience.	* The maintenance of a comprehensive and accessible culture and arts register.

Monitoring the administration of the Scheme

Objective	Indicators
An efficient and timely decision-making process.	* Time taken to make decisions.
Decision-making that meets the needs of the stakeholders.	* Number of Council decisions taken to VCAT. * Satisfaction of customers (applicant and community).
Efficient operation of the Planning Scheme.	* Number of amendments to the Scheme. * Consistency of decisions (between Council and VCAT) against the LPPF.

22 LOCAL PLANNING POLICIES

19/01/2006
VC37

22.01 HERITAGE POLICY

19/01/2006
VC37

This policy applies to all land within the City of Hobsons Bay.

Policy basis

The Hobsons Bay Municipal Strategic Statement identifies the need for a local policy to ensure that the cultural heritage of Hobsons Bay is conserved and enhanced.

The unique history of Hobsons Bay is illustrated by a wide variety of heritage places that include buildings, neighbourhood precincts, trees and landscapes, and urban forms. The heritage places of Hobsons Bay reflect the key themes that have shaped the development of the city since its beginnings at Williamstown in the 1840s as the first port of Melbourne, through the development associated with the growth of railways and associated industries in Newport and Spotswood during the Federation and Interwar periods, to the post-war industrial and residential expansion that transformed Altona and Laverton.

These heritage places are important for the reasons set out in the *Hobsons Bay Heritage Study*, as well as the broader social, cultural and economic benefits they bring by:

- Providing a sense of historic continuity as well as a distinctive character, which enables the complex layering of the history of Hobsons Bay to be understood and interpreted.
- Enhancing the character and amenity of the city, which makes it an attractive place to live, work and visit.

The heritage of Hobsons Bay is highly valued by the community and there is strong support for controls and policy to protect and conserve places of identified heritage significance.

This policy implements the recommendations of the *Hobsons Bay Heritage Study*, which incorporates the *City of Williamstown Conservation Study Review* and the *Altona, Laverton & Newport Districts Heritage Study*.

Objectives

- To ensure that the cultural significance of heritage places or precincts identified by the *Hobsons Bay Heritage Study* as expressed by its fabric is not diminished by:
 - The loss of any fabric, which contributes to the significance of the heritage place or precinct.
 - Inappropriate new development.
- To support the conservation of heritage places and precincts in a manner that is consistent with the principles and procedures recommended by the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter)*.
- To enable a consistent approach to the conservation of heritage places and precincts.
- To ensure that the conservation of heritage places and precincts is based upon a clear understanding of the reasons for their significance.
- To improve community awareness of the importance and value of heritage places and precincts and the reasons why they should be conserved.

- To ensure that new development is of the highest quality contemporary design that becomes a valued addition, which complements the valued aesthetic qualities of a heritage place or precinct.

Policy

Definitions

The terms used in this policy are consistent with those defined by the Burra Charter. For the purposes of this policy, the term 'heritage place' includes:

- A place that is individually cited by the *Hobsons Bay Heritage Study*.
- A place that is contributory to the significance of a heritage precinct.

A 'heritage precinct' is a group of heritage places identified by the *Hobsons Bay Heritage Study*.

Exercising discretion

It is policy to:

- Conserve heritage places and, in particular, to, as appropriate:
 - support the maintenance and preservation of heritage places.
 - support the restoration or reconstruction of fabric where opportunities arise.
- Ensure that the design of publicly visible additions to heritage places are compatible with, and recessive to the original character of these places or to the heritage precinct, as appropriate.
- Conserve and enhance the visual relationship between contributory elements of heritage places and precincts.
- Ensure that the design of new infill buildings is compatible with, and recessive to, the historic character of the heritage precinct with particular reference to adjoining heritage places.
- Discourage vehicle crossovers and parking areas proposed to be located at the front of contributory heritage places. Vehicle crossovers, if necessary should be located to the rear or to the side of a heritage place.
- Ensure subdivision is in keeping with the historic subdivision character of the site, adjacent heritage places and the precinct as a whole.
- Ensure that advertising signs complement rather than dominate or intrude on the historic character of a heritage precinct or the appearance of a heritage place.
- Encourage continuing historical research of heritage places and precincts and promote their physical link with that history.

Policy references

- *Hobsons Bay Heritage Study*, which comprises:
 - *Hobsons Bay Thematic Environmental History*
 - *City of Williamstown Conservation Study Review*
 - *Altona, Laverton & Newport Districts Heritage Study*
- *Guidelines for Alterations and Additions to Dwellings in Heritage Areas*
- *Guidelines for Infill Development in Heritage Areas*
- *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter)*

22.02 INDUSTRY19/01/2006
VC37

This policy applies to all land in the Industrial 1 Zone, Industrial 3 Zone, Mixed Use Zone and Special Use Zone Schedules 2, 3, 4 and 5.

Policy basis

Hobsons Bay contains extensive areas of industrial land. This land is of vital economic importance to the municipality and the State of Victoria. The use and development of this industrial land is also of great importance in determining the physical and environmental character of the municipality.

The Council has a responsibility to the State and the region to help ensure the continuing viability of major industries within its borders. Major industries are substantial employers and are vital elements in the State's economic prosperity. They also make a substantial contribution to the rate base for the municipality. Major industries attract new investment to the area.

The extensive reserves of industrial land are well located to attract new investment to contribute to the economic base of the municipality. Much of this land, particularly in the north-western sector of the municipality, is well suited to large scale manufacturing, transport and storage industries.

Many industries have the potential for substantial, negative off-site impacts that, if not properly managed, can depress the livability and environmental quality of the municipality. All industries and service businesses can contribute to the amenity of the municipality by ensuring that their sites are properly landscaped and maintained, that their localities are attractive and that the environmental assets of the area are maintained and enhanced. Given the topography and sparse vegetation of the industrial areas, it is particularly important that large industries play a major role in ensuring that their locality is visually attractive. Well maintained and attractive industrial and mixed use precincts will play a role in attracting modern industries that want to locate in landscaped settings to project a positive image.

Objectives

- To facilitate appropriate industrial activity and employment opportunities within the municipality.

Policy

It is policy to:

- require applications to be accompanied by an analysis of the use of the site, including the likely type and frequency of heavy vehicles, the proposed routes to access the site and the anticipated level of car parking that will be generated by the use of the site.
- ensure that the orientation of the site, landscaping and layout of new development is designed to enhance the amenity of the area, reduce energy use and optimises natural ventilation, daylight and solar access.
- ensure landscaping should be provided within frontage and side setbacks to the street, to outdoor car parking areas and where appropriate, along rear and side boundaries to the satisfaction of the responsible authority.

Policy references

- Burns Road Industrial Estate Structure Plan, 1997

- Industrial Land Management Strategy, 1997
- Freightway Melbourne, Department of Transport, 1995.
- Transporting Melbourne, Department of Infrastructure, 1996
- Hobsons Bay Industrial Land Use and Development Guidelines, 1997

22.04 ALTONA MEADOWS URBAN DESIGN POLICY

19/01/2006
VC37

This policy applies to land in the Altona Meadows area. The area is bounded by Central Avenue and Queen Street to the north, Victoria Street to the east, South Avenue Merton Street and the southern boundary of properties abutting Spicer Boulevard/May Avenue to the south, and Henry Drive and Skehan Boulevard to the west. Refer to the attached map.

Policy basis

The area was originally subdivided in the 1890s in a formal grid pattern and was revised by the former City of Werribee into the current pattern. These changes involved blocking streets, turning them into a series of courts and culs-de-sac to prevent through traffic, the inclusion of speed humps and the winding road pavements in the western half.

The built form is characterised by buildings, which have generous street setbacks and are generally single-storey brick dwellings with tile roofs, sitting within landscaped front yards (garden beds, bushes and lawn). Only a few of the lots have fences that are small and the material used is generally timber or cast iron.

The area has poor access to public transport as well as narrow roads, lack of public open space that raises issues with regard to residential design, the need for private open spaces and on site car parking.

The policy implements the strategic directions of the Municipal Strategic Statement, Council's Neighbourhood Character Study (1997) and Population and Housing Strategy '*Our Changing Neighbourhoods – 1999*'.

This policy enables site responsive and well designed residential development that will enhance and protect the strong neighbourhood character of the City's residential areas.

Specific Design Objectives

New residential and infill development must have regard to the following specific design objectives:

- To reflect the distinctive qualities of Hobsons Bay.
- To reinforce the distinctive qualities and local identity of the area.
- To respect any strongly established neighbourhood character.
- To use materials and colours commonly used in the neighbourhood.
- To ensure design contributes to a safer environment.
- To use innovative designs that makes a positive contribution to the streetscape.
- To encourage the location of higher density development around Central Square Shopping Centre.
- To promote the concept of self-sustaining communities where living, working, recreating and shopping can all occur within walking distance.
- To recognise a portion of the Altona Meadows West precinct as an area of minimal change.

Policy

Context and Setting

The following additional matters should be noted in the surrounding area for preparation of the neighbourhood and site description and design response in accordance with the requirements of Clause 54 and Clause 55.

- The style and era of housing (eg. single storey);
- Materials used in the walls and roof of buildings; and
- Any other features of the area that are consistent or distinctive.

Assessment of the Design Response will include consideration of the following issues, which should be addressed in the Response:

- Whether the proposed development is in keeping with surrounding houses, including setbacks and built form;
- The relationship of landscaping with the streetscape; and
- Whether the proposal is an innovative design which contributes to the character of the area.

Position on the site – frontage setback and width

Much of the character of the neighbourhood is dependent on the width of frontages and the setback of buildings. If these are uniform, this rhythm should be maintained. Side setbacks are also strong contributor to the character of the area. Infill development should maintain the consistency of these elements by:

- Matching the frontage setback to the predominant street pattern;
- Maintaining the apparent frontage width pattern; and
- Providing generous setback on at least one side.

Facade patterns and articulation

Infill development should respect the dominant facade pattern of the streetscape in a contemporary way to retain and enhance the neighbourhood character. This facade pattern can be reflected by:

- Using similarly proportioned roof forms, windows, doors and verandahs; and
- Maintaining the proportion of wall space to windows and door openings.

Colours and materials

Use of appropriate building materials helps to reinforce neighbourhood character. Infill development can fit with the neighbourhood character in this way.

Trees and Landscaping

- Encourage landscape edge between property boundaries and driveways generally in accordance with Hobsons Bay City Council Landscape Design Guidelines (1999).
- Council to seek capital works funding or external funding for street planting/road improvements within the area.
- Maintain and encourage the links between local parks and courts and collector roads.
- Retaining any existing mature trees and incorporating them into the design.
- Planting at least one substantial tree to each average lot.

- Planting trees that are common to and perform well in the area.
- Providing a front garden that contributes to the character of the street.
- The maintenance of the open character of the area by requiring buildings at the front to be set back from at least one side boundary.
- Retention of landscape setbacks and increasing those setbacks where necessary to overcome other site layout deficiencies.

Front boundary treatment

Front fences and gardens contribute strongly to the streetscape. A building that meets all of the preceding design principles may still detract from the character of the area if boundary treatment is significantly different. This will be avoided by:

- Front fences and gardens, which complement the dominant street pattern.

Community Safety

Many of the preceding design principles are also concerned with the design of a safer living environment. In the interests of providing safer streets and houses, new development should:

- Maximise the number of windows that overlook the street.
- Use transparent fences to the frontage.
- Avoid medium height shrubby plant material along the frontage.
- Provide for the safety and security of residents and property.
- Light communal space with high mounted sensor lights.

Traffic and Car Parking

- Where possible, car parking should not be visible from the street, and should be contained within a building.
- Outdoor car parking should be landscaped to the satisfaction of the Responsible Authority.
- Single driveways should be encouraged on allotments less than 14m wide.
- 1.5 car spaces per unit where car parking is provided on a communal basis.
- 2 car spaces per unit where car parking is provided for the exclusive use of individual dwellings.
- Lots less than 13m wide will require special attention to the width of garages and car spaces to ensure adequate manoeuvring space is available.

Open Space

- Provide for adequate secluded private open space that will receive sunlight and is well integrated with living areas.
- Provide for 40 square metres of open space that is located at the side or rear of a dwelling and has a minimum width of 3 metres.

Policy references

- Living in Hobsons Bay: Population & Housing Beyond 2000.
- Population and Housing Strategy: Our Changing Neighbourhoods 1999.
- Hobsons Bay Neighbourhood Character Study 1997.
- Hobsons Bay Landscape Guidelines 1999.

22.05 WILLIAMSTOWN COMMERCIAL AREA – CAR PARKING POLICY

19/01/2006
VC37

This policy applies to the Williamstown Commercial Area comprising the Douglas Parade/Ferguson Street and Nelson Place commercial precincts as shown on the MAP – WILLIAMSTOWN COMMERCIAL AREA. It will be applied to all applications for planning permits for a change of use or new development.

Policy basis

The section entitled ‘Activity Centres’ in the Municipal Strategic Statement (MSS) outlines the objectives and strategies for the various activity centres in the City of Hobsons Bay. A specific objective in the MSS relating to the Williamstown precinct activity centre is ‘to maintain and enhance the role of the existing Williamstown precinct activity centre’. The strategies identified to achieve the above objective include:

- *Improve local area traffic and car parking management within and around the Williamstown centre.*
- *Require the provision of car parking in accordance with “Parking in Williamstown: A Car Parking Strategy for the Commercial Centre, March 2000”.*

The availability of adequate car parking has a critical influence on the ability of a business centre to remain competitive. *Parking in Williamstown: A Car Parking Strategy for the Commercial Centre, March 2000* has been prepared as part of *Williamstown: A Vision for the Commercial Centre* to address car parking needs of traders, shoppers, residents and visitors as well as strengthen the Williamstown business centre.

The above study has identified, among other things, that there is an immediate need for additional car parking; that there are differing sources of demand/supply and usage conditions in the two commercial precincts of Douglas Parade/Ferguson Street and Nelson Place; and that there are opportunities for the provision of off-site parking by collection of cash-in-lieu contributions.

This policy sets the context and basis for the implementation of the Williamstown parking strategy in terms of:

- The amount of car parking required in association with a change of use or a new development in the two commercial precincts of Douglas Parade/Ferguson Street and Nelson Place.
- Precinct Plans for the provision of additional off-site car spaces in the two precincts.

Objectives

- To recognise the particular parking requirements of Douglas Parade/Ferguson Street and Nelson Place commercial precincts.
- To ensure that each change of use or new development provides adequate parking to meet its own demand.
- To indicate how a cash-in-lieu scheme will operate.
- To ensure fair and equitable treatment of all land owners and users.

Policy

It is policy to:

- Encourage activities that have greater customer interaction to be located at ground floor level.

- Require provision of on site car parking in accordance with the Car Parking Rates identified in the Table 1.
- Consider collection of cash-in-lieu for physical provision of off-site parking, in situations where:
 - The subject site is too small or irregular in shape to enable suitable parking provision on-site,
 - Council has a strategy for provision of off-street public parking in the vicinity including the precinct plans identified in the report *Parking in Williamstown: A Car Parking Strategy for the Commercial Centre, March 2000*.
- Apply cash-in-lieu payments to Douglas Parade/Ferguson Street and Nelson Place commercial precincts in accordance with *Parking in Williamstown: A Car Parking Strategy for the Commercial Centre, March 2000*. The cash-in-lieu levy will be reviewed annually.
- Provide for the purchase/lease of land identified, from time to time, for off-site public parking (but not in Council's ownership) by Council, within five years of identification of land.

Policy reference

Parking in Williamstown: A Car Parking Strategy for the Commercial Centre, March 2000.

CAR PARKING RATES – TABLE 1

USE	CAR SPACE MEASURE AND RATE
Shop – ground floor space Office – ground floor space	6 car spaces per 100 sqm
Shop – first floor and above space Office – first floor and above space	3.5 car spaces per 100 sqm
Restaurant (including cafe)	0.6 car spaces per seat available to the public



22.06 MIXED USE POLICY – ALTONA ACTIVITY CENTRE

19/01/2006
VC37

This policy applies to the land contained within the Mixed Use Zone (MUZ) in Pier Street Altona on the north side of the railway line and in Blyth and Sargood Streets, Altona as shown on the attached MAP – ALTONA ACTIVITY CENTRE.

Policy basis

The Pier Street activity centre is one of the largest traditional strip centres in the municipality. In the Municipal Strategic Statement (MSS) such centres are recognised as a focus for ‘*vibrant villages*’ and places for community ‘*interaction*’ that meet everyday needs.

The shopping centre provides a compact and diverse neighbourhood activity centre for commercial activity with a range of facilities including, retail outlets, specialised food retailing, services, offices, light industry and other mixed uses. The centre benefits from a number of community facilities including the public library, parklands and several churches. The surrounding streets comprise an older established residential area.

In the MSS the specific objective relating to the Pier Street activity centre is ‘*to maintain and enhance the role of the existing Pier Street precinct activity centre*’. The strategies identified to achieve this objective include

- Encourage a centre with a positive identity and strong sense of place, defined retail/commercial precincts and a focus for community activity.
- Utilise the Pier Street, Altona Shopping Centre Outline Development Plan to guide the use and development of land in and around Altona shopping centre.
- Enhance and reinforce the visual amenity of the Pier Street centre via urban design, landscape and built form guidelines.
- Protect the amenity of adjacent residential areas.

Future development and planning decisions are in part to be guided by the Pier Street Altona Shopping Centre Outline Development Plan (ODP). The ODP ‘*seeks to create a vibrant village with a sustainable future. It encourages a centre with a positive identity and strong sense of place, defined retail /commercial precincts, a focus for community activity, a well defined residential area with a variety of housing types, and strong integration of the Centre with the foreshore and Cherry Lake*’.

The ‘*Urban Village*’ concept has been adopted as a key thread of the ‘*hobsons bay strategy: charting our future*’ and is incorporated into the MSS. Pier Street Shopping Precinct as a designated ‘*urban village*’ is seen as mixed-use centre, with a mix of housing, community facilities and activities.

Pier Street Altona, Northern Precinct

The Outline Development Plan (ODP) prepared for the Pier Street shopping centre has identified that the retail/commercial activity along Pier Street ‘*is sharply divided by the railway line into two distinct areas, the northern precinct and the southern precinct*’

While the southern precinct which contains the core retail activities including offices, services and the Coles supermarket has an attractive streetscape, the northern precinct suffers from poor visual amenity. This impedes its ability to attract new investment.

The northern precinct which lies between Railway Street North and Civic Parade comprises mixed uses, including light industrial, service industry, community hall and other commercial activities. This stretch of land on both sides of Pier Street is zoned Mixed Use Zone (MUZ) in the Planning Scheme.

This policy is intended to achieve the vision articulated in the MSS and to implement the strategic principles of the ODP particularly for the land zoned Mixed Use on the north side of the railway line.

Blyth Street, Altona

The subject area that is zoned MUZ along Blyth and Sargood Streets, Altona contains a mix of uses – dwellings, a medical centre, telephone exchange and a church and acts as a transition zone between the western core retail area of the shopping centre and residential area. It is flanked by the Council car park on the north and the Council library and the Logan Reserve on the south.

The MUZ belongs to the suite of residential zones. While one of the purposes of a MUZ is to encourage the development of a range of commercial, retail, industrial and other uses which complement the existing mixed use function of the area, it is important that the type and nature of activities that are permitted to be established at this location, because of its interface with the residential area to the west, have minimal impact on the residential amenity. This MUZ should act as a buffer between the core retail area and the residential area. Care must be taken in selecting and siting uses to minimise loss of privacy, amenity and convenience to residents living nearby.

This policy sets the context and basis for the implementation of the '*Pier Street, Altona Shopping Centre, Outline Development Plan*' and is intended to encourage appropriate mix of uses that would provide a transition between the commercial area and the residential areas and be compatible with residential amenity. In the Schedule to the MUZ, restrictions placed on floor area for shops would complement in achieving the above objective.

Objectives

- To develop a positive image for the Mixed Use Precinct which provides strong links to other precincts and which will positively contribute to the development of Pier Street activity centre as a vibrant village with a sustainable future.
- To facilitate a range of residential, commercial, office, limited industrial and other uses which complement the existing mixed use function of the precinct.
- To ensure that non-residential activity is compatible with dwellings in the zone and in adjacent residential zones.
- To develop a more consistent built form and streetscape to successfully integrate this area with other precincts within the Pier Street activity centre.

Policy

It is policy to:

- Take into consideration the intent and recommendations contained in the document *Pier St, Altona Shopping Centre – Outline Development Plan 1999, when assessing an application for the use and development land in the Mixed Use Zone Precinct.*
- Encourage only service type industries that are complementary to the existing industries in the Pier Street, Northern Precinct.
- Encourage consolidation of sites to permit larger scale commercial/office developments.
- Encourage uses that are compatible with adjacent residential and retail activities.
- Ensure each site provides for sufficient parking, loading and unloading and vehicle maneuvering.

- Encourage the provision of on site staff parking at the rear of mixed use developments.
- Discourage uses or new developments, which will be incompatible with continued residential presence through off-site environmental or amenity impacts.
- Ensure street planting and urban design treatments complement those in the retail core area.

Policy references

- *Pier Street, Altona Shopping Centre – Outline Development Plan, 1999.*
- *Hobsons Bay City Council Landscape Design Guidelines, 1999.*



22.07 HOBSONS BAY WEST NEIGHBOURHOOD CHARACTER POLICY

19/01/2006
VC37

This policy applies to development (including subdivision) in the Residential 1 Zone in the Hobsons Bay West neighbourhood character area, as shown on Map 1 forming part of this Clause. This policy does not apply to sites covered by the Heritage Overlay.

22.07-1 Policy basis

The Hobsons Bay West neighbourhood character area comprises 10 precincts in the suburbs of Laverton, Altona Meadows and Seabrook. The Laverton precincts vary in character, but are generally comprised of open and spacious streetscapes, with low, horizontal dwellings. The proximity to Laverton Creek and stands of large native trees in some areas results in a distinctive bushland feel, which has the potential to be strengthened. Some precincts in Altona Meadows also display spacious and informal qualities due to wide road reservations, generous setbacks and the curvilinear street pattern. Other streetscapes in Altona Meadows are more uniform and compact due to the smaller lot sizes and formal street pattern. The Seabrook area contains a number of recently developed residential precincts, with gardens and street trees still establishing. Some streets in Seabrook are influenced by their proximity to Skeleton Creek, both in terms of their layout and abundance of native vegetation.

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles. The policy implements the objectives and strategies contained in Clause 21.06 by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

The policy implements the findings of the *Hobsons Bay Neighbourhood Character Study December 2002* which identifies the key existing characteristics and preferred neighbourhood character of the residential areas of Hobsons Bay West. Development in residential areas should respond to the particular natural and built form elements which contribute to the preferred neighbourhood character of the area in which it is located. These elements include building form, scale, siting, materials, frontage treatment and vegetation density. The *Hobsons Bay Neighbourhood Character Study* defines character precincts based on the delineation of areas with similar character elements. These character precincts are shown on Map 1 forming part of this Clause.

22.07-2 Objectives

- To ensure that development responds to the preferred neighbourhood character of the precinct in which it is located.
- To retain and enhance the identified elements that contribute to the character of the precincts in Hobsons Bay West.

22.07-3 Policy

It is policy that the following Character Descriptions, Statements of Preferred Neighbourhood Character, Objectives and Design Responses are taken into account when considering any application to develop or subdivide land. Proposals that meet the Design Responses are also considered to meet the related Objectives.

Precinct 1, Laverton

Character Description

This precinct has a distinctive bushland feel due to the stands of large native trees, both in private gardens and the street space and the proximity to Laverton creek. The informal, bushland qualities of the precinct are strengthened by the generous front and side boundary setbacks and the predominantly low and transparent front fencing. Dwelling materials and heights are consistent, with a low-level horizontality to the built form.

Statement of Preferred Neighbourhood Character

The sense of spaciousness and informal bushland quality of the precinct will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<i>Objectives</i>	<i>Design Responses</i>
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes native trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
	<ul style="list-style-type: none"> • Front setbacks may be angled to the street.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling. •

Precinct 2, Laverton

Character Description

The streetscapes in this precinct have an open, spacious feel due to the large and consistent front setbacks, minimal front gardens and low or no front fences. Building stock is quite uniform being low scale, modest dwellings, with tiled roofs. The northern area of this precinct has a bushland quality due to the informal use of natives as street trees and the proximity to Laverton Creek.

Statement of Preferred Neighbourhood Character

The spaciousness of the streetscapes and garden settings of the dwellings will be maintained and enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the number of vehicular crossovers and the dominance of driveways and car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling. • Minimise paving in front garden areas including driveways and crossovers.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> • Recess two storey elements from the front façade. • Use low pitched roof forms.

Precinct 3, Laverton

Character Description

Building styles and materials are mixed and inconsistent, adding variety and interest to the streetscapes in this precinct. Most dwellings are single storey, and combined with generous front setbacks, this results in a low and horizontal built form. The informality of the street layout is emphasised by the lack of footpaths and front fences and the existence of grassy verges.

Statement of Preferred Neighbourhood Character

The informal variety of the streetscapes in this precinct, and the low and horizontal built form will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the rhythm of spacing between buildings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade. Use low pitched roof forms.

Precinct 4, Altona Meadows

Character Description

Though the road reservations are wide, the streetscapes in this precinct have a compact feel due to the small to medium lot sizes, and small to moderate setbacks of the buildings. Wide grassy nature strips and minimal planting within the front setbacks give the streetscapes a bare, unfinished quality which will soften over time provided appropriate planting is encouraged. The winding road pavement, within the grid street pattern, is a distinctive feature of this precinct.

Statement of Preferred Neighbourhood Character

The uniformity of the building siting, openness of the streetscapes and the garden settings of dwellings will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the consistency of front boundary setbacks.</i>	<ul style="list-style-type: none"> • The front setback should be no less than the average setback of the adjoining two dwellings.
<i>To maintain the pattern of spacing between buildings.</i>	<ul style="list-style-type: none"> • Buildings should be set back from at least one side boundary by a minimum of 1 metre.
<i>To minimise the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate car parking structures behind the line of the dwelling.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> • If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Precinct 5, Altona Meadows

Character Description

Despite the formal grid layout, the streetscapes in this precinct have an informal and open quality due to the predominantly generous front setbacks and wide, grassy nature strips with no footpaths. Though architectural styles and heights of dwellings vary, materials used are consistently brick and tile. The recently constructed dwellings tend to be larger than the original 1970s and 1980s houses in the precinct, with some introducing hard surface treatments into the front setbacks as opposed to the traditional lawns or low level gardens.

Statement of Preferred Neighbourhood Character

The informal and open qualities of this precinct will be strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.

Precinct 6, Altona Meadows

Character Description

This precinct has an openness due to the generous front setbacks of the dwellings and lack of front fencing. Houses are a mixture of single and double storey, with the double storey dwellings taking advantage of views to the Bay or Skeleton Creek. The curvilinear street pattern reflects the 1970s and 1980s era of the subdivision and the majority of the housing stock.

Statement of Preferred Neighbourhood Character

The openness of the streetscape and the garden settings of the dwellings will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling.
<i>To provide for the reasonable sharing of views to Skeleton Creek or the coast.</i>	<ul style="list-style-type: none"> • Buildings should be sited to take into account the view corridors to Skeleton Creek or the coast from nearby properties and public spaces.

Precinct 7, Seabrook

Character Description

This precinct demonstrates a consistency in building styles and materials and contains a number of large, native canopy trees in both private gardens and the street space. The existence of tall trees and the curvilinear street pattern in the northern area of the precinct strengthens the native bushland feel and reflects the presence of the creek nearby. Despite the rectilinear street pattern in the southern part of this precinct, the sense of informality is continued due to the planted, wide nature strips and the existence of footpaths only in collector roads.

Statement of Preferred Neighbourhood Character

Strengthen the open and informal bushland qualities of the precinct.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the native garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new native trees and shrubs wherever possible. (Locate footings outside root zone).
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers. Use of permeable driveway materials.
<i>To provide for the reasonable sharing of views to Skeleton Creek.</i>	<ul style="list-style-type: none"> Buildings should be sited to take into account the view corridors to Skeleton Creek from nearby properties and public spaces.

Precinct 8, Seabrook

Character Description

The streetscapes in this precinct have a spacious quality due to the generous front setbacks of dwellings and lack of front fences. Wide, grassy nature strips add to this quality. Dwelling styles and materials give the built form a cohesive quality, broken up by large canopy trees both in the public and private domain. The curvilinear street layout is reminiscent of Skeleton Creek, located to the north of the precinct.

Statement of Preferred Neighbourhood Character

The spacious quality of the streetscapes and the cohesiveness of the built form will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new native trees and shrubs wherever possible. Retain existing native and indigenous trees and understorey wherever possible. (Locate footings outside root zone).
<i>To maintain the rhythm of spacing between buildings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.
<i>To provide for the reasonable sharing of views to Skeleton Creek.</i>	<ul style="list-style-type: none"> Buildings should be sited to take into account the view corridors to Skeleton Creek from nearby properties and public spaces.

Precinct 9, Seabrook

Character Description

This precinct is uniform and well maintained with large, decorative dwellings and regular, moderate front setbacks. The streetscapes have an open and manicured appearance due to the lack of front fencing, groomed nature strips and lack of overhead power lines. This formality is reinforced with consistent avenues of native street trees.

Statement of Preferred Neighbourhood Character

The uniformity and openness of the precinct will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.

Precinct 10, Altona Meadows

Character Description

This precinct has a cohesive quality due to the consistently generous front setbacks, space between buildings and low scale building form. The siting of the buildings has also allowed for reasonably sized gardens despite the relatively small housing lots. The street space has a sense of being open and well maintained due to the large, groomed nature strips and the predominantly low or non-existent front fencing.

Statement of Preferred Neighbourhood Character

The cohesive and spacious qualities of this precinct will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Buildings should be sited and designed to incorporate space for the planting of vegetation.
<i>To maintain the rhythm of spacing between buildings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade. Use low pitched roof forms.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Policy reference

Hobsons Bay Neighbourhood Character Study December 2002, Hobsons Bay City Council, Planisphere and John Curtis Pty Ltd, December 2002, including Neighbourhood Character Precinct Brochures: Hobsons Bay West Precincts 1 – 10.



22.08 HOBSONS BAY NORTH NEIGHBOURHOOD CHARACTER POLICY19/01/2006
VC37

This policy applies to development (including subdivision) in the Residential 1 Zone in the Hobsons Bay North neighbourhood character area, as shown on Map 1 forming part of this Clause. This policy does not apply to sites covered by the Heritage Overlay.

22.08-1 Policy basis

The Hobsons Bay North neighbourhood character area comprises 13 precincts in the suburbs of Brooklyn, Altona North, South Kingsville, Spotswood and Newport. Brooklyn is characterised by consistent dwelling forms and established gardens, qualities that are also evident in many areas of Altona North and South Kingsville, where single story brick and tile dwellings from the 1950s and 1960s are a dominant feature. Much of Altona North is also characterised by a formal street layout with the transecting wide diagonal streets being particularly unique. Many streets in Newport contain an architectural mix of housing, with many examples of Pre-war and Inter-war building stock which are highly valued by the local community. Similarly, Spotswood contains pockets of older homes, with the sense of history in some streets being strengthened by established avenues of street trees.

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles. The policy implements the objectives and strategies contained in Clause 21.06 by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

The policy implements the findings of the *Hobsons Bay Neighbourhood Character Study December 2002* which identifies the key existing characteristics and preferred neighbourhood character of the residential areas of Hobsons Bay North. Development in residential areas should respond to the particular natural and built form elements which contribute to the preferred neighbourhood character of the area in which it is located. These elements include building form, scale, siting, materials, frontage treatment and vegetation density. The *Hobsons Bay Neighbourhood Character Study* defines character precincts based on the delineation of areas with similar character elements. These character precincts are shown on Map 1 forming part of this Clause.

22.08-2 Objectives

- To ensure that development responds to the preferred neighbourhood character of the precinct in which it is located.
- To retain and enhance the identified elements that contribute to the character of the precincts in Hobsons Bay North.

22.08-3 Policy

It is policy that the following Character Descriptions, Statements of Preferred Neighbourhood Character, Objectives and Design Responses are taken into account when considering any application to develop or subdivide land. Proposals that meet the Design Responses are considered to meet the related Objectives.

Precinct 1, Brooklyn

Character Description

This area demonstrates a consistency in building form and setbacks, being modest dwellings located in garden settings. The open space around the houses contributes to a sense of spaciousness in the streetscapes, strengthened by the mostly low front fences affording views into front gardens. The sense of spaciousness is less evident in streets that contain established, large street trees.

Statement of Preferred Neighbourhood Character

The consistent building form and garden settings of the dwellings will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To reflect the rhythm of existing dwelling spacing.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade. Use low pitched roof forms.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Precinct 2, Altona North

Character Description

The architectural style of this precinct is predominantly single storey, brick and tile 1960s dwellings. However, there is evidence of some two storey development and weatherboard dwellings scattered throughout the area. Despite this mix in built form and materials, the unifying element in this precinct is the established gardens, including canopy trees, and the areas of consistent street tree planting. These elements combine to give the streetscapes a sense of 'green enclosure', strengthened by the presence of generous nature strips.

Statement of Preferred Neighbourhood Character

The dominance of front gardens and canopy trees throughout the precinct will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade. Use low pitched roof forms.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.
<i>To reflect the building materials in locations where there is particular consistency.</i>	<ul style="list-style-type: none"> Where consistent brick colours are used on surrounding buildings, use similar toning in the colours of new buildings.

Precinct 3, Altona North

Character Description

This area, developed through the 1950s and 1960s, is one in which the horizontal emphasis of the dwelling form is important, resulting from the low elevations of the buildings in relation to their height. Most have similar, moderate front setbacks and are set back from both side boundaries, giving an open, garden setting to the streetscapes. In some areas of the precinct, established avenues of Paperbarks give the streets a more enclosed feel. The 'Walter Burley Griffin-esque' street layout in the eastern area of the precinct is another unique characteristic of this area.

Statement of Preferred Neighbourhood Character

The horizontality of the dwellings and the garden settings of the dwellings will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the rhythm of spacing between buildings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade. Use low pitched roof forms.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Precinct 4, South Kingsville

Character Description

This precinct is a relatively intact 1950s and 1960s neighbourhood with a low scale, modest feel. There is a strong sense of cohesiveness due to the similar building forms, both in plan and elevation, and the consistency in front and side setbacks. Views into established front gardens are available due to the low scale front fences, with the streetscapes being further enhanced by the established street trees and nature strips.

Statement of Preferred Neighbourhood Character

The cohesiveness of the built form and garden settings of the dwellings will be retained and enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible. Buildings should be sited and designed to incorporate space for the planting of substantial vegetation.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Use low pitched roof forms.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Precinct 5, Newport

Character Description

Large allotments and low scale 1950s and 1960s dwellings characterise this precinct and give the streetscapes a sense of spaciousness. This is strengthened by the moderate to generous front and side setbacks, and the use of low front fences. Private gardens are well established and tall gums in some streets are a feature.

Statement of Preferred Neighbourhood Character

The spaciousness of the streetscapes, consistency of built form and street tree planting will be retained and further enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To reflect the rhythm of existing dwelling spacing.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Provide vehicular access from a rear laneway if available.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Use low pitched roof forms.

Precinct 6, Newport

Character Description

The presence of former Railway housing, with vertical timber cladding rarely found elsewhere, distinguishes this precinct from others. This sense of uniqueness is exacerbated by the isolated nature of this precinct due to its separation from housing to the north by a wide road, and lack of housing to the south, east and west. Bluestone kerbs and channels are a consistent feature of streets in the precinct, but street tree planting and presence of nature strips is very inconsistent, resulting in a sense of openness in many streets.

Statement of Preferred Neighbourhood Character

The garden settings and unique dwelling style and form will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees as well as low level vegetation wherever possible.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures and access.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Use low pitched roof forms.
<i>To use lighter looking building materials and finishes that complement the use of timber where it is particularly consistent.</i>	<ul style="list-style-type: none"> Use timber or other non-masonry materials where possible, or incorporate lighter colours and materials into the design.

Precinct 7, Newport

Character Description

The streetscapes in this precinct have an intimate feel due to the small allotments and front boundary setbacks, and compact built form. Building styles vary from the older, northern areas of the precinct where pre-war architecture predominates to the southern and western areas of the precinct where 1950s and 1960s homes are located. Inter-war housing dominates through the central area of the precinct. Low and transparent front fences throughout afford views into the small front gardens, and this is combined with the presence of street trees and grassy nature strips in some areas.

Statement of Preferred Neighbourhood Character

The intimate streetscapes and mixed, but compact built form will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<i>Objectives</i>	<i>Design Responses</i>
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the rhythm of spacing between buildings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures and accessways.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.
<i>To encourage innovative and contemporary architectural responses to surrounding dominant building styles.</i>	<ul style="list-style-type: none"> Use simple building details. Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details. Front fence style should be appropriate to the building era.

Precinct 8, Newport

Character Description

This precinct is older than those to the north and west, as evidenced by the large proportion of Victorian, Edwardian and inter-war housing stock. This is also evident from the smaller front setbacks of some of the dwellings and the presence of rear laneways. Building materials are also mixed, though the use of similar roof tiles is consistent in sections. The streets in this area are dominated by greenery, including established gardens, wide nature strips and areas of avenue planting.

Statement of Preferred Neighbourhood Character

The mix of architectural styles and garden settings of the dwellings will be enhanced and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Provide vehicular access from a rear laneway if available.
<i>To encourage innovative and contemporary architectural responses to surrounding dominant building styles.</i>	<ul style="list-style-type: none"> Use simple building details. Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.
	<ul style="list-style-type: none"> Front fence style should be appropriate to the building era.

Precinct 9, Spotswood

Character Description

The streetscapes in this precinct have a low scale, compact feel due to the predominance of 1950s and 1960s architecture. The use of small pink leafed prunus in some streets enhances this horizontality as well as the use of orange/pink brickwork, which is also often used in matching front fences. The smaller housing lots and side setbacks in the majority of this precinct further enhances the compactness and uniformity.

Statement of Preferred Neighbourhood Character

The uniformity, low scale nature and compactness of the streetscapes will be retained and enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new canopy trees wherever possible.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade. Use low pitched roof forms.

Precinct 10, Spotswood

Character Description

There is a sense of spaciousness in many streets in this precinct due to the large housing lots and generous front setbacks. In other streets, this spaciousness is countered by large, spreading street trees, which form a canopy over the street space. There is cohesiveness to the built form due to the low scale nature of the housing and the consistent use of weatherboard. The established garden settings of the dwellings give this precinct a green, leafy feel.

Statement of Preferred Neighbourhood Character

The cohesive built form and garden settings of the dwellings will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new canopy trees wherever possible.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To encourage innovative and contemporary architectural responses to surrounding dominant building styles.</i>	<ul style="list-style-type: none"> Use simple building details. Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.
<i>To use lighter looking building materials and finishes that complement the use of timber where it is particularly consistent.</i>	<ul style="list-style-type: none"> Incorporate timber or other non-masonry materials where possible.
	<ul style="list-style-type: none"> Front fence style should be appropriate to the building era.

Precinct 11, Spotswood

Character Description

Despite the inconsistent street tree planting, the streetscapes in this precinct are green and leafy due to the established garden settings and existence of many significant canopy trees. The built form is distinctive due to a predominance of relatively intact pre and inter-war timber housing and this, combined with the small allotments and front setbacks, gives the streets a sense of compactness. Generous, grassy nature strips and unmade laneways are another feature of this precinct.

Statement of Preferred Neighbourhood Character

The green, leafy streets, sense of compactness and older, historic homes will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new wide spreading canopy trees, wherever possible.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the number of vehicular crossovers and the dominance of driveways and car parking structures.</i>	<ul style="list-style-type: none"> Provide vehicular access from a rear laneway if available.
<i>To encourage innovative and contemporary architectural responses to surrounding dominant building styles.</i>	<ul style="list-style-type: none"> Use simple building details. Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.
<i>To use lighter looking building materials and finishes that complement the use of timber where it is particularly consistent.</i>	<ul style="list-style-type: none"> Incorporate timber or other non-masonry materials where possible.

Precinct 12, Spotswood

Character Description

This precinct has an isolated feel being surrounded by mixed use and industry. This brings a cohesiveness to the area despite the mix in architectural styles and materials, and inconsistent street tree planting. Due to the small to moderate lot sizes and small front setbacks in the majority of the precinct, the streetscapes have an intimate feel. This is further enhanced by low front fences affording views into front gardens.

Statement of Preferred Neighbourhood Character

The intimate streetscapes and older dwellings of the precinct will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the existing rhythm of building spacing.</i>	
<i>To minimise the number of vehicular crossovers and the dominance of driveways and car parking structures.</i>	<ul style="list-style-type: none"> Provide vehicular access from a rear laneway if available.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade.
<i>To encourage innovative and contemporary architectural responses to surrounding dominant building styles.</i>	<ul style="list-style-type: none"> Use simple building details. Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.
	<ul style="list-style-type: none"> Front fence style should be appropriate to the building era.

Precinct 13, Newport

Character Description

The streets in this precinct are distinctive due to the existence of notably tall street trees and the retention of bluestone kerbing in most areas. The consistent lot sizes, front setbacks and single storey nature of the built form strengthen this cohesiveness. The allotment and street pattern within this precinct is also unique as allotments do not face the east-west streets.

Statement of Preferred Neighbourhood Character

The distinctiveness of the streets in this precinct and the cohesive, low scale nature of the built form will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible. Buildings should be sited and designed to incorporate space for the planting of substantial vegetation.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To provide for the reasonable sharing of views to Newport Lakes recreation reserve.</i>	<ul style="list-style-type: none"> Buildings should be sited to take into account the view corridors to Newport Lakes from nearby properties and public spaces.

Policy reference

Hobsons Bay Neighbourhood Character Study December 2002, Hobsons Bay City Council, Planisphere and John Curtis Pty Ltd, December 2002, including Neighbourhood Character Precinct Brochures: Hobsons Bay North Precincts 1 – 13.

Map 1. - The Hobsons Bay North Neighbourhood Character Precincts



22.09 HOBSONS BAY SOUTH NEIGHBOURHOOD CHARACTER POLICY19/01/2006
VC37

This policy applies to development (including subdivision) in the Residential 1 Zone in the Hobsons Bay South neighbourhood character area, as shown on Map 1 forming part of this Clause. This policy does not apply to sites covered by the Heritage Overlay.

22.09-1 Policy basis

The Hobsons Bay South neighbourhood character area comprises 8 precincts in the suburbs of Altona and Seaholme. The character precincts in this area that are located close to the coast display informal beachy qualities, with original bungalow styled housing remaining in some streets. Open views to the bay further strengthen the beachside character of many precincts in this area. Inland, the precincts were developed from the 1960s onwards and are more cohesive and uniform in building style, materials and setbacks. Many streets on the western edge of the Hobsons Bay South character area display an informal, 'out of town' feel due to proximity to large areas of open space and the stands of tall native trees, both in private gardens and the road reserve.

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles. The policy implements the objectives and strategies contained in Clause 21.06 by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

The policy implements the findings of the *Hobsons Bay Neighbourhood Character Study December 2002* which identifies the key existing characteristics and preferred neighbourhood character of the residential areas of Hobsons Bay South. Development in residential areas should respond to the particular natural and built form elements which contribute to the preferred neighbourhood character of the area in which it is located. These elements include building form, scale, siting, materials, frontage treatment and vegetation density. The *Hobsons Bay Neighbourhood Character Study* defines character precincts based on the delineation of areas with similar character elements. These character precincts are shown on Map 1 forming part of this Clause.

22.09-2 Objectives

- To ensure that development responds to the preferred neighbourhood character of the precinct in which it is located.
- To retain and enhance the identified elements that contribute to the character of the precincts in Hobsons Bay South.

22.09-3 Policy

It is policy that the following Character Descriptions, Statements of Preferred Neighbourhood Character, Objectives and Design Responses are taken into account when considering any application to develop or subdivide land. Proposals that meet the Design Responses are considered to meet the related Objectives.

Precinct 1, Altona

Character Description

This precinct is distinctive for its cohesiveness and uniformity in building period, materials, form and setbacks. This is further enhanced by the consistent planting of street trees, which are also low-level and reinforce the single storey, horizontal nature of the precinct. There is a sense of openness to the intact 1960s streetscapes, brought about by wide road reservations and nature strips, and low or no front fences.

Statement of Preferred Neighbourhood Character

The intact nature of this precinct, distinctive for its consistent low scale and building style, will be maintained and enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling. • Minimise paving in front garden areas including driveways and crossovers.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> • Recess two storey elements from the front façade. • Use low pitched roof forms.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> • If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.
	<ul style="list-style-type: none"> • Front fence style should be appropriate to the building era.

Precinct 2, Seaholme

Character Description

This precinct is a 1970s ‘oasis’, surrounded by open space. Housing styles and materials, allotment sizes, setbacks and lack of front fencing are all very consistent and suggest a planned approach, which results in very uniform streetscapes. This uniformity and spaciousness are important qualities of this precinct, and could be further enhanced with consistent street tree planting.

Statement of Preferred Neighbourhood Character

The uniformity of the built form and spaciousness of the streets will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> • Use low pitched roof forms.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> • If two or more dwellings are proposed, the dwelling(s) at the rear should a single storey form.

Precinct 3, Seaholme and Altona

Character Description

There is a sense of spaciousness in the streetscapes in this precinct, due to the large lot sizes and generous front setbacks and nature strips. This is strengthened by the low or no front fences, allowing views into the front gardens of the dwellings. Despite the diversity in building stock and street tree planting, the precinct has a sense of cohesiveness due to the regular grid layout of the streets and the coastal feel.

Statement of Preferred Neighbourhood Character

The spaciousness of the streetscapes and the garden settings of the dwellings will be retained and enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> • If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Precinct 4, Altona

Character Description

This precinct demonstrates a diversity of architectural styles and dwelling types, and an eclectic use of building materials and colours. Front fences in a variety of heights and materials add to this mix. The redevelopment of this precinct is a result of the large lot sizes, proximity to Altona Village and desirable coastal location. Retention of the traditional, generous front setbacks and further use of canopy trees in private gardens and the public domain would give the precinct a unifying element.

Statement of Preferred Neighbourhood Character

The diversity of dwelling stock and garden settings will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To reflect the rhythm of existing building spacing.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling.
<i>To encourage innovative architecture.</i>	<ul style="list-style-type: none"> • New buildings should be individually designed to respond to the characteristics of the site and dominant building forms in the area.
<i>To minimise the impact of buildings over two storeys on the streetscape.</i>	<ul style="list-style-type: none"> • Parts of buildings over two storeys should be recessed from the façade of lower levels.
<i>To use a mix of materials that add interest and vitality to the streetscape.</i>	<ul style="list-style-type: none"> • Use a mix of materials, including timber and non-masonry materials, in building design.

Precinct 5, Altona

Character Description

The streets in this precinct have a sense of openness due to the large allotments, generous setbacks and wide, grassy nature strips. The proximity to the coast is another unifying element, as are the views over low front fences into the mixed exotic and native front gardens. Built form is mixed in style, but generally low level and provides views behind rooftops of established canopy trees.

Statement of Preferred Neighbourhood Character

The spaciousness of the streetscapes and the garden settings of the dwellings will be retained and enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling. • Minimise paving in front garden areas including driveways and crossovers.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> • If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Precinct 6, Altona

Character Description

This area differs quite markedly from the adjacent precinct, being a more recent subdivision with 1980s and 1990s housing stock, much of which is two storeys. The streetscapes have a very open quality, although dominated by the buildings, due to the lack of vegetation and front fencing. This sense of openness is assisted by the lack of power lines and generous nature strips.

Statement of Preferred Neighbourhood Character

The openness of the streetscapes will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To maintain the rhythm of spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling. • Provide only one vehicular crossover per frontage.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> • If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Precinct 7, Altona

Character Description

The proximity to the golf course and wetlands gives this precinct an informal 'edge of town' feel. There is also cohesiveness to the streetscapes due to the predominance of 1960s and 1970s housing, and established gardens. This is further strengthened in some streets by the regular planting of tall, Australian native trees, and wide, grassy nature strips.

Statement of Preferred Neighbourhood Character

The well treed, 'edge of town' feel will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the bushland garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. • Retain large, established trees and provide for the planting of new native trees, wherever possible. • Buildings should be sited and designed to incorporate space for the retention and planting of substantial vegetation.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling. • Minimise paving in front garden areas including driveways and crossovers.
<i>To ensure that buildings do not dominate the streetscape and the wider landscape setting.</i>	<ul style="list-style-type: none"> • Buildings should not protrude above the predominant tree canopy height.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> • If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

Precinct 8, Foreshore

Character Description

This precinct was originally home to modest, low scale 1950s and 1960s dwellings; however, this area has been transformed through the redevelopment of many sites with larger, contemporary styled dwellings. Despite the architectural mix, there is a consistency to the streetscape due to uniformly large front setbacks, low front fencing and sparse garden planting. Open, bay views and a row of Norfolk Island Pines reflect the unique beachside location of the precinct.

Statement of Preferred Neighbourhood Character

The open frontages and unique coastal setting of the precinct will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To strengthen the coastal character of the area through the planting of appropriate coastal species.</i>	<ul style="list-style-type: none"> Prepare a landscape plan to accompany all applications for new dwellings that utilises appropriate coastal species.
<i>To reflect the rhythm of the existing spacing between dwellings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To provide for the reasonable sharing of views to the ocean or coast.</i>	<ul style="list-style-type: none"> Buildings should be sited to take into account the view corridors to the ocean or coast from nearby properties and public spaces.
<i>To encourage innovative architecture that reflects the coastal setting.</i>	<ul style="list-style-type: none"> New buildings should be individually designed to respond to the characteristics of the coastal location and the site. Incorporate building elements and details that contribute to a lightness of structure including balconies, verandahs, light transparent ballustrading etc.
<i>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</i>	<ul style="list-style-type: none"> If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.
<i>To use lighter looking building materials and finishes that complement the vegetation and coastal setting.</i>	<ul style="list-style-type: none"> Incorporate timber or other non-masonry materials where possible.

Policy reference

Hobsons Bay Neighbourhood Character Study December 2002, Hobsons Bay City Council, Planisphere and John Curtis Pty Ltd, December 2002, including Neighbourhood Character Precinct Brochures: Hobsons Bay South Precincts 1 – 8.

Map 1. - The Hobsons Bay South Neighbourhood Character Precincts



22.10 HOBSONS BAY EAST NEIGHBOURHOOD CHARACTER POLICY

19/01/2006
VC37

This policy applies to development (including subdivision) in the Residential 1 Zone in the Hobsons Bay East neighbourhood character area, as shown on Map 1 forming part of this Clause. This policy does not apply to sites covered by the Heritage Overlay.

22.10-1 Policy basis

The Hobsons Bay East neighbourhood character area comprises 11 precincts in Williamstown and part of Newport. There are subtle differences between all precincts in this area but many are influenced by their location close to the bay. The unmade gravel shoulders and grassy verges in many of the older streets in Williamstown results in an informal quality, which is strengthened by the predominant use of weatherboard. Avenues of wide spreading exotics in some streets contrast with this informality. Precincts in the northern part of the character area display more inner urban characteristics due to the close knit network of narrow streets, laneways and small allotments. The majority of dwellings in these areas are low scale and lightweight, with restricted setbacks. Though many precincts in Williamstown and Newport contain older dwellings, there are also some recently developed areas such as the 'Range' and 'Junction' estates. Streets in these precincts tend to have an enclosed feel due to the narrow road pavements and vertical emphasis of the contemporary two storey, sometimes terraced, houses.

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles. The policy implements the objectives and strategies contained in Clause 21.06 by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

The policy implements the findings of the *Hobsons Bay Neighbourhood Character Study December 2002* which identifies the key existing characteristics and preferred neighbourhood character of the residential areas of Hobsons Bay East. Development in residential areas should respond to the particular natural and built form elements which contribute to the preferred neighbourhood character of the area in which it is located. These elements include building form, scale, siting, materials, frontage treatment and vegetation density. The *Hobsons Bay Neighbourhood Character Study* defines character precincts based on the delineation of areas with similar character elements. These character precincts are shown on Map 1 forming part of this Clause.

22.10-2 Objectives

- To ensure that development responds to the preferred neighbourhood character of the precinct in which it is located.
- To retain and enhance the identified elements that contribute to the character of the precincts in Hobsons Bay East.

22.10-3 Policy

It is policy that the following Character Descriptions, Statements of Preferred Neighbourhood Character, Objectives and Design Responses are taken into account when considering any application to develop or subdivide land. Proposals that meet the Design Responses are considered to meet the related Objectives.

Precinct 1, Williamstown North

Character Description

A wide, crescent street forms the spine of this precinct and is distinctive in its form and sense of openness. The predominantly single storey built form and wide nature strips further emphasise this quality, as do the low level front fences allowing views into front gardens. Architectural styles and building materials are very mixed, as are front and side boundary setbacks. The cemetery to the north east and large park to the south west are key landmarks in the precinct.

Statement of Preferred Neighbourhood Character

The variety of dwellings in garden settings and the distinctive crescent streets will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To reflect the existing rhythm of dwelling spacing.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures and access.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise the number of vehicular crossovers. Provide vehicular access from a rear laneway if available.
<i>To ensure new development respects the dominant building scale and forms of the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade.

Precinct 2, Williamstown

Character Description

The Rifle Range Estate is a recent and well known subdivision, recognisable for its coastal location and large homes, many in mock architectural styles. Until the street trees and private gardens become more established, the buildings will dominate the streetscapes due to their bright colours and dominant size. When the street trees become established, this combined with the vertical emphasis of the built form and the narrow road pavements, will result in a greater sense of enclosure in the streets.

Statement of Preferred Neighbourhood Character

The unique coastal setting of this precinct and planting in the public and private domain will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that utilises appropriate low maintenance, coastal species.
<i>To minimise the dominance of car parking structures.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling. • Provide vehicular access from a rear laneway if available.
<i>To provide for the reasonable sharing of views to the ocean or coast.</i>	<ul style="list-style-type: none"> • Buildings should be sited to take into account the view corridors to the ocean or coast from nearby properties and public spaces.
<i>To minimise the impact of buildings over two storeys on the streetscape.</i>	<ul style="list-style-type: none"> • Parts of buildings over two storeys should be recessed from the façades of lower levels and setback at least 3 metres from the front façade.

Precinct 3, Williamstown

Character Description

This area has a sense of spaciousness, heightened by views to the water at the southern end. The streets are characterised by single storey, detached timber homes from the Inter-war and Post-war periods, set within established gardens, though there are a number of examples of two storey redevelopment in heavier materials. While front setbacks vary, many are large and side setbacks are provided. Street tree planting is consistent and mature and makes a substantial contribution to the character and coherence of the precinct.

Statement of Preferred Neighbourhood Character

The garden settings of the dwellings and overall cohesiveness of the precinct will be maintained and improved.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Buildings should be sited and designed to incorporate space for the retention and planting of substantial vegetation.
<i>To maintain the rhythm of existing dwelling spacing.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade.
<i>To encourage the use of lighter looking building materials that complement the traditional use of timber where it is particularly consistent.</i>	<ul style="list-style-type: none"> Incorporate timber or other non-masonry materials where possible. Use simple building detailing.

Precinct 4, Williamstown

Character Description

A mix of early architectural styles is represented in this precinct, although unlike other precincts in this region, Inter-war architecture is quite prevalent. Some houses are substantial and located on large allotments, lending a sense of grandeur to some streets. This is particularly evident in Victoria Street, which is also consistently planted with an avenue of established Ashes. Other streets are more modestly scaled, but common elements of setback, garden settings and pitched roof forms create cohesion. The axial views to the water from the north-south streets is also an important feature of this area.

Statement of Preferred Neighbourhood Character

The early architectural styles representing the historical development of the area, generous front setbacks and garden settings of the dwellings will be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<i>Objectives</i>	<i>Design Responses</i>
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> • Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.
<i>To maintain the rhythm of the existing spacing between buildings.</i>	
<i>To minimise the loss of front garden space and the dominance of car parking structures and access.</i>	<ul style="list-style-type: none"> • Locate garages and carports behind the line of the dwelling. • Minimise the number of vehicular crossovers and provide vehicular access from a rear laneway if available.
<i>To ensure new development respects the dominant building scale and forms.</i>	<ul style="list-style-type: none"> • Recess two storey elements from the front façade.
<i>To encourage innovative and contemporary architectural responses to surrounding dominant building styles and heritage buildings and streetscapes.</i>	<ul style="list-style-type: none"> • Use simple building details. • New development, including additions to existing buildings, should be distinguishable from original dwelling stock through the use of innovative and contemporary design.
<i>To incorporate lighter looking building materials and finishes that complement the use of timber where this is particularly consistent.</i>	<ul style="list-style-type: none"> • Use timber or other non-masonry materials, or a mixture of masonry and non-masonry materials.
	<ul style="list-style-type: none"> • Front fence style should be appropriate to the building era.

Precinct 5, Williamstown

Character Description

Many streets in this precinct have a spacious, shady and informal feel due to the wide-spreading exotics, gravel shoulders and grassy verges. The frequent use of timber adds a distinctive lightness to the streetscapes. Though a substantial proportion of the buildings are timber Victorian and Edwardian homes, there are some examples of more recent architecture and dwelling extensions. The rise of weatherboard and the unmade gravel shoulders and grassy verges in many streets is distinctive of Williamstown and adds to the seaside ambience. This is strengthened by occasional views to the water. Front fences are mixed, but generally low and provide views into established front gardens.

Statement of Preferred Neighbourhood Character

The spacious and informal qualities of the streetscapes, early architectural styles representing the historical development of Williamstown, and the distinctive low scale, lightweight nature of development will be retained and enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To minimise the loss of front garden space and the dominance of car parking structures and access.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers. Provide vehicular access from a rear laneway if available.
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<ul style="list-style-type: none"> Recess two storey elements from the front façade.
<i>To encourage innovative and contemporary architectural responses to surrounding dominant building styles and heritage buildings and streetscapes.</i>	<ul style="list-style-type: none"> Development, including additions to existing buildings, should be distinguishable from original dwelling stock through the use of innovative and contemporary design.
<i>To use a mix of materials that complement the predominance of weatherboard dwellings where this is particularly consistent.</i>	<ul style="list-style-type: none"> Use a mix of materials, including timber and other non-masonry materials, in building design. Use simple building details.
	<ul style="list-style-type: none"> Front fence style should be appropriate to the building era.

Precinct 8, Newport

Character Description

This precinct is characterised by an architecturally diverse range of housing, but low scale timber homes are the prevailing form. Very few streets have nature strips and therefore street trees are often planted in the footpaths, giving the precinct an inner suburban feel. Some streets are consistently planted with established, tall trees which results in a sense of enclosure in some streets. Low front fences and views to front gardens are an important element in this precinct.

Statement of Preferred Neighbourhood Character

The low scale nature of the precinct and the garden settings of the dwellings will be retained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Retain large, established trees and provide for the planting of new trees wherever possible.
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<ul style="list-style-type: none"> Locate garages and carports behind the line of the dwelling. Minimise the number of vehicular crossovers. Provide vehicular access from a rear laneway if available.
<i>To encourage innovative and contemporary architectural responses to surrounding dominant building styles and heritage buildings and streetscapes.</i>	<ul style="list-style-type: none"> Use simple building details. New development, including additions to existing buildings, should be distinguishable from original dwelling stock through the use of innovative and contemporary design.
<i>To use lighter looking building materials and finishes that complement the use of timber where it is particularly consistent.</i>	<ul style="list-style-type: none"> Incorporate timber or other non-masonry materials and finishes where possible.
	<ul style="list-style-type: none"> Front fence style should be appropriate to the building era.

Precinct 11, Newport

Character Description

The streets in this precinct have an enclosed feel due to the narrow road pavements and nature strips, and predominance of a two story, terraced building form. The small setbacks of the dwellings from the front boundary and the avenue planting of vertically emphasised natives in many streets strengthens this sense of enclosure. The dwellings are constructed of a mix of materials and are contemporary and often colourful. All garages are located at the rear of the properties and are accessed via laneways. Front setbacks are planted with a mix of low level vegetation, and front fences are mostly low and open.

Statement of Preferred Neighbourhood Character

The sense of enclosure, mix of materials and garden settings of the dwellings will be retained and strengthened.

Objectives and Design Responses

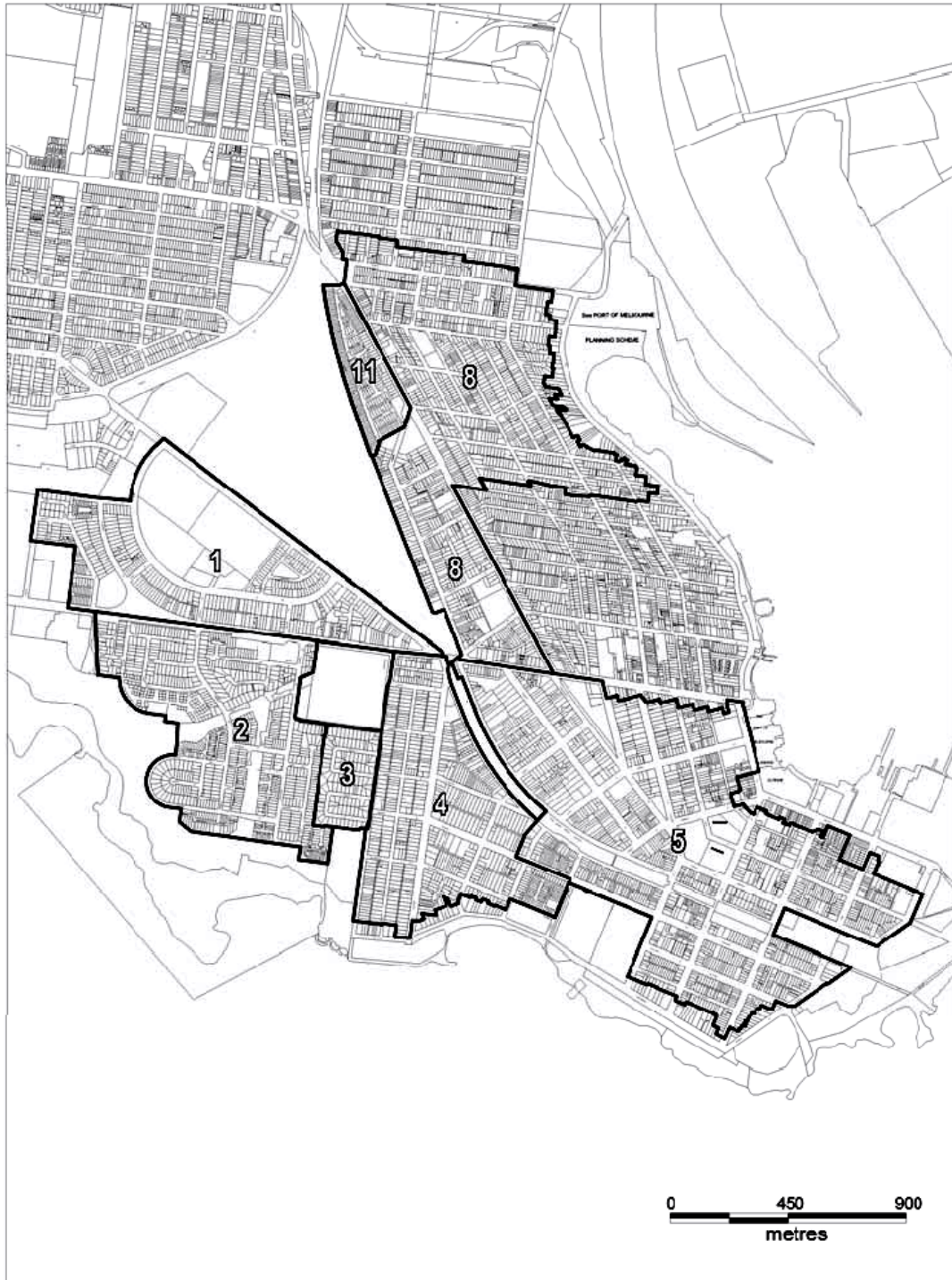
The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

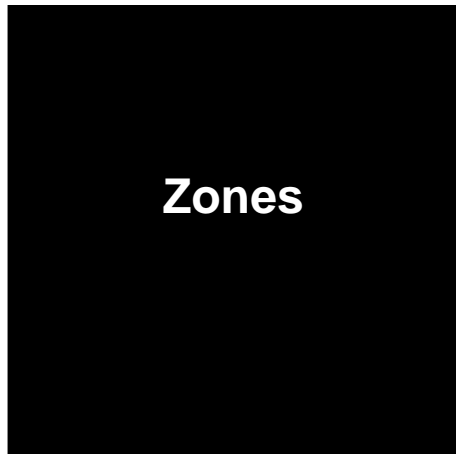
Objectives	Design Responses
<i>To maintain and strengthen the garden settings of the dwellings.</i>	<ul style="list-style-type: none"> Buildings should be sited and designed to incorporate space for the planting of vegetation, including canopy trees.
<i>To maintain the use of front setbacks for garden space.</i>	<ul style="list-style-type: none"> Locate garages and car parking structures at the rear of the site. Provide vehicular access from a rear laneway if available.
<i>To encourage innovative architecture.</i>	<ul style="list-style-type: none"> New buildings should be individually designed to respond to the characteristics of the site and dominant building forms in the area.
<i>To minimise the impact of buildings over two storeys on the streetscape.</i>	<ul style="list-style-type: none"> Parts of buildings over two storeys should be recessed from the façade of lower levels.

Policy reference

Hobsons Bay Neighbourhood Character Study December 2002, Hobsons Bay City Council, Planisphere and John Curtis Pty Ltd, December 2002, including Neighbourhood Character Precinct Brochures: Hobsons Bay East Precincts 1 – 11.

Map 1. - The Hobsons Bay East Neighbourhood Character Precincts





3019/01/2006
VC37**ZONES**

This section sets out the zones which apply in this scheme.

3119/01/2006
VC37**OPERATION OF ZONES**

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

31.0119/01/2006
VC37**Section 1 uses**

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition..

31.0219/01/2006
VC37**Section 2 uses**

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

31.0319/01/2006
VC37**Section 3 uses**

A use in Section 3 is prohibited.

32 RESIDENTIAL ZONES

19/01/2006
VC37

32.01 RESIDENTIAL 1 ZONE19/01/2006
VC37Shown on the planning scheme map as **R1Z**.**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 for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.

To encourage residential development that respects the neighbourhood character.

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

32.01-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking spaces must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	

USE	CONDITION
Place of worship	<p>Must be no social or recreation activities.</p> <p>The gross floor area of all buildings must not exceed 180 square metres.</p> <p>The site must not exceed 1200 square metres.</p> <p>The site must adjoin, or have access to, a road in a Road Zone.</p>
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52-19.
Tramway	

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Dependent person's unit and Dwelling)	
Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables, and Intensive animal husbandry)	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Community market	
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	The leasable floor area must not exceed 80 square metres.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Medical centre	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and	

USE	CONDITION
Search for stone)	
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship)	
Plant nursery	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> • Adjoin a business zone or industrial zone. • Adjoin, or have access to, a road in a Road Zone. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> • 3000 square metres. • 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Store	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.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Amusement parlour
Animal boarding
Animal training
Brothel
Cinema based entertainment facility
Extractive industry
Horse stables
Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Community market, Convenience shop, Food and drink premises, and Plant nursery)
Saleyard

USE**Transport terminal****Warehouse (other than Store)**

32.01-2 Subdivision**Permit requirement**

A permit is required to subdivide land.

A subdivision must meet the requirements of Clause 56.

Exemption from notice and review

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The objectives and standards of Clause 56.

32.01-3 Construction and extension of one dwelling on a lot**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in the schedule to this zone.

The construction or extension of a dwelling includes a front fence within 3 metres of a street if the fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and Local planning policies.
- The objectives, standards and decision guidelines of Clause 54.

32.01-4 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 on common property.
- Construct or extend a residential building.

The construction or extension of a dwelling or a residential building includes a front fence within 3 metres of a street if 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 four or more storeys, excluding a basement.

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

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The objectives, standards and decision guidelines of Clause 55.

32.01-5 Requirements of Clause 54 and Clause 55

The schedule to this zone may specify the requirements of:

- Standards A3, A4, A5, A10, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B7, B8, B17, B28 and B32 of Clause 55 of this scheme.

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

32.01-6 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 32.01-1.

32.01-7 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.

19/01/2006
VC37**SCHEDULE TO THE RESIDENTIAL 1 ZONE**

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

Yes

	Clause 54 and Clause 55 Standard	Requirement
Minimum street setback	Standard A3 and Standard B6	None specified
Building height	Standard A4 and Standard B7	None specified
Site coverage	Standard A5 and Standard B8	None specified
Side and rear setbacks	Standard A10 and Standard B17	None specified
Private open space	Standard A17	None specified
	Standard B28	None specified
Front fence height	Standard A20 and Standard B32	None specified

32.02 RESIDENTIAL 2 ZONE19/01/2006
VC37Shown on the planning scheme map as **R2Z**.**Purpose**

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

To encourage residential development at medium or higher densities to make optimum use of the facilities and services available.

To encourage residential development that respects the neighbourhood character.

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

32.02-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking spaces must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	

USE	CONDITION
Place of worship	<p>Must be no social or recreation activities.</p> <p>The gross floor area of all buildings must not exceed 180 square metres.</p> <p>The site must not exceed 1200 square metres.</p> <p>The site must adjoin, or have access to, a road in a Road Zone.</p>
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Tramway	

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Dependent person's unit and Dwelling)	
Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables, and Intensive animal husbandry)	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Community market	
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	The leasable floor area must not exceed 80 square metres.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Medical centre	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and	

USE	CONDITION
Search for stone)	
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship)	
Plant nursery	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> • Adjoin a business zone or industrial zone. • Adjoin, or have access to, a road in a Road Zone. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> • 3000 square metres. • 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Store	<p>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.</p>
Take away food premises	<p>The site must adjoin, or have access to, a road in a Road Zone.</p>
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Amusement parlour
Animal boarding
Animal training
Brothel
Cinema based entertainment facility
Extractive industry
Horse stables
Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Community market, Convenience shop, Food and drink premises, and Plant nursery)
Saleyard

USE**Transport terminal****Warehouse (other than Store)**

32.02-2 Subdivision**Permit requirement**

A permit is required to subdivide land.

A subdivision must meet the requirements of Clause 56.

Exemption from notice and review

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

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The objectives and standards of Clause 56.

32.02-3 Construction and extension of one dwelling on a lot**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in the schedule to this zone.

The construction or extension of a dwelling includes a front fence within 3 metres of a street if the fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

Exemption from notice and review

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

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and Local planning policies.
- The objectives, standards and decision guidelines of Clause 54.

32.02-4 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 on common property.
- Construct or extend a residential building.

The construction or extension of a dwelling or a residential building includes a front fence within 3 metres of a street if 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 four or more storeys, excluding a basement.

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

Exemption from notice and review

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

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The objectives, standards and decision guidelines of Clause 55.

32.02-5 Requirements of Clause 54 and Clause 55

The schedule to this zone may specify the requirements of:

- Standards A3, A4, A5, A10, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B7, B8, B17, B28 and B32 of Clause 55 of this scheme.

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

32.02-6 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 32.02-1.

32.02-7 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.

19/01/2006
VC37**SCHEDULE TO THE RESIDENTIAL 2 ZONE**

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

Yes

	Clause 54 and Clause 55 Standard	Requirement
Minimum street setback	Standard A3 and Standard B6	None specified
Building height	Standard A4 and Standard B7	None specified
Site coverage	Standard A5 and Standard B8	None specified
Side and rear setbacks	Standard A10 and Standard B17	None specified
Private open space	Standard A17	None specified
	Standard B28	None specified
Front fence height	Standard A20 and Standard B32	None specified

32.04 MIXED USE ZONE19/01/2006
VC37Shown on the planning scheme map as **MUZ**.**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 for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To encourage residential development that respects the neighbourhood character.

32.04-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking spaces must be provided for each 2 persons able to be accommodation away from their normal place of residence.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Place of worship	Must be no social or recreation activities. The gross floor area of all buildings must not exceed 180 square metres.

USE	CONDITION
	The site must not exceed 1200 square metres.
	The site must adjoin, or have access to, a road in a Road Zone.
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Tramway	

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Dependent person's unit and Dwelling)	
Agriculture (other than Animal keeping and Apiculture)	
Animal boarding	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Industry	Must not be a purpose listed in the table to Clause 52.10.
Leisure and recreation (other than Informal outdoor recreation)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Office	The combined leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.
Place of assembly (other than Carnival, Circus, and Place of worship)	
Retail premises (other than Shop and Trade supplies)	
Shop (other than Adult sex bookshop)	The combined leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.
Trade supplies	The combined leasable floor area for all trade supplies must not exceed any amount specified in the schedule to this zone.

USE	CONDITION
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse	Must not be a purpose listed in the table to Clause 52.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Adult sex bookshop
Brothel
Extractive industry

32.04-2 Use for industry and warehouse

Amenity of the neighbourhood

The use of land for an industry or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

Application requirements

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, airborne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Decision guidelines

Before deciding on an application to use land for an industry or warehouse, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.

- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.

32.04-3 Subdivision

Permit requirement

A permit is required to subdivide land.

A subdivision must meet the requirements of Clause 56.

Exemption from notice and review

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

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The objectives and standards of Clause 56.

32.04-4 Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in the schedule to this zone.

The construction or extension of a dwelling includes a front fence within 3 metres of a street if the fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and Local planning policies.
- The objectives, standards and decision guidelines of Clause 54.

32.04-5 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 on common property.
- Construct or extend a residential building.

The construction or extension of a dwelling or a residential building includes a front fence within 3 metres of a street if 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 four or more storeys, excluding a basement.

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

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The objectives, standards and decision guidelines of Clause 55.

32.04-6 Requirements of Clause 54 and Clause 55

The schedule to this zone may specify the requirements of:

- Standards A3, A4, A5, A10, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B7, B8, B17, B28 and B32 of Clause 55 of this scheme.

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

32.04-7 Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-1.

32.04-8 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.

19/01/2006
VC37**SCHEDULE TO THE MIXED USE ZONE**

Land	Maximum combined leasable floor area (m²) for office.	Maximum combined leasable floor area (m²) for shop (other than adult sex book shop).	Maximum combined leasable floor area (m²) for trade supplies.
South-west corner Melbourne Road and Birmingham Street, Spotswood	None specified	240	None specified
115-117 Pier Street, Altona (Vol 7031, Folio 1406110)	None specified	2000	None specified
Corner of Blyth and Sargood Streets, north of Council's Altona Library, south of the shops fronting Railway Street South, west of the shops fronting Pier Street and west of Coles super market car park, Altona.	None specified	80	None specified

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

Yes

	Clause 54 and Clause 55 Standard	Requirement
Minimum street setback	Standard A3 and Standard B6	None specified
Building height	Standard A4 and Standard B7	None specified
Site coverage	Standard A5 and Standard B8	None specified
Side and rear setbacks	Standard A10 and Standard B17	None specified

	Clause 54 and Clause 55 Standard	Requirement
Private open space	Standard A17	None specified
	Standard B28	None specified
Front fence height	Standard A20 and Standard B32	None specified

33 INDUSTRIAL ZONES

19/01/2006
VC37

33.01 INDUSTRIAL 1 ZONE19/01/2006
VC37Shown on the planning scheme map as **IN1Z**.**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 for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

33.01-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Crop raising	
Extensive animal husbandry	
Home occupation	
Industry (other than Materials recycling)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the table to Clause 52.10. • 30 metres, for a purpose not listed in the table to Clause 52.10. <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> • Transport of materials, goods or commodities to or from the land. • Appearance of any stored goods or materials. • Emission of noise, artificial light, vibration,

USE	CONDITION
	odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Informal outdoor recreation	
Mail centre	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Service station	The land must be at least 30 metres from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
Shipping container storage	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the table to Clause 52.10. • 100 metres, for a purpose not listed in the table to Clause 52.10. <p>The site must adjoin, or have access to, a road in a Road Zone.</p> <p>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</p> <p>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</p> <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> • Transport of materials, goods or commodities to or from the land. • Appearance of any stored goods or materials. • Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot,

USE	CONDITION
	ash, dust, waste water, waste products, grit or oil.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	
Warehouse (other than Mail centre and Shipping container storage)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the table to Clause 52.10. • 30 metres, for a purpose not listed in the table to Clause 52.10. <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> • Transport of materials, goods or commodities to or from the land. • Appearance of any stored goods or materials. • Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Section 2 - Permit required

USE	CONDITION
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Business 5 Zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture, Crop raising, Extensive animal husbandry, and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	
Education centre	Must not be a primary or secondary school.
Equestrian supplies	

USE	CONDITION
Leisure and recreation (other than Informal outdoor recreation)	
Lighting shop	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 500 square metres.
Materials recycling	The land must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Office	The leasable floor area must not exceed 500 square metres.
Party supplies	
Place of assembly (other than Carnival and Circus)	
Restricted retail premises (other than Equestrian supplies, Lighting shop, and Party supplies)	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 1000 square metres.
Retail premises (other than Shop)	
Utility installation (other than Minor utility installation and Telecommunications facility)	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
Hospital
Intensive animal husbandry
Shop (other than Adult sex bookshop, Convenience shop and Restricted retail premises)

33.01-2 Use of land**Application requirements**

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

33.01-3 Subdivision**Permit requirement**

A permit is required to subdivide land.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

33.01-4 Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to a building or works which:

- Rearrange, alter or renew plant if the area or height of the plant is not increased.
- Are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Are used for crop raising, extensive animal husbandry or informal outdoor recreation.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - Driveways and vehicle parking and loading areas.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.

-
- Streetscape character.
 - Built form.
 - Landscape treatment.
 - Interface with non-industrial areas.
 - Parking and site access.
 - Loading and service areas.
 - Outdoor storage.
 - Lighting.
 - Stormwater discharge.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

33.01-5 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.

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.

19/01/2006
VC37

SCHEDULE TO THE INDUSTRIAL 1 ZONE

Land	Minimum leasable floor area (m2) for lighting shop.	Minimum leasable floor area (m2) for restricted retail premises (other than equestrian supplies, lighting shop and party supplies).
None specified	None specified	None specified

33.03 INDUSTRIAL 3 ZONE19/01/2006
VC37Shown on the planning scheme map as **IN3Z**.**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 for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

33.03-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Crop raising	.
Extensive animal husbandry	
Home occupation	
Informal outdoor recreation	
Mail centre	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.

USE	CONDITION
Service station	The land must be at least 30 metres from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	

Section 2 - Permit required

USE	CONDITION
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Business 5 Zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture, Crop raising, Extensive animal husbandry, and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	
Education centre	Must not be a primary or secondary school.
Equestrian supplies	
Industry	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Lighting shop	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 500 square metres.
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Office	The leasable floor area must not exceed 500 square metres.
Party supplies	

USE	CONDITION
Place of Assembly (other than Carnival and Circus)	
Retail premises (other than Shop)	
Restricted retail premises (other than Equestrian supplies, Lighting shop, and Party supplies)	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 1000 square metres.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Mail centre)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
Extractive industry
Hospital
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Shop (other than Adult sex bookshop, Convenience shop, and Restricted retail premises)

33.03-2

Use of land

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.

- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

33.03-3 Subdivision

Permit requirement

A permit is required to subdivide land.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

33.03-4 Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to a building or works which:

- Rearrange, alter or renew plant if the area or height of the plant is not increased.
- Are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Are used for crop raising, extensive animal husbandry or informal outdoor recreation.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - Driveways and vehicle parking and loading areas.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

33.03-5 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.

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.

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VC37

SCHEDULE TO THE INDUSTRIAL 3 ZONE

Land	Minimum leasable floor area (m2) for lighting shop.	Minimum leasable floor area (m2) for restricted retail premises (other than equestrian supplies, lighting shop and party supplies).
None specified	None specified	None specified

34 BUSINESS ZONES

19/01/2006
VC37

34.01 BUSINESS 1 ZONE19/01/2006
VC37Shown on the planning scheme map as **B1Z**.**Purpose**

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

To encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

34.01-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Betting agency	
Caretaker's house	
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Child care centre	Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house).
Cinema	
Cinema based entertainment facility	
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Dwelling (other than Bed and breakfast and Caretaker's house)	Any frontage at ground floor level must not exceed 2 metres.
Education centre	Any frontage at ground floor level must not exceed 10 metres and access must not be shared with a dwelling (other than a caretaker's house). Must not be a primary or secondary school.
Electoral office	May be used for only 4 months before an election and 2 weeks after an election.
Food and drink premises (other than Hotel, Restaurant and Tavern)	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.

USE	CONDITION
Minor utility installation	
Natural systems	
Office (other than Electoral office)	<p>The combined leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.</p> <p>Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house), unless the office is a bank, real estate agency, travel agency, or any other office where the floor space adjoining the frontage is a customer service area accessible to the public.</p>
Postal agency	
Railway	
Restaurant	Must not be on land specified in the schedule to this zone.
Road	
Search for stone	Must not be costeaning or bulk sampling.
Shop (other than Adult sex bookshop)	The combined leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Trade supplies	The combined leasable floor area for all trade supplies must not exceed any amount specified in the schedule to this zone.
Tramway	

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Corrective institution and Dwelling)	
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Business 5 Zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture, Intensive animal husbandry)	
Bed and breakfast	
Hotel	

USE	CONDITION
Industry	Must not be a purpose listed in the table to Clause 52.10.
Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Place of assembly (other than Carnival, Cinema, and Circus)	
Retail premises (other than Betting agency, Food and drink premises, Postal agency, Shop, and Trade supplies)	
Tavern	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse	Must not be a purpose listed in the table to Clause 52.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Corrective institution
Extractive industry
Intensive animal husbandry
Major sports and recreation facility
Motor racing track

34.01-2 Use of land

Amenity of the neighbourhood

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
 - Whether a licence under the Dangerous Goods Act 1985 is required.
 - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

34.01-3 Subdivision

Permit requirement

A permit is required to subdivide land.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The interface with adjoining zones, especially the relationship with residential areas.

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

34.01-4 Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works. This includes the internal rearrangement of a building if the maximum leasable floor area specified in the schedule to this zone is exceeded.

This does not apply to a building or works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.

- The interface with adjoining zones, especially the relationship with residential areas.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.01-5 Neighbourhood and site description and design response

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Satisfactory neighbourhood and site description before notice and decision

The responsible authority must inform the applicant in writing:

- Before notice of an application is given, or
- If notice of an application is not required to be given, before deciding the application,

that the neighbourhood and site description meets the requirements of Clause 54.01 and is satisfactory or does not meet the requirements of Clause 54.01 and is not satisfactory.

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 and it is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1)(A) of the Act.

34.01-6 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 1.

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.

19/01/2006
VC37**SCHEDULE TO THE BUSINESS 1 ZONE**

Land	Maximum combined leasable floor area (m²) for office (other than electoral office).	Maximum combined leasable floor area (m²) for shop (other than adult sex book shop).	Maximum combined leasable floor area (m²) for trade supplies.
Lot 279 PS 318326W, south-west cnr Kororoit Creek Rd & Rifle Range Drive	500	2,500	None specified
Lot 280 PS 318326W,	530	530	None specified
Land on the east side of Laverton-Point Cook Rd	None specified	500	None specified
Land at the north-east corner of Langshaw Street and Duosa Road described as Lots 120 to 122 Lodged Plan 11503 and south-west corner of Millers Road and Duosa Road	None specified	26,200	None specified
Land at the south-west corner of Millers Road and Blackshaws Road, Altona North:	None specified	240	None specified
Lot 3. Plan of Subdivision 217010E (Volume 9911 Folio 298)	None specified	240	None specified
Lot 4 Plan of Subdivision 217010E (Volume 9911 Folio 299)	None specified	240	None specified
Lot 5 Plan of Subdivision 217010E (Volume 9911 Folio 300)	None specified	240	None specified
Central Square Shopping Centre North side of Petre Avenue between Merton St and the eastern boundary of the residential properties abutting Myers Parade	None specified	15,000	None specified

Land on which a permit is required for restaurant

None specified

34.03 BUSINESS 3 ZONE19/01/2006
VC37Shown on the planning scheme map as **B3Z**.**Purpose**

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

To encourage the integrated development of offices and manufacturing industries and associated commercial and industrial uses.

34.03-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Home occupation	
Industry (other than Materials recycling)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the table to Clause 52.10. • 30 metres, for a purpose not listed in the table to Clause 52.10.
Informal outdoor recreation	
Mail centre	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Office	The combined leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.

USE	CONDITION
Postal agency	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	
Warehouse (other than Mail centre and Shipping container storage)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the table to Clause 52.10. • 30 metres, for a purpose not listed in the table to Clause 52.10.

Section 2 - Permit required

USE	CONDITION
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Business 5 Zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	
Education centre	Must not be a primary or secondary school.
Equestrian supplies	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	

USE	CONDITION
Lighting shop	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 500 square metres.
Materials recycling	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Party supplies	
Place of assembly (other than Carnival or Circus)	
Restricted retail premises (other than Equestrian supplies, Lighting shop, and Party supplies)	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 1000 square metres.
Retail premises (other than Postal agency and Shop)	
Shipping container storage	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Caretaker's house)
Extractive industry
Hospital
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Shop (other than Adult sex bookshop, Convenience shop, and Restricted retail premises)

34.03-2 Use of land

Amenity of the neighbourhood

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.

- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
 - Whether a licence under the Dangerous Goods Act 1985 is required.
 - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

34.03-3 Subdivision

Permit requirement

A permit is required to subdivide land.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- The interface with adjoining zones, especially the relationship with residential areas.

34.03-4 Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works. This includes the internal rearrangement of a building if the maximum leasable floor area specified in the schedule to this zone is exceeded.

This does not apply to a building or works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Interface with non industrial areas.
- Outdoor storage, lighting, and storm water discharge.
- The design of buildings to provide for solar access.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.03-5 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.

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.

19/01/2006
VC37

SCHEDULE TO THE BUSINESS 3 ZONE

Land	Maximum combined leasable floor area (m²) for office.	Minimum leasable floor area (m²) for lighting shop.	Minimum leasable floor area (m²) for restricted retail premises (other than equestrian supplies, lighting shop and party supplies).
None specified			

36 PUBLIC LAND ZONES

19/01/2006
VC37

36.01 PUBLIC USE ZONE19/01/2006
VC37Shown on the planning scheme map as **PUZ** 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 recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

36.01-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Carnival	Must meet the requirements of 'A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of 'A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Natural systems	
Railway	
Railway station	The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	
Any other use	<p>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map.</p> <p>The use must be carried out by or on behalf of the public land manager.</p>

Section 2 - Permit required

USE	CONDITION
-----	-----------

Section 3 - Prohibited

USE
Nil

36.01-2 Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

36.01-3 Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.01-4 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.01-5 Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

36.01-6 Table of public land use

Shown on the Planning Scheme Map	Purpose of public land use
PUZ1	Service & Utility
PUZ2	Education
PUZ3	Health & Community
PUZ4	Transport

Shown on the Planning Scheme Map	Purpose of public land use
PUZ5	Cemetery/Crematorium
PUZ6	Local Government
PUZ7	Other public use

36.01-7 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

To land within the PUZ4 (Transport), the category of advertising control which applies in the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Note: *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.

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SCHEDULE TO THE PUBLIC USE ZONE

Public land	Use or development	Conditions
None specified		

Land	Advertising Sign Category
Scienceworks Museum,	1
2-18, Booker Street, Spotswood	

36.02 PUBLIC PARK AND RECREATION ZONE19/01/2006
VC37Shown on the planning scheme map as **PPRZ**.**Purpose**

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

To recognise areas for public recreation and open space.

To protect and conserve areas of significance where appropriate.

To provide for commercial uses where appropriate.

36.02-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Informal outdoor recreation	
Natural systems	
Open sports ground	Must be conducted by or on behalf of the public land manager. Must not be on coastal Crown land under the Coastal Management Act 1995.
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Contractor's depot	Must be either of the following:
Heliport	<ul style="list-style-type: none"> A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, The Port of Melbourne Authority Act 1958, or the Crown
Office	
Retail premises	
Store	
Any other use not in Section 3	

USE	CONDITION
	Land (Reserves) Act 1978.
	. A use specified in an Incorporated plan in a schedule to this zone.

Section 2 - Permit required

USE	CONDITION
Contractor's depot - if the Section 1 condition is not met	Must be associated with the public land use.
Heliport - if the Section 1 condition is not met	Must be associated with the public land use.
Office - if the Section 1 condition is not met	Must be associated with the public land use.
Retail premises - if the Section 1 condition is not met	Must be associated with the public land use.
Store - if the Section 1 condition is not met	Must be associated with the public land use.

Section 3 - Prohibited

USE
Brothel
Cinema based entertainment facility
Corrective institution
Display home
Funeral parlour
Industry
Saleyard
Transport terminal (other than Heliport)
Veterinary centre
Warehouse (other than Store)

36.02-2 Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
 - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
 - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
 - Navigational beacons and aids.
 - Planting or landscaping.
 - Fencing that is 1 metre or less in height above ground level.
 - A building or works shown in an Incorporated plan which applies to the land.
 - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978,

the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978

- Subdivide land.

36.02-3 Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.02-4 Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

36.02-5 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.02-6 Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

36.02-7 Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

36.02-8 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

Note: *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 the land.*

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

19/01/2006
VC37

SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE

Public land	Use or development	Conditions
Point Gellibrand Coastal Heritage Park	Any use or development described in the Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003	Must be in accordance with the Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003

Land	Advertising Sign Category
None specified	

36.03 PUBLIC CONSERVATION AND RESOURCE ZONE19/01/2006
VC37Shown on the planning scheme map as **PCRZ**.**Purpose**

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

To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.

To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.

To provide for appropriate resource based uses.

36.03-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.	
Boat launching facility	Must be either of the following:	
Camping and caravan park	<ul style="list-style-type: none"> A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978. 	
Caretaker's house		
Car park		
Informal outdoor recreation		
Interpretation centre		
Jetty		
Kiosk		
Marine dredging		<ul style="list-style-type: none"> Specified in an Incorporated plan in a schedule to this zone.
Mineral exploration		
Mineral, stone or soil extraction (other than Mineral exploration, Mining, and Search for stone)		Must be either of the following: <ul style="list-style-type: none"> A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978. Specified in an Incorporated plan in a schedule to this zone.

USE	CONDITION
Mining	Must meet the requirements of Clause 52.08-2.
Mooring pole	<p>Must be either of the following:</p> <ul style="list-style-type: none"> • A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978. • Specified in an Incorporated plan in a schedule to this zone.
Natural systems	
Open sports ground	Must be either of the following:
Pier	<ul style="list-style-type: none"> • A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978. • Specified in an Incorporated plan in a schedule to this zone.
Pontoon	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Utility installation (other than Telecommunications facility)	<p>Must be either of the following:</p> <ul style="list-style-type: none"> • A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978. • Specified in an Incorporated plan in a schedule to this zone.

USE	CONDITION
Any other use not in Section 2 or 3	Must be a use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978

Section 2 - Permit required

USE	CONDITION
Wind energy facility	<ul style="list-style-type: none"> • Must not be located on land reserved under the National Parks Act 1975. • Must meet the requirements of Clause 52.32.

Section 3 - Prohibited

USE
The use in Section 1 described as 'Any other use not in Section 2 or 3' - if the Section 1 condition is not met

36.03-2 Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
 - Planting or landscaping.
 - A building or works shown in an Incorporated plan which applies to the land.
 - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.
- Subdivide land.

36.03-3 Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.03-4 Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of Section 52(1) (a), (b), and (d), the decision requirements of Sections 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

36.03-5 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.03-6 Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

36.03-7 Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

36.03-8 Advertising signs

Advertising sign controls are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

Note: 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.

19/01/2006
VC37

SCHEDULE TO THE PUBLIC CONSERVATION AND RESOURCE ZONE

Public land	Use or development	Conditions
None specified		

Land	Advertising Sign Category
None specified	

36.04 ROAD ZONE19/01/2006
VC37

Shown on the planning scheme map as **RDZ1** for a Category 1 road and **RDZ2** for a Category 2 road.

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 significant existing roads.

To identify land which has been acquired for a significant proposed road.

36.04-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	

Section 2 - Permit required

USE	CONDITION
Mineral, stone or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Nil

36.04-2 Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

36.04-3 Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.

36.04-4 Advertising signs

Advertising sign controls are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

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.

37 SPECIAL PURPOSE ZONES

19/01/2006
VC37

37.01 SPECIAL USE ZONE19/01/2006
VC37

Shown on the planning scheme map as **SUZ** 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 recognise or provide for the use and development of land for specific purposes as identified in a schedule in this zone.

37.01-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone

Section 2 - Permit required

USE	CONDITION
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.

Any other use not in Section 1 or 3 of the schedule to this zone

Section 3 - Prohibited

USE
Any use in Section 3 of the schedule to this zone

37.01-2 Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

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

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

37.01-3 Subdivision**Permit requirement**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

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

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

37.01-4 Buildings and works**Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

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

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

37.01-5 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

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.

19/01/2006
VC37**SCHEDULE 1 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ1**.**PRIVATE SPORTSGROUNDS & ETHNIC COMMUNITY ESTABLISHMENTS****Purpose**

To provide for areas in private ownership to be used as private sports grounds and religious and educational establishments.

1.0**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Caretaker's house	
Education centre	
Home occupation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor sports and recreation facility	
Place of worship	
Rail	
Road	
Search for stone	Must not be costeaning or bulk sampling.

Section 2 - Permit required

USE	CONDITION
Car park	
Major sports and recreation facility	
Minor utility installation	
Place of assembly (other than Amusement parlour and Place of worship)	
Residential building	Must not be at 272-298 Millers Road
Retirement village	
Any use not in sections 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Caretakers house, Residential building and Retirement village)

USE

Amusement parlour
Brothel
Cemetery
Crematorium
Extractive industry
Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Office with a floor area exceeding 500 sq m (other than a Medical centre)
Saleyard
Service station
Retail premises (other than Community market, Convenience restaurant, Restaurant and Plant nursery)
Transport terminal
Utility installation (other than Minor utility installation)
Warehouse (other than Store)

2.0 Subdivision

Exemptions

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

3.0 Buildings and works

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - The layout of existing and proposed buildings, and works.
 - Driveways and vehicle parking and loading areas.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.

- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Exemptions

An application to construct a building or construct or carry out works for a use in Section 1 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect of the proposed buildings and works on the amenity of the neighbourhood.
- The provision of landscaping.
- Parking and site access.

19/01/2006
VC37**SCHEDULE 2 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ2****PETROLEUM REFINERY AREA****Purpose**

To provide for the operation and modernisation of the petroleum refining industry in a manner that does not affect the safety and amenity of nearby residential areas.

To provide for the orderly and proper development of the area and for adequate landscaping to reduce the visual impact of the refinery.

1.0**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Car park	
Extensive animal husbandry	
Industry	Must be a petroleum refinery in accordance with Clause 2.0 of this schedule.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling
Service station	

Section 2 - Permit required

USE	CONDITION
Mail centre	
Utility installation (other than Minor utility installation)	

Section 3 - Prohibited

USE
Dry cleaner
Laundromat
Rural industry
Any use not in Section 1 or 2

2.0 Use of land

For the purpose of this schedule a petroleum refinery is defined as an industry using plant, equipment and facilities for the conversion of crude oil and other feed stocks into finished and intermediate petroleum products and by-products. This includes facilities for the receipt of crude oil and other feed stocks, facilities for the storage of crude oils, intermediate and finished products and by-products, pumping, pipeline and distribution facilities, units for the removal and control of impurities and by-products, waste treatment facilities, utilities including steam raising and electrical generating equipment, control rooms, laboratories, research facilities, administration, warehousing, maintenance, training and amenity buildings and facilities and other associated works.

Land may be used as a petroleum refinery provided that the land south of Kororoit Creek Road and to the west of the 3 metre contour (Australian Height Datum) is maintained as a conservation area to the satisfaction of the responsible authority.

The use of the land for a petroleum refinery is exempt from the standard and reduced parking requirements of Clause 52.06 if parking is provided on the site to the satisfaction of the responsible authority.

Application requirements

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

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

3.0 Subdivision

Exemptions

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.
- Whether the development would prejudice the continued operation of the petroleum refinery.

4.0 Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to a building or works which:

- Provide or alter plumbing and electrical services.
- Involve the minor rearrangement of car parking areas and landscaping provided that these areas are not diminished.
- Rearrange, alter or renew plant if the areas of plant external to existing buildings is not increased.
- Are a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, car parking, loading or landscaping areas.
- Any works carried out by a public authority or a municipal council in association with the development of new plant or buildings.
- Comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

Other exemptions are listed in Clause 62.01

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.

- Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Driveways and vehicle parking and loading areas.
- Proposed landscape areas.
- External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area. The layout is to include landscape buffers along Millers Road and Kororoit Creek Road frontages and all other boundaries of the refinery.
- The type of use and the process to be employed.
- Dust control, drainage and maintenance of areas not required for immediate use.
- The type and quantity of goods to be stored and whether a licence is required under the Dangerous Goods Act 1985.

Exemptions

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The views of the Environment Protection Authority, the Department of Natural Resources and Environment and the Minister administering the Dangerous Goods Act.
- The adequacy of information supplied on the type of use and the processes to be employed.
- Drainage of the land
- The views of a relevant waterway management authority constituted under the Water Act 1989 or any other Act about any proposed development within the flood plain of the Kororoit Creek.
- Availability of services.
- Effect of traffic on surrounding roads.
- Layout of the site and design of buildings including methods of minimising the visual impact of the refinery on:
 - nearby residential areas.
 - Kororoit Creek Road.
 - Millers Road.
 - Kororoit Creek.
 - Altona Coastal Park.

- Cherry Lake.
- Layout of the site and design of buildings including:
 - The relationship of the buildings and works to the street and adjoining properties.
 - The set backs from Millers Road and Kororoit Creek Road.
- Access and egress, car parking, access roads and loading bay layout.

5.0 Advertising signs

This zone is in Category 2.

19/01/2006
VC37**SCHEDULE 3 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ3****PETROCHEMICAL COMPLEX AREA****Purpose**

To provide for the operation and expansion of the petrochemical industry in a manner that does not affect the safety and amenity of nearby areas.

To provide for the minimisation of exposure to risk to health or life of persons working in or visiting the area.

To provide for the orderly and proper development of the area and for adequate landscaping to reduce the visual impact of the petrochemical complex.

1.0**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Car park	
Extensive animal husbandry	
Home occupation	
Industry	Must be a petrochemical industry in accordance with Clause 2.0 of this schedule.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling

Section 2 - Permit required

USE	CONDITION
Caretaker's house	
Informal outdoor recreation	
Liquid fuel depot	
Manufacturing sales	
Research centre	
Utility installation (other than Minor utility installation)	

Section 3 - Prohibited

USE

Dry cleaner

Laundromat

Rural industry

Any use not in Sections 1 or 2.

2.0 Use of land

For the purpose of this schedule, a petrochemical industry is an industry that includes processes for the use, manufacture and storage of:

- Olefins or petrochemical aromatics;
- methane;
- chemicals or products wholly or partially derived from petroleum based feed stocks; or
- other products associated with an industry which existed at the approval date.

The use of the land for a petrochemical industry is exempt from the standard and reduced parking requirements of Clause 52.06 if parking is provided on the site to the satisfaction of the responsible authority.

Application requirements

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

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- The likely effects on the neighbourhood including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.

- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.

3.0 Subdivision

Exemptions

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

4.0 Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to a building or works which:

- Provide or alter plumbing and electrical services.
- Involve the minor rearrangement of existing car parking areas and landscaping provided that these areas are not diminished.
- Rearrange, alter or renew plant if the areas of plant external to existing buildings is not increased.
- Are a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, car parking, loading or landscaping areas.
- Any works carried out by a public authority or a municipal council in association with the development of new plant or buildings.
- Comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Are used for extensive animal husbandry or informal outdoor recreation.

Other exemptions are listed in Clause 62.01

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - The layout of existing and proposed buildings, and works.
 - Driveways and vehicle parking and loading areas.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Layout guidelines

The following guidelines for the layout of buildings, works and landscape areas are to be met to the satisfaction of the responsible authority.

All buildings are to be set back at least:

- 20 metres from a road in a Road Zone, Category 1.
- 20 metres from a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.
- 9 metres from a boundary to any other road.

All works (except vehicle and pedestrian access ways and landscape works) are to be set back at least 9 metres from any road.

Landscape areas are to be provided at least:

- 9 metres wide along a boundary to any road.
- 9 metres wide along a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.

Landscape areas are to be provided generally:

- within 30 metres of the Geelong-Melbourne railway (except for areas already developed for works at the approval date).
- within 50 metres of the boundary of the Special Use Zone 4 (except for areas already developed for works at the approval date).
- within 60 metres of the banks of Cherrys Creek and Kayes Drain.

A fence, sign, the accommodation of vehicles, spur lines to railway sidings, road works and associated street furniture, drainage, water oil and gas mains, and electricity and telephone lines may be located in these areas.

Exemptions

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone.
- Landscape treatment.
- The visual impact as viewed from nearby residential zones.
- The layout of the site and the design of buildings.
- Parking and site access.
- Loading and service areas.
- Stormwater discharge.
- The views of the Environment Protection Authority
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- The views of a relevant waterway management authority constituted under the Water Act 1989 or any other Act.
- The adequacy of information supplied on the type of use and the processes to be employed.
- Availability of services.
- Effect of traffic on surrounding roads.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

5.0 Advertising signs

This zone is in Category 2.

19/01/2006
VC37**SCHEDULE 4 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ4****ALTONA SPECIAL INDUSTRIAL AREA****Purpose**

To provide for a range of industrial uses and services that do not prejudice the operation and expansion of the petrochemical industry.

To provide for the minimisation of exposure to risk to health or life of persons working in or visiting the area.

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

To provide for a high standard of building design and landscaping to reflect the prominent location and high visual profile of the land.

1.0**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Extensive animal husbandry	
Home occupation	
Industry (other than Materials recycling)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school:</p> <ul style="list-style-type: none"> • The air emission buffer, for a purpose listed in the table to Clause 52.10. • 30 metres, for a purpose not listed in the table at Clause 52.10.
Informal outdoor recreation	
Mail centre	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	

USE	CONDITION
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Service station	The land must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
Tramway	
Warehouse (other than Mail centre)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school:</p> <ul style="list-style-type: none"> • The air emission buffer, for a purpose listed in the table to Clause 52.10. • 30 metres, for a purpose not listed in the table at Clause 52.10.

Section 2 - Permit required

USE	CONDITION
Adult sex bookshop	
Agriculture	
Caretaker's house	
Convenience shop	
Education centre	Must not be a primary or secondary school.
Equestrian supplies	
Leisure and recreation (other than Informal outdoor recreation)	
Lighting shop	Must be in one occupation with a leasable floor area of at least 500 square metres.
Materials recycling	The land must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
Office	The leasable floor area must not exceed 500 square metres.
Party supplies	

USE	CONDITION
Restricted retail premises (other than Equestrian supplies, Lighting shop, and Party supplies)	Must be in one occupation with a leasable floor area of at least 1000 square metres.
Retail premises (other than Shop)	
Utility installation (other than Minor utility installation)	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Caretaker's house)
Hospital
Intensive animal husbandry
Shop (other than Adult sex bookshop, Convenience shop, and Restricted retail premises)

2.0 Use of land

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Use of unserviced subdivision, Merton Road

Land bounded by Merton Road, Harcourt Road, Danglow Avenue and the Special Use Zone 1 must not be used or developed for any purpose other than agriculture unless the land:

- is connected to a reticulated water supply, a reticulated sewerage system and a reticulated drainage system to the satisfaction of the responsible authority and the relevant water supply, sewerage and drainage authority; and
- is comprised of a lot of at least two hectares.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- Any measures to protect the health and safety of persons on the land or on land nearby.
- Whether the use or development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of the Department of Natural Resources and Environment about any proposal to use land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

3.0 Subdivision

Exemptions

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.
- Whether the development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- The protection of the natural features of the area, including grass lands, wetlands and areas of significant habitat on/or adjacent to the area.
- The views of the Department of Natural Resources and Environment about any proposal to subdivide land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

4.0 Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to a building or works which:

- Rearrange, alter, renew or maintain plant if the area or height of the plant is not increased.
- Comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Are used for crop raising, extensive animal husbandry or informal outdoor recreation.

Maximum site cover and plot ratio requirement

The coverage of buildings on each site must not exceed 60 percent of the site area.

The ratio of floor area to site area must not exceed 0.6:1.

For land with a boundary with a residential zone the coverage of buildings on each site must not exceed 47 percent of the site area and the ratio of floor area to site area must not exceed 0.47:1.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.

- Relevant ground levels.
- The layout of existing and proposed buildings, and works.
- Driveways and vehicle parking and loading areas.
- Proposed landscape areas.
- External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Layout guidelines

The following guidelines for the layout of buildings, works and landscape areas are to be met to the satisfaction of the responsible authority.

All buildings are to be set back at least:

- 20 metres from a road in a Road Zone, Category 1.
- 20 metres from a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.
- 20 metres from a boundary to a Public Conservation and Resource Zone containing native grass land.

The setback may accommodate car parking areas, roads and services provided it is demonstrated that the siting and design of buildings could achieve adequate landscaped screening and minimise overshadowing of the grass land.

- 9 metres from a boundary to any other road.

Landscape areas are to be provided as follows:

- 9 metres wide along a boundary to any road.
- 9 metres wide along a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.
- 4 metres wide along the boundary to a Public Conservation and Resource Zone containing native grass land.

This area should be exclusively for landscaping and comprise small shrubs, grasses and ground covers (from the list recommended by the Department of Natural Resources and Environment and indigenous to the area) to minimise overshadowing of the grass land.

- within 10 metres of the Geelong-Melbourne railway and the Laverton-Altona railway.
- within 100 metres of the bank of Kororoit Creek.
- within 50 metres of a boundary of the Public Use Zone containing Cherry Lake and the Truganina Swamp.
- within 60 metres of the banks of Cherrys Creek and Kayes Drain the combination of buildings, works and landscaping should complement the watercourses to achieve the net landscape effect appropriate to the site, to the scope of development and to the precinct and to achieve a high quality design result.
- 30 metres wide along the boundary to any residential zone.
- for land with a boundary with a residential zone at least 30 percent of each site is to be developed as a landscape amenity area which may contain car parking areas, spur

lines to railway sidings, roads and services provided they are adequately screened from adjoining land.

Exemptions

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The impact of surface water run-off on to adjoining land containing native grass land.
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- Any measures to protect the health and safety of persons on the land or on land nearby.
- Whether the development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- Whether the development presents an attractive landscaped setting particularly in relation to the treatment of street frontages.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of Melbourne Water Corporation about any proposal for buildings or works within 20 metres of Cherrys Creek or Kayes Drain.
- The views of the Department of Natural Resources and Environment about any proposal for buildings or works on land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

5.0 Employee population density guideline

Permit requirement

Employee density is controlled by reference to the map entitled *Altona Employee Population Density Controls*. For the purpose of this Clause, one employee is equivalent to a person spending 44 hours on the site in any week.

A permit is required for the use of land designated on the map with a PD description unless the minimum floor area per employee as set out opposite that description in the following table is met.

PD DESCRIPTION	MINIMUM FLOOR AREA REQUIRED PER EMPLOYEE
PD10	315 m ²
PD30	105 m ²
PD60	52 m ²

A permit is required for the use of land designated on the map with a PD description unless the number of persons employed on the land (calculated on a lot by lot basis) does not exceed that calculated using the ratios in the following table.

PD DESCRIPTION	MINIMUM FLOOR AREA REQUIRED PER EMPLOYEE	MAXIMUM NUMBER OF EMPLOYEES PER HECTARE
PD 10	315 m ²	19
PD 30	105 m ²	57

Application requirements

An application to use land under this clause must be accompanied by the following information, as appropriate:

- The number of persons to be employed on the site.
- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and dispatch.
 - Light spill or glare.

Decision guidelines

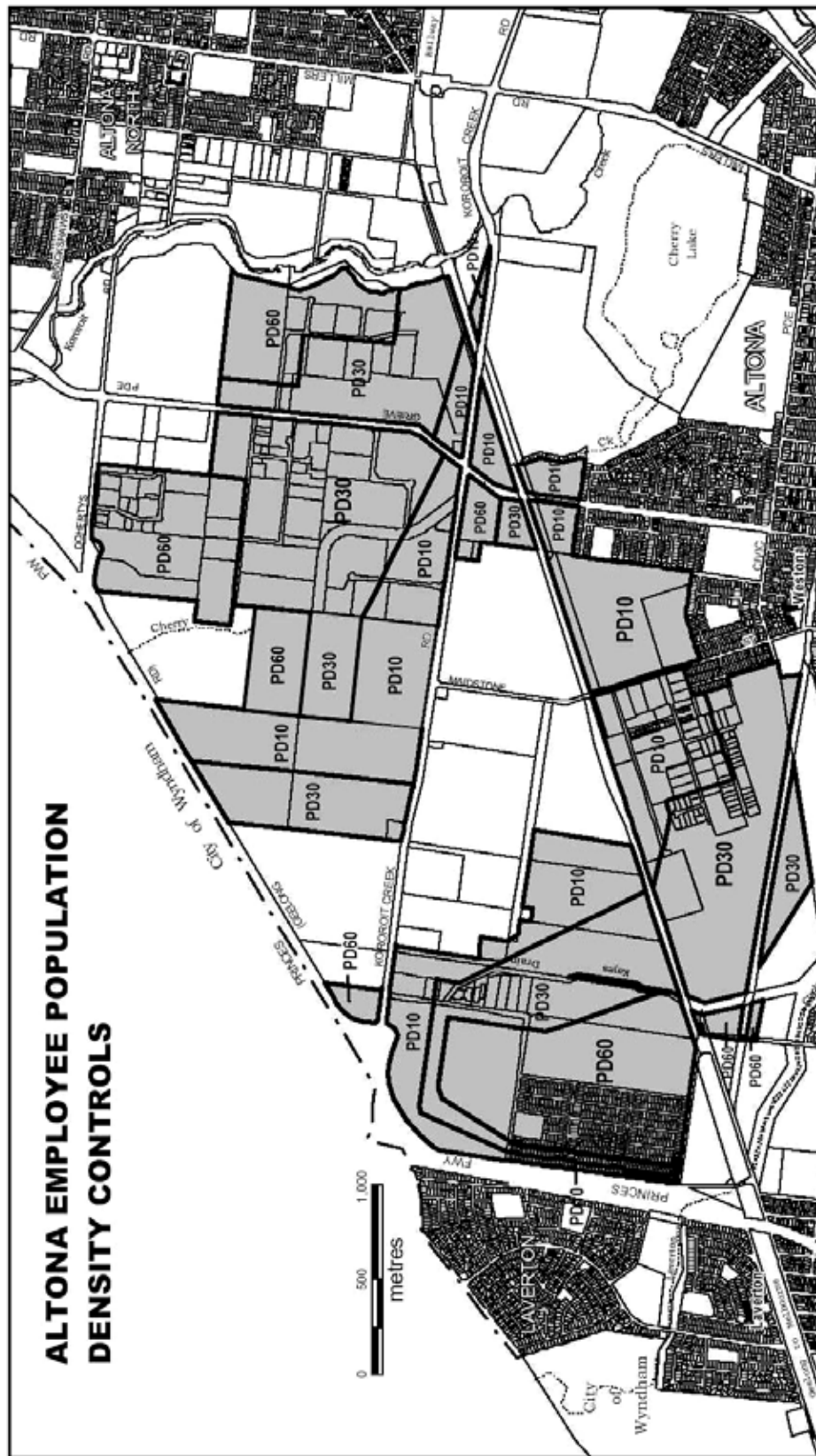
Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- Any measures to protect the health and safety of persons on the land or on land nearby.
- Whether the use or development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.

6.0 Advertising signs

This zone is in Category 2.

Altona Employee Population Density Controls



19/01/2006
VC37**SCHEDULE 5 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ5****MARINE ENGINEERING AREA****Purpose**

To recognise the importance of the Port of Melbourne and its environs as a focus for major marine industrial development.

To support the special importance of shipbuilding operations and its contribution to State economic development and employment.

To provide for development which protects the amenity, safety and character of nearby areas.

1.0 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Caretaker's house	
Car park	
Education centre	
Group accommodation	
Industry (other than Rural industry or Motor repairs)	Must be located on land north of Nelson Place and Nelson Place Extension
Marine engineering	Must be Marine engineering in accordance with the definition included at Clause 2.0
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Office (other than Bank)	
Search for stone	Must not be costeaning or bulk sampling
Warehouse (other than Fuel depot or Mild depot)	

Section 2 - Permit required

USE	CONDITION
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE

Accommodation (other than Group accommodation or Caretaker's house)

Animal husbandry

Bank

Brothel

Cabaret

Cemetery

Crematorium

Extractive industry

Fuel depot

Hospital

Landscape gardening supplies

Market

Milk depot

Motor repairs

Motor racing track

Manufacturing sales

Motor vehicle, boat, or caravan sales

Outdoor recreation facility

Place of worship

Primary produce sales

Restaurant

Rural industry

Shop

Trade supplies

Veterinary centre

2.0 Definition of terms

For the purpose of this schedule, marine engineering includes ship building, ship repair and maintenance; oil and gas construction; fabrication, electrical and other trades; systems engineering; systems operation; integrated logistics; engineering design; training and education and associated accommodation; research and new technologies; supply and warehousing and ancillary activities.

3.0 Use of land

Application requirements

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

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.

- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

4.0

Subdivision

Permit requirement

A permit is required to subdivide land.

The responsible authority may consider the views and comments of the relevant municipal council.

Exemptions

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.

- Landscape treatment.
- Interface with non-industrial areas.

5.0 Buildings and works

5.1 Physical Framework Plan

A permit is not required for buildings and works which are constructed generally in accordance with a Physical Framework Plan prepared to the satisfaction of the responsible authority.

The Plan may be prepared and approved in stages to the satisfaction of the responsible authority.

Prior to the approval of the Physical Framework Plan, or any stage, the responsible authority may consent to the construction of buildings and works, and advertising signs.

The Physical Framework Plan may be amended to the satisfaction of the responsible authority.

Preparation of the Physical Framework Plan

The Physical Framework Plan must show:

- the location of all existing buildings, driveways, carparking and loading areas
- the boundaries and dimensions of the subject land
- any adjoining roads
- relevant ground levels
- the location, height, dimensions, floor area and elevations, materials and colours of any proposed buildings and works
- details of construction and location of any proposed driveways, carparking and loading areas
- any proposed landscaping areas
- any proposed external waste storage treatment areas
- any proposed advertising signs
- any necessary traffic management, traffic control and road works proposed

5.2 Development Plan

The responsible authority may consent to the construction of buildings and works which are not generally in accordance with the Physical Framework Plan for uses contained in Section 1 of the Table of Uses to this schedule. No such buildings and works may be constructed until a Development Plan of the proposed buildings and works has been prepared to the satisfaction of the responsible authority.

Preparation of a development plan

The Development Plan must include the details required for the Physical Framework Plan and must be accompanied by the following:

- information regarding any noise likely to be generated
- information regarding any additional traffic likely to be generated
- information regarding the extent to which and the reasons why the proposal is not generally in accordance with the Physical Framework Plan.

5.3 Decision Guidelines

In considering the Physical Framework Plan or the Development Plan or an application to construct a building or construct and carry out works the responsible authority must consider:

- whether the proposals will adversely effect the amenity of persons living in surrounding residential zones
- whether the buildings and works will be in keeping with the character and appearance of the area
- the effect of any additional traffic to be generated
- whether the proposal is in accordance with the purpose of the zone
- any likely effect of noise emissions
- provision of carparking and loading areas
- any design guidelines adopted by the responsible authority.

When considering the Development Plan or an application to construct a building or construct or carry out works the responsible authority must also consider:

- the extent of departure from the Physical Framework Plan
- the effect of the departure from the Physical Framework Plan
- the degree of impact of the proposal on the surrounding area
- the views of the relevant municipal council.

The responsible authority may also consider the comments of the Environment Protection Authority, Business Victoria, Heritage Victoria, Department of Natural Resources and Environment, Parks Victoria, the Melbourne Port Corporation and the City of Hobsons Bay.

5.4 Exempt Buildings and Works

The requirements of Clause 5.1, 5.2, 5.3 of this schedule do not apply to:

- the alteration of plumbing, electrical, sewerage, drainage, water, gas, power telecommunications, lighting and security services
- roadworks and drainage
- repairs and routine maintenance
- internal buildings works
- temporary structures and supports required during construction of other buildings and works
- the rearrangement of carparking if the number of vehicle spaces is not diminished
- the rearrangement, renewal, repair and maintenance of plant provided that the area of plant external to the existing buildings is not increased
- a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, carparking, loading or landscaping areas
- any works carried out by a public authority or municipal council in association with the development of new plant or buildings
- any buildings or works required to be modified in conformity with license conditions under the Dangerous Goods Act or an Environment Protection Authority License, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970
- a Minor utility installation
- any works required to be carried out for fire protection

-
- site preparation works and decontamination and rehabilitation works
 - dredging works undertaken by or under the authority of the relevant port authority to maintain navigable depths in existing channels, waterways and harbours to ensure continued access to facilities
 - works lawfully undertaken by or on behalf of port authorities for the maintenance or repair or removal of any navigation aids or open framed marine structures
 - any other buildings or works of a minor nature with the prior consent of the responsible authority.

6.0 Advertising signs

This zone is in Category 2.

37.02 COMPREHENSIVE DEVELOPMENT ZONE19/01/2006
VC37Shown on the planning scheme map as **CDZ** 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 provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

37.02-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone.

Section 2 - Permit required

USE	CONDITION
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.

Any other use not in Section 1 or 3 of the schedule to this zone

Section 3 - Prohibited

USE
Any use in Section 3 of the schedule to this zone

37.02-2 Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

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

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

37.02-3 Subdivision**Permit requirement**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

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

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

37.02-4 Buildings and works**Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

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

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

37.02-5 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

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.

25/01/2006
C36

SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ1**.

THE RANGE ESTATE WILLIAMSTOWN – STAGE 7

Land

Land located on the south side of Kororoit Creek Road between Jawbone Reserve and Caspian Terrace, Williamstown being Stages 1-3 Plan of Subdivision PS426080A, commonly referred to as 111-113, 115-119 and 121-129 Kororoit Creek Road Williamstown.

Purpose

- To provide for the comprehensively planned development of the land in a way that integrates residential, recreational and limited commercial land uses and development having consideration to the surrounding natural and built environments and land uses.
- To ensure that the combination of uses, their scale and design are compatible with the amenity of the surrounding land uses.
- To provide for a diverse range of dwellings and medium density housing types, and permanent and temporary accommodation uses in an attractive and comprehensively planned environment generally consistent with the Objectives of Clause 54, Clause 55 and Clause 56.
- To provide for a limited range of commercial activities including a combined restaurant and function centre, medical centre, and convenience shop.
- To achieve a high standard of architecture and urban design.
- To achieve an urban design character which promotes a visual gateway into Williamstown from the west.
- To create an attractive waterfront development.
- To enhance and extend public access, which includes effective and safe pedestrian access between Kororoit Creek Road and the adjoining Jawbone Reserve, and to promote passive recreation along Jawbone Reserve through the development of a waterfront boardwalk and connection to the Bay Trail.
- To retain view corridors of Jawbone Reserve from the north side of the Kororoit Creek Road through Caspian Terrace and through the development on the land.
- To assist in protecting and enhancing the adjoining Jawbone Reserve as an environmental, conservation and recreation asset of State, regional and local significance, through sensitive design and landscaping.
- To ensure safe and effective vehicular access and to maximise opportunities for the provision of off street parking, and the provision of adequate loading facilities.
- To ensure the land is developed in an orderly and comprehensive manner.

1.0 Table of uses

Section 1 - Permit not required

USE	CONDITION
Animal keeping	Must be no more than 2 animals
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residences. At least 1 car parking space must be provided for each 2 persons able to be accommodated [a]way from their normal place of residence
Caretaker's house	Must be in conjunction with another accommodation use, function centre use or restaurant use in Section 1
Convenience shop	Must not include more than one convenience shop and the leasable floor area must not exceed 80 square metres
Dependent person's unit	Must be the only dependent person's unit on the lot
Dwelling (other than Bed and breakfast and Caretaker's house)	The use must be located in Precincts 1 and 4 (identified as "Medium density housing" on the Concept Plan) Buildings in Precinct 1 on the land associated with the use must not exceed a maximum overall building height of two storeys and 9 metres above ground level No more than 9 dwellings in Precinct 1 Any other buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline Car parking must be provided to the satisfaction of the responsible authority. The use must not be located in Precinct 2
Function centre	The use must be located in Precinct 3B (identified as "Restaurant/Function Centre" on the Concept Plan) Must be used as part of the same building which is used for a restaurant use Buildings on the land associated with the use must not exceed a maximum overall building height of two storeys (excluding any basement car parking) and RL14.0 AHD to the ridgeline Number: not more than 220 patrons or seats available to the public in combination with the restaurant use, except with a permit Car spaces: at least 0.5 spaces per seat

USE	CONDITION
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	Must not be a sewerage treatment plant
Motel	<p>The use must be located in Precinct 2 (identified as "Existing Quest Apartments" on the Concept Plan)</p> <p>Number: not more than 62 motel units in Precinct 2 on the Concept Plan used only to accommodate persons away from their normal place of residence.</p> <p>Maximum overall floor space: not more than 8000 sq.m. in Precinct 2 on the Concept Plan</p> <p>Car spaces: 1 car space per motel unit</p> <p>The motel units must not provide permanent residential accommodation.</p>
Railway	
Restaurant	<p>The use must be located in Precinct 3B (identified as "Restaurant/Function Centre" on the Concept Plan)</p> <p>Buildings on the land associated with the use must not exceed a maximum overall building height of two storeys (excluding any basement car parking) and RL14.0 AHD to the ridgeline</p> <p>Number: not more than 220 patrons or seats available to the public in combination with the function centre use, except with a permit</p> <p>Car spaces: at least 0.5 spaces per seat</p> <p>Entertainment must be ancillary to the use</p>
Retirement village	<p>The use must be located in Precinct 3A (identified as "Retirement Village" on the Concept Plan)</p> <p>Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline</p> <p>No more than 16 apartments except with a permit</p> <p>Car parking must be provided to the satisfaction of the responsible authority.</p>
Road	
Search for stone	Must not be costeaning or bulk sampling
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	

Section 2 - Permit required

USE	CONDITION
Car park	
Dwelling	<p>If the use is located within Precinct 3A on the Concept Plan</p> <p>Buildings in Precinct 3A on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline.</p> <p>Car parking must be provided to the satisfaction of the responsible authority</p> <p>The use must not be located in Precinct 2</p>
Jetty	
Medical centre	
Mineral, stone or soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone)	
Minor sports and Recreation facility	
Motel	<p>If the use is located within Precinct 3A on the Concept Plan</p> <p>Buildings in Precinct 3A associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline.</p> <p>Car spaces: 1 car space per motel unit</p> <p>The motel units must not provide permanent residential accommodation</p>
Place of worship	
Residential village	<p>If the use is located within Precinct 4 on the Concept Plan</p> <p>Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline.</p> <p>Car parking must be provided to the satisfaction of the responsible authority</p> <p>The use must not be located in Precinct 1 on the Concept Plan</p>
Retirement village	<p>If the use is located within Precinct 4 on the Concept Plan</p> <p>Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline.</p> <p>Car parking must be provided to the satisfaction of the responsible authority</p>
Utility installation	

Section 3 - Prohibited

USE

Any Section 1 use – if the Section 1 condition is not met unless the use is separately included in Section 2

Any use in Section 2 where the condition is not met

Any other use not in Section 1 or 2

2.0 Concept

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) shows the general location of the various uses, the indicative road and waterfront frontages and the indicative arrangement of land uses for two detached vacant parcels of land, separated by land currently used for temporary accommodation purposes.

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) divides the land into five distinctive precincts, the preferred location and future use / development of which are as follows:

PRECINCT	LOCATION	USE / DEVELOPMENT
1	North Eastern corner	Medium density housing
2	Eastern	Motel (existing 'Quest' serviced apartments)
3A	North Central	Retirement Village and Restaurant car parking
3B	South Central	Restaurant and Function Centre
4	Western	Medium density housing

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) describes the vision for the subject land and includes design objectives for its development, which includes a range of permanent and temporary residential uses, and limited commercial activities including a restaurant / function centre and a local level convenience shop.

The responsible authority may approve minor modifications or changes to the Concept Plan - The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) if it is generally satisfied that any changes to the Concept Plan will not result in a significant change to the vision of the proposed development on the land.

3.0 Use of land

The use of the land must be generally in accordance with the Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

The use of the land must not adversely affect the amenity of the area through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.

- Emission of noise, artificial light, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit or oil.

Use of land in Precinct 3A

The preferred use of land in Precinct 3A is a retirement village.

The alternative use of land may be, in order of preference:

- Motel; or
- Dwelling / medium density dwelling.

The application must submit reasonable justification to support an alternative use of the land if inconsistent with the preferred use.

Decision Guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The extent to which the proposed use is consistent with the objectives as set out in the purpose of the zone.
- The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
- The effect the use may have on nearby existing or proposed residential areas and other sensitive uses.
- The reasonable justification of an alternative use in Precinct 3A.

4.0 Subdivision

A permit is required to subdivide land.

Subdivision prior to the approval of a Development Plan.

Prior to the approval of a development plan, a permit may only be issued for an enabling subdivision creating precincts corresponding to the precinct lots shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) subject to:

- Arrangements being made as appropriate and to the satisfaction of the responsible authority for the provision of access, utility services, car parking, common property, reserves and easements for each precinct.
- East precinct, in its entirety, being under the control of one developer group.

Further subdivision of a precinct

A permit may be issued for the further subdivision of a precinct subject to the following and to the satisfaction of the responsible authority:

- A development plan having been approved for the development of the precinct;
- The precinct being under the control of and developed by one developer group;
- Prior to the certification of the plan of subdivision buildings and works on the land having commenced; and
- Prior to the issue of a statement of compliance all subdivision and associated works as required in the permit are completed or a surety is provided to secure their completion.

In the event the owner requests certification of the plan of subdivision prior to the commencement of buildings and works, the responsible authority may at its option enter in an agreement with the owner under Section 173 of the Act to ensure the development of the land is undertaken in accordance with an approved development plan.

Subdivision of each precinct may occur in stages.

Application requirements

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

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - The proposed lots and areas of subdivision, including any areas of common property.
- An Environmental Management Plan for the proposed subdivision or stage addressing potential impacts on the site and on adjoining areas in terms of:
 - Groundwater and drainage.
 - Soil disturbance, erosion and sedimentation.
 - Public safety.
 - Vegetation and habitat.

Where subdivision occurs prior to any dwelling use and development a written submission responding to each objective and standard of Clause 56- Residential Subdivision.

Decision Guidelines

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

- The intent of The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The urban design objectives prepared in accordance with a development plan.
- Any natural or environmental values on or near the land.
- Any comments of the Vic Roads or other referral authority, including the Department of Sustainability and Environment.
- The Environmental Management Plan submitted in accordance with the application of this Clause.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- Whether the plan of subdivision provides for public access through the site along the lakefront boardwalk and pedestrian access ways.
- Compliance with the objectives of Clause 56.
- Whether a development plan has been approved.
- Whether the subdivision of the land integrates with the future development of the land.

5.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

Buildings and works must be constructed in accordance with a development plan, landscaping plan, open space management plan, traffic plan, environmental management plan, waste management plan and storm water management plan prepared to the satisfaction of the responsible authority prior to the commencement of any works.

Development Plan

No building or works may be constructed until a development plan for the development of land in the zone has been prepared to the satisfaction of and approved by the responsible authority

A development plan for each precinct may be prepared to the satisfaction of the responsible authority.

A development plan must be in accordance with the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005) and show:

- A detailed site analysis plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Levels of the site and the difference in levels between the site and surrounding properties.
 - Location of existing buildings on the site and on surrounding properties.
 - The use of surrounding buildings.
 - Solar access to the site and surrounding properties.
 - Any contaminated soils and filled areas, where known.
 - The built form, scale and character of surrounding development.
 - Architectural and roof styles.
 - Any other notable features or characteristics of the site and surrounding area.
 - Views to and from the site.
 - The location and layout of all car parking areas and spaces and loading bays.
 - The location of all vehicular, pedestrian and bicycle ingress and egress and location of access ways.
- The location, height, dimensions floor layout and floor area of all buildings and works including elevation drawings showing proposed materials, finishes and colours.
- The proposed use of each building or part thereof including hours of operation.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- The location of all open space, including areas available to the public and private open space.
- Proposed landscaping associated with the development of the land and in particular the treatment along the frontages to Kororoit Creek Road and the boundaries of the land.
- A management plan for controlling and maintaining open space.
- The stages, if any, in which the land is to be developed, with starting and completion dates for each stage.
- Urban design objectives to be achieved.

- The provision of a sensitive interface between the buildings and their surroundings.

The responsible authority may consider any one or more of the components of a development plan and notify the owner whether they are satisfactory. The responsible authority must consider a component if asked to do so by the owner.

All buildings and works, open space and landscaping and use of land must be in accordance with a development plan.

At the request or with the consent of the owner, a development plan may be amended to the satisfaction of the responsible authority.

Development Design

The development of land must be generally in accordance with the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005), and a Development Plan.

Any development on the land must achieve compliance with the following design guidelines to the satisfaction of the responsible authority:

Building Design

- Provide a rich, diverse and harmonious contemporary architectural expression in the design of buildings.
- Use balconies, verandahs and built form to diversify architectural expression and maximise views towards the sea.
- Provide a high level of amenity for dwellings within a development.
- Reduce the scale of buildings by the articulation of the various components in the plan and elevation.
- Conceal rooftop or upper level mechanical plant and equipment. Conceal any other plant and associated equipment and plumbing (excluding downpipes) within the building envelope.
- Integrate any open air roof decks into the design of the roof form.
- Consider the design and form of a roof deck, the setbacks of a roof deck from the roof edge and the form of any structures or elements associated with a roof deck to ensure minimal visual impact on the street, coastal and wetland environs and adjoining properties, and to limit views into the secluded private open space and habitable room windows of adjacent dwellings.
- Consider the relationship of each use component on the land to another, in terms of façade treatment, scale, reduction of wind exposure and provision of solar access within the buildings and related outdoor space.
- Provide a varying setback from all boundaries as noted on the typical building footprints on the Concept Plan, particularly to the north, south and east in order to achieve reduction in the apparent scale and bulk of building form, maximise views and solar access and sheltered external spaces.
- Design and site buildings to take advantage of lake and sea views, and to provide a sense of address to Kororoit Creek Road, the lake and adjoining wetlands, where appropriate.
- Provide wind protection for external spaces and availability of sea views.
- Provide for a variation of building height as it relates to the articulation of the building in plan form and the uses proposed within.
- Provide a sensitive interface between the buildings and their surroundings.
- Provide easy vehicular and pedestrian access through the site.

- Integrate any understorey car parking facilities into the design of the building to reduce any adverse visual impacts of such facilities when viewed from surrounding roads and the adjoining reserve.
- Ensure new development respects the environmental and landscape Green Reserve on the Concept Plan.
- Design and site buildings in Precinct 4 to provide a transition between building forms and open space including the adjoining Jawbone Reserve.

Building Height Control

A building must not be constructed or works (including roof decks) carried out to exceed the maximum building height level as shown in the Table of Uses in this Schedule.

A permit may not be granted to exceed the maximum building height specified in the Table of Uses in this Schedule.

Air conditioning and other plant and mechanical equipment must not exceed the maximum building height specified in the Table of Uses in this Schedule.

Ancillary works including a radio mast, a television mast, a television antenna, a chimney, a flue or the like may exceed the maximum building height specified in the Table of Uses in this Schedule .

Any proposal must demonstrate how the proposal achieves the following design objective:

- To ensure that development does not generally dominate the scale and setting of the street and foreshore.

Setback Requirements

Buildings, unless specified otherwise in this clause, must be setback from adjoining boundaries as follows:

- 6 metres from Kororoit Creek Road in Precincts 1 and 4, allowing for landscaped areas within this space.
- 15 metres from Kororoit Creek Road in Precincts 2 and 3A, allowing for car parking and landscaped areas within this space. Car parking is to be setback a minimum of 3 metres from the northern property boundary.
- 5 metres from the eastern boundary of the site in Precinct 1, together with landscaping and screening from the reserve and the residential development along Caspian Terrace to the east of the land.
- 22 metres from the eastern boundary of the site in Precinct 2, together with at grade car parking between the buildings and the site boundary, and landscaping and screening from the reserve and the residential development along Caspian Terrace to the east of the land.
- 5 metres from the western boundary up to the area designated as 'Green Reserve' on the Concept Plan located at the north west corner of Precinct 4.
- 6 metres from the southern boundary of the site adjoining Jawbone Reserve.

Setback areas must be landscaped where appropriate to be in keeping with the character and appearance of the area to the satisfaction of the responsible authority.

Control of Noise and Odour – Commercial Development

A report by a suitably qualified acoustic consultant must be prepared to the satisfaction of the responsible authority and submitted with a development plan application for approval and endorsement and must:

- Demonstrate that sound emanating from the land will not exceed those required to be met under State Environment Protection Policies Nos. N-1 (control of noise from Commerce, Industry and Trade) and N-2 (Control of Music Noise from Public Premises).
- Provide details of sound proofing treatments to all air conditioning, refrigeration or other plant and equipment to prevent nuisance or annoyance to persons in dwellings or accommodation nearby.

External amplified public address or speaker systems must not be installed on the premises.

All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the responsible authority.

All exhaust fans and similar vents must be fitted with filtering devices to reduce emissions of kitchen smells and other odours to a level satisfactory to the responsible authority and to avoid adverse impacts to persons in dwellings or accommodation nearby. Details of the type of filtering devices and their effectiveness are to be submitted with a development plan application.

External Lighting

All lighting used to externally illuminate buildings, works and uses must be fitted with cut-off luminaries (baffles) where appropriate to prevent the emission of direct light and indirect light onto adjoining properties to the satisfaction of the responsible authority.

External Spaces

- Provide decks and boardwalks facing the lake and sea views to the frontages of buildings on the lakefront.
- Provide a stepped edge to the water to improve the relationship between the deck boardwalk and the water.
- Utilise compatible indigenous species for all planting.
- Provide low-level landscape screening to all car-parking areas.

Landscaping Plan

A landscaping plan must be prepared to the satisfaction of the responsible authority. The landscape plan must be submitted with a development plan application for approval and endorsement and must show:

- Landscaping for the development and in particular the treatment along the frontage to Kororoit Creek Road and adjoining Jawbone Reserve to the south and a management plan for controlling and maintaining open space.
- Tree planting and surface grading to ensure that basement or semi-basement car parking and support structures below natural ground level are satisfactorily concealed.
- Planting of indigenous species to the locality for parts of the land connected to the lake and any conservation area adjoining the land such as Jawbone Reserve.
- The location of all vehicle, bicycle, pedestrian ways, boardwalks and connections to existing public pathways to Jawbone Reserve.
- Details of fencing of the site boundaries fronting Kororoit Creek Road, Caspian Terrace, the boardwalk, and the eastern and western boundary of Precinct 4.
- Details of any excavation of the existing mound located on the land near the western boundary of Precinct 4 to ensure that the existing mound form located on the adjoining Jawbone Reserve is retained and any excavation is properly stabilised to the satisfaction of the responsible authority.

- Landscaping of the existing mound along the western boundaries of the subject land.

At the request or with the consent of the owner the Landscape Plan may be amended to the satisfaction of the responsible authority.

Open Space Management Plan

Prior to the commencement of any buildings or works on any land an open space management plan must be prepared to the satisfaction of the responsible authority. The management plan for controlling and maintaining open space must:

- Show areas of open space that will be available to the public (public areas).
- Show areas of open space that will be available only to residents and employees (non-public areas).
- Show by plans and elevations open space that will be part of a building.
- Specify times when public areas will be available to the public and how it is intended to ensure that they will be available at those times.
- Set out plans for the permanent management and upkeep of public areas.
- Specify the uses to which public areas may be put.
- Include a landscape plan for all public and non-public areas.
- If the land is to be developed in stages, show the area that will be available as open space at completion of each stage.
- Show how public areas, which adjoin the Jawbone Reserve lake system, and conservation area are to be integrated in consultation with the relevant management authority and to the satisfaction of the responsible authority.
- Provide for public access at all times along the lake frontage to the land and connection to the Bay Trail.

At the request or with the consent of the owner the open space management plan may be amended to the satisfaction of the responsible authority

Environmental Management Plan

Prior to the commencement of any buildings or works on any land a site construction and operation environmental management plan must be prepared to the satisfaction of the responsible authority and the Department of Sustainability and Environment. The environmental management plan must provide details of the following:

- Hours during which construction activity will take place.
- Measures to control noise, dust and water runoff, including sediment control and disposal of spoil during construction.
- Stormwater management and on site retention opportunities.
- Location of buildings and building materials stored during construction and delivery.
- Provision of the management of all buildings and construction waste, including recycling and disposal of all materials generated during construction.
- Vehicle access to and from the site and vehicle parking areas for site workers.
- Fencing, barriers or the like surrounding construction sites.
- Method of prevention of plant pathogens into soil and water table adjacent Jawbone Reserve via earth moving equipment.

At the request or with the consent of the owner the environmental management plan may be amended to the satisfaction of the responsible authority.

Storage of building refuse, ground works, spoil or construction materials and earth moving equipment within Jawbone Reserve is prohibited.

Traffic Plan

Prior to the commencement of any buildings or works on any land a traffic plan must be included with the overall development plan and prepared to the satisfaction of the responsible authority and Vic Roads.

The plan must show:

- The location and layout of all car parking areas on the land and showing access to and from the site and the car parking areas and a management plan for operating and maintaining the areas.
- Traffic management and traffic control works considered necessary in adjoining and nearby roads when the development or any stage is completed.
- Each stage of traffic works may be designated by a date or as shown on the development plan or by both methods.
- The location and layout of all access points through to Jawbone Reserve from Kororoit Creek Road to the north.
- The location of pedestrian access through the development from Kororoit Creek Road and along the lakefront boardwalk and pathways.
- Provision of vehicular access to Precinct 1 from the existing access to Precinct 2 from Kororoit Creek Road.
- No vehicle access to Precinct 1 shall be provided from Caspian Terrace which adjoins the land to the east.

The responsible authority considers that the economical and efficient vehicular access to the land in Precinct 1 as shown on the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005) requires the owner to acquire an easement over land in the vicinity of that land (being the land in Precinct 2- Quest Apartments adjoining the land to the west) using the procedure in Section 36 of the Subdivision Act 1988 and that the acquisition will not result in an unreasonable loss of amenity in the area affected by the acquisition.

Until the traffic management and control works shown on the traffic plan are completed in stages or fully to the satisfaction of the responsible authority, no land may be used for the purposes shown on the development plan, except with a permit.

At the request or with the consent of the owner, the traffic plan may be amended to the satisfaction of the responsible authority.

Waste Management Plan – Residential development

Prior to the commencement of any buildings or works on any land a waste management plan must be prepared to the satisfaction of the responsible authority for the collection of household refuse (in the event that the Council's collection service is unavailable) and must include details of the proposed collection service and measures to minimise waste.

At the request or with the consent of the owner the waste management plan may be amended to the satisfaction of the responsible authority.

Waste Management Plan – Commercial development

Prior to the commencement of any buildings or works on any land a waste management plan must be prepared to the satisfaction of the responsible authority and must include the following:

- Solid and liquid waste management.
- Waste minimisation measures.

- Provision of a dedicated refuse bin storage area, located, enclosed and designed to prevent the escape of refuse and odours; and
- Provision for the disposal and collection of bottles in a manner and location to prevent nuisance or annoyance to persons in dwellings or accommodation nearby.

At the request or with the consent of the owner the waste management plan may be amended to the satisfaction of the responsible authority.

Storm Water Management Plan

Any development on the land must have regard to the environmental and habitat values of the adjoining Jawbone Reserve and wetlands.

As part of a development plan application, a storm water management plan must be submitted for approval and endorsement which provides details of the collection, disposal, treatment and reuse of stormwater from the development in accordance with Water Sensitive Urban Design principles and to the satisfaction of the responsible authority.

At the request or with the consent of the owner the storm water management plan may be amended to the satisfaction of the responsible authority.

Dwellings

The location of any dwellings on the land must be generally in accordance with The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

A permit may be issued for the development of dwellings in Precinct 3A.

Any dwelling on the land must comply with the objectives of Clause 54 and 55, where applicable.

Medium Density Dwellings

The location of any dwellings on the land must be generally in accordance with The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

A permit may be issued for the development of medium density dwellings in Precinct 3A.

Any medium density development must comply with the objectives of Clause 55, where applicable.

Retirement Village Development

The location of any retirement village development on the land must be within Precinct 3A as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

Any retirement village development in Precinct 3A must:

- Provide a variety of in house ancillary uses for residents such as a common room, an area for recreation and the like.
- Provide a development with a frontage that addresses Kororoit Creek Road
- Incorporate landscaping into the design of the development which is suitable and appropriate to the use and the site.

A permit may be issued for the development of a retirement village in Precinct 4 on the Concept Plan.

Motel

The location of any motel development on the land must be within Precinct 2 as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

A permit may be issued for the development of a motel in Precinct 3A on the Concept Plan.

Restaurant / Function Centre

The location of any restaurant and/ or function centre on the land must be within Precinct 3B as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

The location and design of any advertising signs, fencing, landscaping, architectural feature and the like associated with the building must not encroach upon or obstruct the north to south public access and view corridor adjoining the land to the west.

Written approval of the hours of operation of the restaurant and/or function centre or any ancillary use is required from the responsible authority prior to the operation of the use.

Decision Guidelines

Before deciding whether a development plan including the landscaping plan, open space management plan and traffic plan are satisfactory, the responsible authority must consider:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The content and intent of The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
- The extent to which the proposal achieves the objectives as set out in the purpose of the zone.
- Compliance with the urban design objectives prepared in accordance with the development plan.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works in the neighbourhood and in particular access to or along Kororoit Creek Road.
- Any views on the traffic plan or a development plan expressed by Hobsons Bay City Council or Vic Roads.
- Any views expressed by the Environment Protection Authority on a development plan, environmental management plan, storm water management plan and waste management plan, as appropriate.
- Any views expressed by the Department of Sustainability and Environment on a development plan, landscape plan, open space management plan, storm water management plan and the environmental management plan.
- Vehicular and pedestrian points of access to and from the land and whether they are suitably located.
- The location and layout of car parking spaces, access lanes and access thereto from Kororoit Creek Road to them.
- The design of the proposed buildings and their relationship to existing development on adjoining sites.

- The interface with adjoining zones including conservation and residential areas.
- The extent to which the building and works are designed to preserve and enhance the landscape character of the conservation zone and surrounds.
- Whether the height, scale, bulk and setback and appearance of new development is compatible with the prevailing character of the area.
- Whether the development is of high quality architectural and urban design standard and avoids poor building and landscaping design solutions.
- Whether a high level of amenity is provided for dwellings within new development.
- Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.
- Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, balustrades, roof form and articulation of the building form.
- Whether views of understorey car parking facilities, garages and carports from the foreshore/lakefront and Kororoit Creek Road are minimised.
- Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.
- Whether the height of new development does not result in unreasonable amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.
- Whether the overshadowing of public spaces is minimised.
- Landscape treatment and provision of appropriate species and location of planting.
- The provision of utility services including sewerage, water, drainage, gas and telecommunications.
- The impact of noise and light emanating from the development on the fauna of the conservation area.
- The protection and enhancement of the environmental qualities of Jawbone Reserve and public open spaces from inappropriate development.
- Whether the height of any development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual bulk and architectural design.
- The extent to which safe and convenient public pedestrian access is provided through the land as shown on the Concept Plan to connect Kororoit Creek Road to the Bay Trail.

6.0 Contaminated land

Before a residential use commences or before the construction or carrying out of buildings and works in association with a residential use commences on the land, the application must provide to the responsible authority a certificate of environmental audit issued for the sensitive use of the land in accordance with Section 57AA of the Environment Protection Act 1970.

7.0 Advertising signs

Category 4 of Clause 52.05 will be used to consider any proposal for signage located within 20m from the foreshore.

Category 3 of Clause 52.05 applies to the remainder of the site.

Any illuminated signage on the land should be shielded from the Jawbone Reserve.

37.03 URBAN FLOODWAY ZONE19/01/2006
VC37Shown on the planning scheme map as **UFZ**.**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 waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

37.03-1 Table of uses**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Extensive animal husbandry	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Natural Systems	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19

Section 2 - Permit required

USE	CONDITION
Agriculture (other than Apiculture and Extensive animal husbandry)	
Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility and Motor racing track)	

USE	CONDITION
Mineral, stone or soil extraction (other than Mineral exploration, Mining and Search for stone)	
Road	
Utility Installation (other than Telecommunications facility)	

Section 3 - Prohibited

USE
Indoor recreation facility
Motor racing track
Any use not in Section 1 or 2

37.03-2 Buildings and works

A permit is required to construct a building or construct or carry out works, including a fence and roadworks.

This does not apply to:

- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
 - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
 - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

37.03-3 Subdivision

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

37.03-4 Application requirements

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

Flood risk report

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:

- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on environmental values such as natural habitats, stream stability, erosion, water quality and sites of scientific significance.

37.03-5 Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

37.03-6 Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.

37.03-7 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 4 unless a schedule to this zone specifies a different category.

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.

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SCHEDULE TO THE URBAN FLOODWAY ZONE

Land	Advertising Sign Category
None specified	None specified



Overlays

4019/01/2006
VC37**OVERLAYS**

This section sets out the overlays which apply in this scheme.

4119/01/2006
VC37**OPERATION OF OVERLAYS**

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.

43 HERITAGE AND BUILT FORM OVERLAYS

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43.01 HERITAGE OVERLAY19/01/2006
VC37

Shown on the planning scheme map as **HO** 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 conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

43.01-1 Permit requirement

A permit is required to:

- Subdivide or consolidate land.
- Demolish or remove a building.
- Construct a building.
- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or carry out works.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay identifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay identifies the heritage place as one where internal alteration controls apply.
- Remove, destroy, prune or lop a tree if the schedule to this overlay identifies the heritage place as one where tree controls apply. This does not apply:
 - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
 - If the tree presents an immediate risk of personal injury or damage to property

The construction of a building or the construction or carrying out of works includes a fence, a domestic rainwater tank, roadworks and street furniture other than traffic signals, traffic signs, fire hydrants, parking meters or post boxes.

43.01-2 No permit required

No permit is required for:

- Repairs or routine maintenance which do not change the appearance of a heritage place. The repairs must be undertaken to the same details, specifications and materials.
- Anything done in accordance with an incorporated plan specified in a schedule to this overlay.

43.01-3 Victorian Heritage Register

No permit is required under this overlay to develop a heritage place identified in the schedule to this overlay as a place which is included on the Victorian Heritage Register if either:

- A permit for the development has been granted under the Heritage Act 1995.
- The development is exempt under Section 66 of the Heritage Act 1995.

43.01-4 Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, shed or similar structure) unless the outbuilding is identified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is identified in the schedule to this overlay.
- External alteration of a building if the alteration does not adversely affect the natural or cultural significance of the heritage place.
- External painting of a building.
- Construction of a fence.
- Construction of a carport, garage, pergola, shed or similar structure.
- Construction of a vehicle cross-over.
- Construction of a swimming pool.
- Construction of a tennis court.
- Construction or display of a sign.
- Pruning of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.

43.01-5 Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

-
- Whether the proposed subdivision or consolidation will adversely affect the significance of the heritage place.
 - Whether the proposed subdivision or consolidation may result in development which will adversely affect the significance, character or appearance of the heritage place.
 - Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
 - Whether the pruning, lopping or development will adversely affect the health, appearance or significance of the tree.

43.01-6 Use of a heritage place

A permit may be granted to use a heritage place for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay identifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

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

- The views of the Heritage Council if the heritage place is included on the Victorian Heritage Register and is subject to the requirements of the Heritage Act 1995.
- The effect of the use on the amenity of the area.

43.01-7 Aboriginal heritage places

A heritage place identified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the Archaeological and Aboriginal Relics Preservation Act 1972 and the Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984.

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.

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SCHEDULE TO THE HERITAGE OVERLAY

The requirements of this overlay apply to both the heritage place and its associated lands.

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
	Heritage Precincts								
HO28	<i>Cecil Street Precinct</i> Cecil Street, Williamstown	Yes	No	Yes – Street trees only	No	No	No		No
HO37	<i>Electra Street Precinct</i> Electra Street, Williamstown	Yes	No	Yes – Street trees only	No	No	No		No
HO44	<i>Esplanade Foreshore & Landscape Precinct</i> Esplanade, Williamstown	No	No	Yes	Yes	No	No		No
HO113	<i>Halls Farm & Grindley's Estate Precinct</i> 2-52 Collingwood Road and 2-40 Tait Street (even only), 313-353 Douglas Parade, 1-91 & 2-94 Elphin Street, 1-85 & 2-116 Farm Street, 23-117 Hall Street, 1-107 & 72-102 Hobson Street, 2-66 & 3-81 Home Road, 1-113 & 2-110 River Street, Newport	No	No	No	No	No	No		No
HO52	<i>Hanmer Street Precinct</i> Hanmer Street, Williamstown	Yes	No	Yes – Street trees only	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO103	<i>Housing Commission of Victoria Champion Road Estate Precinct</i> Park Crescent, Gem Street, Edina Street, and Cerberus Crescent North Williamstown	No	No	Yes – Street trees only	No	No	No		No
HO115	<i>Housing Commission of Victoria West Newport Estate Precinct</i> 2-28 Fowler Crescent, 102-104, 124 & 103-117 Champion Road, 16-32 Challis Street, 134-154 Market Street, 21-23 Melrose Street, and 11-29 (south side) Crocker Street, Newport.	No	No	No	Yes	No	No		No
HO170	<i>Newport Civic and Commercial Precinct</i> Hall and Mason Streets, and Melbourne Road, Newport	No	No	No	No	No	No		No
HO171	<i>Newport Estate Residential Precinct</i> Agg Street [All], 81-93 Mason Street, 21-37 Mirils Street, 9 & 22-24 Newcastle Street, 2-14 & 1-15 Oxford Street, 5-13 Ross Street, 30-56 & 31-57 Schutt Street, and 35-75 & 36-82 Speight Street, Newport	No	No	No	No	No	No		No
HO68	<i>Nelson Place Precinct</i> Nelson Place, Williamstown	Yes	No	Yes – Street trees only	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO22	<i>Newport - Williamstown Precinct</i>	Yes	No	No	No	No	No	Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003	No
HO82	<i>Power Street Precinct</i> Power Street, Williamstown	Yes	No	Yes – Street trees only	No	No	No		No
HO132	<i>Solomit or straw houses Precinct</i> 169-175 Maidstone Street, Altona	No	No	No	No	No	No		No
HO101	<i>Spotswood Residential Precinct</i> 1-23 & 6-26 George Street, 1-13 Hope Street, 2 McLister Street, 49-59 [west side only] Robert Street, and 35-43 The Avenue, Spotswood	No	No	No	No	No	No		No
HO93	<i>Verdon Street Precinct</i> Verdon Street, Williamstown	Yes	No	Yes – Street trees only	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
	Heritage Places								
HO23	<i>Bluestone house</i> 25 Albert Street Williamstown	Yes	No	Yes	No	No	No		No
HO97	<i>The Pines scout camp reserve, entrance gates, archway, plus Aleppo and stone pines</i> Altona Road, Altona	Yes	No	Yes	No	No	No		No
HO98	<i>Stone pitched road or paved yard</i> Altona Road, Altona	No	No	No	No	No	No		No
HO24	<i>Former Electricity Supply Department</i> 6 Bath Place & Wellington Parade, Williamstown	Yes	No	No	Yes	No	No		No
HO19	<i>The Timeball Tower</i> 6-18 Battery Road Williamstown	-	-	-	-	Yes Ref No H1649	No	Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003	No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO161	<i>Former Melbourne Glass Bottle Works complex [ACI Australia]</i> Booker Street, Douglas Parade Hudsons Road, Raleigh Street, and Simcock Avenue Spotswood	No	No	No	No	No	No		No
HO25	<i>Two Riveted Construction Oil Storage Tanks, NP7 & NP6 [Part former COR complex]</i> Burleigh Street, Spotswood	No	No	No	No	No	No		No
HO26	<i>6 Riveted Oil Tanks [Part Shell Oil complex]</i> Burleigh Street, Spotswood	No	No	No	No	No	No		No
HO27	<i>Shell Oil Packaging Stores</i> Burleigh Street, Spotswood	No	No	No	No	No	No		No
HO29	<i>St. Andrews Presbyterian Church</i> 85-89 Cecil Street, Williamstown	Yes	Yes	No	No	No	No		No
HO2	<i>Williamstown State School No. 1183</i> 105-119 Cecil Street, Williamstown	-	-	-	-	Yes Ref H1639	No		No
HO30	<i>St Mary's Catholic Church</i> 116 Cecil Street, Williamstown	Yes	Yes	No	No	No	No		No
HO3	<i>Newport Railway Workshops</i> 2-78 Champion Road, Newport	-	-	-	-	Yes Ref No H1000	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO104	<i>'Clifton'</i> 13 Champion Road, Williamstown North	No	No	No	No	No	No		No
HO33	<i>Former Newport Railway Workshops Manager's Residence</i> 57 Champion Road, Williamstown North	-	-	-	-	Yes Ref No H1839	No		No
HO34	<i>Former Newport Railway Workshops Deputy Manager's Residence</i> 59 Champion Road, Williamstown North	-	-	-	-	Yes Ref No H1840	No		No
HO31	<i>Williamstown Cemetery</i> 89 Champion Road, Williamstown North	-	-	-	-	Yes Ref No H1837	No		No
HO35	<i>Altona Municipal Complex</i> 115 Civic Parade, Altona	Yes	Yes	No	No	No	No		No
HO105	<i>House & Garden</i> 176 Civic Parade, Altona.	No	No	Yes	No	No	No		No
HO36	<i>House</i> 52 Cole Street, Williamstown	Yes	No	Yes	No	No	No		No
HO4	<i>House</i> 11 Cox's Gardens, Williamstown	-	-	-	-	Yes Ref No H487	No		No
HO5	<i>St. Helliars</i> 12 Cox's Gardens, Williamstown	-	-	-	-	Yes Ref No H560	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO6	<i>MMBW Pumping Station</i> Douglas Parade, Spotswood	-	-	-	-	Yes Ref H1555	No		No
HO109	<i>Former Newport Power Station Gatehouse and Canary Island Palms</i> Douglas Parade, Newport	No	No	Yes	No	No	No		No
HO1	<i>Prince Albert Hotel</i> 147 Douglas Parade Williamstown	-	-	-	-	Yes Ref No H1793	No		No
HO110	<i>BP Australia complex and Canary Island palm</i> 431 Douglas Parade, Spotswood	No	No	Yes	No	No	Yes		No
HO43	<i>Bills Horse Water Trough</i> Electra Street, Williamstown	Yes	No	No	No	No	No		No
HO38	<i>Mechanics Institute</i> 9-17 Electra Street, Williamstown	Yes	Yes	No	No	No	No		No
HO39	<i>Masonic Hall</i> 21-25 Electra Street, Williamstown	Yes	Yes	No	No	No	No		No
HO40	<i>Former Wesleyan Manse</i> 34 Electra Street, Williamstown	Yes	Yes	No	No	No	No		No
HO41	<i>Former Wesleyan Hall</i> 34 Electra Street, Williamstown	Yes	Yes	No	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO42	<i>Former St. John's Wesleyan Church</i> 36 Electra Street, Williamstown	Yes	Yes	No	No	No	No		No
HO7	<i>Former Dressing Pavilion,</i> Esplanade, Williamstown	-	-	-	-	Yes Ref No H927	No		No
HO71	<i>War Memorial</i> Intersection of Ferguson Street & Nelson Place, Williamstown	Yes	No	No	No	No	No		No
HO47	<i>Drinking Fountain</i> Town Hall, Ferguson Street, Williamstown	Yes	Yes	No	No	No	No		No
HO48	<i>Williamstown Municipal Offices and Town Hall</i> 110-112 Ferguson Street Williamstown	Yes	Yes	No	No	No	No		No
HO114	<i>Attached houses and six Washingtonia palms</i> 6-8 Florence Street, Williamstown North	No	No	Yes	No	No	No		No
HO116	<i>Former Vacuum Oil Company Ltd complex</i> Francis Street, Yarraville	No	No	Yes – Canary Island Palm only	No	No	No		No
HO74	<i>Newport Railway Station complex</i> Hall Street & Melbourne Road, Newport	Yes	Yes	No	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO85	<i>Spotswood Railway Station complex</i> Hall & Hope Streets, Spotswood	Yes	Yes	No	No	No	No		No
HO87	<i>Railway Signal Box</i> Hall Street & Hudsons Road Spotswood	Yes	Yes	No	No	No	No		No
HO119	<i>Former W. Goetz & Sons Ltd offices and factory complex</i> 140 Hall Street, Newport	No	No	No	No	No	NO		No
HO49	<i>RVB Engineering Works, former Bickford Engineering</i> 150 Hall Street, Spotswood	Yes	No	No	No	No	No		No
HO50	<i>'Alloa'</i> 168 Hall Street, Spotswood	Yes	No	Yes	No	No	No		No
HO51	<i>House</i> 184 Hall Street, Spotswood	Yes	No	Yes	No	No	No		No
HO125	<i>Spottiswoode Hotel</i> 202 Hall Street, Spotswood	No	No	No	No	No	No		No
HO96	<i>Former T Robinson and Co.</i>	-	-	-	-	Yes Ref No H958	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO8	<i>Williamstown Railway Station complex</i> Hanmer Street, Williamstown	-	-	-	-	Yes Ref H1599	No	Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003	No
HO53	<i>House</i> 6 Hanmer Street, Williamstown	Yes	Yes	Yes	No	No	No		No
HO160	<i>Hugh Lennon Agricultural Implement complex [part]</i> Hudson's Road [Between Raleigh & Hall Streets] Spotswood	No	No	No	No	No	No		No
HO126	<i>Former State Savings Bank</i> 96 Hudson's Road, Spotswood	No	No	No	No	No	No		No
HO128	<i>House</i> 8 Junction Street, Newport	No	No	No	No	No	No		No
HO129	<i>Former Laverton State School No. 2857</i> Kiora Street, Laverton	No	No	No	No	No	Yes		No
HO54	<i>Former Rifle Range Pavilion</i> 81-85 Kororoit Creek Road, Williamstown	Yes	No	No	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO102	<i>Former Gilbertson's meat processing complex & quarry</i> 65-75 Kyle Road, Altona	No	No	No	No	No	No		No
HO56	<i>House</i> 16 Latrobe Street, Newport	Yes	No	Yes	Yes (Fence)	No	No		No
HO57	<i>Dennis Reserve</i> Lyons Street, Williamstown	No	No	Yes	No	No	No		No
HO58	<i>Coronation Lamp,</i> Dennis Reserve Lyons Street, Williamstown	Yes	No	No	No	No	No		No
HO9	<i>Former Presbyterian Manse</i> 27 Lyons Street, Williamstown	-	-	-	-	Yes Ref No H229	No		No
HO143	<i>Victorian Railways Stores Branch administrative complex and trees</i> McLister Street, Spotswood	No	No	No	No	No	Yes		No
HO145	<i>Former WC Thomas and Sons Flour Mill</i> 1 McRobert Street, Newport	No	No	No	No	No	No		No
HO134	<i>Former Newport Quarry & trees [Newport Lakes]</i> Margaret Street, Newport	No	No	Yes	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO63	<i>House</i> 244 Melbourne Road, Newport	No	No	Yes	No	No	No		No
HO64	<i>Masonic Hall No.5925</i> 405 Melbourne Road, Newport	No	Yes	No	No	No	No		No
HO144	<i>House</i> 471 Melbourne Road, Newport	No	No	No	No	No	No		No
HO65	<i>House</i> 481 Melbourne Road, Newport	Yes	No	No	No	No	No		No
HO66	<i>Loft's Blacksmiths</i> 521 Melbourne Road, Newport	Yes	No	No	No	No	No		No
HO86	<i>Former Spotswood Railway Workshops (part) & trees</i> 561-569 Melbourne Road, Spotswood	Yes	Yes	Yes	No	No	No		No
HO131	<i>Melbourne-Geelong Railway bridge and stone ford over the Laverton Creek</i> Near Merton Street, Altona	Yes	No	No	No	No	No		No
HO149	<i>Mobil Refining Australia offices and refinery complex [Former Standard Vacuum Refining Company (Australia) Ltd]</i> Millers Road, Altona	No	No	No	No	No	Yes		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO169	<i>MMBW Main Outfall Sewer</i> Millers Road to Princes Highway, Brooklyn	-	-	-	-	Yes Ref No H1932	No		No
HO147	<i>MMBW pumping station</i> 89 Millers Road, Brooklyn	No	No	No	No	No	No		No
HO67	<i>Bluestone Wall</i> Between 8 & 10 Twyford Street, Williamstown.	No	No	No	No	No	No		No
HO10	<i>Fort Gellibrand</i> Morris Street, Williamstown	-	-	-	-	Yes Ref No H1811	No	Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003	No
HO70	<i>Street lamps</i> Nelson Place between Ferguson and Pasco Streets	Yes	No	No	No	No	No		No
HO72	<i>Wrought iron guard rails & stone kerb, channel and culvert</i> Corner Nelson Place with Cole, Parker & Thompson Streets, Williamstown	Yes	No	No	No	No	No		No
HO11	<i>Former Royal Hotel</i> 85 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H1770	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO12	<i>Former Bank of Australasia</i> 189 Nelson Place, Williamstown	-	-	-	-	Yes Ref No 1769	No		No
HO73	<i>Former Commercial Bank Of Australia</i> 195 Nelson Place, Williamstown	Yes	Yes	No	No	No	No		No
HO13	<i>Former Williamstown Advertiser building,</i> 205 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H865	No		No
HO14	<i>Former Clarendon Hotel</i> 231 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H231	No		No
HO15	<i>Holy Trinity Church of England and residence</i> 255 Nelson Place, Williamstown	-	-	-	-	Yes Ref H1734	No		No
HO16	<i>Former Customs House</i> 128 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H894	No		No
HO17	<i>Alfred Graving Dock</i> Dockyard, Nelson Place, Williamstown	-	-	-	-	Yes Ref No H697	No		No
HO75	<i>St Josephs Catholic Presbytery & Convent</i> 9 Newcastle Street, Newport	No	No	No	No	No	No		No
HO150	<i>Sacred Heart Catholic Church and School</i> 22 Newcastle Street, Newport	No	Yes – Church only	No	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO151	<i>Former Newport Coffee Palace</i> 24 Newcastle Street, Newport	No	No	No	No	No	No		No
HO76	<i>Post Box</i> Cnr. North Road & Douglas Parade, Williamstown	Yes	No	No	No	No	No		No
HO21	<i>Williamstown Botanical Gardens</i> Osborne Street, Williamstown	-	-	-	-	Yes Ref No H1803	No		No
HO77	<i>House</i> 54 Osborne Street, Williamstown	Yes	Yes	No	No	No	No		No
HO78	<i>Manchester Unity Independent Order of Odd Fellows Hal [former]</i> 26 Pasco Street, Williamstown	Yes	Yes	No	No	No	No		No
HO79	<i>Tudor House</i> 52-54 Pasco Street, Williamstown	-	-	-	-	Yes Ref No H1857	No		No
HO81	<i>Altona Pier</i> Pier Street and The Esplanade, Altona	No	No	No	No	No	No		No
HO152	<i>Finnish Hall [Former Red Robin Hosiery factory]</i> 119 Pier Street, Altona	No	No	No	No	No	No		No
HO155	<i>Former Cheetham Salt Works [part]</i> Point Cook Road, Laverton	No	No	Yes	Yes	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO165	<i>Seaholme Railway Station complex and trees</i> Station Street, Seaholme	Yes	No	Yes	No	No	No		No
HO166	<i>Part of McKenzie and Holland Pty Ltd complex [former]</i> 41-59 Stephenson Street, South Kingsville	No	No	No	No	No	Yes		No
HO88	<i>Former Congregational Church [former]</i> 57 Stevedore Street, Williamstown	Yes	Yes	Yes	No	No	No		No
HO89	<i>Row houses</i> 10-11 The Strand, Williamstown	Yes	No	Yes	No	No	No		No
HO20	<i>Mandalay [Former Abberton House]</i> 24 The Strand, Williamstown	-	-	-	-	Yes Ref No H232	No		No
HO90	<i>House</i> 53 The Strand, Newport	Yes	No	Yes	No	No	No		No
HO91	<i>House</i> 63 The Strand, Williamstown	Yes	No	Yes	No	No	No		No
HO92	<i>Thompson Street Railway Bridge</i> Thompson Street, Williamstown	Yes	No	No	No	No	No		No
HO18	<i>Bridge Hotel [former]</i> 72 Thompson Street, Williamstown	-	-	-	-	Yes Ref No H1792	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Are there out-buildings or fences which are not exempt under Clause 43.01-4?	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal Heritage Place?
HO130	<i>Former Commonwealth Oil Refinery administrative office and tramway bridge over Kororoit Creek</i> 32-54 Toll Drive, Altona North	No	No	No	No	No	No		No
HO168	<i>Altona Primary School 3923 complex and trees (poplars and sugar gums)</i> Upton Street, Altona	No	No	Yes	No	No	No		No
HO94	<i>House</i> 80 Victoria Street, Williamstown	Yes	Yes	No	No	No	No		No
HO95	<i>House</i> 115 Victoria Street, Williamstown	Yes	No	Yes	Yes	No	No		No

43.02 DESIGN AND DEVELOPMENT OVERLAY19/01/2006
VC37

Shown on the planning scheme map as **DDO** 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 are affected by specific requirements relating to the design and built form of new development.

43.02-1 Design objectives

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

43.02-2 Buildings and works**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
 - If a schedule to this overlay specifically states that a permit is not required.
 - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.
- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

43.02-3 Subdivision**Permit requirement**

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

43.02-4 Advertising signs

Advertising sign controls are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5 Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

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.

19/01/2006
VC37

SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**

WESTGATE BRIDGE APPROACHES

1.0 Design objective

To ensure the adequate safety and amenity of the West Gate Bridge and its approach viaducts, motorists using the bridge and nearby properties.

2.0 Buildings and works

A permit is required for a building or works within 46 metres of the Road Zone - Category 1 between Hyde Street and Hall Street.

3.0 Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The possible risk of any damage from fire both to buildings and works on the land and to structures and works constructed on the Road Zone - Category 1.
- The views of the Roads Corporation.

19/01/2006
VC37

SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**

BIRMINGHAM STREET AREA

1.0 Design objective

To ensure that development enhances the amenity of Melbourne Road and the residential area along Birmingham Street.

2.0 Buildings and works

All buildings and works, except those to be used for accommodation purposes, should be set back at least 20 metres from Birmingham Street.

All buildings and works should be set back at least 9 metres from Melbourne Road, except for vehicle and pedestrian access ways to Melbourne Road.

The set back area shall be landscaped and maintained in accordance with a landscaping plan approved by the responsible authority.

No vehicle access or egress driveways shall be constructed to Birmingham Street except:

- those required for emergency purposes; and
- those required for access to a residential development.

No accommodation shall be constructed so that any part of a dwelling or its private open space is within 30 metres of an industrial zone.

No tree shall be removed without the consent of the responsible authority.

3.0 Decision guidelines

Before deciding on an application the responsible authority must consider:

- The effect of the development on existing vegetation on the site.
- The proximity of any residential component to the adjoining industrial zone.

19/01/2006
VC37

SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3**

65 Nelson Place, Williamstown

1.0 Design objectives

To provide design and development guidelines for 65 Nelson Place.

To encourage well designed medium density residential development.

To encourage development that complements the character of the heritage precinct, including form, mass and elevation treatment of the development.

To ensure that new development does not adversely affect the significance of a heritage place.

2.0 Buildings and works

- Car parking should be provided at a rate of at least one parking space per 1 bedroom apartment and 2 parking spaces per 2/3 bedroom apartment.
- The development should provide a well controlled single entry/access for vehicles on Ann Street.
- The development should provide safe pedestrian access from each street frontage. Safe access is to be provided to the car parking area.
- The development should be suitably articulated to emphasise vertical elements and separate dwellings.
- The development should ensure that overlooking is managed (both within and without the site) through careful design treatment.
- The development must ensure there is adequate management and treatment of waste disposal and pick up for each unit on site.
- Before a revised development plan is approved, a Section 173 agreement should be executed whereby the owner of the land agrees to undertake an archaeological survey and photographic record of significant relics and structures prior to commencement of the buildings and works.
- Before a revised development plan is approved, a Section 173 agreement should be executed whereby the owner of the land agrees to a specific apportionment of development contribution costs.

3.0 Decision guidelines

Before deciding on an application, the Responsible Authority must consider:-

- The compliance with the permit requirements.
- Any applicable heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposal will adversely affect the significance of the former Royal Hotel, the Nelson Place Conservation Precinct and any heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the former Royal Hotel.

- Whether the proposed works will adversely affect the significance, character or appearance of the former Royal Hotel.
- Whether proposed signage will adversely affect the significance, character or appearance of the heritage place.

19/01/2006
VC37

SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4**

FORESHORE HEIGHT LIMITATION

1.0 Design objectives

To protect and enhance the environment of the Hobsons Bay foreshore as an environmental, conservation and recreational asset of State, metropolitan and local significance.

To ensure that the height, scale, bulk, setback and appearance of new development is compatible with the prevailing character of the area.

To achieve development that is a high quality architectural and urban design standard.

To preserve solar access to the foreshore, including associated roadways, bicycle and pedestrian paths.

To protect and enhance key views and vistas.

To protect the foreshore reserve and significant public open spaces from inappropriate development.

2.0 Buildings and works

Building Height

A permit may not be granted to construct a building or to construct or carry out works exceeding a height of two storeys.

The height of a building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

3.0 Decision guidelines

Before deciding on an application the responsible authority must consider, as appropriate:

- Whether any increase in size and scale above that of surrounding buildings is to an increment that can be absorbed by the character of the neighbourhood.
- Whether the development is positioned on the site to characteristics that predominate in the neighbourhood.
- How the development replicates or interprets the broad forms (such as span, shape, arrangement of ridges, use of gables or hips), pitch and eaves details of roofs that predominate in the neighbourhood.
- Whether the development integrates into the design treatment of the walls and elevations – particularly the height of the eaves – the typical floor-to-ceiling heights found in the neighbourhood.
- Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.

-
- How the development relates the front garden and fence treatments to its surroundings.
 - Whether the development builds in the dominant waterfront style with a contemporary interpretation.
 - Whether the application incorporates existing building forms that contribute to a seaside character.
 - Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, ballustrades and gable ends.
 - Whether any increase in height from an adjoining property provides a transition from the lower.
 - Whether the height of any new development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual bulk and wind tunnelling.
 - Whether views of garages and carports from the front are minimised.
 - Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.
 - That the height of new development is not to result in amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.
 - Whether the overshadowing of public spaces is minimised.

19/01/2006
VC37

SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO5**

NEWPORT LAKES RESIDENTIAL DEVELOPMENT

1.0 Design objectives

The design objectives for the area are:

- To minimise the visual impact of any new development to preserve the general amenity of the park, particularly the unique landscape qualities of Newport Lakes parkland which create a strong sense of enclosure, association and a feel of seclusion and removal from the surrounding urban fabric.
- To ensure that enjoyment of the public park is not diminished by overlooking from any new development.
- To respond to existing significant views from within and around the parklands.
- To ensure new development on the site that is opposite or nearby established residential areas, respects the form, scale and character of the existing residential development in those areas.
- To ensure the use and development of the site is compatible with the industry on the abutting site.

Specific Design Objectives

- To ensure that any buildings and works do not interrupt the escarpment line as viewed from the north and south lakes areas within the parklands.
- To ensure that residents of any proposed residential development are aware that noise attenuation measures have been undertaken to minimise conflict with adjacent industrial activities.
- To ensure that any development on the site makes provision to protect residential users from noise emanating from industrial properties on the adjoining or nearby land.
- To ensure that any new residential development on the site includes appropriate acoustic or other measures to attenuate industrial noise generated by the abutting industrial property both within the residences and the external living areas.

2.0 Buildings and works

No buildings are to interrupt the escarpment line as viewed from the north and south lakes areas within the parklands.

Buildings are to respect the form, character, scale, front setbacks and front boundary treatments of nearby residential developments in Johnston Street.

Buildings and works are to include adequate separation from the parkland with landscape treatment within the setback that respects the existing vegetation in the parkland.

3.0 Decision guidelines

Before deciding on an application the responsible authority must consider:

-
- The form, scale, bulk, design and external finishes and materials of any buildings and works and the extent to which these respond to the context of the site.
 - The extent to which the significant views from within the Newport Lakes parklands are retained and enhanced.
 - The landscaping treatment along parkland boundary and the extent to which it responds to the existing vegetation in the parkland.
 - The proximity of any residential component to the adjoining industrial zone and use.
 - Whether the development is designed and constructed to include noise attenuation measures such as acoustic fencing, double glazing or other acoustic techniques.
 - Whether a report from an appropriately qualified acoustic engineer indicates how the building is designed in such a way that when built, the internal noise level implied under the State Environment Protection Policy (Consent of Noise from Commerce Industry and Trade) No. N-1 are achieved.
 - Whether a signed report provided by a qualified acoustic engineer certifies upon the completion of the residential development that each residence complies with the internal noise level implied under N-1.
 - Whether a suitable noise environment can be achieved by adoption of appropriate distance separation from industry noise or by the siting and design of dwellings including habitable rooms, windows, private open space and garages.

19/01/2006
VC37

SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8**

FORESHORE HEIGHT LIMITATION – MILL LANE AND GARDEN STREET; NELSON PLACE; FERGUSON STREET BETWEEN NELSON PLACE AND THE STRAND, JAMES AND AITKEN STREETS; AND RIFLE RANGE ESTATE

1.0 Design objectives

To protect and enhance the environment of the Hobsons Bay foreshore as a environmental, conservation and recreation asset of State, metropolitan and local significance.

To ensure that the height, scale, bulk, setback and appearance of new development is compatible with the prevailing character of the area.

To achieve development that is a high quality architectural and urban design standard.

To preserve solar access to the foreshore, including associated roadways, bicycle and pedestrian paths.

To protect and enhance key views and vistas.

To protect the foreshore reserve and significant public open spaces from inappropriate development

2.0 Buildings and works

Building Height

A building should not be constructed or works carried to exceed the preferred maximum building height level specified in the Table to this Schedule. Any proposal to exceed the preferred maximum building height must demonstrate how the proposal achieves the design objectives and outcomes specified in this Schedule. A building must not be constructed and work must not be carried out so as to exceed the maximum building height specified in the table to the schedule.

A permit may not be granted to exceed the maximum building height specified in the table to this schedule.

The height of a building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

Any basement, which projects above this level is classified as a storey. Basements wholly below the natural surface level are not included in the calculation of the number of storeys.

Roof and other ancillary works may exceed the maximum building height.

Table to Schedule 8

AREA	PREFERRED MAXIMUM BUILDING HEIGHT	MAXIMUM BUILDING HEIGHT	OUTCOMES
DDO8 (Mill Lane and Garden Street) (Nelson Place) (Ferguson Street between Nelson Place and the Strand and James Street and Aitken Street) (Rifle Range Estate)	2 storeys	3 storeys	<p>To allow for higher development similar in height to the adjoining properties without dominating the scale and setting of the street and foreshore.</p> <p>To express a gradual transition in scale from the adjoining properties, and to ensure that any increase in size and scale above that is an increment that can be absorbed by the character of the neighbourhood.</p> <p>To ensure that buildings and works adjoining heritage listed places relate to and be recessive to the listed place.</p> <p>To ensure that space is provided at the front and rear of the site for the planting of one substantial tree in each area.</p> <p>To ensure that car parking facilities are not a dominant feature when viewed from the streetscape.</p>

3.0 Decision guidelines

Before deciding on an application the responsible authority must consider, as appropriate:

- Whether the development is positioned on the site to characteristics that predominate in the neighbourhood.
- How the development replicates or interprets the broad forms (such as span, shape, arrangement of ridges, use of gables or hips, pitch and eaves details of roofs) that predominate in the neighbourhood.
- Whether the development integrates into the design treatment of the walls and elevations – particularly the height of the eaves – the typical floor-to-ceiling heights found in the neighbourhood.
- Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.
- How the development relates the front garden and fence treatments to its surroundings.

-
- Whether the development is built in the dominant waterfront style with a contemporary interpretation.
 - Whether the application incorporates existing building forms that contribute to a seaside character.
 - Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, balustrades and gable ends.
 - Whether any increase in height from an adjoining property provides a transition from the lower.
 - Whether the height of any new development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual bulk and wind tunnelling.
 - Whether views of garages and carports from the front are minimised.
 - Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.
 - That the height of new development is not to result in amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.
 - Whether the overshadowing of public spaces is minimised.
 - Whether the proposal is consistent with the principles of the Hobsons Bay Neighbourhood Character Study Build Form Guidelines Supplement Waterfront Residential Areas February 1999

19/01/2006
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SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO9**

MASON STREET, NEWPORT – RESIDENTIAL DEVELOPMENT ADJOINING NEWPORT LAKES RESERVE

1.0 Design objectives

The design objectives for the area are:

- To encourage development of a concept plan for the whole area that promotes, cohesion between the parts, visual and physical linkages, landscaping consistent with the landscaping theme of the Newport Lakes Reserve, active frontages to external and internal street network.
- To ensure that the design and siting of buildings, including form, bulk, choice of materials and colours minimises the visual impact on the adjoining Newport Lakes Reserve.
- To encourage the layout of new development that maintains and enhances views from Mason Street to the Newport Lakes Reserve.
- To ensure that any development does not interrupt the escarpment line as viewed from the north and south lakes areas within the Newport Lakes Reserve.
- To ensure that any development makes provision to protect residential users from noise emanating from industrial or non-residential properties on the adjoining or nearby land.
- To ensure that the staged transition of this industrial area to residential use is managed in a manner that minimises impact on the existing/ongoing industries, Newport Lakes Reserve and the surrounding residential areas.

2.0 Buildings and works

- No buildings are to interrupt the escarpment line as viewed from the north and south lakes areas within the Newport Lakes Reserve other than a view substantially softened by landscaping.
- Buildings are to respect the form, character, scale, front setbacks and front boundary treatments of nearby residential developments in Johnston Street and Mason Street.
- Buildings and works are to include adequate separation from the parkland with landscape treatment within the setback that respects the existing vegetation in the Newport Lakes Reserve.

3.0 Decision guidelines

Before deciding on an application the responsible authority must consider:

- Whether a concept plan has been developed for the area.
- Whether the design and siting of any residential development will result in the imposition of unreasonable development constraints on the remaining industrial sites and any future residential use.
- Whether a suitable noise environment can be achieved by adoption of appropriate distance separation from industry noise or by the siting and design of dwellings including habitable rooms, windows, private open space and garages.

-
- Whether the development is designed and constructed to include noise attenuation measures such as acoustic fencing, double glazing, and if these are temporary, the approach to removing and/or replacing them.
 - Whether the development complies with the minimum internal noise levels implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1.
 - The need for safe and attractive pedestrian linkages between development sites and the Newport Lakes Reserve.
 - Whether the proposal is accompanied by a landscaping plan (including uniform nature-strip planting, street tree species, other landscaping features, pedestrian, cycle and vehicular pavement materials and surfaces, street furniture such as lighting, bollards and seating) and is consistent with the landscaping theme in the Newport Lakes Reserve.
 - Whether development proposals allow for an open visual and physical interface between residential areas and the Newport Lakes Reserve.
 - Whether views from Mason Street to the Newport Lakes Reserve have been enhanced by the design of proposed development.
 - Whether any development proposal includes measures to protect the vegetation in the Newport Lakes Reserve along the boundary.
 - The fencing along the Newport Lakes Reserve boundary and the extent to which it promotes visual permeability.
 - The form, scale, bulk, design and external finishes and materials of any buildings and works and the extent to which these respond to the context of the site.
 - The volume and nature of additional vehicle movements, as quantified and assessed as part of a traffic impact assessment, and whether the impact of these on existing traffic arrangements (including roads, intersections, traffic situations, pedestrian and cycle paths) is safe, and that measures have been taken to reduce impacts on safety.
 - Whether a Section 173 Agreement is to be entered into requiring the owner of 132-136 Mason Street, Newport to include a clause in any Contract of Sale for the land (or part of the land) and in any lease of the land (or part of the land) to the following effect:

“This land is in close proximity to nearby industrial land in Mason Street, Newport and may be affected by noise or other amenity impacts associated with the operations and activities conducted on that land. The purchaser/lessee should be aware of these industrial uses and potential amenity impacts”.

Provision must be made for the Section 173 Agreements to sunset when the industrial sites at 100-122 Mason Street, Newport cease to be used for industrial purposes.
 - Whether a Section 173 Agreement is required to ensure a signed report provided by a qualified acoustic engineer certifies upon the completion of the residential development that each residence on the eastern boundary of the property 132-136 Mason Street, Newport complies with internal noise level implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1.

44 **LAND MANAGEMENT OVERLAYS**

19/01/2006
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44.04 LAND SUBJECT TO INUNDATION OVERLAY19/01/2006
VC37Shown on the planning scheme map as **LSIO 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 identify land in a flood storage or flood fringe area affected by the 1 to 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

44.04-1 Buildings and works

A permit is required to construct a building or to construct or carry out works, including a fence and roadworks.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
 - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
 - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

44.04-2 Subdivision

A permit is required to subdivide land.

44.04-3 Application requirements**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

44.04-4 Exemption from notice and review

An application under this overlay is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

44.04-5 Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

44.04-6 Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use of development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

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.

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SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO**

1.0 ***Permit requirement***

None Specified

44.05 SPECIAL BUILDING OVERLAY

19/01/2006
VC37

Shown on the planning scheme map as **SBO 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 identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

44.05-1 Buildings and works

A permit is required to construct a building or to construct or carry out works, including a fence and roadworks.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
 - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
 - The erection of telephone or power lines provided they do not involve the construction of towers or poles designed to operate at more than 66,000 volts.
- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To roadworks and associated works if this is limited to resurfacing the existing road or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an extension of less than 20 square metres in floor area to an existing building (not including an outbuilding), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an upper storey extension to an existing building.
- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.
- To an outbuilding (including replacement of an existing building) if the outbuilding is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To a replacement building (not including an outbuilding) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.

- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.
- To a replacement fence in the same location and of the same type and materials as the existing fence.
- To a pergola or an open deck area with unenclosed foundations.
- To a carport constructed over an existing carspace.
- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.
- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.
- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.
- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.
- To radio masts, light poles or advertising signs on posts or attached to buildings.

44-05.2 Subdivision

A permit is required to subdivide land.

44.05.3 Application requirements

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.
- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

44.05-4 Exemption from notice and review

An application under this overlay is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

44.05-5 Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

44.05-6 Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use of development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development.
- Flood risk factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

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.

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SCHEDULE TO THE SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as **SBO**

1.0 ***Permit requirement***

None Specified

45 OTHER OVERLAYS

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45.01 PUBLIC ACQUISITION OVERLAY

19/01/2006
VC37

Shown on the planning scheme map as **PAO** 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 land which is proposed to be acquired by a public authority.

To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.

45.01-1 Permit required

A permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
 - If the vegetation has been planted for pasture, timber production or any other crop.
 - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
 - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To a public authority responsible for acquiring the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To a public authority or a municipal council if the responsible authority, after consulting with the public authority responsible for acquiring the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

45.01-2 Exemption from notice and review

An application under this overlay is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

45.01-3 Referral of applications

An application must be referred under Section 55 of the Act to the authority responsible for acquiring the land.

45.01-4 Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material of a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

45.01-5 Land not to be spoiled or wasted

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

45.01-6 Reservation for public purpose

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the Planning and Environment Act 1987, the Land Acquisition and Compensation Act 1986 or any other act.

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.

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SCHEDULE TO THE PUBLIC ACQUISITION OVERLAY

PS Map	Acquisition Authority	Purpose of Acquisition
PA01	Vic Roads	Road
PA02	Hobsons Bay City Council	Municipal purposes

45.03 ENVIRONMENTAL AUDIT OVERLAY

19/01/2006
VC37

Shown on the planning scheme map as **EAO**

Purpose

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

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

45.03-1 Requirement

Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

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.



**Particular
Provisions**

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VC37**51 OPERATION OF PARTICULAR PROVISIONS**19/01/2006
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The requirements of these particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this scheme.

52 [no content]19/01/2006
VC37**52.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION**19/01/2006
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A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under Section 18 of the Subdivision Act 1988.

A public open space contribution may be made only once for any of the land to be subdivided. This does not apply to the subdivision of a building if a public open space requirement was not made under Section 569H of the Local Government Act 1958 or Section 21A of the Building Control Act 1981 when the building was constructed.

A subdivision is exempt from a public open space requirement, in accordance with Section 18(8)(a) of the Subdivision Act 1988, if:

- It is one of the following classes of subdivision:
 - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
 - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.
- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

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SCHEDULE TO CLAUSE 52.01

Type or location of subdivision	Amount of contribution for public open space
None specified	

52.02 EASEMENTS, RESTRICTIONS AND RESERVES19/01/2006
VC37

A permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 24A of the Subdivision Act 1988.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of that Act.

In this clause, **restriction** has the same meaning as in the Subdivision Act 1988.

Note: *Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.*

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SCHEDULE TO CLAUSE 52.02

1.0 Under Section 23 of the Subdivision Act 1988

Land	Easement or restriction	Requirement
None specified		

2.0 Under Section 24A of the Subdivision Act 1988

Land	Person	Action
None specified		

3.0 Under Section 36 of the Subdivision Act 1988

Land	Easement or right of way	Requirement
None specified		

52.03 SPECIFIC SITES AND EXCLUSIONS

19/01/2006
VC37

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

Use and development

Land identified in the schedule to this clause may be used and developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

Expiry of specific controls

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

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SCHEDULE TO CLAUSE 52.03

Address of land	Title of incorporated document
Land in Williamstown, Newport, Altona and Laverton as specified in the incorporate document.	Construction and Extension of One Dwelling on a Lot between 300m ² and 500m ² , 24 August 2001.

52.04 SATELLITE DISH

19/01/2006
VC37

Purpose

To provide an opportunity to consider the impact of a satellite dish attached to a building or structure listed in a schedule to the Heritage Overlay.

To provide an opportunity to consider the effect of a satellite dish on the amenity of residential areas.

Scope

This clause applies to:

- A building or structure listed in a schedule to the Heritage Overlay.
- Land in a Residential 1 Zone, Residential 2 Zone, Low Density Residential Zone, Mixed Use Zone or Township Zone.

Permit requirement

A permit is required to use land or to construct or install or carry out works for a satellite dish (whether or not it forms part of a network) even if it is ancillary to another use on the land.

This does not apply to a satellite dish with a diameter:

- Less than 1.2 metres.
- Between 1.2 metres and 2.4 metres if the dish is not visible from an adjoining property.

Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the effect of the satellite dish on the visual amenity of nearby land.

52.05 ADVERTISING SIGNS

19/01/2006
VC37

Purpose

To allow adequate and effective signs appropriate to each zone.

To provide for the orderly display of signs.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

52.05-1 Requirements

Advertising categories

Clauses 52.05-7 to 52.05-10 specify categories of advertising control. The zone provisions specify which category of advertising control applies to the zone.

A sign in Section 1 of the category may be displayed without a permit, but a condition opposite the sign must be met. If the condition is not met, the sign requires a permit unless specifically included in Section 3 as a sign that does not meet the Section 1 condition.

A sign in Section 2 may be displayed only with a permit and a condition opposite the sign must be met. If the condition is not met, the sign is prohibited.

A sign in Section 3 is prohibited and must not be displayed.

Some overlays require a permit for Section 1 signs.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Expiry of permit

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

52.05-2 Decision guidelines

Before deciding on an application to display a sign, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The effect of the sign on the amenity of the area including the need to avoid visual disorder or clutter of signs.
- The effect of the sign on the built environment or the landscape, with particular thought to its effect on any objects of scenic, historic, architectural, scientific or cultural interest.
- The need for identification and the opportunities for adequate identification on the site and nearby.
- The advertising pattern and theme in the area and the number of signs of the same type.
- The effect of the sign on existing signs.
- The size and likely impact of the sign having regard to the size of the premises on which it is to be displayed and the scale of surrounding buildings.
- The effect of the sign on the safety, warning and security of premises and public areas.

- The effect of the sign on the appearance and efficiency of a road, railway, waterway or other public way, having particular regard to the sign's colour, brightness and location.
- The views of the Roads Corporation if the sign is an animated, floodlit, internally-illuminated, panel, reflective or sky sign to be displayed within 60 metres of, or to project over, a freeway, state highway, metropolitan bridge or other road declared as a freeway or an arterial road under the Road Management Act 2004.

52.05-3 Signs not requiring a permit

A permit is not required to display the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign in a road reserve which gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign which promotes or provides information about the construction or operation of the Melbourne City Link Project or the South Eastern Arterial Grade Separations Project provided that it is displayed at the direction of a government department or agency. The sign must be removed upon the practical completion date of the project.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station for the information of people using the station.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the advertisement cannot be seen from nearby land.
- A sign with an advertisement area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally-illuminated sign.
- A sign inside a building that cannot generally be seen outside.
- A sign with an advertisement area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally-illuminated sign and it must be removed when the work is completed.
- A sign with an advertisement area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally-illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.
- A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.
- A sign with an advertisement area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally-illuminated sign and it must not be displayed longer than 3 months without a permit.
- A sign with an advertisement area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:

- The advertisement area to exceed 10 square metres if the sign concerns more than 20 lots.
- The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
- The sign to be displayed longer than 7 days after the sale date.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

52.05-4 Existing signs

A sign that was lawfully displayed on the approval date or that was being constructed on that date may be displayed or continue to be displayed and may be repaired and maintained.

A lawfully displayed advertisement may be renewed or replaced. However, a permit is required:

- To renew or replace the advertisement of an animated or internally-illuminated sign.
- If the advertisement area is to be increased.
- If the renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant advertising sign requirements.

52.05-5 Major promotion sign

Purpose

To achieve high quality visual standards for the siting of major promotion signs.

To ensure that the signs are not detrimental to the appearance of their surroundings or the safe and efficient operation of the route through the application of consistent planning controls.

Exemption from notice and review

An application for a major promotion sign is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82 (1) of the Act provided the sign:

- Is to be displayed within an area listed in the schedule to this clause.
- Meets any condition listed in the schedule to this clause.

Permit requirement

A permit for a major promotion sign must include conditions that specify:

- An expiry date, which is not less than 10 years or more than 25 years from the date of issue of the permit unless a local policy specifies a different expiry requirement.
- That the sign must not:
 - Dazzle or distract drivers due to its colouring.
 - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
 - Be able to be mistaken as an instruction to drivers.

A major promotion sign displayed in accordance with a permit granted between 19 September 1993, and 18 September 1997, may continue to be displayed until 18 September 2007.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect of the sign on road safety. A sign is a safety hazard if the sign:
 - Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.
 - Obstructs a driver's view of a traffic sign or signal, or is likely to create a confusing or dominating background which might reduce the clarity or effectiveness of a traffic sign or signal.
 - Could dazzle or distract drivers due to its size or design, or it being illuminated, animated or flashing.
 - Is at a location where particular driver concentration is required.
 - Is likely to be mistaken for a traffic signal, for example because it contains red, green or yellow lighting or has large reflective or illuminated arrows.
 - Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
 - Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is not time to signal and turn safely.
 - Is within 100 metres of a rural railway crossing.
 - Has insufficient clearance from vehicles on the carriageway.
- The effect of the proposed sign on:
 - Significant streetscapes, buildings and skylines.
 - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
 - Residential areas and heritage places.
 - Open space and waterways.

When determining the effect of a proposed sign, the following locational principles must be taken into account:

- Major promotion signs are encouraged in commercial and industrial locations in a manner which complements or enhances the character of the area.
- Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
- Major promotion signs are discouraged within open space reserves or corridors and around waterways.
- Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
- In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

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SCHEDULE TO CLAUSE 52.05-5

Land	Conditions
None specified	

52.05-6 ****

52.05-7 **Category 1 - Business areas**

Minimum limitation

Purpose

To provide for identification and promotion signs and signs that add vitality and colour to business areas.

Section 1 - Permit not required

SIGN	CONDITION
Bed and breakfast sign	The total advertisement area of all signs to each premises must not exceed 8 sq m. This does not include a sign with an advertisement area not exceeding 1.5 sq m that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
Business identification sign	
Home occupation sign	
Promotion sign	
Direction sign	
Internally-illuminated sign	The total advertisement area to each premises must not exceed 1.5 sq m. No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 - Permit required

SIGN	CONDITION
Any sign not in Section 1	

Section 3 - Prohibited

SIGN	CONDITION
Nil	

52.05-8 Category 2 - Office and industrial

Low limitation

Purpose

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

Section 1 - Permit not required

SIGN	CONDITION
Bed and breakfast sign	The total advertisement area of all signs to each premises must not exceed 8 sq m. This does not include a direction sign.
Business identification sign	
Home occupation sign	
Pole sign	
Direction sign	Only one to each premises.
Internally-illuminated sign	The advertisement area must not exceed 1.5 sq m. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 - Permit required

SIGN	CONDITION
Any sign not in Section 1	

Section 3 - Prohibited

SIGN	CONDITION
Nil	

52.05-9 Category 3 - High amenity areas

Medium limitation

Purpose

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

SIGN	CONDITION
Bed and breakfast sign	Only one to each premises.
Home occupation sign	The advertisement area must not exceed 0.2 sq m.
Direction sign	

Section 2 - Permit required

SIGN	CONDITION
Above-verandah sign	
Business identification sign	
Floodlit sign	
High-wall sign	Must be a business logo or street number.
Internally-illuminated sign	
Pole sign	
Promotion sign	The advertisement area must not exceed 2 sq m.
Reflective sign	

Section 3 - Prohibited

SIGN	CONDITION
Any sign not in Sections 1 or 2	

52.05-10 Category 4 - Sensitive areas

Maximum limitation

Purpose

To provide for unobtrusive signs in areas requiring strong amenity control.

Section 1 - Permit not required

SIGN	CONDITION
Bed and breakfast sign	Only one to each premises.
Home occupation sign	The advertisement area must not exceed 0.2 sq.m.
Direction sign	.

Section 2 - Permit required

SIGN	CONDITION
Business identification sign	The total advertisement area to each premises must not exceed 3 sq m.
Floodlit sign	

Section 3 - Prohibited

SIGN	CONDITION
Any sign not in Sections 1 or 2	

52.06 CAR PARKING19/01/2006
VC37**Purpose**

To ensure that car parking facilities are provided in accordance with:

- The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.
- Any parking precinct plan.

To provide the opportunity to use parking precinct plans in appropriate locations.

To promote the efficient use of car spaces through the consolidation of car parking facilities.

To ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality.

To ensure that the design and location of car parking areas:

- Does not adversely affect the amenity of the locality, in particular the amenity of pedestrians and other road users.
- Achieves a high standard of urban design.
- Creates a safe environment for users, particularly at night.
- Enables easy and efficient use.
- Protects the role and function of nearby roads.
- Facilitates the use of public transport and the movement and delivery of goods.

52.06-1 Car spaces**Provisions of car spaces**

A new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

Where the floor area occupied by an existing use is increased, the parking requirement only applies to the floor area of any extension of the use or site area provided the existing number of car spaces is not reduced.

Number of car spaces required

The table at Clause 52.06-5 sets out the number of car spaces required for uses not covered by a parking precinct plan or another clause. The requirement for car spaces for a use listed in column 1 of the table is the product of columns 2 and 3 of the table.

A permit may be granted to reduce or to waive the number of car spaces required by the table.

Where a use is not specified in the table at Clause 52.06-5, an adequate number of car spaces must be provided to the satisfaction of the responsible authority.

These requirements do not apply if there is a parking requirement for the particular use under another clause or in a parking precinct plan

Decision guidelines

Before a requirement for car spaces is reduced or waived, the applicant must satisfy the responsible authority that the reduced provision is justified due to:

- Any relevant parking precinct plan.
- The availability of car parking in the locality.
- The availability of public transport in the locality.
- Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.
- Any car parking deficiency or surplus associated with the existing use of the land.
- Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.
- Local traffic management.
- Local amenity including pedestrian amenity.
- An empirical assessment of car parking demand.
- Any other relevant consideration.

52.06-2 Design and construction

Car parking plan

Before any use commences or any building or works associated with that use or an existing use is constructed, a plan must be prepared to the satisfaction of the responsible authority showing all required car spaces, access lanes, driveways and associated works and landscaping.

Provision before commencement

Before any use commences or any new building is occupied, the car spaces, access lanes, driveways and associated works and landscaping shown on the plan must, to the satisfaction of the responsible authority, be provided and available for use and be:

- Formed to such levels and drained so that they can be used in accordance with the plan.
- Treated with an all-weather seal or some other durable surface.
- Line-marked or provided with some other adequate means of showing the car spaces.

Decision guidelines

Before deciding that any plan is satisfactory, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- Any relevant parking precinct plan.
- Whether the layout of car spaces and access lanes are consistent with Clause 52.06-5 or a variation generally in accordance with Australian Standard AS2890.1 - 1993, Parking facilities, Part 1: Off-street car parking.
- The protection and enhancement of the streetscape.
- The provision of landscaping for screening and shade.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The provision for pedestrian movement within and around the parking area.
- The measures proposed to enhance the security of people using the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The type and size of vehicle likely to use the parking area.

- The ease and safety with which vehicles gain access to the site and circulate within the parking area.
- The need for the required car spaces to adjoin the premises used by each occupier, if the land is occupied by more than one occupier.

52.06-3 Design of car spaces and accessways

Design requirements

Accessways should:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersections or be wider than 4.2 metres.
- Provide a turning space so that cars can exit the site in a forward direction if the accessway serves four or more car spaces or connects to a road in a Road Zone.
- Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more spaces and is either more than 50 metres long or connects to a road in a Road Zone.

Car spaces and accessways should have the following minimum dimensions:

Angle of car spaces to accessway	Accessway width	Car park width	Car park length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

A building may project into the space if it is at least 2.1 metres above the space.

If entry to the car space is from a road, the width of the accessway may include the road.

If an accessway to 4 or more car spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the frontage.

Variation of dimensions

A permit may be granted to vary any dimension or requirement of this clause. Before deciding on an application, the responsible authority must consider:

- Whether the dimensions and layout of car spaces and access lanes are generally in accordance with Australian Standard AS2890.1 - 1993, Parking facilities, Part 1: Off-street car parking.
- Any relevant parking precinct plan.

52.06-4 Dwellings and residential buildings

The requirements of Clauses 52.06 do not apply to an application to construct or extend a dwelling or a residential building under any provision of this scheme if the land is in the Residential 1 Zone, Residential 2 Zone, Mixed Use Zone or Township Zone unless the development is four or more storeys, excluding a basement.

52.06-5 Car parking table

USE	CAR SPACE MEASURE	RATE
Residential building, other than specified in this table	Car spaces to each lodging room	1
Caretaker's house	Car spaces to each dwelling	1
Dwelling, other than Caretaker's house if at least 2 on a lot	Car spaces to each dwelling	2
Shop other than specified in this table	Car spaces to each 100 sq m of leasable floor area	8
Betting agency Market	Car spaces to each 100 sq m of net floor area	8
Restaurant	Car spaces to each seat available to the public	0.6
Office other than specified in this table Postal agency	Car spaces to each 100 sq m of net floor area	3.5
Hotel or Tavern	Car spaces to each 100 sq m of bar floor area available to the public, plus	60
	Car spaces to each 100 sq m of lounge floor area available to the public	30
Motel	Car spaces to each unit, plus	1
	Car spaces to each resident employee, plus	1
	Car spaces to each 100 sq m of motel service floor area not available for use by guests	2
Industry other than specified in this table Mail centre	Car spaces to each 100 sq m of net floor area	2.9
Materials recycling Fuel depot Milk depot Motor repairs	Percentage of site area to be set aside for car spaces and access lanes, but not driveways	10

USE	CAR SPACE MEASURE	RATE
Plant nursery Saleyard Store other than specified in this table Timber yard Utility installation	Percentage of site area to be set aside for car spaces and access lanes, but not driveways	10
Freezing and cool storage Warehouse other than specified in this table	Car spaces to each 100 sq m of net floor area	1.5
Display home	Car spaces to each dwelling for five or fewer contiguous dwellings, plus	5
	Car spaces to each additional contiguous dwelling	2
Medical centre Veterinary centre	Car spaces to each practitioner	5
Hospital	Car spaces to each bed available for use by patients	1.3
Place of assembly Funeral parlour	Car spaces to each seat or to each sq m of net floor area, whichever is greater	0.3
Golf course	Car spaces to each hole	4
Bowling green	Car spaces to each rink	6
Squash court other than in conjunction with a dwelling	Car spaces to each court	3
Swimming pool other than in conjunction with a dwelling	Car spaces to each 100 sq m of site	5.6
Tennis court other than in conjunction with a dwelling	Car spaces to each court	4
Primary school	Car spaces to each employee	1
Secondary school	Car spaces to each employee	1.2
Tertiary institution	Car spaces to each full-time student and three part-time students	0.6
Convenience shop if the leasable floor area exceeds 80 sq m	Car spaces to each premises	10

52.06-6 Parking precinct plan

A parking precinct plan is a strategic plan relating to parking of cars and other vehicles within a defined area which is incorporated into this scheme and listed in the schedule to this clause. A parking precinct plan may form part of a more general land use or other strategic plan or policy.

A parking precinct plan may specify different requirements to those set out in the table at Clause 52.06-5.

The parking precinct plan must include the following information:

- The purpose of the plan.
- The area to which the plan applies.
- The parking outcomes to be achieved by the parking precinct plan.
- An assessment of car parking demand and supply in the precinct.
- Any locational, financial, landscape or other actions or requirements necessary to implement the parking precinct plan.

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SCHEDULE TO CLAUSE 52.06-6

Name of Incorporated Parking Precinct Plan	Requirement
None specified	1.0 Car Parking Rates
	2.0 Off-Site Parking Provision
	3.0 Other Requirements

52.07 LOADING AND UNLOADING OF VEHICLES19/01/2006
VC37**Purpose**

To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.

Requirements to be met

No building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless:

- Space is provided on the land for loading and unloading vehicles as specified in the table below.
- The driveway to the loading bay is at least 3.6 metres wide. If a driveway changes direction or intersects another driveway, the internal radius at the change of direction or intersection must be at least 6 metres.
- The road that provides access to the loading bay is at least 3.6 metres wide.

A permit may be granted to reduce or waive these requirements if either:

- The land area is insufficient.
- Adequate provision is made for loading and unloading vehicles to the satisfaction of the responsible authority.

FLOOR AREA OF BUILDING	MINIMUM LOADING BAY DIMENSIONS	
2,600 sq m or less in single occupation	Area	27.4 sq m
	Length	7.6 m
	Width	3.6 m
	Height clearance	4.0 m
For every additional 1,800 sq m or part	Additional 18 sq m	

52.08 MINERAL EXPLORATION AND MINING

19/01/2006
VC37

Purpose

To allow land to be used and developed for mineral exploration without the need for a permit.

To ensure that mining is not a prohibited land use.

To allow land to be used and developed for mining either subject to a permit (except in those areas where a permit is not required) or subject to the preparation of an environmental effects statement under the Environment Effects Act 1978.

To ensure that mining is carried out in accordance with acceptable environmental standards.

52.08-1 Mineral exploration

Land may be used or developed for mineral exploration carried out under a licence issued under the Mineral Resources Development Act 1990, without the need for a permit.

52.08-2 Mining**Permit requirement**

A permit is required to use or develop land for mining.

This does not apply if either:

- An environment effects statement has been prepared under the Environment Effects Act 1978 and mining is exempt from the requirement to obtain a permit under Section 42 or Section 42A of the Mineral Resources Development Act 1990.
- The mining is in accordance with and within an area covered by a mining licence granted or Order made by the Governor in Council under Section 47A of the Electricity Industry Act 1993.

52.09 EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS19/01/2006
VC37**Purpose**

To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.

To ensure that excavated areas can be appropriately rehabilitated.

To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.

52.09-1 Application

These provisions apply to:

- The use and development of land for extractive industry.
- The use and development of land within a designated extractive industry interest area.
- The use and development of land within 500 metres of an extractive industry.

52.09-2 Requirements**Cessation of use**

Permits for extractive industry must not include conditions which require the use to cease by a specified date unless either:

- * The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- * Such condition is suggested by the applicant.

Boundary setback

Except with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of the land. This does not apply to driveways, drains, bund walls or landscaping.

Screen planting

Shrubs and trees must be planted and maintained to screen activity on the site to the satisfaction of the responsible authority.

Parking areas

Parking areas must be provided for employees' cars and all vehicles used on the site to the satisfaction of the responsible authority.

52.09-3 Decision guidelines

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

-
- * The effect of the proposed extractive industry on any native flora and fauna on and near the land.
 - * The impact of the extractive industry operations on sites of cultural and historic significance, including any effects on Aboriginal places, sites or objects.
 - * The effect of the extractive industry operation on the natural and cultural landscape of the surrounding land and the locality generally.
 - * The ability of the extractive industry operation to contain any resultant industrial emissions within the boundaries of the subject land in accordance with the Regulations associated with the Extractive Industries Development Act 1995 and other relevant regulations.
 - * The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
 - * The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
 - * The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
 - * The effect of the proposed extractive industry on groundwater and quality and the impact on any affected water uses.
 - * The impact of the proposed extractive industry on surface drainage and surface water quality.
 - * Any proposed provisions, conditions or requirements in a 'Work Authority' to be issued under the Extractive Industries Development Act 1995.

52.09-4 Notice of an application

Notice of the kinds of application listed below must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05:

- * An application to use or subdivide land or construct a building for Accommodation, Child care centre, Education centre or Hospital:
 - * Within an Extractive Industry Interest Area.
 - * On land which is within 500 metres of land on which a work authority has been applied for or granted under the Extractive Industries Development Act 1995.
- * An application which to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the Extractive Industries Development Act 1995.

These requirements do not apply to an extension to buildings or works.

52.10 USES WITH ADVERSE AMENITY POTENTIAL19/01/2006
VC37**Purpose**

To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Definition

The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 52.10

TYPE OF PRODUCTION, USE OR STORAGE (PURPOSE)	THRESHOLD DISTANCE (METRES)	NOTES
Food, Beverages & Tobacco		
Abattoir:	500	
Smallgoods production	100	
Manufacture of milk products:	300	
Production of vegetable oils and fats using solvents:	300	
Flour mill:	300	
Bakery (other than one ancillary to a shop):	100	
Seafood processor:	500	
Maltworks:	300	
Tobacco and cigarette production:	500	
Poultry processing works	100	
Freezing and cool storage	150	
Milk depot	100	
Food or beverage production other than above:		Note 1
Textiles		
Dyeing or finishing of cotton, linen and woollen yarns and textiles:	300	
Carpet backing with latex:	300	
Production of artificial fibres & textiles:		
• cellulose nitrate or viscose fibre, cellophane or artificial rubber	1,000	Note 2
• other synthetic fibres and textiles	500	Note 2
Treatment or production of textiles:		
• using carbon disulphide	500	Note 2
• using other substances		Note 1
Rope, cordage and twine production:	100	
Wool scouring:	200	
Wood, Wood Products & Furniture		
Sawmill:	500	
Charcoal production:		
• by the retort process	500	
• other than by the retort process	1,000	
Wood preservation plant:	100	

TYPE OF PRODUCTION, USE OR STORAGE (PURPOSE)	THRESHOLD DISTANCE (METRES)	NOTES
Wood-fibre or wood-chip products:	1,500	
Joinery:	100	
Paper & Paper Products:		
Paper or paper pulp production:		
• involving combustion of sulphur or sulphur containing materials	5,000	Note 2
• from semi-processed materials	100	
• from prepared cellulose & rags	200	
• by other methods than above		Note 1
Chemical, Petroleum & Coal Products		
Chemical Fertiliser production:	1,000	Note 2
Industrial gases production:	1,000	Note 2
Polyester resins production	1,000	Note 2
Synthetic resins & rubber production other than above:	1,000	Note 2
Ammunition, explosives and fireworks production:	1,000	Note 2
Formaldehyde production:	300	Note 2
Paints and inks :		
• manufacture	1,000	Note 2
• blending and mixing only	300	
Pharmaceutical and veterinary production:	1,000	
Biocides production and storage:	1,000	
Soap and other detergents production:	300	
Cosmetics and toilet preparations production:	100	
Inks production:	300	
Petroleum refinery:	2,000	Note 2
Briquette production:	300	
Other petroleum or coal production:	500	Note 2
Organic industrial chemicals production other than above:	1,000	Note 2
Inorganic industrial chemicals production other than above:	1,000	Note 2
Chemical products other than above:	300	Note 2

TYPE OF PRODUCTION, USE OR STORAGE (PURPOSE)	THRESHOLD DISTANCE (METRES)	NOTES
Non-metallic Mineral Products		
Glass and glass production including glass wool:	500	
Rock wool manufacture:	500	
Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:	200	
Cement production in amounts:		
• up to 5,000 tonnes a year	300	
• between 5,000 & 150,000 tonnes a year	500	
• exceeding 150,000 tonnes a year	1,000	
Concrete batching plant:	300	
Bitumen batching plant:	500	
Concrete article or stone article production:	100	
Plaster or plaster articles production:	100	
Basic Metal Products		
Works producing iron or steel products in amounts:		
• up to 1,000,000 tonnes a year	100	
• exceeding 1,000,000 tonnes a year	1,000	
Production of non-ferrous metals as:		
• aluminium by electrolysis	2,000	
• other non-ferrous metals in amounts:		
. up to 100 tonnes a year	100	
. between 100 & 2,000 tonnes a year	300	
. exceeding 2,000 tonnes a year	500	
Fabricated Metal Products		
Structural or sheet metal production:	500	
Works producing iron or steel products in amounts:		
• up to 1,000,000 tonnes per year	100	
• exceeding 1,000,000 tonnes per year	1,000	
Boiler makers	100	
Abrasive blast cleaning:		Note 1
Miscellaneous Manufacturing		
Rendering and casings works:	1,000	
Leather tanning and dressing:	300	
Leather and artificial leather goods production:	300	
Rubber production, using either organic solvents or carbon black:	300	Note 2

TYPE OF PRODUCTION, USE OR STORAGE (PURPOSE)	THRESHOLD DISTANCE (METRES)	NOTES
Fibreglass production:	200	
Printing and coating works with heated curing ovens:	500	
Transport and Storage		
Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:		Note 2
• with fixed roofs	300	
• with floating roofs	100	
Grain elevators:	300	
Storage of wet-salted or unprocessed hides:	300	
Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:	1,000	Note 2
Sanitary and garbage disposal in:		Note 1
• Landfill		
• Recycling and composting centre	200	
Sanitary and garbage storage and treatment in transfer station	300	
Depot for refuse collection vehicles	100	
Temporary storage of industrial wastes:	300	Note 2
Treatment of aqueous waste:	200	Note 2
Treatment of organic waste:	500	Note 2
Waste incinerator for:		
• Woodwaste	300	
• Plastic or rubber waste	500	Note 2
• Chemical, biomedical or organic waste		Notes 1, 2
Recreation, Personal & Other Services		
Industrial dry cleaning:	100	Note 2
Industrial laundry:	100	
Other Premises		
Panel beating:	100	
Composting:		Note 1
Rural industry handling, processing or packing agricultural produce:	300	

52.11 HOME OCCUPATION

19/01/2006
VC37

Purpose

To ensure that the amenity of the neighbourhood is not adversely affected by an occupation conducted in or from a dwelling.

52.11-1 Requirements to be met

A home occupation must meet the following requirements:

- The person conducting the home occupation must use the dwelling as their principal place of residence.
- No more than one person who does not live in the dwelling may work in the occupation.
- The gross floor area used in conducting the occupation including the storage of any materials or goods must not exceed 50 square metres or one-third of the gross floor area of the dwelling, whichever is the lesser.
- The occupation must not impose a load on any utility greater than normally required for domestic use.
- The occupation must not adversely affect the amenity of the neighbourhood in any way including:
 - The appearance of any building, works or materials used.
 - The parking of motor vehicles.
 - The transporting of materials or goods to or from the dwelling.
 - The hours of operation.
 - Electrical interference.
 - The storage of chemicals, gasses or other hazardous materials.
 - Emissions from the site.
- No motor vehicle may be serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home occupation may be offered for sale.
- Materials used or goods manufactured, serviced or repaired in the home occupation must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.

52.11-2 Permit required

Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than two persons who do not live in the dwelling to work in the occupation; or
- Which has a floor area not exceeding 100 square metres or one-third of the gross floor area of the dwelling, whichever is the lesser.
- Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

Decision Guidelines

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

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home occupation and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home occupation.

52.12 SERVICE STATION

19/01/2006
VC37

Purpose

To ensure that amenity, site layout and design are considered when land is to be used for a service station, especially if the site adjoins a residential zone.

To ensure that use of land for a service station does not impair traffic flow or road safety.

52.12-1 Requirements to be met

Land may be used for a service station only if the following requirements are met. A permit may be granted to vary the requirements, if the responsible authority considers a better design solution will result.

Site area and dimensions

The site must be at least 1,080 square metres.

The frontage must be at least 36 metres (30 metres if the site is on a corner) and the depth at least 30 metres.

Crossovers

No more than 2 vehicle crossovers may service the site from a road and at the road alignment a crossover must be:

- No wider than 7.7 metres.
- At least 4.5 metres from another crossover on the site.
- At least 4.5 metres from another road or if a splayed corner, at least 7.7 metres from the splay.
- At least 1.8 metres from a crossover on another property.

Kerb or barrier

Except at crossovers, a kerb or barrier must be built along the road alignment to prevent the passage of vehicles.

Road setbacks

A wall of a building must be at least 9 metres from a road.

A canopy must be at least 2.5 metres from a road.

Petrol pumps, pump islands, water and air supply points and storage tank filling points must be at least 3.6 metres from a road.

Petrol tankers must be wholly on the site when storage tanks are being filled.

Driveway space must be sufficient to enable a vehicle 13.8 metres by 2.5 metres to enter and leave the site without reversing.

No vehicle may be serviced unless it is wholly on the site.

Discharge of waste

Waste from a vehicle wash area must drain into a public sewer or a settlement and oil separation system. The system must comply with the Environment Protection Act 1970 and be installed to the satisfaction of the responsible authority.

Amenity requirements

The amenity of the locality must not be adversely affected by activity on the site, the appearance of any building, works or materials, emissions from the premises or in any other way.

Trailers for hire

If trailers are for hire on the site:

- The site must be at least 1,080 square metres.
- All trailers must be wholly on the site and must not encroach on landscaping or car parking areas or accessways.
- On a corner site, a trailer higher than 1 metre must be parked at least 9 metres from the corner.

Adjoining residential zone

If the site adjoins a residential zone:

- A landscape buffer strip at least 3 metres wide along the common boundary must be planted and maintained to the satisfaction of the responsible authority.
- External lights must be directed away from the residential zone to prevent light spill and glare.

52.13 CAR WASH19/01/2006
VC37**Purpose**

To ensure that amenity, site layout and design are considered when land is to be used for a car wash, especially if the site adjoins a residential zone.

To ensure that use of land for a car wash does not impair traffic flow or road safety.

Requirements to be met

Land may be used for a car wash only if the following requirements are met. A permit may be granted to vary the requirements, if the responsible authority considers a better design solution will result.

Crossovers

No more than 2 vehicle crossovers may give access to the site from a road and at the road alignment a crossover must be:

- No wider than 7.7 metres.
- At least 4.5 metres from another crossover on the site.
- At least 7.7 metres from another road or if a splayed corner, at least 7.7 metres from the splay.
- At least 1.8 metres from a crossover on another property.

Kerb or barrier

Except at crossovers, a kerb or barrier must be built along the road alignment to prevent the passage of vehicles.

Queuing lane

A queuing lane on the site must be able to accommodate at least 10 vehicles before entry to a car wash.

If petrol is available for sale to vehicles queuing to be washed, the lane must be able to accommodate at least 10 vehicles before the petrol-selling point.

The lane must be clearly shown on the ground and marked for use only by vehicles queuing to be washed.

The area between the exit from a car wash and the nearest crossover must be able to accommodate at least 2 vehicles in single file.

Discharge of waste

Waste from a vehicle wash area must drain into a public sewer or a settlement and oil separation system. The system must comply with the Environment Protection Act 1970 and be installed to the satisfaction of the responsible authority.

Amenity requirements

The amenity of the locality must not be adversely affected by activity on the site, the appearance of any building, works or materials, emissions from the premises or in any other way.

No building or works may be of temporary or portable construction.

Adjoining residential zone

If the site adjoins a residential zone, a landscape buffer strip at least 3 wide metres along the common boundary must be planted and maintained to the satisfaction of the responsible authority.

52.14 MOTOR VEHICLE, BOAT OR CARAVAN SALES19/01/2006
VC37**Purpose**

To ensure that amenity, site layout and design are considered when land is to be used for motor vehicle, boat or caravan sales, especially if the site adjoins a residential zone.

To ensure that use of land for motor vehicle, boat or caravan sales does not impair traffic flow or road safety.

Requirements to be met

Land may be used for motor vehicle, boat or caravan sales only if the following requirements are met. A permit may be granted to vary the requirements.

- No more than 2 vehicle crossovers may service the site from a road and at the road alignment a crossover must be no wider than 9.2 metres.
- Except at crossovers, a kerb or barrier must be built along the road alignment to prevent the passage of vehicles and to prevent vehicles protruding beyond the site boundary.
- Except where a kerb or barrier is installed, the area within 6 metres of the road must be sealed to the satisfaction of the responsible authority.
- No building other than an office with a floor area not exceeding 19 square metres and toilet facilities may be built on the site.
- The site must contain a concrete bay for washing vehicles and waste from the bay must drain into a public sewer or a settlement and oil separation system. The system must comply with the Environment Protection Act 1970 and be installed to the satisfaction of the responsible authority.
- Vehicles may be washed only in the washing bay.
- Water from the site must be discharged by an underground pipe to an approved outlet to the satisfaction of the responsible authority.
- No vehicle for sale or hire may be displayed on an adjacent road.
- No vehicle may be repaired on the site.
- An area of at least 1 space to each 10 spaces or part must be set aside on the site for customer and employee car parking and for valuing vehicles. The area must be clearly marked by a sign reading 'customer parking' with the letters at least 50 millimetres high.
- On a car sales or hire site, the number of cars for sale or hire must not exceed 1 to each 30 square metres of site area.
- If the site is more than one lot it must be consolidated into one title.
- If the site adjoins a residential zone:
 - A landscape buffer strip at least 3 metres wide must be provided on the site along the common boundary and planted and maintained to the satisfaction of the responsible authority.
 - Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
 - External lights must be directed away from the residential zone to prevent light spill and glare.

52.15 HELIPORT

19/01/2006
VC37

Purpose

To provide an opportunity to consider the effect of a heliport or helipad on the amenity of surrounding areas.

Permit requirement

A permit is required to use or develop any land for a heliport or helipad even if it is ancillary to another use on the land.

52.16 POST BOX

19/01/2006
VC37

Purpose

To conserve historic post boxes.

Permit requirement

A permit is required to demolish or remove a post box constructed before 1930.

52.17 NATIVE VEGETATION

16/03/2006
VC38

Purpose

To protect and conserve native vegetation to reduce the impact of land and water degradation and provide habitat for plants and animals.

To achieve the following objectives:

- To avoid the removal of native vegetation.
- If the removal of native vegetation cannot be avoided, to minimise the removal of native vegetation through appropriate planning and design.
- To appropriately offset the loss of native vegetation.

To provide for the management and removal of native vegetation in accordance with a native vegetation precinct plan or property vegetation plan.

52.17-1 Permit requirement

A permit is required to remove, destroy or lop native vegetation. This does not apply:

- If the table to Clause 52.17-6 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.
- To an area specified in the schedule to this clause.
- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan specified in the schedule to this clause.

52.17-2 Application requirements

An application to remove, destroy or lop native vegetation must be accompanied by the following information, as appropriate:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing native vegetation and the native vegetation to be removed.
- A description of the native vegetation to be removed, including the extent and type of native vegetation, the number and size of any trees to be removed and, if possible, the Ecological Vegetation Class of the native vegetation.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of native vegetation, where possible.
 - Minimise the removal of native vegetation.
 - Appropriately offset the loss of native vegetation, if required.
- A copy of any property vegetation plan that applies to the site.

52.17-3 Native vegetation precinct plans

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan may require specified works to be provided or specified payments to be made to offset the removal, destruction or lopping of native vegetation.

The native vegetation precinct plan must:

- Specify the purpose of the plan.
- Specify the area to which the plan applies.
- Specify the native vegetation to be retained and the native vegetation to be removed, destroyed or lopped.
- Set out the works, payments or other actions necessary to offset the removal, destruction or lopping of native vegetation.
- Relate the need for the works, payments or other actions to the proposed removal, destruction or lopping of native vegetation in the area.
- Provide for the procedures for the collection of any payments.

52.17-4 Property vegetation plans

Any permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan:

- May include conditions which reflect relevant restrictions or obligations contained in that plan.
- Must include the following condition:
 - “This permit will expire if one of the following circumstances applies:
 - the development or any stage of it does not start within ten years of the date of this permit.
 - the development or any stage of it is not completed within ten years of the date of this permit.”

52.17-5 Decision guidelines

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

General issues

- Victoria’s Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002).
- Whether the proposed development can be located and designed to avoid the removal of native vegetation.
- Whether the proposed development is located and designed to minimise the removal of native vegetation.
- The need to offset the loss of native vegetation having regard to the conservation significance of the vegetation.
- The conservation and enhancement of the area.
- The preservation of and impact on the natural environment or landscape values.
- Any relevant approved Regional Vegetation Plan.
- Whether the proposed development is in accordance with any property vegetation plan that applies to the site.
- The cumulative impact of native vegetation removal on biodiversity conservation and management.

Land protection

- The role of the native vegetation in:
 - Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway and in special water supply catchment areas listed in the Catchment and Land Protection Act 1994.
 - Preventing land degradation, including soil erosion, salinisation, acidity, instability and water logging, particularly:
 - Where ground slopes are more than 20 per cent.
 - On land which is subject to soil erosion or slippage.
 - In harsh environments, such as coastal or alpine areas.

- Preventing adverse effects on groundwater recharge, particularly on land where groundwater recharge to saline watertables occurs or which is in proximity to a discharge area.
- Whether the proposed works will adversely affect the land protection role of the native vegetation.
- The need to mitigate any adverse impacts of native vegetation removal.

Conservation significance

- The conservation status of the native vegetation.
- The quality and condition of the vegetation
- The strategic location of the native vegetation in the local landscape.
- Whether the native vegetation is a threatened community, or provides habitat for threatened fauna or flora, as listed in the Flora and Fauna Guarantee Act 1988.
- Whether the removal of the native vegetation could jeopardise the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.

Offsets

- The conservation significance of the native vegetation.
- The offset criteria in Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002).
- Offset requirements in an approved Regional Vegetation Plan.
- The long term security of the offset.

Timber production

- In the case of timber production, the benefit of including a condition requiring operations to be carried out in accordance with any relevant code of practice under Section 55 of the Conservation, Forests and Lands Act 1987.

Other

- The conservation of native vegetation protected under the Archaeological and Aboriginal Relics Preservation Act 1972 or the Aboriginal and Torres Strait Islander Heritage Protection Act 1984.

52.17-6 Table of exemptions

No permit is required to remove, destroy or lop native vegetation if any of the following apply:

Site area	The native vegetation is on land which, together with all contiguous land in one ownership, has an area of less than 0.4 hectare.
Dead vegetation	The native vegetation is dead.
Emergency works	<ul style="list-style-type: none"> * The native vegetation presents an immediate risk of personal injury or damage to property. * The removal, destruction or lopping of native vegetation is necessary for emergency access or emergency works by a public authority or municipal council.
Fire	* The removal, destruction or lopping of native vegetation is necessary for fire fighting measures, periodic fuel reduction burning, or the making of fire breaks up to 6

No permit is required to remove, destroy or lop native vegetation if any of the following apply:

	metres wide.
	<ul style="list-style-type: none"> * To the removal of ground fuel within 30 metres of a building. * The removal, destruction or lopping of native vegetation is in accordance with a fire prevention notice under: <ul style="list-style-type: none"> · Section 65 of the Forests Act 1958. · Section 41 of the Country Fire Authority Act 1958. · Section 8 of the Local Government Act 1989. * The action is necessary to keep the whole or any part of any native vegetation clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998. * The action is necessary to remove, destroy or lop vegetation situated within electricity supply easements in accordance with any code of practice prepared in accordance with Part 8 of the Electricity Safety Act 1998 in order to minimise the risk of bushfire ignition in the proximity of electricity lines.
Planted vegetation or harvesting	<ul style="list-style-type: none"> * The native vegetation has been planted for timber production, agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens, horticultural purposes or the like. * To timber harvesting carried out under licence from the Secretary to the Department of Sustainability and Environment.
Extractive industry	The removal, destruction or lopping of native vegetation is necessary for carrying on an extractive industry, including an extractive industry authorised by a work authority under the Extractive Industries Development Act 1995. This does not apply to an extractive industry exempted under Section 5 of the Extractive Industries Development Act 1995.
Surveying	To the removal, destruction or lopping of the minimum extent of native vegetation necessary for establishing sight-lines for the measurement of land by surveyors in the exercise of their profession, and if using hand held tools.
Rural activities	<ul style="list-style-type: none"> * To the removal, destruction or lopping of the minimum extent of native vegetation necessary for the construction, operation or maintenance of a farm structure, including a dam (other than on a stream), tracks, bores, windmills, tankstands, fences, stockyards, loading ramps, sheds and the like. This does not include the removal, destruction or lopping of native vegetation required for the installation or operation of a central pivot irrigation system. * The native vegetation is seedlings or regrowth less than 10 years old and if the land is being re-established or

No permit is required to remove, destroy or lop native vegetation if any of the following apply:

maintained for cultivation or pasture.

- * The removal, destruction or lopping of native vegetation is in accordance with a land use condition or land management notice under the Catchment and Land Protection Act 1994.
- * To the cutting of reasonable amounts of wood for personal use by the owner or occupier of the land.
- * To the removal, destruction or lopping of native vegetation as a result of grazing by domestic stock. This includes unused roads specified under Section 400 of the Land Act 1958.

Stock movements on roads

To the removal, destruction or lopping of native vegetation as a result of moving stock along a road. This does not include the removal, destruction or lopping of native vegetation as a result of holding the stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.

Weeds and vermin

- * The native vegetation is proclaimed as a noxious weed or is bracken (*Pteridium esculentum*).
- * The removal, destruction or lopping of native vegetation is in accordance with a notice under the Catchment and Land Protection Act 1994.
- * The native vegetation is burgan (*Kunzea ericoides* (previously *Leptospermum phylloides*)) or manuka (*Leptospermum scoparium*) and is on land which meets each of the following conditions:
 - It is outside the Metropolitan Region.
 - It is more than 30 metres from a water course.
 - It is being re-established or maintained for cultivation or pasture.
 - Ground slopes are less than 30 percent.
- * To the removal, destruction or lopping of the minimum extent of vegetation necessary to remove burrows for vermin control subject to the written agreement of an officer of the Department responsible for administering the Flora and Fauna Guarantee Act 1988. The total area in one ownership to be destroyed must not exceed 10 hectares.

Buildings

- * To the removal, destruction or lopping of the minimum extent of native vegetation necessary for the construction, use and maintenance of:
 - A dwelling.
- * Any building or works which are ancillary to a dwelling including tennis courts, barbecues, swimming pools, utility services or vehicle accessways.
- Any building, including utility services or vehicle accessways which are ancillary to the building.

No permit is required to remove, destroy or lop native vegetation if any of the following apply:

- * To the removal, destruction or lopping of native vegetation within 10 metres of a building.

Utility services

- * To the removal, destruction or lopping of the minimum extent of native vegetation necessary to maintain public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like.
- * To the removal, destruction or lopping of the minimum extent of native vegetation necessary to continue the activity on land which has previously been cleared where seedlings or regrowth are less than 10 years old and the land is:
 - Within the formation of a road or railway line.
 - On or adjacent to a helipad, airfield or the like.
 - In an existing gravel pit.
 - On crown land or land owned by a public authority or municipal council.

Mineral exploration and mining

To the removal, destruction or lopping of native vegetation necessary for mineral exploration or mining authorised by an approved work plan and in accordance with an authority to commence work issued under the Mineral Resources Development Act 1990.

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SCHEDULE TO CLAUSE 52.17**1.0 Scheduled area**

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
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None specified

2.0 Native vegetation precinct plan

Name of plan

None specified

52.18 TIMBER PRODUCTION

19/01/2006
VC37

52.18-1 Timber production on Crown land

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister for Environment and Water, the Secretary to the Department of Sustainability and Environment, or the Deputy Secretary, Environment and Public Land, Department of Sustainability and Environment, whether or not occupied under a licence or other right.

All requirements of this scheme apply to Crown land which has been leased.

52.18-2 Timber production to comply with the Code of Forest Practices for Timber Production

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and small woodlots) must comply with the Code of Forest Practices for Timber Production (Department of Natural Resources and Environment, Revision No 2, November 1996) or as amended from time to time in accordance with Section 55 of the Conservation, Forests and Lands Act 1987 (the Code). In accordance with Section 6(4A) of the Planning and Environment Act 1987, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

52.18-3 Removal of native vegetation

If land is to be used for timber production the provisions of Clause 52.17 do not apply and no permit is required for the removal, destruction or lopping of native vegetation if any of the following apply:

- The native vegetation consists of seedlings or regrowth less than 10 years old on land which has previously been cleared.
- The native vegetation is proclaimed as a noxious weed or is bracken (*Pteridium esculentum*).
- The Secretary to the Department of Sustainability and Environment is satisfied that the land receives more than 550mm of rainfall per annum and does not support vegetation in which all the following apply:
 - The number of native plant species exceeds the number of non-native plant species.
 - The cover of native plant species (as measured by projected foliar cover) exceeds the cover of the non-native plant species.

- The number of native plant species native to the locality exceeds the number of native plant species non-native to the locality.

In determining the above, a site of 5 hectares with a minimum width of 100 metres must be considered. If the land has an area less than 5 hectares the total site must be considered.

52.18-4 Road repairs

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the Road Management Act 2004.

52.18-5 Decision guidelines

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
- The role of native forest and plantations in:
 - Protecting water quality.
 - Conserving flora and fauna.
 - Preventing land degradation, including soil erosion, salinisation and water logging.
 - Preventing adverse effects on groundwater recharge.
- The preservation of and impact on the natural environment and on visual amenity.
- Whether it is appropriate to require environmental protection standards greater than those in the Code.

52.19 TELECOMMUNICATIONS FACILITY

19/01/2006
VC37

Purpose

To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.

To ensure the application of consistent provisions for telecommunications facilities.

To encourage an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in Section 4 of the Planning and Environment Act 1987.

To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

52.19-1 Application

These provisions apply to the construction of a building or the construction or carrying out of works associated with the use of land for a Telecommunications facility. They apply to the extent permitted under the Telecommunications Act 1997 (Cwth) and determinations made under that Act by the Commonwealth Minister for Communications, Information Technology and the Arts, including the Telecommunications (Low-impact Facilities) Determination 1997.

52.19-2 Permit requirement

A permit is required to construct a building or construct or carry out works for a Telecommunications facility.

This does not apply to:

- Buildings and works associated with:
 - A low-impact facility as described in the Telecommunications (Low-impact) Facilities Determination 1997.
 - The inspection and maintenance of a Telecommunications facility as defined in the Telecommunications Act 1997 (Cwth).
 - A facility authorised by a Facilities Installation Permit issued under the Telecommunications Act 1997 (Cwth).
 - A temporary defence facility.
 - The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.
 - Any Telecommunications facility described in A Code of Practice for Telecommunications Facilities in Victoria which complies with the requirements of the Code.
- Buildings and works associated with activities which are:
 - Authorised under Clause 6(2) of Division 3 of Schedule 3 of the Telecommunications Act 1997 (Cwth).
 - Carried out by bodies listed in Sections 46 to 51 (inclusive) of the Telecommunications Act 1997 (Cwth) pursuant to legislation applying to those bodies.

52.19-3 Land in public ownership

An application for a permit on land in a public land zone by a person other than the relevant public land manager, must be accompanied by the written consent of the public

land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

52.19-4 Exemption from notice and appeal

An application for a permit is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act unless:

- The Telecommunications facility is:
 - A radio communications dish greater than 1.2 metres in diameter or
 - A Telecommunications tower (other than a low-impact facility described in the Telecommunications (Low-impact Facilities) Determination 1997).
- The land is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay.
- The land is public land not in a public land zone and the responsible authority is not the public land manager.

52.19-5 Application requirements

An application for permit must be accompanied by the following information as appropriate to the proposal and the location:

- A site analysis and design response explaining how the proposed facility addresses the principles for the design, siting, construction and operation of telecommunications facilities and the requirements in A Code of Practice for Telecommunications Facilities in Victoria.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.
- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

52.19-6 Decision guidelines

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

- The principles for the design, siting, construction and operation of a Telecommunications facility set out in A Code of Practice for Telecommunications Facilities in Victoria.
- The effect of the proposal on adjacent land..
- If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.

52.20 CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES19/01/2006
VC37**Scope**

These requirements only apply to residential zones.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
 - Amenity of the neighbourhood.
 - Proximity of the land to non residential uses and zones.
 - Effect of the use on heritage and environment features.
 - Capacity of the land to contain significant off-site effects.
 - Access to land in a Road Zone.
 - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
 - Massing and proportions of any building.
 - Ground floor height above ground level.
 - Ceiling heights.
 - Roof form and pitch.
 - Facade articulation.
 - Window and door proportions.
 - Building features including verandahs, towers, eaves, parapets and decorative elements.
 - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, advertising signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
 - Provide safe pedestrian movement.
 - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
 - Avoid disruption to traffic flow on land in a Road Zone.
 - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.

52.21 PRIVATE TENNIS COURT

19/01/2006
VC37

Purpose

To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.

To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

52.21-1 Scope

This clause applies to any private tennis court which is used in association with a dwelling.

52.21-2 Permit requirement

A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice – Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice – Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
 - To construct a building or construct or carry out works.
 - To remove, destroy, prune or lop a tree or vegetation.

52.21-3 Application requirements

Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.

52.21-4 Notice provisions

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of Section 52(1)(a), (b) and (d) of the Act.

In accordance with Section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

52.21-5 Decision guidelines

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.

52.22 CRISIS ACCOMMODATION

19/01/2006
VC37

A permit is not required to use a building, including outbuildings normal to a dwelling, to house people and any dependants at times of personal emergency or crisis if the building meets all of the following requirements:

- Is in an area or zone which is used mainly for housing.
- Provides self contained accommodation.
- Does not have more than 10 habitable rooms.

52.23 SHARED HOUSING

19/01/2006
VC37

A permit is not required to use a building, including outbuildings normal to a dwelling, to house a person, people and any dependants or 2 or more people (including people with intellectual disabilities) if the building meets all of the following requirements:

- Is in an area or zone which is used mainly for housing.
- Provides self contained accommodation.
- Does not have more than 10 habitable rooms.

52.24 COMMUNITY CARE UNIT

19/01/2006
VC37

A permit is not required to use a building for services funded by the Department of Human Services which provide self contained accommodation for its clients if all of the following requirements are met:

- The building or buildings are in an area or zone which is used mainly for housing.
- No more than 20 clients plus supervisory staff are accommodated on the site.

52.25 CREMATORIUM

19/01/2006
VC37

Purpose

To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required

A permit is required to develop and use a crematorium on land that is used for cemetery purposes.

This does not apply to land in the Springvale Crematorium.

Decision guidelines

Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.

52.26 CATTLE FEEDLOT

19/01/2006
VC37

Purpose

To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

Requirements to be met

All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.

The Code must be complied with to the satisfaction of the responsible authority.

52.27 LICENSED PREMISES

19/01/2006
VC37

Scope

These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

Permit required

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence, or class of licence is required from that which is in force.
- The hours of trading allowed under any licence are to be extended.

This does not apply if any of the following apply:

- To a limited licence.
- To a licence to manufacture liquor.
- To a licence to sell only packaged liquor for consumption elsewhere.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

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VC37

SCHEDULE TO CLAUSE 52.27

1 Permit not required

Land	Type of licence
------	-----------------

None specified

2 Permit may not be granted

Land	Type of licence
------	-----------------

None specified

52.28 GAMING

19/01/2006
VC37

52.28-1 Restricted area - no permit required

No permit is required to install and use a gaming machine in a restricted area if that area does not exceed 25 per cent of the gross floor area of the premises where liquor may be consumed.

The gross floor area where liquor may be consumed does not include bedrooms, external drinking and dining areas, service areas, kitchens, area behind bars, storage areas, administrative areas, lifts, stairs, ramps, escalators, corridors, hallways, lobbies, service ducts, plant rooms and toilets.

52.28-2 Restricted area - no permit required - strip shopping centres

Despite clause 52.28-1, if a restricted area is located in a hotel or club in a strip shopping centre -

- (aa) specified in clause 52.28-6(aa) or
- (ab) to which clause 52.28-6(ab) applies -

no permit is required to install or use a gaming machine in a restricted area provided all of the following requirements are met:

- (a) If the hotel or club existed on 19 December 1997:
 - (i) the floor area of the restricted area must not exceed 25 per cent of the gross floor area of the premises where liquor may be consumed as at 16 June 1998, and
 - (ii) the restricted area must be located on the land used as a hotel or club on 16 June 1998.
- (b) If the hotel or club existed on 19 December 1997 and
 - (i) if a permit to use or develop alterations and extensions to that hotel or club is in force on 16 June 1998 in relation only to the whole or part of the land used as a hotel or club on 19 December 1997, and
 - (ii) if a residential licence, general (class 1) licence or club licence (whether full or restricted) under sections 46, 47 or 48, respectively, of the Liquor Control Act 1987 has been granted on or before 16 June 1998 or a determination to grant such a licence has been made on or before 16 June 1998 in relation to those alterations and extensions:
 - (iii) the floor area of the restricted area must not exceed 25 per cent of a combination of the gross floor area of the premises where liquor may be consumed as at 16 June 1998 and any increase to that gross floor area approved in or under the permit at 16 June 1998, and
 - (iv) the restricted area must be located on the land used as a hotel or club on 16 June 1998.
- (c) If the hotel or club existed on 19 December 1997 and
 - (i) if a permit to use or develop alterations and extensions to that hotel or club is in force on 16 June 1998 in relation to the whole or part of the land used as a hotel or club on 19 December 1997 together with adjoining land not used as a hotel or club on 19 December 1997; and
 - (ii) if a residential licence, general (class 1) licence or club licence (whether full or restricted) under sections 46, 47 or 48, respectively, of the Liquor Control Act 1987 has been granted on or before 16 June 1998 or a determination to grant such a licence has been made on or before 16 June 1998 in relation to those alterations and extensions:

- (iii) the floor area of the restricted area must not exceed 25 per cent of a combination of the gross floor area of the premises where liquor may be consumed as at 16 June 1998 and any increase to that gross floor area approved in or under the permit at 16 June 1998, and
 - (iv) the restricted area must be located on the land being a combination of the land used as a hotel or club on 16 June 1998 and the land to which that permit relates.
- (d) If the use as a hotel or club started after 19 December 1997 and is land to which clause 52.28-6(b) applies:
- (i) the floor area of the restricted area must not exceed 25 per cent of the proposed gross floor area of the premises where liquor may be consumed approved in or under the permit in force at 16 June 1998, and
 - (ii) the restricted area must be located on the land to which the permit in force at 16 June 1998 for the hotel or club relates.
- (e) If the use as a hotel or club started after 19 December 1997 and is land to which clause 52.28-6(c) applies:
- (i) the floor area of the restricted area must not exceed 25 per cent of the proposed gross floor area of the premises where liquor may be consumed approved in or under a permit in force at 16 June 1998 for the re-building of the former hotel or club, and
 - (ii) the restricted area must be located on the land to which the permit in force at 16 June 1998 for the hotel or club relates.

In this clause, 'gross floor area of the premises where liquor may be consumed' excludes the same floor areas excluded from the expression 'gross floor area where liquor may be consumed' in clause 52.28-1.

52.28-3 Restricted area - permit required

A permit is required to install or use a gaming machine in a restricted area if the requirement is not met and the installation and use of one or more gaming machines is not otherwise permitted under the scheme.

This requirement applies even if gaming is ancillary to another use of the land.

No permit may be granted if the restricted area is in a hotel or club in a strip shopping centre -

- (a) specified in clause 52.28-6(aa) or
- (b) to which clause 52.28-6(ab) applies.

52.28-4 Unrestricted area - no permit required

No permit is required to install and use a gaming machine in an unrestricted area.

52.28-5 Gaming machines - prohibited in shopping complexes

Despite clauses 52.28-1 to 52.28-4 (inclusive), land described in the schedule to this clause must not be used for gaming and no gaming machine may be installed or used in any building on the land.

This does not apply to a part of the land in relation to which a permit granted to install or use a gaming machine in a restricted area is in force on 20 December 1995.

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VC37

SCHEDULE TO CLAUSE 52.28-5

Name of shopping complex and locality	Land description
Central Plaza Shopping Centre, Altona	Land on the southwest corner of Central Avenue and Merton St, also known as 1 - 23 Central Avenue, Altona Meadows
Altona Gate Shopping Centre, Altona North	Land on the northwest corner of Beuron Rd and Millers Rd, also known as 124 - 134 Millers Rd, Altona North

52.28-6 Gaming machines - prohibited in strip shopping centres

This clause does not apply in the municipal districts of Cardinia Shire, Mansfield Shire, Benalla Rural City Council and Golden Plains Shire.

Despite clauses 52.28-1, 52.28-3 and 52.28-4, no gaming machine may be used or installed in any building on land in a strip shopping centre -

- (aa) specified in the schedule to this clause, or
- (ab) in a municipal district in respect of which no strip shopping centre is specified in the schedule to this clause.

This does not apply to any of the following:

- (a) Land used as a hotel or club on 19 December 1997.
- (b) Land not used as a hotel or club on 19 December 1997 in relation to which:
 - (i) a permit to use or develop a hotel or club has been granted and is in force on 16 June 1998 and
 - (ii) a residential licence, general (class 1) licence or club licence (whether full or restricted) under sections 46, 47 or 48, respectively, of the Liquor Control Act 1987 has been granted on or before 16 June 1998 or a determination to grant such a licence has been made on or before 16 June 1998.

Despite the definition of 'hotel' and 'club' in clause 52.28-7:

- (A) no premises are deemed to fall outside the definition of 'hotel' in clause 52.28-6(b)(i) by virtue only of the fact that a residential licence or general (class 1) licence under sections 46 or 47, respectively, of the Liquor Control Act 1987 has not been granted in respect of the premises at the date the permit was granted, and
 - (B) no premises are deemed to fall outside the definition of 'club' in clause 52.28-6(b)(i) by virtue only of the fact that a club licence (whether full or restricted) under section 48 of the Liquor Control Act 1987 has not been granted in respect of the premises at the date the permit was granted.
- (c) Land not used as a hotel or club on 19 December 1997 if:
 - (i) the land was lawfully used as a hotel or club before 19 December 1997, and
 - (ii) all or part of the hotel or club was destroyed by fire between 1 September 1992 and 16 June 1998.
 - (d) Land in relation to which a permit granted to install or use a gaming machine in a restricted area is in force on 19 December 1997.

19/01/2006
VC37**SCHEDULE TO CLAUSE 52.28-6**

Name of strip shopping centre and locality	Land description
Aviation Road Shopping Centre, Laverton	1-9 (odd numbers) and 2-28 (even numbers) Aviation Rd; 161-163 (odd numbers) Railway Ave; 2-8 (even numbers) Neville Ave
Borrack Square Shopping Centre, Altona	1-39 (odd numbers) and 2-40 (even numbers) Borrack Square; 202-204 (even numbers) Millers Rd
Challis Street Shopping Centre, Williamstown North	31-47 (odd numbers) and 44-56 (even numbers) Challis St
Douglas Parade/Ferguson Street Shopping Centre, Williamstown	2-102 (even numbers) and 7-97 (odd numbers) (including land at the rear of 87) Ferguson St; 1-111 (odd numbers) and 4-110 (even numbers) (including land at the rear of 32-36 (even numbers)) Douglas Pde; 32-36 (even numbers) Lyons St; 101 Napier St; 4-10 (even numbers) Roaches Terrace; 64-68 (even numbers) and 77-83 (odd numbers) Stevedore St; land at the rear of 85 Stevedore St; 72-74 (even numbers) Electra St; 1-17 (odd numbers) and 2-14 (even numbers) Coxs Garden; 2-16 (even numbers) and 15-27 (odd numbers) (including land at the rear of 27) Wellington St; 166-168 (even numbers) Aitken St
Harrington Square Shopping Centre, Altona	1-26 Harrington Square; 120 Maidstone St
Hudsons Road Shopping Centre, Spotswood	29 Hope St; 68-98 (even numbers) and 79-101 (odd numbers) (excluding the rear of 87-97 (odd numbers)) Hudsons Rd
Newport Junction Shopping Centre, Newport	1-5 (odd numbers), 2-26 (even numbers) and 17-33A (odd numbers) Mason St; 33-37 (odd numbers) and 50 Davies St; 1 Susman St; 1-46A Hall St (excluding land at the rear of 15 Hall St); 314-344 (even numbers) and 405-455 (odd numbers) Melbourne Rd
Pier Street Shopping Centre, Altona	18-122 (even numbers) (including the 3 lots at the rear of 122) and 39-121 (odd numbers) Pier St; 9 and 19 Bent St; 112-122 (even numbers) Queen St; 66-92 (even numbers) Railway St Sth; 137 and 153 The Esplanade
The Circle Shopping Centre, Altona	9-13 (odd numbers) and 25-75 (odd numbers) The Circle

Name of strip shopping centre and locality	Land description
The Range Shopping Centre, Williamstown	71-79 (odd numbers) Kororoit Creek Rd
Woods Street Shopping Centre, Laverton	44-68 (even numbers) Woods St; 2-18 (even numbers) Lohse St; 36-38 (even numbers) Maher St
Vernon Street Shopping Centre, Spotswood	15-41 (odd numbers) and 30-36 (even numbers) Vernon St

52.28-7 Definitions

In this clause and in clause 19.02:

“club” means land used by members of a club or group, or by members’ guests, for religious or cultural activities, entertainment or meetings, and in respect of which a club licence (whether full or restricted) under section 48 of the Liquor Control Act 1987 is in force.

“hotel” means land used to:

- sell liquor for consumption on and off the premises, in respect of which a general (class 1) licence under section 47 of the Liquor Control Act 1987 is in force, or
- provide accommodation in serviced rooms for persons away from their normal place of residence, in respect of which a residential licence under section 46 of the Liquor Control Act 1987 is in force.

“strip shopping centre” means an area:

- zoned for business use, and
- consisting of at least two separate buildings on at least two separate and adjoining lots, and
- in which a significant proportion of the buildings are shops, and
- in which a significant proportion of the lots abut a road accessible to the public generally,

but does not include the Capital City Zone in the Melbourne Planning Scheme.

52.29 LAND ADJACENT TO A ROAD ZONE, CATEGORY 1, OR A PUBLIC ACQUISITION OVERLAY FOR A CATEGORY 1 ROAD

19/01/2006
VC37

Purpose

To ensure appropriate access to identified roads.

To ensure appropriate subdivision of land adjacent to identified roads.

Scope

This clause applies to land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit requirement

A permit is required to:

- Create or alter access to:
 - A road in a Road Zone, Category 1.
 - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.
- Subdivide land adjacent to:
 - A road in a Road Zone, Category 1.
 - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Referral of applications

An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the authority responsible for acquiring the land, must be referred to the Roads Corporation under Section 55 of the Act. This does not apply to:

- Boundary realignments.
- Subdivisions of existing buildings already connected to services and requiring no new access.
- Two lot subdivisions requiring no new access.
- Proposals which, in the opinion of the responsible authority, satisfy requirements or conditions previously agreed in writing between the responsible authority and the Roads Corporation.

Any other application must be referred to the owner of, or the authority responsible for acquiring, the adjacent land in the Road Zone, Category 1, or the Public Acquisition Overlay.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.

52.30 FREEWAY SERVICE CENTRE19/01/2006
VC37**Purpose**

To ensure that freeway service centres are appropriately designed and located.

To ensure that access to a freeway service centre from a rural freeway is designed to the requirements of the Roads Corporation.

To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.

To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.

To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

52.30-1 Requirements to be met**Facilities and services**

A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres

No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.

An application to use or develop land for a freeway service centre must be referred to the Roads Corporation in accordance with Section 55 of the Act.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the Roads Corporation.

In accordance with Section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

“This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.”

Metropolitan freeway service centre adjoining a residential zone

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

52.30-2 Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The Freeway Service Centres Design Guidelines, May 1997.

52.31 BROILER FARM

19/01/2006
VC37

Purpose

To facilitate the establishment and expansion of broiler farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Scope

This clause applies to land used or developed or proposed to be used or developed for a broiler farm.

Requirement

A broiler farm must comply with the Victorian Code for Broiler Farms, September 2001.

A permit for a new Class C broiler farm, as described in the Victorian Code for Broiler Farms, September 2001, must not be granted after 26 September 2001.

Exemption from notice and review

An application for a permit is exempt from the notice requirements of Section 52 (1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the proposal meets the requirements of a Class A farm specified in the Victorian Code for Broiler Farms, September 2001.

52.32 WIND ENERGY FACILITY

19/01/2006
VC37

Purpose

To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Scope

This clause applies to land used and developed or proposed to be used and developed for a wind energy facility.

Application requirements

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

- A site analysis and design response.
- Development plan(s) including the layout and height of the wind turbines and associated buildings and works, materials, reflectivity, colour, lighting, landscaping, connection to the electricity grid, access roads and parking areas.
- The location of all dwellings within a 500 metre radius of the site.
- Calculation of greenhouse benefits.
- Photomontages or other visual simulations illustrating the development from key vantage points.
- An assessment of the impact of the proposal on any avifauna listed under the Flora and Fauna Guarantee Act 1988 or Environment Protection and Biodiversity Conservation Act 1999.
- An assessment of the noise impact of the proposal based on the New Zealand Standard NZ6808:1998, Acoustics - The Assessment and Measurement of Sound from Wind Turbine Generators.
- An assessment of other potential amenity impacts such as blade glint, shadow flicker, electromagnetic interference.
- Impact upon any nearby airfields (within a 30 kilometre radius).
- Impact upon Aboriginal cultural heritage or European cultural heritage.
- An environmental management plan including any rehabilitation and monitoring.

Decision guidelines

- The views of the Sustainable Energy Association of Victoria about the contribution of the proposal to reducing greenhouse gas emissions.
- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.
- The impact of the development on significant views, including visual corridors and sightlines.
- The impact of the facility on the natural environment and natural systems.
- The views of the Civil Aviation Safety Authority if within a 30 kilometre radius of an airfield.
- The Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria, 2003.

52.33 SHIPPING CONTAINER STORAGE

19/01/2006
VC37

Scope

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities.

52.33-1 Decision guidelines

Before deciding on an application to use land for shipping container storage, or construct a building or construct or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
 - The zoning of the land.
 - Amenity of the neighbourhood.
 - Proximity of the land to residential uses and zones or other sensitive uses.
 - Access to a road in a Road Zone.
 - Access to rail facilities.
 - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
 - Capacity of the site to accommodate the proposed use.
- The effect on the environment and the amenity and character of the neighbourhood having regard to:
 - Existing and planned use of land in the neighbourhood.
 - Location, height and setback of shipping container stacks, particularly near road boundaries.
 - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
 - Hours of operation.
 - Design, construction and maintenance of external storage and vehicle movement areas.
 - Treatment and disposal of wastewater.
- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.
- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.
- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.
- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.
- The adequacy of traffic measures to:
 - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
 - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.

52.34 BICYCLE FACILITIES

19/01/2006
VC37

Purpose

To encourage cycling as a mode of transport.

To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

52.34-1 Provision of bicycle facilities

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

52.34-2 Permit requirement

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-3 and Clause 52.34-4.

Exemption from notice and review

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

Decision guidelines

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

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- Australian Standard AS 2890.3 1993 Parking facilities Part 3: Bicycle parking facilities.
- Any relevant bicycle parking strategy or equivalent.

52.34-3 Required bicycle facilities

Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.

If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.

A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.

A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

Table 1 to Clause 52.34-3 – Bicycle spaces

USE	EMPLOYEE/RESIDENT	VISITOR/SHOPPER/STUDENT
Amusement parlour	None	2 plus 1 to each 50 sq m of net floor area
Convenience restaurant	1 to each 25 sq m of floor area available to the public	2
Dwelling	In developments of four or more storeys, 1 to each 5 dwellings	In developments of four or more storeys, 1 to each 10 dwellings
Education centre other than specified in this table	1 to each 20 employees	1 to each 20 full-time students
Hospital	1 to each 15 beds	1 to each 30 beds
Hotel	1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public	1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public
Industry other than specified in this table	1 to each 1000 sq m of net floor area	None
Library	1 to each 500 sq m of net floor area	4 plus 2 to each 200 sq m of net floor area
Major sports and recreation facility	1 to each 1500 spectator places	1 to each 250 spectator places
Market	1 to each 50 stalls	1 to each 10 stalls
Medical centre	1 to each 8 practitioners	1 to each 4 practitioners
Minor sports and recreation facility	1 per 4 employees	1 to each 200 sq m of net floor area
Motel	1 to each 40 rooms	None
Nursing home	1 to each 7 beds	1 to each 60 beds
Office other than specified in this table	1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m	1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m
Place of assembly other than specified in this table	1 to each 1500 sq m of net floor area	2 plus 1 to each 1500 sq m of net floor area

USE	EMPLOYEE/RESIDENT	VISITOR/SHOPPER/STUDENT
Primary school	1 to each 20 employees	1 to each 5 pupils over year 4
Residential building other than specified in this table	In development of four or more storeys, 1 to each 10 lodging rooms	In development of four or more storeys, 1 to each 10 lodging rooms
Restaurant	1 to each 100 sq m of floor area available to the public	2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m.
Retail premises other than specified in this table	1 to each 300 sq m of leasable floor area	1 to each 500 sq m of leasable floor area
Secondary school	1 to each 20 employees	1 to each 5 pupils
Service industry	1 to each 800 sq m of net floor area	None
Shop	1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres	1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres
Take-away food premises	1 to each 100 sq m of net floor area	1 to each 50 sq m of net floor area

Table 2 to Clause 52.34-3 - Showers

USE	EMPLOYEE/RESIDENT	VISITOR/SHOPPER/STUDENT
Any use listed in Table 1	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	None

Table 3 to Clause 52.34-3 - Change rooms

USE	EMPLOYEE/RESIDENT	VISITOR/SHOPPER/STUDENT
Any use listed in Table 1	1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.	None

52.34-4 Design of bicycle spaces

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection of the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:

- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

52.34-5 Bicycle signage

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.

52.35 URBAN CONTEXT REPORT AND DESIGN RESPONSE FOR RESIDENTIAL DEVELOPMENT OF FOUR OR MORE STOREYS

19/01/2006
VC37

Purpose

To ensure that an urban context report is prepared before a residential development of four or more storeys is designed and that the design responds to the existing urban context and preferred future development of the area.

52.35-01 Application requirements

An application for a residential development of four or more storeys must be accompanied by:

- An urban context report.
- A design response.

52.35-02 Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- View to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

A written statement that describes:

- Any relevant housing, neighbourhood character, urban design and landscape plan, strategy or policy set out in this scheme.
- The strategic and local suitability of the site for residential development of four or more storeys.

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

52.35-03 Satisfactory urban context report

The responsible authority must inform the applicant in writing:

- Before notice of an application is given, or
 - If notice of an application is not required to be given, before deciding the application,
- that the urban context report meets the requirements of Clause 52.35-02 and is satisfactory or does not meet the requirements of Clause 52.35-02 and is not satisfactory.

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 52.35-02 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

52.35-04 Design response

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Responds to any relevant housing, neighbourhood character, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

54 ONE DWELLING ON A LOT

19/01/2006
VC37

Purpose

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

To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that is responsive to the site and the neighbourhood.

Application

These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:

- A Residential 1 Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Residential 1 Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone or Township Zone.

Operation

The provisions of this clause contain:

- **Objective.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objective.

Requirements

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If the schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the schedule to a zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the schedule to a zone, the requirement in the overlay applies.

54.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

54.01-1 Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
 - The built form, scale and character of surrounding development including front fencing.
 - Architectural and roof styles.
 - Any other notable features or characteristics of the neighbourhood.
- In relation to the site:
 - Site shape, size orientation and easements.
 - Levels of the site and the difference in levels between the site and surrounding properties.
 - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
 - The use of surrounding buildings.
 - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
 - Solar access to the site and to surrounding properties.
 - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
 - Any contaminated soils and filled areas, where known.
 - Views to and from the site.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Any other notable features or characteristics of the site.

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

Satisfactory neighbourhood and site description

The responsible authority must inform the applicant in writing:

- Before notice of an application is given, or
- If notice of an application is not required to be given, before deciding the application, that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory or does not meet the requirements of Clause 54.01-1 and is not satisfactory.

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

54.01-2 Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

54.02 NEIGHBOURHOOD CHARACTER**54.02-1 Neighbourhood character objective**

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that the design responds to the features of the site and the surrounding area.

Standard A1

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

54.02-2 Integration with the street objective

To integrate the layout of development with the street.

Standard A2

Dwellings should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

54.03 SITE LAYOUT AND BUILDING MASSING

54.03-1 Site setback objective

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3

Walls of buildings should be set back from streets:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

DEVELOPMENT CONTEXT	MINIMUM SETBACK FROM FRONT STREET (METRES)	MINIMUM SETBACK FROM A SIDE STREET (METRES)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable.
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable.
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable.
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front	The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

DEVELOPMENT CONTEXT	MINIMUM SETBACK FROM FRONT STREET (METRES)	MINIMUM SETBACK FROM A SIDE STREET (METRES)
	street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

54.03-2 Building height objective

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard A4

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

54.03-3 Site coverage objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5

The site area covered by buildings should not exceed:

- The maximum site coverage specified in the schedule to the zone, or
- If no maximum site coverage is specified in the schedule to the zone, 60 per cent.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

54.03-4 Permeability objectives

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

Standard A6

At least 20 per cent of the site should not be covered by impervious surfaces.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving at least 20 per cent site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

54.03-5 Energy Efficiency protection objectives

To achieve and protect energy efficient dwellings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the dwelling, if practicable.

Dwellings should be designed so that solar access to north-facing windows is maximised.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to properties.
- The availability of solar access to north-facing windows on the site.

54.03-6 Significant trees objective

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

Standard A8

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The health of any trees that were removed or are proposed to be removed.
- Whether a tree was removed to gain a development advantage.

54.03-7 Parking objective

To ensure that car parking is adequate for the needs of residents.

Standard A9

Two car spaces should be provided per dwelling with:

- One space at least 6 metres long and 3.5 metres wide and covered or capable of being covered.
- The second space at least 4.9 metres long and 2.6 metres wide.

If the car spaces are provided in a garage, carport or otherwise constrained by walls, a double space may be 5.5 metres wide measured inside the garage or carport.

A building may project into a car space if it is at least 2.1 metres above the space.

The requirements of this standard do not apply to extensions to existing dwellings.

Decisions guidelines

Before deciding on an application, the responsible authority must consider:

- The likely needs of users.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- The reduction of on-street car parking spaces resulting from provision of car parking on the site, particularly for lots of less than 300 square metres.
- The availability of public transport and on-street parking.
- Any relevant local planning policy or parking precinct plan.

54.04 AMENITY IMPACTS

54.04-1 Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A10

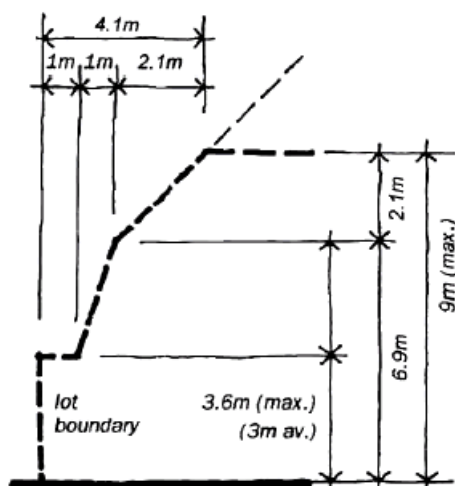
A new building not on or within 150 mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram A1 Side and rear setbacks



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

54.04-2 Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A11

A new wall constructed on or within 150 mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,

whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 150 mm from a boundary.

The height of a new wall constructed on or within 150 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

54.04-3 Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

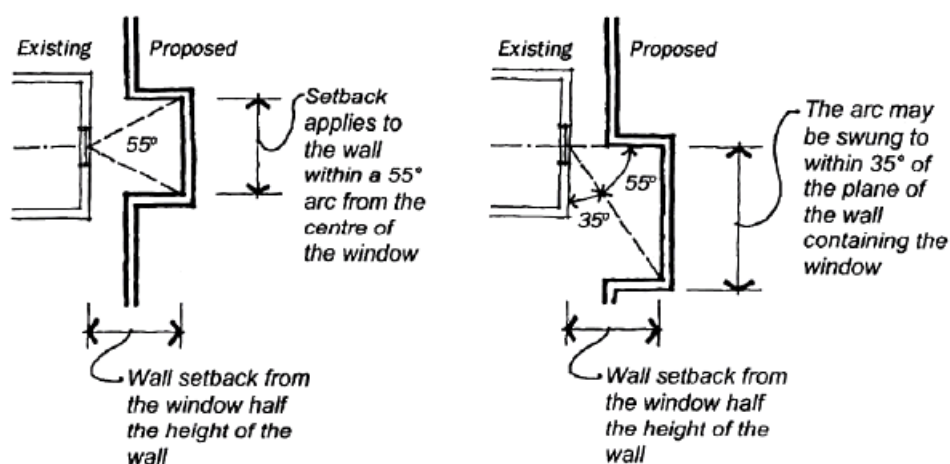
Standard A12

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

54.04-4 North-facing windows objective

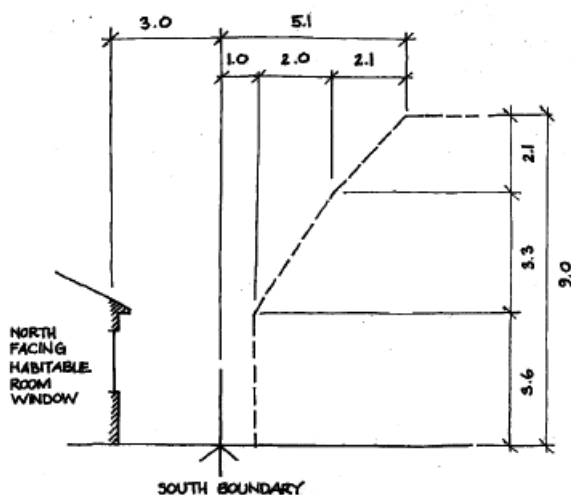
To allow adequate solar access to existing north-facing habitable room windows.

Standard A13

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of

each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram A3 North-facing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

54.04-5 Overshadowing open space objective

To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.

- The time of day that sunlight is available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the secluded private open space.

54.04-6 Overlooking objective

To limit views into existing secluded private open space and habitable room windows.

Standard A15

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

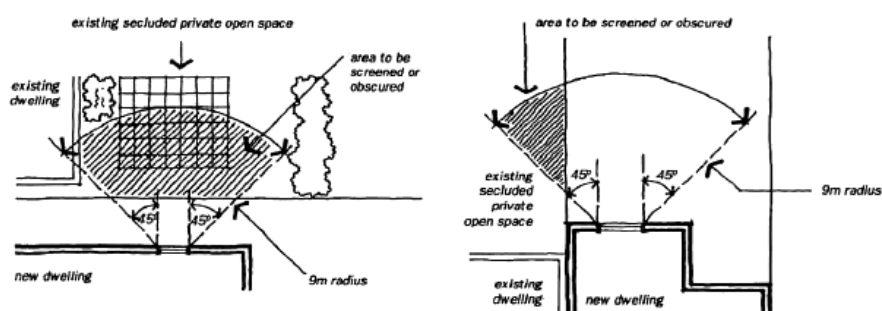
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram A4 Overlooking open space



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.

54.05 ON-SITE AMENITY AND FACILITIES**54.05-1 Daylight to new windows objective**

To allow adequate daylight into new habitable room windows.

Standard A16

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and a minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

54.05-2 Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17

A dwelling should have private open space of an area and dimensions specified in the schedule to the zone.

If no area or dimensions is specified in the schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public open space.
- The orientation of the lot to the street and the sun.

54.05-3 Solar access to open space objective

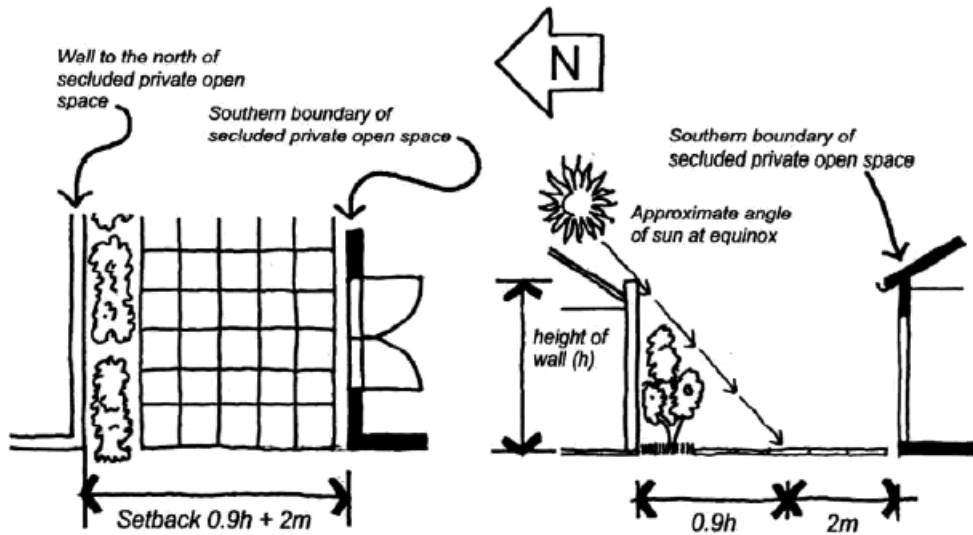
To allow solar access into the secluded private open space of a new dwelling.

Standard A18

The private open space should be located on the north side of the dwelling, if practicable.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

Diagram A5 Solar access to open space



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

54.06 DETAILED DESIGN

54.06-1 Design detail objective

To encourage design detail that respects the existing or preferred neighbourhood character.

Standard A19

The design of buildings, included:

- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,

should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

54.06-2 Front fences objective

To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard A20

The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in the schedule to the zone, or
- If no maximum height is specified in the schedule to the zone, the maximum height specified in Table A2.

Table A2 Maximum front fence height

STREET CONTEXT	MAXIMUM FRONT FENCE HEIGHT
Streets in a Road Zone, Category 1	2 metres
Other streets	1.5 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

55 TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

19/01/2006
VC37

Purpose

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

To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that is responsive to the site and the neighbourhood.

Application

These provisions apply to an application to:

- Construct a dwelling if there is at least one dwelling existing on the lot,
- Construct two or more dwelling on a lot,
- Extend a dwelling if there are two or more dwellings on the lot,
- Construct or extend a dwelling on common property, or
- Construct or extend a residential building,

in the Residential 1 Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone and Township Zone.

These provisions do not apply to an application to construct or extend a development of four or more storeys, excluding a basement.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If the schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this

clause or a requirement in the schedule to a zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the schedule to a zone, the requirement in the overlay applies.

55.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

55.01-1 Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
 - The pattern of development of the neighbourhood.
 - The built form, scale and character of surrounding development including front fencing.
 - Architectural and roof styles.
 - Any other notable features or characteristics of the neighbourhood.
- In relation to the site:
 - Site shape, size, orientation and easements.
 - Levels of the site and the difference in levels between the site and surrounding properties.
 - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
 - The use of surrounding buildings.
 - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
 - Solar access to the site and to surrounding properties.
 - Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.
 - Any contaminated soils and filled areas, where known.
 - Views to and from the site.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - The location of local shops, public transport services and public open spaces within walking distance.
 - Any other notable features or characteristics of the site.

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

Satisfactory neighbourhood and site description

The responsible authority must inform the applicant in writing:

- Before notice of an application is given, or
- If notice of an application is not required to be given, before deciding the application,

that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory or does not meet the requirements of Clause 55.01-1 and is not satisfactory.

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under section 54 of the Act.

The responsible authority must not require notice of an applicant to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

55.01-2 Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

55.02-1 Neighbourhood character objectives

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that development responds to the features of the site and the surrounding area.

Standard B1

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

55.02-2 Residential policy objectives

To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

Standard B2

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The State Planning Policy Framework and the Local Planning Framework including the Municipal Strategic Statement and local planning policies.
- The design response.

55.02-3 Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, included:

- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

55.02-4 Infrastructure objectives

To ensure development is provided with appropriate utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standard B4

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or the upgrading of the local drainage system.

55.02-5 Integration with the street objective

To integrate the layout of development with the street.

Standard B5

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

55.03 SITE LAYOUT AND BUILDING MASSING

55.03-1 Street setback objective

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6

Walls of buildings should be set back from streets:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setback of this standard.

Table B2 Street setback

DEVELOPMENT CONTEXT	MINIMUM SETBACK FROM FRONT STREET (METRES)	MINIMUM SETBACK FROM A SIDE STREET (METRES)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setback of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres,

DEVELOPMENT CONTEXT	MINIMUM SETBACK FROM FRONT STREET (METRES)	MINIMUM SETBACK FROM A SIDE STREET (METRES)
	front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback from the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

55.03-2 Building height objective

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard B7

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect of the slope of the site on the height of the building.

- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

55.03-3 Site coverage objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard B8

The site area covered by building should not exceed:

- The maximum site coverage specified in the schedule to the zone, or
- If no maximum site coverage is specified in the schedule to the zone, 60 per cent.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

55.03-4 Permeability objectives

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

Standard B9

At least 20 per cent of the site should not be covered by impervious surfaces.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving at least 20 per cent site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

55.03-5 Energy efficiency objectives

To achieve and protect energy efficient dwellings and residential buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard B10

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.

55.03-6 Open space objective

To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

Standard B11

If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for open space in the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The design response.

55.03-7 Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard B12

Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Decision guidelines

Before deciding on an application, the responsible authority must consider the design response.

55.03-8 Landscaping objectives

To encourage development that respects the landscape character of the neighbourhood.

To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

Standard B13

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any relevant plan or policy for landscape design in the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The design response.

- The location and size of gardens and the predominant plant types in the neighbourhood.
- The health of any trees to be removed.
- Whether a tree was removed to gain a development advantage.

55.03-9 Access objectives

To ensure vehicle access to and from a development is safe, manageable and convenient.

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

Standard B14

Accessways should:

- Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network.
- Be designed to ensure vehicles can exit a development in a forwards direction if the accessway serves five or more car spaces, three or more dwellings, or connects to a road in a Road Zone.
- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction.
- Provide a passing area at the entrance that is at least 5 metres wide and 7 metres long if the accessway serves ten or more spaces and connects to a road in a Road Zone.

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the neighbourhood character.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- The reduction of on-street car parking spaces.
- Traffic flows in the street and the safety of motorists and pedestrians.
- The effect on any significant vegetation on the site and footpath.
- The efficient use of the site.
- For developments with accessways longer than 60 metres or serving more than 40 dwellings, the relevant standards of Clause 56.

55.03-10 Parking location objectives

To provide convenient parking for resident and visitor vehicles.

To avoid parking and traffic difficulties in the development and the neighbourhood.
To protect residents from vehicular noise within developments.

Standard B15

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be designed to allow safe and efficient movements within the development.
- Be well ventilated if enclosed.

Large parking areas should be broken up with trees, buildings or different surface treatments.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guidelines

Before deciding on an application, the responsible authority must consider the design response.

55.03-11 Parking provision objectives

To ensure that car and bicycle parking for residents and visitors is appropriate to the needs of residents.

To ensure that the design of parking and access areas is practical and attractive and that these areas can be easily maintained.

Standard B16

Car parking for residents should be provided as follows:

- One space for each one or two bedroom dwelling.
- Two spaces for each three or more bedroom dwelling, with one space under cover.

Studies or studios that are separate rooms must be counted as bedrooms.

Developments of five or more dwellings should provide visitor car parking of one space for every five dwellings. The spaces should be clearly marked as visitor parking.

In developments of five or more dwellings, bicycle parking spaces should be provided.

Car spaces and accessways should have the minimum dimensions specified in Table B2.

Table B2 Car park and accessway dimensions

ANGLE OF CAR SPACES TO ACCESSWAY	ACCESSWAY WIDTH	CAR SPACE WIDTH	CAR SPACE LENGTH
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

A building may project into the space if it is at least 2.1 metres above the space.

Car spaces in garages, carports or otherwise constrained by walls should be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Car parking facilities should:

- Be designed for efficient use and management.
- Minimise the area of hard surface.
- Be designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.
- Be lit.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The reduction in the demand for on-site parking in rental housing, managed by not for profit organisations, intended for residents likely to have a low level of car ownership.
- The number, type and size of dwellings.
- The availability of public transport and on-street parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- The reduction of on-street car parking spaces associated with the provision of car parking on the site, particularly for lots of less than 300 square metres.
- Local traffic and parking management plans and safety considerations.
- Any relevant local planning policy or parking precinct plan.

55.04 AMENITY IMPACTS

55.04-1 Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17

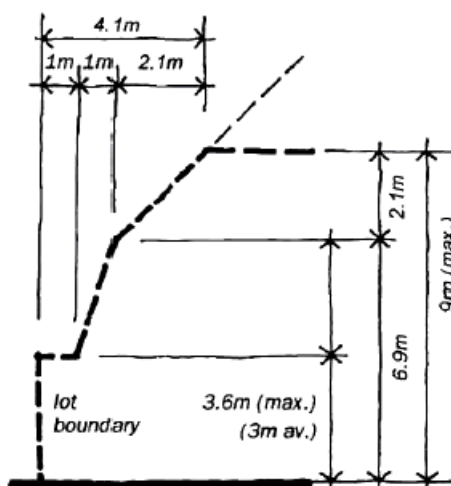
A new building not on or within 150 mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings, having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram B1 Side and rear setbacks



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

55.04-2 Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B18

A new wall constructed on or within 150 mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,

whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 150 mm from a boundary.

The height of a new wall constructed on or within 150 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

55.04-3 Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

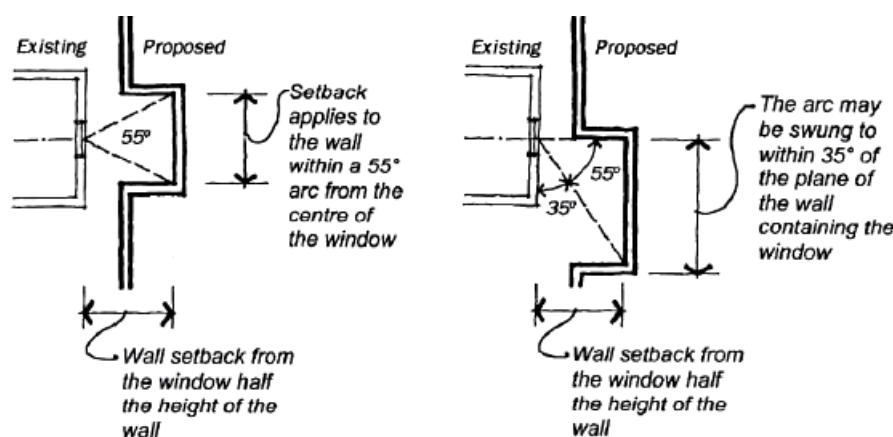
Standard B19

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

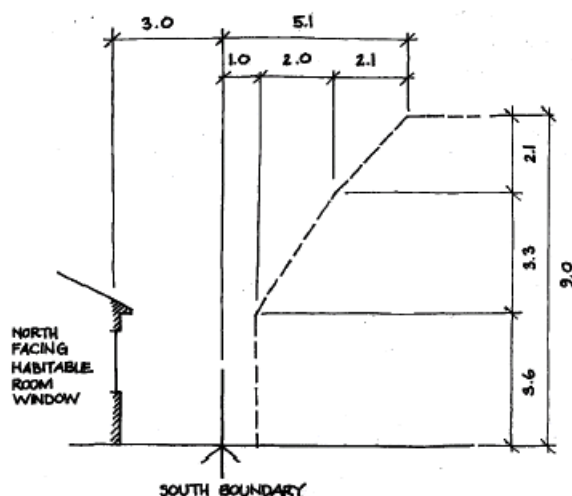
55.04-4 North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard B20

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram B3 North-facing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

55.04-5 Overshadowing open space objective

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B21

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

55.04-6 Overlooking objective

To limit views into existing secluded private open space and habitable room windows.

Standard B22

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

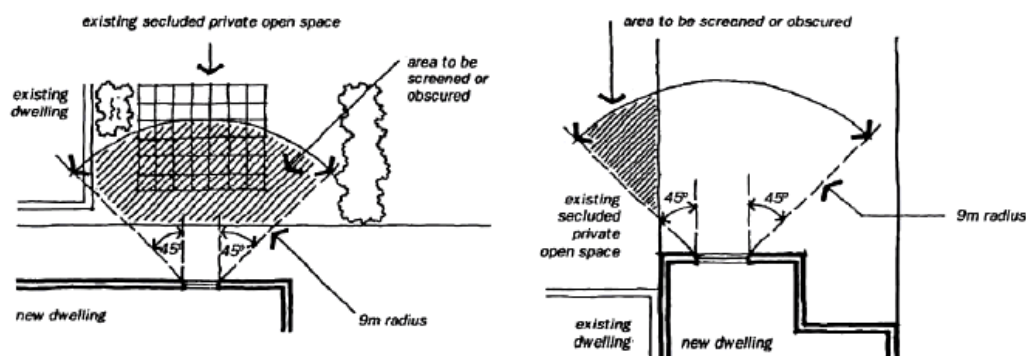
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram B4 Overlooking open space



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

55.04-7 Internal views objective

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard B23

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.04-8 Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

Standard B24

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.05 ON-SITE AMENITY AND FACILITIES**55.05-1 Accessibility objective**

To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25

The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

55.05-2 Dwelling entry objective

To provide each dwelling or residential building with its own sense of identity.

Standard B26

Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

55.05-3 Daylight to new windows objective

To allow adequate daylight into new habitable room windows.

Standard B27

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

55.05-4 Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28

A dwelling or residential building should have private open space of an area and dimensions specified in the schedule to the zone.

If no area or dimensions are specified in the schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

55.05-5 Solar access to open space objective

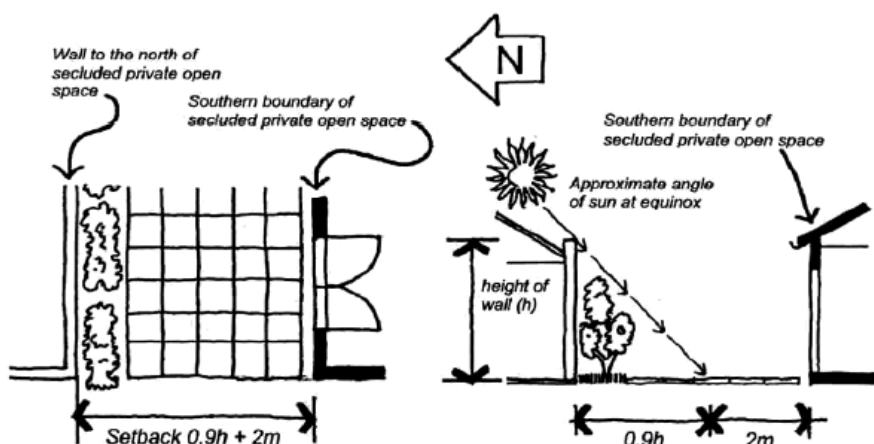
To allow solar access into the secluded private open space of new dwellings and residential buildings.

Standard B29

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

Diagram B5 Solar access to open space



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

55.05-6 Storage objective

To provide adequate storage facilities for each dwelling.

Standard B30

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

55.06 DETAILED DESIGN

55.06-1 Design detail objective

To encourage design detail that respects the existing or preferred neighbourhood character.

Standard B31

The design of buildings, including:

- Facade articulation and detailing.
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,

should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

55.06-2 Front fences objective

To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard B32

The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in the schedule to the zone, or
- If no maximum height is specified in the schedule to the zone, the maximum height specified in Table B3.

Table B3 Maximum front fence height

STREET CONTEXT	MAXIMUM FRONT FENCE HEIGHT
Streets in a Road Zone, Category 1	2 metres
Other streets	1.5 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

55.06-3 Common property objectives

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard B33

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

55.06-4 Site services objectives

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

Standard B34

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

Decision guidelines

Before deciding on an application, the responsible authority must consider the design response.

56 RESIDENTIAL SUBDIVISION

19/01/2006
VC37

Purpose

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

To encourage subdivisions that provide a wide range of lot size, are cost-effective and meet community standards for health and amenity.

To provide safe, environmentally sustainable and livable neighbourhoods.

To encourage subdivision design that:

- Identifies and appropriately responds to site opportunities and constraints.
- Respects the existing neighbourhood character or achieves a preferred neighbourhood character for the area.
- Gives new communities a sense of place and identity.
- Provides safe and convenient access to a range of physical and community infrastructure.
- Protects natural and cultural features.

Application

These provisions apply to an application to subdivide land in the Residential 1 Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone or Township Zone.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement

A subdivision should meet all of:

- The objectives of this clause.
- The standards of this clause.

56.01 SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A site and context description
- A design response.

56.01-1 Site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
 - Site shape, dimensions and size.
 - Orientation and contours.
 - Trees and other significant vegetation.
 - The siting and use of existing buildings on the site.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Access points.
 - Drainage and infrastructure connections.
 - Easements.
 - Any significant natural features of the site, including drainage lines, watercourses, significant habitat and habitat corridors for the movement of fauna.
 - Significant views to and from the site.
 - Noise and odour sources or other external influences.
 - Soil conditions, including any land affected by contamination, salinity or fill.
 - Any other notable features or characteristics of the site.
- In relation to the surrounding area:
 - The pattern of subdivision of the surrounding area.
 - Existing land uses.
 - The siting and use of existing buildings on the adjacent properties.
 - The location and type of significant vegetation.
 - Street and footpath widths, material and detailing.
 - Location, distance and characteristics of any nearby public open space.
 - Direction and distances to local shops, schools, community and recreational facilities.
 - Directions and distances to public transport routes and stops.
 - Direction and distances to existing neighbourhood, town and regional activity centres and major employment areas and their catchments.
 - Existing transport routes, including freeways, arterial and sub-arterial roads and major roads connecting neighbourhoods.
 - Local street network.
 - Traffic volumes and movements on adjacent roads.
 - Pedestrian and bicycle paths.
 - Any places of natural or cultural significance.

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

Satisfactory site and context description

The responsible authority must inform the applicant in writing:

- Before notice of an application is given, or
- If notice of an application is not required to be given, before deciding the application,

that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory or does not meet the requirements of Clause 56.01-1 and is not satisfactory.

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

56.01-2 Design response

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Meets the objectives of Clause 56.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include a correctly proportioned plan showing the subdivision in context with the adjacent area. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

If the subdivision will create a new residential community, the plan should also show and explain:

- Proposes neighbourhood areas and centres.
- Proposed commercial centres.
- Proposed schools and community facilities.
- Pedestrian catchments of proposed commercial and community facilities.
- Proposed land uses.
- Proposed street layout and network including street types.
- Mixture and distribution of lot sizes.
- Proposed public open space.
- Natural features to be retained.
- Proposed urban water management network.
- Proposed public transport routes.
- Proposed bike paths.
- Proposed staging of the subdivision.

56.02 COMMUNITY DESIGN**56.02-1 Residential character and identity objective**

To design residential areas that promote community development through the creation of neighbourhood focal points and a sense of local character and identity.

Standard C1

Subdivision layouts should give a residential environment a strong and positive identity by responding to site characteristics, its setting, landmarks and views, and through the street and open space networks.

Neighbourhood identity should be reinforced by locating local points for community and retail facilities within reasonable walking distance of most residents.

Subdivision layouts:

- Must respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Must respond to and integrate with the surrounding urban environment.
- Should encourage development to front major streets, through the use of service roads or side or rear access.

56.02-2 Planning for movement objective

To provide a movement network that establishes good internal and external access for residents, maximises safety, encourages public transport patronage and minimises the impact of through traffic.

Standard C2

The movement network should be designed to:

- Ensure vehicles are able to move in a convenient, logical, safe and efficient manner.
- Provide a high level of access within a residential area and have good connections to external routes.
- Slow traffic within residential areas and divert through traffic to desired routes.
- Respect the existing or preferred neighbourhood character and maximise residential amenity.
- Provide a safe, accessible, convenient, efficient and logical pedestrian and bicycle network.
- Provide opportunities for public transport.
- Ensure emergency and service vehicle access to all developments.

56.02-3 Environmental sustainability objective

To facilitate an environmentally sustainable approach to urban development by minimising fossil fuel use, protecting environmental assets and providing for higher densities.

Standard C3

Street layouts and lot densities should be designed to minimise fossil fuel use by reducing local vehicle travel distances, maximising public transport effectiveness and encouraging walking and cycling to daily activities.

Street and lot layouts should enable efficient provision of physical services.

Street and lot dimensions should facilitate the siting and design of dwellings to minimise fossil fuel use and maximise use of passive solar energy.

Subdivision layouts should:

- Retain significant vegetation and habitat areas.
- Incorporate natural and cultural features.
- Minimise soil erosion.
- Encourage on-site water retention.
- Avoid inappropriate development on floodplains.
- Use drainage methods that protect and enhance streams.

56.02-4 Residential diversity objective

To provide residential areas that meet the diverse needs of the community with a wide choice in housing and associated public and commercial uses.

Standard C4

The design of neighbourhoods should:

- Provide for a variety of housing types and other compatible land uses.
- Be arranged to encourage provisions of local services, facilities and employment, in a manner that minimises land use conflicts.

A mix of lot sizes should be provided within neighbourhoods that includes smaller residential lots and lots suitable for integrated medium density housing in areas close to services, public transport and public open space.

56.02-5 Public open space objective

To provide a public open space network, including appropriate land for recreation, that can meet the diverse needs of today's residents and be adapted to the needs of future users.

Standard C5

Public open spaces should be located and designed to:

- Improve the legibility and character of the development.
- Provide for a range of uses and activities.
- Promote on-site infiltration of stormwater run-off.

56.02-6 Safety and security objective

To enhance the safety and security of residents and property in residential areas by reducing the potential for crime and vandalism.

Standard C6

Subdivision layouts should:

- Provide for public surveillance of streets and public open spaces by:
 - Orienting lot frontages to streets and public open spaces.
 - Providing streets on public open space boundaries.
- Locate open space and community facilities at focal points that are easily observed by surrounding and passing residents.
- Local pedestrian and bicycle paths along streets fronted by dwellings.
- Avoid creating areas of poor surveillance on routes to and from public transport.

56.02-7 Environmental constraints and bushfire hazard objective

To ensure that the design of residential areas takes into account environmental constraints including soil erosion, flooding and bush fire hazard.

Standard C7

Subdivision layouts should:

- Avoid inappropriate development on land subject to flooding.
- Minimise soil erosion.
- Retain significant vegetation and habitat areas.
- Incorporate natural and cultural features.
- Encourage on-site water retention and use drainage methods that protect and enhance streams.

The layout of subdivisions abutting long term non-urban areas or conservation areas that are of high bushfire hazard should ensure that:

- Streets are located, connected and designed to allow safe and efficient movement of fire emergency vehicles.
- Lots are configured to facilitate siting and design of dwellings incorporating bushfire protection measures.

56.03 MOVEMENT NETWORK

56.03-1 Street network objectives

To provide a network of streets with clear physical distinctions between traffic routes and residential streets based on function, legibility, convenience, traffic volumes, vehicle speeds, public safety and amenity.

To provide acceptable levels of accessibility, safety and convenience for all street and road users in residential areas, while ensuring acceptable levels of amenity and minimising the negative impact of through traffic.

To orient the street network to facilitate the production of lots with high solar access potential and integrate the street network with natural drainage and open space systems.

Standard C8

Streets should be designed to meet the adopted functions, carry the volumes and limit target street speeds specified in Table C1.

The design features of each type of residential street should convey its primary functions and encourage appropriate driver behaviour.

Larger roads and traffic routes should be located and designed to provide routes that are more convenient for external traffic than the residential street network.

Larger roads and traffic routes should be provided at intervals of approximately 1.6 kilometres and have adequate capacity to accommodate projected movement.

Internal street layouts should conform to the requirements of the external traffic route network and satisfy the transport provisions of any relevant plan or policy in the scheme. Where appropriate, the proposed external road system should be modified to achieve a better overall network.

The street network should be oriented:

- Approximately east-west and north-south to promote efficient solar access for dwellings.
- Along valleys where the street is part of the drainage system, if this is consistent with the management of stormwater and environmental values of the valley.

Table C1 Classifications of residential streets

RESIDENTIAL STREETS TYPE AND FUNCTION	NUMBER OF DWELLINGS SERVED	VOLUME ¹	TARGET STREET SPEED
Access Lane A side or rear lane principally providing access to parking for lots with another street frontage.		300 veh/day	15 km/hr
Access Place A minor street providing local residential access with shared traffic pedestrian and recreation use, but with pedestrian priority. The	Small and fewer than 30.	300 veh/day	15 km/hr

RESIDENTIAL STREETS TYPE AND FUNCTION	NUMBER OF DWELLINGS SERVED	VOLUME¹	TARGET STREET SPEED
maximum length of an access place is 100m.			
<p>Access Street</p> <p>A street providing local residential access where traffic is subservient, speed and volume are low, and pedestrian and bicycle movements are facilitated.</p> <p>It includes streets serving 30 dwellings or less that are not comprehensively designed as access places.</p>	Fewer than 200 and preferably fewer than 100.	1000 veh/day	30 km/hr
		2000 veh/day	40 km/hr
<p>Collector Street</p> <p>The collector street collects traffic from the access places and access streets and carries higher volumes of traffic</p>		3000 veh/day	50 km/hr 20 km/hr at designated pedestrian or bicycle crossings ²
<p>Trunk Collector</p> <p>The trunk collector streets provide a specialised form of connection between the residential streets and the traffic route system where it is desirable to concentrate local traffic to an outlet, but not to attract through traffic. Its principal function is to facilitate the convenient and safe movement of residential traffic to and from the major arterial road system usually at a signalled intersection. It is not a typical residential street. Residential development may be considered on these streets with siting conditions that ensure acceptable amenity and that provide for vehicles to enter the street in a forwards direction.</p>		6000	60 km/hr ³

¹ Indicative maximum traffic volume for 24 hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

² Requires special design and control so that vehicle speeds are reduced progressively

³ Design speed on trunk collector streets not to exceed legal speed limit.

56.03-2 Street network detail objectives

To provide acceptable levels of accessibility, safety and convenience for all street and road users in residential areas, while ensuring acceptable levels of amenity and minimising the negative impact of through traffic.

To discourage residential streets from operating as through traffic routes for externally generated traffic, while limiting the length of time local drivers need to spend in a low speed environment.

To provide the basis for cost effective design and construction of the street network.

Standard C9

Residential streets should:

- Discourage through flow of externally generated traffic
- Limit the length of time local drivers need to spend at a low speed

Street networks should be designed to optimise the use of the traffic route investment by ensuring they will operate at high volume/capacity ratios at peak times in situations where no significant future increases in traffic volume are anticipated.

Trunk collector streets should be less than 150 metres in length, except where topography or the location of traffic routes makes a longer distance unavoidable.

There should be no more than three turns at street intersections or junctions when travelling from any dwelling to the most convenient collector street or higher order street.

The driving distance from any dwelling to the nearest collector or higher order street should be less than 700 metres.

Speed should be controlled by limiting street leg length and providing appropriate slow points at the end of each leg. Slow points may include street functions, sharp bends and speed humps. Speeds may also be restrained by a continuous series of bends or by a combination of approaches.

56.03-3 Intersection objective

To ensure street intersections are safe, convenient and appropriate for the type of street.

Standard C10

Intersections between residential streets should be controlled by T-junctions, roundabouts or other appropriate traffic management treatment to slow and control traffic.

Street and road junctions should be spaced in accordance with the requirements specified in Table C2.

Table C2 Junctions along residential streets and traffic routes

	TYPICAL AVERAGE ¹ JUNCTION SPACING	MIN. SPACING OF STAGGERED JUNCTION – LEFT/RIGHT STAGGER	MIN. SPACING OF STAGGERED JUNCTION – RIGHT/LEFT STAGGER
Residential Streets			
Access Place			
Access Street	40	20	20

	TYPICAL AVERAGE ¹ JUNCTION SPACING	MIN. SPACING OF STAGGERED JUNCTION – LEFT/RIGHT STAGGER	MIN. SPACING OF STAGGERED JUNCTION – RIGHT/LEFT STAGGER
Collector Street	40	20	20
Trunk Collector	80	40	20
Traffic Routes			
2-lane sub arterial	100	60	30
3-lane sub arterial	100	100	30
Divided sub arterial	150	150	50
Divided arterial	150	150	50
Divided major arterial	200	150	50

- ¹ The typical average junction spacing relates to the total number of junctions along both sides of the specified residential street or traffic route. Each cross-road counts as one junction. A right/left stagger on a three lane sub-arterial or higher order road also counts as one junction. Other junctions may form T-junctions or allow only restricted vehicle movement.

56.03-4 Controlling speed objective

To provide accessibility, safety and convenience for all street users in residential areas by ensuring that the speed of traffic is appropriate for the type of the street.

Standard C11

Street leg lengths should be

- Designed as specified in Table C3.
- Limited to control vehicle speed between slow points designed to restrict design speeds to 20 kilometres per hour.

Table C3 Street leg length and design speed

STREET TYPE	TARGET STREET SPEED	MAXIMUM LEG LENGTH BETWEEN 20 km/hr SLOW POINTS.
Access Street	30 km/hr	75 to 100 m
	40 km/hr	100 to 140 m
Collector Street	50 km/hr	120 to 155 m
Trunk Collector	60 km/hr	120 to 155 m

Slow points and carriageway narrowing should be designed taking into account the need of cyclists by ensuring:

- Speed compatibility.

- Adequate space for concurrent passage.
- Off-street diversions.

Where bends are introduced to control speeds to 20 kilometres per hour or less, the deflection angle in the change of alignment of a street pavement should be at least the angle specified in Table C4.

Table C4 Minimum deflection angles for speed control to 20 km/hr

BEND TYPE	STREET PAVEMENT WIDTH ¹		
	3.5 m	5-5.5 m	7-7.5 m
Single bend	60 degrees	70 degrees	90 degrees
Chicane (2 reverse bends)	30-30 degrees	45-45 degrees	60-60 degrees

² [sic-should read 1] Pavements may be reduced to 3.5 metres at bends by the use of medians.

Where bends or slow points are used which allow speeds greater than 20 kilometres per hour, the length of street between two bends or slow points should meet the distance specified in Table C5.

Table C5 Slow point speed and length of street between slow points

SPEED AT SLOW POINT OR BEND	MAXIMUM LEG LENGTH OF STREET BETWEEN SLOW POINTS/BENDS TO LIMIT TARGET STREET SPEED TO:		
	30 KM/HR	40 KM/HR	50 KM/HR
20 km/hr	Refer Table C3		
25 km/hr	45 m	80 m	135 m
30 km/hr	-	65 m	115 m
35 km/hr	-	50 m	100m
40 km/hr	-		80 m
45 km/hr	-		60 m

56.03-5 Local accessibility objectives

To provide a safe, convenient and legible movement network for pedestrians and cyclists along streets and paths to points of attraction within and adjoining the development.

To provide a movement network that contributes to limiting the use of fossil fuels.

Standard C12

The street network should:

- Facilitate walking, cycling and the use of public transport for access to daily activities.

- Enable relatively direct local vehicle trips within the neighbourhood and to local activity points.

The street network and paths should provide a movement system for pedestrians and cyclists that is efficient, cost effective and substantially capable of visual surveillance by residents.

Links should be provided to facilitate major pedestrian or cyclist movement where cul-de-sac heads abut other streets or public open space.

56.03-6 Public transport objectives

To provide for bus routes that are accessible from all dwellings and activity centres and efficient to operate.

To provide a movement network in the vicinity of fixed rail that is focused towards passenger stops.

To establish a movement network that provides convenient linkages to activity centres and local facilities either within or adjoining the development.

Standard C13

The street and road network should provide for access to public transport within a reasonable safe and convenient walking distance of all dwellings.

Proposed bus routes should connect efficiently with existing or likely future bus routes, to provide for ease of movement of buses between developments, and to link major activity centres internal and external to the development.

Buses should be able to safely access the development and move safely between developments without complicated turning manoeuvres.

The alignment and geometry of streets that form bus routes should provide for the efficient and unimpeded movement of buses.

Streets suitable for bus routes through the development should be no more than 30 per cent longer than the bus routes available on the adjacent traffic route network.

Street networks near railway stations and major tram routes should be focussed towards stops to provide high levels of accessibility and surveillance.

At least 90 per cent of dwellings should be within 400 metres safe walking distance from an existing or proposed bus or tram route and should not be more than 500 metres from the nearest stop, or within 800 metres of a railway station.

56.04 PEDESTRIANS AND CYCLISTS

56.04-1 Pedestrian and cyclists objectives

To provide a safe, convenient and legible network of on-street and off-street paths for pedestrians and cyclists to points of attraction within and beyond the development.

To design and develop new residential communities to promote walking and cycling to daily activities.

Standard C14

Subdivisions should provide a network of pedestrian and bicycle paths in accordance with any relevant approved state, regional or local walking trail or bicycle plan and constructed in accordance with the Austroads Guide to Traffic Engineering Practice, Pt 13: Pedestrians, 1995 (AP 11.13.95/HB 69.13-1995).

The residential street network should be designed to

- Provide a permeable network of low traffic volume and low traffic speed routes for cyclists.
- Promote the use of streets for on-road cycling to daily activities.
- Connect abutting cul-de-sac heads with pedestrian and bicycle paths.

Footpaths and bicycle paths should be provided on streets in accordance with the requirements specified in Table C7.

Footpaths should be designed and located taking into account pedestrian amenity, sun and shade, postal deliveries and other likely use patterns.

Footpaths should be provided on both sides of an access street. Footpaths may be provided on one side if:

- There is no development fronting that side of the street or topography or vegetation precludes provision.
- Vehicle volumes and speeds are low and the use of the street pavement is considered safe and comfortable for some pedestrian use.
- Adequate arrangements are made for postal delivery.
- Pedestrian use will not be deterred by the lack of a footpath.

Footpaths should be separated from the street pavement unless vehicle volumes are low and site constraints exist that require footpaths to abut kerbs.

Footpaths or shared paths should:

- Be constructed with a durable, non-skid surface.
- Be constructed in accordance with an approved construction standard.
- Be of sufficient width and strength to cater for projected user types and volumes.
- Facilitate ease of use by the disabled, aged and very young.

Maximum longitudinal gradient of bicycle paths should generally be no greater than any adjacent street pavement and provide for safe sight distances at crossings.

Alignment of paths should:

- Allow safe and convenient use by pedestrians and cyclists.
- Be varied to protect trees and other significant features.
- Focus on vistas and landmarks to add visual interest where possible.

Wider paths should be provided at meeting points or junctions to allow for passing of pedestrians and cyclists and provision should be made for the location of seats at appropriate locations.

56.05 PUBLIC OPEN SPACE**56.05-1 Shared usage objective**

To encourage the efficient use of public open space to meet diverse community needs.

Standard C15

Public open space should be designed:

- To encourage its use for a variety of purposes.
- To encourage shared use with other community facilities.

56.05-2 Public open space provision objectives

To ensure that public open space of appropriate quality and quantity is provided to contribute towards meeting the recreational and social needs of the community in convenient locations.

To incorporate natural and cultural features in the design of public open space where appropriate.

Standard C16

The location and design of open space should be consistent with any public open space plan or policy set out in this scheme.

The provision of public open space should:

- Provide a balance between local, district and regional open space.
- Take advantage of and protect natural and cultural features.
- Incorporate land for regional linear open space where appropriate.
- Provide for district parks of 3 hectare minimum, combining passive and active use, within 2 kilometres of all dwellings.
- Provide for large local parks of 1 hectare minimum, for active and passive use, within 500 metres safe walking distance from all dwellings.
- Provide for small local parks within 150 metres to 300 metres safe walking distance of all dwellings.
- Take into account shared use of active open space.
- Take into account land used for drainage control or stream and floodway purposes, if generally available for recreational use.

56.05-3 Public open space design objectives

To ensure that public open space of appropriate quality and quantity is provided to contribute towards meeting the recreational and social needs of the community in convenient locations.

To incorporate natural and cultural features into areas of public open space, where appropriate.

To ensure that public open space is designed and located to provide a safe environment for users and abutting and adjacent residents.

Standard C17

The location and design of public open space should take into account the following matters:

- The consistency of the location and function of the public open space with any metropolitan, regional or local public open space plan or policy, bicycle or walking trail network or structure plan set out in this scheme.
- The needs of the community to be served, the population density and the profile of user groups, including those with limited mobility.
- The distance and accessibility of open space to users.
- The physical characteristics of the land.
- The requirements for protection of existing trees, habitats, rocks, streams and other features of natural or cultural value.
- Proposed landscaping.
- The proposed maintenance program including responsibilities, requirements and costs.
- The opportunities to link open space into public open space and movement networks and to community facilities.
- The opportunity to use public open space for recreational and drainage purposes by the retention or creation of water features and land forming.
- The need for some areas of open space to be available for exercising pets.

Land provided for public open space should be:

- Of a quality and character that relates to its potential functions.
- Located to ensure that every lot in the subdivision is within 500 metres walking distance of an area of existing or proposed public open space.
- Related to the street and lot layout in a manner that promotes personal safety and surveillance for users of the public open space and surrounding areas.

Public open space should be:

- In parcels of 4000 square metres or greater in area, or
- A linear connection between streets, or to existing or proposed public open space, or
- Combined with existing or proposed public open space on adjacent land, or
- A small local park serving a neighbourhood within 300 metres safe walking distance.

56.06 LOT SIZE AND ORIENTATION**56.06-1 Lot diversity objective**

To provide a range of lot sizes to suit a variety of dwelling and household types, with an area and dimensions that meet user requirements.

Standard C18

Lot sizes should be provided to meet the projected requirements of people with different housing needs, and to provide for housing diversity and choice.

Lots should be designed to have the appropriate area and dimensions to enable the siting and construction of a dwelling and associated outbuildings, the provision of private open space, and convenient vehicle access and parking.

56.06-2 Solar orientation objective

To orient lots to reduce fossil fuel use and make best use of solar energy.

Standard C19

At least 70 per cent of lots should have appropriate solar orientation, unless there are significant constraints that limit the achievement of this target.

Lots have appropriate solar orientation when:

- The long axes of lots are within the range N20 degrees west to N30 degrees east, or E20 degrees north to E30 degrees south.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

56.06-3 Site constraints and features objective

To provide lots with an area and dimensions that protect environmental features and take account of site constraints.

Standard C20

Lots should be designed to have an area and dimensions that enable dwellings to be sited to:

- Protect natural or cultural features.
- Take into account site constraints including soil erosion, poor drainage, saline soils or bushfire risk.

56.06-4 Lot area and dimensions objective

To provide lots with area and dimensions to enable the appropriate siting and construction of a dwelling, private open space and vehicle access and parking.

Standard C21

An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots correspond with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
- If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.:

If lots of between 300 square metres and 500 square metres are proposed to contain semi-detached dwellings, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

56.07 STREET DESIGN

56.07-1 Streetscapes objectives

To provide attractive streetscapes that contribute to the creation and enhancement of neighbourhood character and amenity.

To provide sufficient carriageway and verge widths to enable streets to perform their designated functions within the street network.

To encourage use of residential streets by pedestrians and cyclists and allow cars, buses and other users to proceed safely and without unacceptable inconvenience and delay.

To provide a safe, distinct and pleasant environment for residents and other users.

Standard C22

The design of the street reserve should:

- Create an attractive streetscape and establish a clear character and identity for the street or neighbourhood.
- Provide for appropriate street tree planting taking into account the image and role of the street, solar access requirements, soils and services.
- Encourage use of the street for walking, cycling and interaction between residents.
- Encourage informal surveillance of public open space from within dwellings.
- Manage the speed and behaviour of traffic in accordance with the street type to maximise safety and amenity.
- Respond to the features of the site in terms of views, vistas, existing vegetation and landmarks.
- Provide adequate space for the proposed pavement, paths, planting, drainage and services.
- Facilitate infiltration of stormwater run-off wherever practical.
- Take into account maintenance responsibilities, requirements and costs.

A streetscape plan should be prepared for all subdivisions creating new residential streets that shows, as appropriate:

- The street reserve together with typical cross sections.
- Location of carriageway pavement, parking bays, bus stops, kerbs, cross overs, footpaths, bicycle paths and speed control devices.
- Location and species of proposed street trees and other vegetation.
- Location of existing vegetation to be retained and proposed treatment to ensure its health.
- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.

56.07-2 Street width objectives

To provide sufficient carriageway and verge widths to allow streets to perform their designated functions within the street network.

To encourage use of residential streets by pedestrians and cyclists and allow cars, buses and other users to proceed safely and without unacceptable inconvenience and delay.

Standard C23

The street reserve width should be sufficient to cater for:

- The safe location, construction and maintenance of required paths and public utility services (above or below ground)
- All expected functions of the street, including the safe and efficient movement of all users.
- The provision for parked vehicles.
- The provision of public utilities and landscaping.

The carriageway width together with verge width and crossover dimensions should allow for unobstructed access to individual lots. Motorists should be able to enter or reverse from a lot in a single movement.

The verge, when considered in conjunction with the horizontal alignment and likely fence and property frontage treatments, must provide appropriate sight distances taking into account expected vehicle speeds and pedestrian and cyclist movements.

The carriageway width must allow vehicles to proceed safely at the operating speed intended for that type of street in the network, with acceptable minor delays in the peak period. This should take into account the restrictions caused by parked vehicles where parking will occur on the carriageway.

Carriageways should be of sufficient width to ensure the safety of pedestrians using shared roadways

Bus routes should have carriageways of sufficient width to allow for movement of a Design Ultra Low Floor Bus (12.5m)(Austroads Pavement Design – A Guide to Structural Design of Road Pavements, Revised 1999 (AP 17/92)) unimpeded by parked cars, and to safely accommodate cyclists.

Where required, provision should be made for vehicles to park safely generally in accordance with Australian Standard AS2890.5-1993, Parking Facilities: -On-Street parking.

56.07-3 Street alignment objective

To provide street geometry that is consistent with the needs of the street function, physical land characteristics and safety.

Standard C24

The horizontal and vertical alignments and cross fall of streets should reflect physical land characteristics and major drainage functions and should not be conducive to excessive speeds.

Cross-falls on street pavements should be between 0.025 and 0.040 metres (fall) per metre (width).

Longitudinal gradient should not exceed 20 per cent on access streets and 15 per cent on other streets.

Super elevation of curves used for speed control should not exceed 3 per cent.

56.07-4 Street function objectives

To provide sufficient carriageway and verge widths to allow streets to perform their designated functions within the street network.

To provide street geometry that is consistent with the needs of the street function, physical land characteristics and safety.

To accommodate public utility services and drainage systems.

Standard C25

The design features of each type of residential street should convey its primary function and encourage appropriate driver behaviour, including discouraging motorists speeding.

Carriageway widths, verge widths and parking provision within the street reserve should be designed in accordance with the requirements specified in Table C6.

Verge widths should be increased where necessary to allow space for larger scale landscaping, indented parking, future carriageway widening, retaining walls, bicycle paths or swale drains.

The drainage function of the carriageway and/or street reserve should be satisfied by the cross section profile of the total street reserve.

Streets designated as bus routes should comply with the requirements of the Public Transport Corporation and should have the maximum carriageway widths as specified in Table C6.

Street kerbs, footpaths and bicycle paths should be designed in accordance with the requirements specified in Table C7.

Table C6 street widths and parking

STREET TYPE	CARRIAGEWAY WIDTH¹	PARKING PROVISION WITHIN STREET RESERVE	VERGE WIDTH⁵
Access Lane	3-8m ²	None	None
Access Place	3.5m ³ or 5m	1 hard standing verge space per 2 lots with scope for additional spaces	Total width 7m For services 3.5m, on one side, 2.5m on the other
Access Street	5 – 5m 5 – 5.5m or 7 – 7.5m ⁴	Carriageway Carriageway	4m minimum each side 4.5m minimum each side
Collector Street	6 – 6.5m or 7 – 7.5m At bus stops avoid vehicles overtaking a bus when passengers are alighting.	Indented to leave 6m minimum clear carriageway Carriageway	4.5m minimum each side with adequate road reserve width for widening for future bus route if required.
Trunk collector street	2 x 3.5m 2 x 5 – 5.5 Dual carriageway plus median. Bus bays to be indented	Parking not permitted on minimum width carriageways If required parking should be provided on a 5.5m	6m minimum each side

STREET TYPE	CARRIAGEWAY WIDTH ¹	PARKING PROVISION WITHIN STREET RESERVE	VERGE WIDTH ⁵
		carriageway in parking locations that allow cars to exist in a forward direction and includes parallel parking	

- ¹ The maximum width within the range should be used when bus use is anticipated or when upright kerbs are used.

Width is measured from kerb invert to invert. Widening may be required at bends to allow for wider vehicle paths (using Australian Standard AS2890.5-1993, Parking Facilities: On-street parking and Australian Standard AS2890.2-2002, Parking Facilities: Off-street parking – Commercial vehicle facilities), but should not negate the function of bends serving as slow points.

- ² Width will be determined by requirements for access to off street parking.
- ³ Requires parking provision and provision for widening to 5m if necessary in the future; 5m width required within 7m of junction with collector street; passing bay if more than 15 dwellings are served.

Typical verge widths of 3.5m each side, with indented parking to within 1.5m of a boundary. Add width on one side for future widening of carriageway to 5m if necessary.

- ⁴ 7 – 7.5m width should be used when parking is required on both sides.
- ⁵ Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

Table C7 Street kerbs, footpath and bicycle path provision

STREET TYPE	KERBING ¹	FOOTPATH PROVISION	BICYCLE PATH PROVISION
Access Lane		Not required if serving 5 dwellings or less 1.2m wide footpath required if serving more than 5 dwellings	Not required
Access Place	layback/flush and swale	Not required if serving 5 dwellings or less 1.2m wide footpaths required if more than 5 dwellings are being served	Not required
Access Street	layback/flush and swale	1.2m wide footpaths ² Footpath should be widened to 1.4m in vicinity of an education centre,	Not required

STREET TYPE	KERBING ¹	FOOTPATH PROVISION	BICYCLE PATH PROVISION
		shop or other activity centre	
Collector Street	layback/upright	1.2m wide footpath on both sides of the street Footpath should be widened to 1.4m in vicinity of an education centre, shop or other activities centre	Footpath should be widened to 2m in vicinity of an education centre to allow for shared use by cyclists.
Trunk collector street	layback/upright	1.2m wide footpath or part of 2m wide bicycle path desirably offset 1m from abutting residential frontages, on both sides of the street Footpath should be widened to 1.4m in vicinity of an education centre, shop or other activity centre	Footpath should be widened to 2m in vicinity of an education centre to allow for shared use by cyclists. If required, 2m bicycle path one side only in the verge or two 1 – 1.5m wide bicycle lanes marked on carriageway but only where there is no carriageway parking

⁶ [sic-should read 1] Where drainage is not required a flush pavement edge treatment can be used.

Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

⁷ [sic-should read 2] Footpaths should be provided on both sides of the street unless the requirements of Standard C14 in relation to the provision of only one side of the street can be met.

56.07-5 Emergency vehicle access objective

To provide appropriate emergency vehicle access.

Standard C26

Street carriageways must be designed to accommodate the passage of emergency vehicles.

Emergency vehicles should have easy access to all dwellings in a residential area.

Street carriageways abutting areas of high bush fire hazard comprising the long term urban edge or conservation areas should be designed to the requirements of the relevant

fire authority to provide adequate access to fire emergency vehicles under conditions of poor visibility.

56.07-6 Intersections and turning objective

To ensure that intersections are designed to provide safe and convenient vehicle movements.

Standard C27

Roundabouts should be designed according to the Austroads Guide to Traffic Engineering Practice, Part 6: Roundabouts, 1993 (AP 11.6-93/HB 69.13-1993).

Kerb radii at intersections should be kept to a minimum, subject to satisfying required turning templates, to keep pedestrian crossing distances to a minimum and to control turning vehicle speeds.

The design of intersections or junctions should allow all desired movements to occur safely without undue delay. If the intersection or junction is part of a designated bus route, the design should allow for the movement of a Design Ultra Low Floor Bus (12.5m) (Austroads Design Vehicles and Turning Path Templates, 1995 (AP 34-95/HB 72-1995)). Projected traffic volumes should be used in designing all intersections or junctions on traffic routes.

Stopping sight distances and junction or intersection sight distances should be based on the intended speeds for each street type.

The sight distances for stopping purposes should be greater than the distances specified in Table C8.

Table C8 Minimum stopping distances.

STREET TYPE	TARGET SPEED	MINIMUM STOPPING SIGHT DISTANCE (Y)
Access Place	15 km/hr	5 m
Access Street	30 km/hr	20 m
	40 km/hr	30 m
Collector Street	50 km/hr	40 m
Trunk Collector Street	60 km/h	55 m

At intersections, turning vehicles should be accommodated using Australian Standard AS2890.2-2002, Parking Facilities: Off-street parking – Commercial vehicle facilities to enable turns to be made in a single forward movement as follows:

- For turns between a trunk collector and traffic routes, collector streets or access streets, the 'design articulated vehicle' (turning path radius of at least 11 metres), using any part of the pavement (Figure B5 in Australian Standard AS2890.2-2002, Parking Facilities: Off-street parking – Commercial vehicle facilities).
- For turns between collector streets and access places, access streets or collector streets the 'design heavy rigid vehicle' (turning path radius 11 metres) using any part of the pavement (Figure B4 in Australian Standard AS2890.2-2002, Parking Facilities: Off-street parking – Commercial vehicle facilities).
- For turns between access streets and access streets or access places, the B99 'design car' (turning path radius 7.5m), using the correct side of the pavement only (Figure

B1 in Australian Standard AS2890.2-2002, Parking Facilities: Off-street parking – Commercial vehicle facilities).

Adequate provision should be made at the end of any no-through street for those vehicles that frequently use these streets to turn around. For turning movements at cul-de-sac heads, sufficient area should be provided for a Design Medium Rigid Vehicle (10.5m) to make a three point turn. Where driveway entrances are to be used for turning movements, the required area should be able to withstand the relevant loads (Figure B3 in Australian Standard AS2890.2-2002, Parking Facilities: Off-street parking – Commercial vehicle facilities).

Kerb radii should not exceed 6 metres, except if required to accommodate turning vehicles in accordance with this standard.

Driveways and direct vehicle access to trunk collector streets should be designed to allow forward entry and exit of vehicles from properties.

56.08 STREET CONSTRUCTION

56.08-1 Pavement construction objectives

To provide street pavement and edges that reinforce the function and amenity of the street.

To construct streets of appropriate strength to enable the carriage of vehicles at a minimum total cost to the community.

Standard C28

Street pavements should be designed to:

- Carry wheel loads of travelling and parked vehicles.
- Enable the carriage of vehicles at a minimum total cost to the community over a 20 year period, including maintenance costs.

Street pavements should be strong enough not to be damaged by construction or building equipment.

Street pavement surfaces should be of a quality and durability to ensure the:

- Safe passage of vehicles, pedestrians and cyclists.
- Discharge of rainfall.
- Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.

Flexible street pavement construction should be based on the requirements of the Austroads Pavement Design – A Guide to Structural Design of Road Pavements, Revised 1999 (AP 17/92) using equivalent standard axle loadings based on an average traffic generation rate of 10 vehicles per day per lot and a 20 year design life.

Concrete street pavements should be based on the Concrete Pavement Design for Residential Streets, Cement and Concrete Association, 1997 (CCA T51-1997), to a minimum 20 year life span.

Interlocking block street pavement should be based on the requirements of the Austroads Pavement Design – A Guide to Structural Design of Road Pavements, Revised 1999 (AP 17/92), to a minimum 20 year life span.

56.08-2 Pavement edge objective

To provide a pavement edge that is appropriate for the control of vehicle movements, performs any required drainage function and is structural adequate.

Standard C29

The pavement edge treatment and cross sectional profile of the street reserve should perform the required drainage functions and enable connections from house drains where necessary.

The pavement edge should clearly delineate to all street users the edge of the carriageway and be detailed to take into account streetscape character and amenity.

The pavement edge treatment should provide for:

- An appropriate level of control for vehicles.
- Safe crossing by cyclists at driveways and other appropriate locations.

The pavement edge treatment should allow for efficient and comfortable access to abutting properties at appropriate locations.

The pavement edge and drainage method on local streets should be designed to facilitate infiltration of stormwater run-off where soils and topography permit.

The pavement edge treatment should provide sufficient strength to prevent edge fretting.

Kerbs of the type specified in Table C7 should be provided.

Pavement edge materials should be concrete, stone or mortared brick.

Single driveway kerb crossover length should be

- 4.5 metres in streets 5.5 metres or less wide.
- 3.8 metres in streets greater than 5.5 metres wide.

56.08-3 Path construction objective

To ensure the geometry and construction of footpaths and bicycle paths is appropriate.

Standard C30

Pedestrian paths in access lanes, access places and access streets should be constructed of bitumen, concrete or blockwork to an approved construction standard. Where street pavements are 5.5 metres or less in width, footpaths may abut a kerb.

Pedestrian paths in trunk collector streets or collector streets should be constructed of bitumen, concrete or blockwork to the requirements of the Austroads Guide to Traffic Engineering Practice, Part 14: Bicycles, 1999 (AP 11.14-99/HB 69.14-1995) clear of the street pavement from which there is access to lots or where there is a planned pedestrian or bicycle path.

Pram crossings with a maximum gradient of 1:12 should be provided at upright kerbs.

56.09 DRAINAGE SYSTEMS

56.09-1 Minor drainage layout objectives

To prevent stormwater damage to property.

To provide a stormwater system that can be maintained economically.

To minimise the occurrence of traffic accidents during minor storm events.

To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving watercourses from degradation by urban run-off.

Standard C31

The design of drainage systems should use recognised hydrologic, hydraulic and residential parameters and design methodology.

The minor drainage system must ensure that any overflow is directed to the major drainage system without causing damage to property or affecting the safety of people.

The minor drainage system should be designed to ensure that existing downstream flows are restricted to pre-development levels unless otherwise agreed to by the responsible drainage authority.

The minor drainage system must enable the safe passage of vehicles at reduced speeds on streets that have been affected by run-off from an Annual Exceedance Probability (AEP) of 50 per cent.

The drainage network should be accessible and designed for easy maintenance.

Drainage networks should minimise the potential for accumulation of silt and debris, and provide for collection and removal at accessible locations.

Drainage networks must ensure that there are no hidden flow paths that could reduce the effectiveness and operation of failsafe mechanisms.

Where a portion of the drainage system lies within a lot, access must be available for maintenance.

56.09-2 Minor drainage design objectives

To prevent stormwater damage to property.

To contain nuisance flows to a level that is acceptable to the community.

Standard C32

Materials used in drainage networks must be durable, maintainable and cost effective to the community.

The design of the minor drainage system:

- Should be based on Australian Rainfall and Run-off – A guide to flood estimation, Australian Institute of Engineers, 1987 and cited references.
- Should be based on a coefficient of run-off for impervious areas of 0.9, and for pervious areas, a coefficient derived from Australian Rainfall and Run-off – A guide to flood estimation, Australian Institute of Engineers, 1987 or from locally based research.

- Should have the capacity to control stormwater flows under normal operating conditions for an AEP of 50 per cent, except where overland flows exceed 0.4 square metres per second in this case piping to 20 per cent AEP should be provided. In this standard control means the management of the flows to ensure the system will act in a predetermined manner under a specific rainfall event.
- Should be based on a rainfall intensity based on the AEP as follows:
 - For suburban residential areas, an AEP of 50 per cent, except where the gap flows create a situation where the mean flow depth (d_a) multiplied by the mean flow velocity (V_{ave}) exceeds 0.4 square metres per second.
 - For residential lots with gross densities less than 20 lots per hectare, an AEP of 20 per cent.
 - For residential lots with gross densities greater than 20 lots per hectare, an AEP of 10 per cent.

The minor drainage system should prevent ponding for a prolonged period from a stormwater flow of an AEP of 50 per cent, which is ponding for longer than 1 hour after cessation of rainfall.

Swale drains on access places or access streets should be designed so that:

- Ponding for greater than 1 hour after cessation of rainfall is unlikely,
- Operating flow velocities are less than 1.5 metres per second, and
- The turf used is resistant at operating flow velocities to scour and erosion and tolerant of submersion.

56.09-3 Minor drainage discharge objective

To prevent stormwater damage to property.

Standard C33

Dwelling drainage should be directed to the front of the lot and discharged into the street gutter or legal point of discharge unless the topography of the lot makes it necessary to do otherwise.

Where soil permeability is adequate for on-site filtration, a soak pit may be provided.

Where the topography of the lot makes it necessary to discharge to the rear of the lot, inter-lot drainage designed to accept the run-off from impervious areas should be provided.

56.09-4 Drainage pits objective

To protect the environmental values and physical characteristics of receiving watercourses from degradation by urban run-off.

Standard C34

Drainage pits should be spaced at intervals of no greater than 90 metres, to assist maintenance programs.

Drains should be placed so that the minimum depth below the top of the kerb is 0.75 metres to top of pipe, and in lots the minimum depth is 0.3 metres from top of pipe to the finished surface (except where plastic pipes are used, when the minimum depth is 0.45 metres).

Drainage pits should be designed for the collection and retrieval of silt, debris and litter provided at locations nominated by the responsible drainage authority.

Culverts and piped drains should operate with flow velocities between 0.6 and 8 metres per second under normal conditions providing that it can be demonstrated that the culvert or drain will remain serviceable at high velocities.

Culverts and piped drains should operate under head during a designed flow, providing that a detailed hydraulic grade line analysis demonstrates that no second of the drainage network is surcharged to the extent that stormwater will leave the piped drainage system and discharge overland except by design.

Culverts and pipes should comply with the appropriate Australian Standard for their manufacture and installation.

56.09-5 Major drainage system objectives

To prevent flood damage to the built and natural environment and prevent both short term and long term inundation of dwellings.

To contain nuisance flows to a level that is acceptable to the community.

To ensure the street system operates adequately during and after major storm events.

To provide a stormwater system that minimises erosion and utilises open space in a manner that does not detract from its principal function.

To protect the environmental values and physical characteristics of receiving watercourses.

Standard C35

The drainage system should be designed in accordance with the requirements of the responsible drainage authority.

The major drainage network should have the capacity to control stormwater flows under normal and minor system blockage conditions for an AEP of 1 per cent.

All dwellings must be protected from inundation during a flood of 1 per cent AEP.

The drainage system should be designed to ensure that flows downstream of the site are restricted to pre-development levels unless increased flows are approved by the responsible drainage authority.

The built environment downstream of the proposed residential development should not be degraded by major drainage flows or floodwaters.

The street system should retain access to lots and minimise the occurrence of traffic accidents during and after major storm events.

The drainage system should be designed to ensure that the land form of watercourses is stabilised and that erosion is minimised.

Floodways must be restricted to areas where no damage to property can occur and must discharge all gap flows. Roadways may be used as floodways provided the flow depths and velocities do not create hazards for motorists.

Flow depths on streets should not exceed 50 millimetres above the top of the kerb (or where there is no kerb, above the top of theoretical kerb). Flows should be contained in the street reserve.

Flows within the street should be limited in depth and velocity by the formula:

- $d_a V_{ave} < 0.4$ square metres per second, where
- d_a = kerb side flow depth in metres, and
- V_{ave} = flow mean velocity in metres per second.

56.10 UTILITIES PROVISION**56.10-1 Shared trenching objective**

To provide public utilities to each lot in a timely, efficient and cost-effective manner.

To maximise the opportunities for shared trenching and reduce constraints on landscaping within road reserves.

Standard C36

The reticulated services for water, gas, telecommunications and electricity should be provided in shared trenching wherever practical to minimise construction costs and land allocation for underground services.

56.10-2 Sewerage objective

To provide a sewerage system that is adequate for the maintenance of public health and the disposal of effluent in an environmentally friendly manner.

Standard C37

Provision must be made for the treatment and disposal of sewerage wastes to the satisfaction of the responsible authority or relevant servicing authority.

Sewerage should be disposed of by a reticulated system.

Sewerage facilities should be designed in accordance with the requirements of the relevant servicing authority.

56.10-3 Water supply objective

To provide an adequate, reliable, safe, efficient and potable supply of water.

Standard C38

An adequate supply of water must be provided to all lots in the development to the satisfaction of the responsible water supply authority.

56.10-4 Electricity, telecommunications and gas objective

To provide public utilities to each lot in a timely, efficient and cost effective manner.

Standard C39

The electricity supply system should be designed in accordance with the requirements of the relevant electricity supply agency.

The telecommunications system should be designed in accordance with the requirements of the relevant telecommunications servicing agency.

The reticulated gas supply should be designed in accordance with the requirements of the relevant gas supply agency.

56.10-5 Public lighting objective

To provide public lighting to ensure safety of pedestrians, cyclists and vehicles.

Standard C40

Public lighting should be provided to streets, footpaths, public telephones, and to major pedestrian and bicycle links likely to be well-used at night to provide safe passages for pedestrians, cyclists and vehicles.

The street lighting should be designed in accordance with Australian Standard AS1158.1.1-1997, Road lighting, Vehicular traffic (Category V) lighting – performance and installation design requirements.

The lighting of public areas should be designed in accordance with Australian Standard AS1158.3.1-1999, Road lighting, Pedestrian Area (Category P) lighting – performance and installation design requirements.

57 METROPOLITAN GREEN WEDGE LAND19/01/2006
VC37**Purpose**

To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, conservation, landscape, natural resource or recreation values.

To protect productive agricultural land from incompatible uses and development.

To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.

To encourage the location of urban activities in urban areas.

To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.

To provide deeming provisions for metropolitan green wedge land.

57.01 CORE PLANNING PROVISIONS**Application**

These provisions apply to land outside an Urban Growth Boundary as shown on a planning scheme map in this scheme unless any of the following apply:

- The land is in a Residential 1 Zone, Residential 2 Zone, Low Density Residential Zone, Mixed Use Zone, Township Zone, Industrial 1 Zone, Industrial 2 Zone, Industrial 3 Zone, Business 1 Zone, Business 2 Zone, Business 3 Zone, Business 4 Zone, Business 5 Zone, Public Use Zone, Public Park and Recreation Zone, Road Zone or Urban Floodway Zone.
- The land is identified in the schedule to this clause.

57.01-1 Use of land

A use listed in the table to this clause is prohibited. This does not apply if a condition opposite the use is met.

Table to Clause 57.01-1

USE	CONDITION
Accommodation (other than Camping and caravan park, Corrective institution, Dependent person's unit, Dwelling, Group accommodation, Host farm, and Residential building)	
Brothel	
Child care centre	
Cinema based entertainment facility	
Display home	

USE	CONDITION
Dwelling	Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.
Education centre	
Freezing and cool storage	The goods stored must be agricultural produce, or products used in agriculture.
Function centre	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>No more than 150 patrons may be present at any time. If used in conjunction with Restaurant, the total number of patrons present at any time must not exceed 150.</p>
Funeral parlour	
Group accommodation	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery</p> <p>Must be no more than 40 dwellings</p>
Hospital	
Indoor recreation facility	Must be for equestrian based leisure, recreation, or sport.
Industry (other than Materials recycling, Refuse disposal, Refuse transfer station, Research and development centre, and Rural industry)	
Major sports and recreation facility	Must be for outdoor leisure, recreation, or sport.
Manufacturing sales	Must be an incidental part of Rural industry.
Materials recycling	Must be used in conjunction with Refuse disposal or Refuse transfer station.
Office	
Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship, and Restricted place of assembly)	
Research and development centre	Must be used in conjunction with Agriculture, Natural systems, Rural industry, or Winery.
Research centre	Must be used in conjunction with Agriculture, Natural systems, Rural industry, or Winery.

USE	CONDITION
Residential building (other than Residential hotel)	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>Must be used to provide accommodation for persons away from their normal place of residence.</p>
Residential hotel	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>Must be no more than 80 bedrooms.</p>
Restaurant	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>No more than 150 persons may be present at any time. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed 150.</p>
Restricted place of assembly	<p>Must not be used for more than 30 days in a calendar year.</p>
<p>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary product sales, and Restaurant)</p> <p>Service station</p> <p>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot, and Vehicle store)</p>	
Wind energy facility	<p>Must not be on land in a Rural Conservation Zone</p>

57.01-2 Subdivision

The subdivision of land to create a lot that is smaller in area than the minimum area specified for the land in the zone is prohibited unless:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title. The requirement to enter into an agreement only applies to a lot which could be further subdivided in accordance with this scheme.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

57.01-3 Existing uses

If an existing use right is established by these provisions, Clauses 63.05 and 63.08 apply to the use as if the use were in Section 3 of a zone.

57.02 TRANSITIONAL ARRANGEMENTS FOR PERMIT APPLICATIONS

The requirements of the planning scheme as in force immediately before 19 May 2004, continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 35.04, 35.05, 35.06 or 57.01 would apply to such an application. This does not apply to a permit application to subdivide land.

57.03 DEEMING PROVISIONS FOR LAND OUTSIDE AN URBAN GROWTH BOUNDARY

Any reference in this planning scheme to a Rural Zone or a schedule to a Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge Zone or a schedule to a Green Wedge Zone.

Any reference in this planning scheme to a Rural Living Zone or a schedule to a Rural Living Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge A Zone or a schedule to a Green Wedge A Zone

Any reference in this planning scheme to an Environmental Rural Zone or a schedule to an Environmental Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Rural Conservation Zone or a schedule to a Rural Conservation Zone

19/01/2006
VC37

SCHEDULE TO CLAUSE 57

Land
None specified



**General
Provisions**

60 GENERAL PROVISIONS19/01/2006
VC37

This section sets out provisions about the administration of this scheme, existing uses, decision guidelines, referral of applications and other matters.

61 ADMINISTRATION OF THIS SCHEME19/01/2006
VC37**61.01 Administration and enforcement of this scheme**19/01/2006
VC37

The responsible authority for the administration and enforcement of this scheme is specified in the schedule to this clause.

The person nominated under Section 198(1)(a) of the Act or the responsible authority under Section 198 (1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

19/01/2006
VC37**SCHEDULE TO CLAUSE 61.01****Responsible authority for administering and enforcing this scheme**

The Minister for Planning is the responsible authority for administering and enforcing the scheme for land at:

- * Tenix Defence site, Williamstown, described in Title Vol. 10167 Fol. 632, Vol. 10167 Fol. 697, Vol. 10210 Fol. 735, Vol. 10167 Fol. 699, Vol. 10269 Fol. 261, Vol. 10167 Fol. 698, Vol. 10267 Fol. 525, Vol. 10267 Fol. 524, Crown lease Ref. 1205924.

The Minister for Planning is the responsible authority for considering and determining applications, in accordance with Divisions 1, 2 and 3 of Part 4 of the Planning and Environment Act 1987 and for approving matters required by the scheme to be done to the satisfaction of the responsible authority in relation to the use and development of land for the purpose of a Wind energy facility with a capacity greater than 30 megawatts.

The Hobsons Bay City Council is the responsible authority for administering and enforcing the scheme for all other matters.

Person or responsible authority for issuing planning certificates

Minister for Planning

61.02 What area is covered by this scheme?19/01/2006
VC37

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.

19/01/2006
VC37**SCHEDULE TO CLAUSE 61.02****Area covered by this scheme**

This planning scheme applies to that part of the municipal district of the City of Hobsons Bay not in the Port of Melbourne Planning Scheme

61.03 What does this scheme consist of?19/01/2006
VC37

This scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions (except the title page and contents pages) are designated by the page header 'Local Provisions'. All other provisions are State standard provisions.

19/01/2006
VC37**SCHEDULE TO CLAUSE 61.03****Maps comprising part of this scheme:**

- 1, 1LSIO
- 2, 2HO, 2LSIO, 2SBO, 2PAO
- 3, 3HO, 3LSIO, 3SBO, 3PAO
- 4, 4HO, 4DDO, 4SBO, 4EAO
- 5, 5HO, 5DDO, 5SLIO[*sic*], 5SBO
- 6, 6LSIO
- 7, 7LSIO
- 8, 8HO, 8LSIO, 8SBO, 8PAO
- 9, 9HO, 9DDO, 9LSIO, 9SBO, 9PAO
- 10, 10HO, 10DDO, 10LSIO, 10SBO, 10PAO, 10EAO
- 11, 11HO, 11DDO, 11SBO, 11PAO
- 12, 12LSIO, 12PAO
- 13, 13HO, 13LSIO
- 14, 14HO, 14DDO, 14LSIO, 14SBO, 14PAO, 14EAO
- 15, 15HO, 15DDO, 15LSIO, 15SBO, 15PAO
- 16, 16HO, 16DDO, 16LSIO, 16SBO
- 17, 17HO, 17DDO, 17LSIO, 17SBO
- 18, 18HO, 18DDO
- 19, 19HO, 19DDO, 19EAO
- 20, 20LSIO
- 21, 21HO, 21DDO, 21LSIO
- 22, 22HO, 22DDO, 22LSIO

61.04 When did this scheme begin?19/01/2006
VC37

This scheme began on the date specified in the schedule to this clause.

19/01/2006
VC37**SCHEDULE TO CLAUSE 61.04****Date this scheme began:**

17 February 2000

61.05 Effect of this scheme

19/01/2006
VC37

Land may be used or developed only in accordance with this scheme.

Land must not be developed unless the land as developed can be used in accordance with this scheme.

If this scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.

61.06 Determination of boundaries

19/01/2006
VC37

If a boundary in this scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.

62 USES, BUILDINGS, WORKS, SUBDIVISIONS AND DEMOLITION NOT REQUIRING A PERMIT19/01/2006
VC37**62.01 Uses not requiring a permit**

Any requirement in this scheme relating to the use of land does not apply to:

- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device if the use is authorised by the Council under a local law.
- The use of land for wind measurement by an anemometer for 3 years or less.

62.02 Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to:

- An anemometer located on a site for 3 years or less.
- A fence.
- A sign.
- Roadworks.
- Street furniture including post boxes, telephone booths, fire hydrants and traffic control devices.
- Buildings and works associated with a use on adjoining land or street trading if authorised by the Council under a local law.
- Gardening.
- A domestic rainwater tank with a capacity of not more than 4500 litres.
- Oil pipelines.
- Buildings and works associated with a Dependent person's unit.
- Buildings and works associated with a minor utility installation.
- Buildings and works associated with mineral exploration.
- Buildings and works associated with mining if the conditions of Clause 52.08-2 are met.
- Buildings and works associated with search for stone. This does not apply to costeaning and bulk sampling.
- Buildings and works associated with a Telecommunications facility if the requirements of Clause 52.19 are met.
- Building and works associated with a carnival or circus if the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997 are met.
- A temporary shed or temporary structure for construction purposes.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.
- The removal, destruction or lopping of trees and the removal of vegetation.
- Any buildings or works which provide for fire protection under relevant legislation.
- Any emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- Any maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.

This does not apply if a permit is specifically required for any of these matters.

62.03 Events on public land

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- * an event on public land; or
- * temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular use.

62.04 Subdivisions not requiring a permit

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
 - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
 - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
 - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
 - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
 - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
 - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
 - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than 3 metres.

62.05 Demolition

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.

63 EXISTING USES

19/01/2006
VC37

63.01 Extent of existing use rights

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.

63.02 Characterisation of use

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 74 or in Section 1, 2 or 3 of any zone.

63.03 Effect of definitions on existing use rights

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.

63.04 Section 1 uses

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.

63.05 Sections 2 and 3 uses

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.

63.06 Expiration of existing use rights

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.

63.07 Compliance with codes of practice

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The instrument of approval of the code of practice has been ratified by Parliament in accordance with Section 55 of the Conservation Forests and Lands Act 1987.
- The code of practice is approved or ratified by Parliament under an Act.

63.08 Alternative use

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.

63.09 Shop conditions

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.

63.10 Damaged or destroyed buildings or works

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.

63.11 Proof of continuous use

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.

- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.

63.12 Decision guidelines

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.

64 LAND USED FOR MORE THAN ONE USE19/01/2006
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If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.

65 DECISION GUIDELINES19/01/2006
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Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

65.02 Approval of an application to subdivide land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.

-
- The design and siting of buildings having regard to safety and the risk of spread of fire.
 - The provision of off-street parking.
 - The provision and location of common property.
 - The functions of any body corporate.
 - The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
 - If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
 - Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

66 REFERRAL AND NOTICE PROVISIONS

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Scope

These provisions set out the types of applications which must be referred under section 55 of the Act or for which notice must be given under Section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of Section 52(1) of the Act.

Referrals

Applications of the kind listed below in Clauses 66.01 and 66.02 must be referred to the person or body specified as a referral authority in accordance with Section 55 of the Act. This does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal.

66.01 Subdivision

	Kind of application	Referral authority
66.01-1	To subdivide land other than: <ul style="list-style-type: none"> • Boundary realignments. • Subdivisions of existing buildings already connected to services. • Two lot subdivisions. • Subdivisions for the creation of lots to correspond with existing flats and car parking spaces. 	The relevant water, drainage or sewerage authority The relevant telecommunication authority The relevant electricity supply or distribution authority The relevant gas supply authority
66.01-2	To subdivide land outside the metropolitan fire district which creates a road.	Country Fire Authority
66.01-3	To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road.	Minister administering the Land Act 1958
66.01-4	To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.	The relevant gas supply authority
66.01-5	To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority

Note: *A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.*

66.01-6 Conditions on subdivisions not requiring referral

Permits for subdivisions listed above as not requiring referral (other than for the creation of lots to correspond with existing flats and car parking spaces) must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

66.01-7 Referrals under the Subdivision Act

For the purpose of Section 8 of the Subdivision Act 1988 referral of a plan is only required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant authority listed above.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority above.
- The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.

66.02 Use and development

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	Kind of application	Referral authority
	Works approval or licence	
66.02-1	For a use or development requiring any of the following: <ul style="list-style-type: none"> * Works approval in accordance with Section 19A of the Environment Protection Act 1970. * A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970. * Amendment of a licence under Section 20A of the Environment Protection Act 1970. 	Environment Protection Authority
	Mining	
66.02-2	To use or develop land for mining.	Secretary to the Department administering the Mineral Resources Development Act 1990

Kind of application	Referral authority
Native vegetation	
66.02-3	To remove or destroy more than 15 native trees if each tree has a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. Secretary to the Department of Sustainability and Environment
66.02-4	To remove or destroy more than 5 native trees if each tree has a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. Secretary to the Department of Sustainability and Environment
66.02-5	To remove or destroy native vegetation which is in an Ecological Vegetation Class that has a Bioregional Conservation Status of Endangered, Vulnerable or Rare if the area to be cleared is more than 0.5 hectare. Secretary to the Department of Sustainability and Environment
66.02-6	To remove or destroy native vegetation which is in an Ecological Vegetation Class that has a Bioregional Conservation Status of Depleted or Least Concern if the area to be cleared is more than 1 hectare. Secretary to the Department of Sustainability and Environment
66.02-7	To remove, destroy or lop native vegetation if a property vegetation plan applies to the site. Secretary to the Department of Sustainability and Environment
66.02-8	To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority. Secretary to the Department of Sustainability and Environment
Cattle feedlot	
66.02-9	To use or develop land for a cattle feedlot. Minister for Agriculture If the site is located within a special water supply catchment area under the Catchment and Land Protection Act 1994, the relevant water authority under the Water Act 1989 and the Secretary to the Department administering the Catchment and Land Protection Act 1994 If the number of cattle is 5000 or more, the Environment Protection Authority
Major electricity line or easement	
66.02-10	To construct a building a construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement. The relevant electricity transmission authority

Kind of application	Referral authority	
Special Water Supply Catchment		
66.02-11	<p>To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994 and which provides water to a domestic supply.</p> <p>This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.</p>	The relevant water board or water supply authority
Timber production		
66.02-12	To use or develop land for timber production by establishing a plantation.	The Secretary to the Department of Sustainability and Environment
66.02-13	To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.	The Secretary to the Department of Sustainability and Environment
Industry or warehouse		
66.02-14	To use land for an industry or warehouse for a purpose listed in the table to Clause 52.10 shown with a Note 1 or if the threshold distance is not to be met.	Environment Protection Authority
66.02-15	To use land for an industry or warehouse for a purpose listed in the table to Clause 52.10 shown with a Note 2 and if a licence is required under the Dangerous Goods (Storage and Handling) Regulations or the Dangerous Goods (Explosives) Regulations.	The Minister administering the Dangerous Goods Act 1985
66.02-16	<p>To construct a building or construct or carry out works on land used for an industry or warehouse for a purpose listed in the table to Clause 52.10 and shown with a Note 2 if both:</p> <ul style="list-style-type: none"> * The premises are licensed under the Dangerous Goods (Storage and Handling) Regulations or the Dangerous Goods (Explosives) Regulations. * The area of the buildings and works will increase by more than 25 percent. 	The Minister administering the Dangerous Goods Act 1985

	Kind of application	Referral authority
66.02-17	Extractive Industry To use or develop land for extractive industry.	Secretary to the Department administering the Extractive Industries Development Act 1995
66.02-18	To use or develop land for extractive industry on Crown land or land abutting Crown land, other than a government road	Secretary to the Department administering the Archaeological and Aboriginal Relics Preservation Act 1972 and Part IIA of the Aboriginal and Torres Strait Islander Heritage Protection Act (Commonwealth) 1984
66.02-19	To use or develop land for extractive industry in Special Areas declared under Section 27 of the Catchment and Land Protection Act 1994.	Secretary to the Department administering the Heritage Act 1995
66.02-20	To use or develop land for extractive industry on land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.	Secretary to the Department administering the Land Act 1958, Crown Land (Reserves) Act 1978, National Parks Act 1975 and Forests Act 1958
66.02-21	To use or develop land for extractive industry on land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.	Secretary to the Department administering the Catchment and Land Protection Act 1994
66.02-22	To use or develop land for extractive industry in areas with communities or taxa listed or critical habitat determined under the Flora and Fauna Guarantee Act 1988.	Secretary to the Department administering the Catchment and Land Protection Act 1994
66.02-23	To use or develop land for extractive industry on land which has been identified in this scheme as containing sites of flora or fauna significance.	Secretary to the Department administering the Catchment and Land Protection Act 1994
66.02-24	To use or develop land for extractive industry on land which has been identified in this scheme as flood prone.	Secretary to the Department administering the Flora and Fauna Guarantee Act 1988.
66.02-25	To use or develop land for extractive industry if the land is intended to be used for land fill at a future date.	Secretary to the Department administering the Flora and Fauna Guarantee Act 1988
		Secretary to the Department administering Section 201 of the Water Act 1989
		Environment Protection Authority

	Kind of application	Referral authority
66.02-26	<p>To use or develop land for extractive industry:</p> <ul style="list-style-type: none"> * On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the Road Management Act 2004 and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more. * On land which abuts a road declared as a freeway or an arterial road under the Road Management Act 2004. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway. 	Roads Corporation

66.03 Referral of permit applications under other State standard provisions

An application of the kind listed below, where the planning scheme includes the specified clause, must be referred in accordance with Section 55 of the Act to the referral authority specified. This does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal.

Clause	Kind of application	Referral authority
Clause 37.03-5 (UFZ)	An application under the zone	Relevant floodplain management authority
Clause 44.02-3 (SMO)	An application under the overlay and any site capability report	Department of Sustainability and Environment
Clause 44.03-4 (FO)	An application under the overlay	Relevant floodplain management authority
Clause 44.04-4 (LSIO)	An application under the overlay	Relevant floodplain management authority

Clause	Kind of application	Referral authority
Clause 44.05-4 (SBO)	An application under the overlay	Relevant floodplain management authority
Clause 44.06-3 (WMO)	An application under the overlay	Relevant fire authority
Clause 44.07-4 (SRO)	An application of the kind specified in a schedule to the overlay	Referral authority specified in a schedule to the overlay.
Clause 45.01-2 (PAO)	An application under the overlay	Authority responsible for acquiring the land
Clause 45.07-5 (CLPO)	An application under the overlay	Roads Corporation
Clause 52.29	An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the Road Management Act 2004, land owner by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the authority responsible for acquiring the land, subject to exemptions specified in the clause Any other application under the Clause	Roads Corporation Owner of, or the authority responsible for acquiring the adjacent land in the Road Zone, Category 1 or the PAO
Clause 52.30-1	An application to use or develop land for a Freeway service centre.	Roads Corporation

66.04 Referral of permit applications under local provisions

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred in accordance with Section 55 of the Act to the referral authority specified in the schedule. This does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.

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SCHEDULE TO CLAUSE 66.04**Referral of permit applications under local provisions**

Clause	Kind of application	Referral authority
None specified		

66.05 Notice of permit applications under State standard provisions

Notice of an applications of the kind listed below must be given in accordance with Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified. This does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.

Clause	Kind of application	Person or body to be notified
Clause 52.09-4	<p>An application to use or subdivide land or construct a building for Accommodation, Child care centre, Education centre or Hospital:</p> <ul style="list-style-type: none"> * Within an Extractive Industry Interest Area * On land which is within 500 metres of land on which a work authority has been applied for or granted under the Extractive Industries Development Act 1995. <p>An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the Extractive Industries Development Act 1995.</p> <p>These requirements do not apply to an extension to buildings or works.</p>	The Secretary of the Department administering the Extractive Industries Development Act 1995.
Clause 52.21	An application to construct, use or illuminate a private tennis court under any provision of this scheme..	The owners and occupiers of adjoining and opposite properties.
Clause 67.02	An application for a permit which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply to an application for a sign or advertisement, or to remove, destroy or lop native vegetation under Clause 52.17 of this scheme.	<p>The owners and occupiers of adjoining land.</p> <p>The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.</p>
Clause 67.03	An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.	The Secretary to the Department administering the Flora and Fauna Guarantee Act 1988.

66.06 Notice of permit applications under local provisions

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given in accordance with Section 52(1)(c) of the Act to the person or body specified in the schedule. This does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.

If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.

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SCHEDULE TO CLAUSE 66.06**Referral of permit applications under local provisions**

Clause	Kind of application	Person or body to be notified
None specified		

67 APPLICATIONS UNDER SECTION 96 OF THE ACT19/01/2006
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This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.

67.01 Exemptions from Section 96(1) and 96(2) of the Act

In accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempted from Section 96(1) and 96(2) of the Act:

CLASS 1

Use of land for –

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

CLASS 2

Development of land for –

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

CLASS 3

Any other use or development.

67.02 Notice requirements

In accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- For a sign or advertisement.
- To remove, destroy or lop native vegetation under Clause 52.17 of this scheme.

67.03 Notice requirements – native vegetation

In accordance with Section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under Clause 52.17 of this scheme must be given to the Secretary to the Department administering the Flora and Fauna Guarantee Act 1988.

This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.

67.04 Notice exemption

In accordance with Section 52(4) of the Act, an application for a sign or advertisement on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of Clause 52(1)(a) of the Act.



Definitions

70 **DEFINITIONS**

19/01/2006
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This section sets out the meaning of terms used or defined in this scheme.

71 **MEANING OF WORDS**

19/01/2006
VC37

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme.
- In the Planning and Environment Act 1987 or the Interpretation of Legislation Act 1984, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.

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GENERAL TERMS16/03/2006
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The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading “General Term”, has the meaning set out beside that term in the second column, under the heading “Definition”.

GENERAL TERM	DEFINITION
Act	The Planning and Environment Act 1987.
Agricultural production	Any form of primary production of renewable commodities. It does not include extractive industry, mining, or timber production from native forest.
Anemometer	A wind measuring mast.
Approval date	The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.
Approved venue	Premises on which a venue operator is licensed to conduct gaming.
Basement	A storey below ground level, or that projects no more than 1.2 metres above ground level.
Building height	The vertical distance between the ground level and the finished roof height directly above.
Building Regulations	The Building Regulations 1994.
Carriageway	The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.
Clear to the sky	An unroofed area or area roofed with material that transmits 90 per cent of light.
Deflection angle	The angle between two tangent sections of a carriageway.
Design speed	The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles.
Earthworks	Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.
Frontage	The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building, faces.
Gaming	The playing of a gaming machine.
Gaming machine	Any device, whether wholly or partly, mechanically or electronically operated, that is designed so that: <ul style="list-style-type: none"> (a) it may be used to play a game of chance, or a game of mixed chance and skill; and (b) as a result of making a bet on the device, winnings may be payable.

GENERAL TERM	DEFINITION
	It includes any machine declared to be a gaming machine under section 6 of the Gaming Machine Control Act 1991, but does not include a lucky envelope vending machine within the meaning of section 6AA of the Lotteries Gaming and Betting Act 1966.
Gross floor area	The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.
Ground level	The natural level of a site.
Habitable room	Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.
High quality productive agricultural land	Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and: <ul style="list-style-type: none"> <li data-bbox="671 875 1358 1005">(a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or <li data-bbox="671 1010 1358 1140">(b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context.
Land capability assessment	The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.
Leasable floor area	That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.
Lot	A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.
Mean building height	The vertical distance between the mean ground level and the finished roof height at its highest point.
Mean ground level	One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.
Metropolitan Melbourne	The area covered by the Banyule, Bayside, Boroondara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges Planning Schemes.

GENERAL TERM	DEFINITION
Mineral	<p>Any substance which occurs naturally as part of the earth's crust, including:</p> <ul style="list-style-type: none"> (a) oil shale and coal; and (b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes. <p>It does not include water, stone, or petroleum.</p>
Movable building	<p>A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.</p>
Native vegetation	<p>Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.</p>
Net floor area	<p>The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.</p>
Plot ratio	<p>The gross floor area of all buildings on a site, divided by the area of the site.</p>
Private open space	<p>An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.</p>
Property vegetation plan	<p>A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987.</p>
Prostitution	<p>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</p>
Public land manager	<p>The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria or a municipal council, it means the Minister administering that Act and does not include the committee of management.</p>
Radio mast	<p>A mast, for radio transmission or reception in a dwelling, that is:</p> <ul style="list-style-type: none"> (a) with antenna, more than 14 metres above the ground; (b) if attached to a building, with antenna, more than 5 metres above the roof line; (c) including antenna, wider than 6 metres; or (d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.

GENERAL TERM	DEFINITION
Restricted area	A physically discrete area within an approved venue which minors must not enter and which is devoted primarily to the conduct of gaming.
Retail	The sale of goods or materials, in any quantity or manner, other than by wholesale.
Secluded private open space	That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.
Setback	The minimum distance from any allotment boundary to a building.
Sexual services	Has the same meaning as it has in the Prostitution Control Act 1994.
Site coverage	The proportion of a site covered by buildings.
Stone	Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.
Storey	That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.
Street leg length	The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.
Street reserve	Land set aside for a street pavement and verge.
Sustainable agriculture	<p>The use of farming practices and systems which maintain or enhance:</p> <ul style="list-style-type: none"> (a) the economic viability of agricultural production; (b) the natural resource base; and (c) other ecosystems which are influenced by agricultural activities.
Telecommunications line	A wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy.
Telecommunications network	A system or series of systems that carries, or is capable of carrying, communications by means of guided and unguided electromagnetic energy.
Telecommunications tower	A tower, pole or mast used as part of a Telecommunications network.

GENERAL TERM	DEFINITION
Tenement	<p>Land comprised in:</p> <p>(a) a lot which does not adjoin another lot in the same ownership; or</p> <p>(b) lots in the same ownership and which adjoin each other.</p> <p>Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.</p>
Unrestricted area	The area within an approved venue other than the restricted area.
Utility service provider	A person, other than a public authority or municipal council, having responsibility under an Act for the generation, transmission, distribution or supply of electricity, gas, power, telecommunications, water supply, drainage or sewerage services.
Venue operator	The holder of a venue operator's licence under Part 3 of the Gaming Machine Control Act 1991.
Verge	The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting.
Wall height	The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level.
Wholesale	The sale of goods or materials, to be sold by others.

73 OUTDOOR ADVERTISING TERMS

19/01/2006
VC37

The following table lists terms which may be used in this planning scheme in relation to outdoor advertising. A term listed in the first column, under the heading “Outdoor Advertising Term”, has the meaning set out beside that term in the second column, under the heading “Definition”.

OUTDOOR ADVERTISING TERM	DEFINITION
Above-verandah sign	A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.
Advertisement area	The total area of an advertisement. If the advertisement does not rotate or move, the area is one side only.
Animated sign	A sign that can move, contains moving parts, changes its message, flashes, or has a moving or flashing border.
Bed and breakfast sign	A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.
Bunting sign	An advertisement that consists of bunting, streamers, flags, windvanes, or the like.
Business identification sign	A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.
Direction sign	A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.
Floodlit sign	A sign illuminated by external lighting provided for that purpose.
High-wall sign	A sign on the wall of a building so that part of it is more than 10 metres above the ground.
Home occupation sign	A sign at a dwelling that advertises a home occupation carried on in the dwelling, or on the land around the dwelling.
Internally illuminated sign	A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.
Major promotion sign	A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.
Panel sign	A sign with an advertisement area exceeding 10 square metres.

OUTDOOR ADVERTISING TERM	DEFINITION
Pole sign	A sign: <ul style="list-style-type: none">a) on a pole or pylon that is not part of a building or another structure;b) that is no more than 7 metres above the ground;c) with an advertisement area not exceeding 6 square metres; andd) that has a clearance under it of at least 2.7 metres.
Promotion sign	A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.
Reflective sign	A sign finished with material specifically made to reflect external light.
Sign	An advertisement and any structure built specifically to support it.
Sky sign	A sign: <ul style="list-style-type: none">a) on or above the roof of a building, but not a verandah;b) fixed to the wall of a building and which projects above the wall; orc) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.

74 LAND USE TERMS

19/01/2006
VC37

The following table lists terms which may be used in this planning scheme in relation to the use of land. This list is not exhaustive. However, a term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading “Land Use Term”, has the meaning set out beside that term in the second column, under the heading “Definition”.

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading “Land Use Term”, which does not have a meaning set out beside that term in the second column, under the heading “Definition”, has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading “Land Use Term”, which has other terms listed beside it in the third column, under the heading “Includes”, includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading “Land Use Term”, does not have any term listed beside it in the third column, under the heading “Includes”, that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms

A term listed in the first column, under the heading “Land Use Term”, which has a term listed beside it in the fourth column, under the heading “Included in”, is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms

If a term listed in the first column, under the heading “Land Use Term”, does not have a term listed beside it in the fourth column, under the heading “Included in”, that term is not included within any other term listed in the first column.

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Abattoir	Land used to slaughter animals, including birds. It may include the processing of animal products.		Rural industry
Accommodation	Land used to accommodate persons.	Camping and caravan park Corrective institution Dependent person's unit Dwelling Group accommodation Host farm Residential building Residential village Retirement Village	
Adult sex bookshop	Land used to sell or hire sexually explicit material, including: a) publications classified as restricted under the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; and b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.		Shop
Agriculture	Land used to: a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables; b) keep, breed, board, or train animals, including livestock, and birds; or c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.	Animal husbandry Aquaculture Crop raising	
Airport			Transport terminal

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Amusement parlour	<p>A building that contains:</p> <p>a) three or more coin, card, or token operated amusement machines;</p> <p>b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or</p> <p>c) two or more coin, card, or token operated billiard, snooker, or pool tables.</p> <p>It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Hotel or Tavern.</p>		Place of assembly
Animal boarding	Land used to board domestic pets, such as boarding kennels and a cattery.		Animal keeping
Animal husbandry	Land used to keep, breed, board, or train animals, including birds.	Animal keeping Animal training Apiculture Extensive animal husbandry Horse stables Intensive animal husbandry	Agriculture
Animal keeping	<p>Land used to:</p> <p>a) breed or board domestic pets; or</p> <p>b) keep, breed, or board racing dogs.</p>	Animal boarding Dog breeding Greyhound keeping	Animal husbandry
Animal training	Land used to train animals.	Greyhound training Horse riding school	Animal husbandry
Apiculture	Land used to keep honeybee hives and to extract honey or other bee hive products.		Animal husbandry

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Aquaculture	Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.		Agriculture
Art and craft centre	Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.		
Art gallery	Land used to display works of art, including ceramics, furniture, glass, paintings, sculptures, and textiles.		Exhibition centre
Backpackers' lodge			Residential building
Bank			Office
Beauty salon			Shop
Bed and breakfast	A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.		Dwelling
Betting agency	Land used for gambling by wagering, and where there is the ability to receive a monetary reward.		Gambling premises
Boarding house			Residential building
Boat and caravan storage	Land used to store boats, caravans, or vehicle-towed boat trailers.		Store
Boat launching facility	Land used to launch boats into the water and to retrieve boats from the water.	Boat ramp Slipway	Pleasure boat facility
Boat ramp			Boat launching facility
Bottle shop	Land used to sell packaged liquor for consumption off the premises.		Shop
Broiler farm	Land used to keep and fatten chickens which are restrained and housed in sheds and intensively fed.		Intensive animal husbandry

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Brothel	Land made available for prostitution by a person carrying on the business of providing prostitution services at the business's premises.		
Business college			Education centre
Bus terminal			Transport terminal
Cabaret			Nightclub
Camping and caravan park	Land used to allow accommodation in caravans, cabins, tents, or the like.		Accommodation
Caretaker's house	A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.		Dwelling
Carnival	Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.		Place of assembly
Car park	Land used to park motor vehicles.		
Car sales			Motor vehicle, boat, or caravan sales
Car wash			Service industry
Cattle feedlot	Land used to keep and fatten cattle which are restrained by pens or enclosures and intensively fed.		Intensive animal husbandry
Cemetery	Land used to dispose of human remains by burial. It may include funeral chapels or the like.		
Child care centre	Land used to care for five or more children who are not permanently resident on the land.	Kindergarten	

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Cinema	Land used to provide screen based entertainment or information to the public.		Place of assembly
Cinema based entertainment facility	Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.		
Circus	Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.		Place of assembly
Commercial display area	Land used only to display goods.		Warehouse
Community market			Market
Conference centre			Function centre
Convenience restaurant	Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.		Food and drink premises
Convenience shop	A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.		Shop
Corrective institution	Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.		Accommodation
Crematorium	Land used to cremate human remains. It may include funeral chapels or the like.		

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Crop raising	Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.	Horticulture Rice growing Timber production	Agriculture
Dancing school			Indoor recreation facility
Department store			Shop
Dependent person's unit	A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.		Accommodation
Display home	A building constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings.		
Dog breeding			Animal keeping
Drive-in theatre			Place of assembly
Dry cleaner			Service industry
Dwelling	A building used as a self-contained residence which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a closet pan and wash basin. It includes out-buildings and works normal to a dwelling.	Bed and breakfast Caretaker's house	Accommodation
Education centre	Land used for education.	Business college Employment training centre Primary school Secondary school Tertiary institution	

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Electoral office	An office used for electioneering by a candidate in a local, State, or Federal Government election.		Office
Emergency services facility	Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provisions of emergency services.		
Employment training centre			Education centre
Equestrian supplies			Restricted retail premises
Exhibition centre	Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.	Art gallery Museum	Place of assembly
Extensive animal husbandry	Land used to keep or breed farm animals, including birds, at an intensity where the animals' main food source is obtained by grazing, browsing, or foraging on plants grown on the land. It includes: <ul style="list-style-type: none"> a) emergency and supplementary feeding; and b) the incidental penning and housing of animals, including birds, for brooding, weaning, dipping, or other husbandry purposes. 		Animal husbandry

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Extractive industry	Land used for the extraction or removal of stone from land for commercial use, or to use the stone for building, construction, road or manufacturing works. It includes the treatment of stone or the manufacture of bricks, tiles, pottery, or cement products on, or adjacent to, the land from which the stone is extracted.		Mineral, stone, or soil extraction
Food and drink premises	Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.	Convenience restaurant Hotel Restaurant Take away food premises Tavern	Retail premises
Freeway service centre	Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.		
Freezing and cool storage			Store
Fuel depot	Land used to store, sell, and distribute fuel.	Liquid fuel depot Solid fuel depot	Warehouse
Function centre	Land used, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing.	Conference centre Reception centre	Place of assembly
Funeral parlour	Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.		
Gambling premises	Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.	Betting agency Gaming premises	Retail premises

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Gaming premises	Land used for gambling by gaming, and where there is the ability to receive a monetary reward.		Gambling premises
Garden supplies	Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.		Landscape gardening supplies
Golf course			Outdoor recreation facility
Golf driving range			Outdoor recreation facility
Group accommodation	Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.		Accommodation
Hairdresser			Shop
Hall			Place of assembly
Heliport			Transport terminal
Home occupation	An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.		
Horse riding school			Animal training
Horse stables			Animal husbandry
Horticulture	Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.	Market garden	Crop raising

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Hospital	Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients.		
Hostel			Residential building
Host farm	A farm used to provide accommodation for persons, away from their normal place of residence, to experience farm living.		Accommodation
Hotel	Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.		Food and drink premises
Indoor recreation facility	A building used for indoor leisure, recreation, or sport.	Dancing school	Minor sports and recreation facility
Industry	Land used for any of the following operations: a) any process of manufacture; b) dismantling or breaking up of any article; c) treating waste materials; d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);	Materials recycling Refuse disposal Refuse transfer station Research and development centre Rural industry Service industry	

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
	<p>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or</p> <p>f) any process of testing or analysis.</p> <p>If on the same land as any of these operations, it also includes:</p> <p>a) storing goods used in the operation or resulting from it;</p> <p>b) providing amenities for people engaged in the operation;</p> <p>c) selling by wholesale, goods resulting from the operation; and</p> <p>d) accounting or administration in connection with the operation.</p> <p>If Materials recycling, goods resulting from the operation may be sold by retail.</p>		
Informal outdoor recreation	Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, picnic or barbecue area, playground, and walking or jogging track.		Minor sports and recreation facility

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Intensive animal husbandry	Land used to keep or breed farm animals, including birds, by importing most food from outside the enclosures. It does not include: <ul style="list-style-type: none"> a) an abattoir or sale yard; b) emergency and supplementary feeding if incidental to the use of land for extensive animal husbandry; or c) the penning and housing of animals, including birds, for brooding, weaning, dipping or other husbandry purposes if incidental to the use of land for extensive animal husbandry. 	Broiler farm Cattle feedlot	Animal husbandry
Jetty			Marina
Kindergarten			Child care centre
Landscape gardening supplies	Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.	Garden supplies Plant nursery	Retail premises
Laundromat			Service industry
Leisure and recreation	Land used for leisure, recreation, or sport.	Major sports and recreation facility Minor sports and recreation facility Motor racing track	
Library			Place of assembly
Lighting shop			Restricted retail premises
Liquid fuel depot	Land used to store, sell by wholesale, and distribute fuel.		Fuel depot
Mail centre	Land used to sort mail for distribution.		Warehouse

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Major sports and recreation facility	Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.	Race course	Leisure and recreation
Manufacturing sales	Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.		Retail premises
Marina	Land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.	Jetty Mooring pole Pier Pontoon	Pleasure boat facility
Market	Land used to sell goods, including foodstuffs, from stalls.	Community market Trash and treasure market	Retail premises
Market garden			Horticulture
Materials recycling	Land used to collect, dismantle, store, recycle, or sell, used or scrap materials.		Industry
Medical centre	Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only.		Office
Milk depot	Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised.		Warehouse

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Mineral exploration	Land used for the exploration of minerals. It includes: <ul style="list-style-type: none"> a) conducting geological, geophysical, and geochemical surveys; b) drilling; c) collecting samples for analysis; d) the non-commercial extraction of minerals; and e) anything (other than Mining) that is specified in an exploration licence. 		Mineral, stone, or soil extraction
Mineral, stone, or soil extraction	Land used for the searching, removal, or processing of minerals, stone, or soil, from the ground.	Extractive industry Mineral exploration Mining Search for stone	
Mining	Land used commercially to extract minerals from the land. It includes processing and treating ore.		Mineral, stone, or soil extraction
Minor sports and recreation facility	Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.	Indoor recreation facility Informal outdoor recreation Open sports ground Outdoor recreation facility Restricted recreation facility	Leisure and recreation
Minor utility installation	Land used for a utility installation comprising any of the following: <ul style="list-style-type: none"> a) sewerage or water mains; b) storm or flood water drains or retarding basins; d)[sic] gas mains providing gas directly to consumers; e) power lines designed to operate at less than 220,000 volts; 	Water retarding basin	Utility installation

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
	<p>f) a sewage treatment plant, and any associated disposal works, required to serve a neighbourhood;</p> <p>g) a pumping station required to serve a neighbourhood; or</p> <p>h) an electrical sub-station designed to operate at no more than 66,000 volts.</p>		
Mooring pole			Marina
Motel	Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.		Residential hotel
Motor racing track	Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports.		Leisure and recreation
Motor repairs	Land used to repair or service motor vehicles, and includes the fitting of accessories.	Panel beating	Service industry
Motor vehicle, boat, or caravan sales	Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.	Car sales	Retail premises
Museum	Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.		Exhibition centre

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Natural systems	Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.		
Nightclub	A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.	Cabaret	Place of assembly
Nurses' home			Residential building
Nursing home			Residential building
Office	Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.	Bank Electoral office Medical centre Real estate agency Travel agency	
Open sports ground	Land used for sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.		Minor sports and recreation facility
Outdoor recreation facility	Land used for outdoor leisure, recreation, or sport.	Golf course Golf driving range Paintball games facility Pleasure park Zoo	Minor sports and recreation facility
Paintball games facility			Outdoor recreation facility

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Panel beating	Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.		Motor repairs
Party supplies			Restricted retail premises
Pier			Marina
Place of assembly	Land where people congregate for religious or cultural activities, entertainment, or meetings.	Amusement parlour Carnival Cinema Circus Drive-in theatre Exhibition centre Function centre Hall Library Nightclub Place of worship Restricted place of assembly	
Place of worship	Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.		Place of assembly
Plant nursery	Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.		Landscape gardening supplies
Pleasure boat facility	Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.	Boat launching facility Marina	
Pleasure park			Outdoor recreation facility
Pontoon			Marina
Postal agency			Retail premises
Primary produce sales	Land used to sell unprocessed primary produce, grown on the land or adjacent land.		Retail premises
Primary school			Education centre

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Race course			Major sports and recreation facility
Racing dog keeping			Animal keeping
Racing dog training			Animal training
Railway station	Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.		Transport terminal
Real estate agency			Office
Reception centre			Function centre
Refuse disposal	Land used to dispose of refuse, by landfill, incineration, or other means.		Industry
Refuse transfer station	Land used to collect, temporarily store, and process refuse, or used or scrap materials, for disposal or use elsewhere.		Industry
Research and development centre	Land used to develop electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.		Industry
Research centre	Land used only for scientific research.		
Reservoir			Utility installation
Residential building	Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.	Backpackers' lodge Boarding house Hostel Nurses' home Nursing home Residential college Residential hotel	Accommodation
Residential college			Residential building

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Residential hotel	Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.	Motel	Residential building
Residential village	Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.		Accommodation
Restaurant	<p>Land used to prepare and sell food and drink, for consumption on the premises. It may include:</p> <ul style="list-style-type: none"> a) entertainment and dancing; and b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. <p>It does not include the sale of packaged liquor.</p>		Food and drink premises
Restricted place of assembly	Land used by members of a club or group, or by members' guests, for religious or cultural activities, entertainment, or meetings. It may include food and drink for consumption on the premises, and gaming.		Place of assembly

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Restricted recreation facility	Land used by members of a club or group, members' guests, or by the public on payment of a fee, for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming.		Minor sports and recreation facility
Restricted retail premises	Land used to sell or hire: <ul style="list-style-type: none"> a) automotive parts and accessories; b) camping equipment; c) electric light fittings; d) equestrian supplies; e) floor coverings; f) furnishings; g) furniture; h) household appliances; i) party supplies; j) swimming pools; k) videos; or l) office supplies. 	Equestrian supplies Lighting shop Party supplies	Shop
Retail premises	Land used to: <ul style="list-style-type: none"> a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods. 	Food and drink premises Gambling premises Landscape gardening supplies Manufacturing sales Market Motor vehicle, boat, or caravan sales Postal agency Primary produce sales Shop Trade supplies	
Retirement village	Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.		Accommodation
Rice growing			Crop raising

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Road freight terminal			Transport terminal
Rural industry	Land used to: a) handle, treat, process, or pack agricultural produce; or b) service or repair plant, or equipment, used in agriculture.	Abattoir Sawmill	Industry
Rural store	Land used to store unprocessed agricultural produce, or products used in agriculture.		Store
Saleyard	Land used to hold, sell, and buy farm animals.		
Sawmill	Land used to handle, cut, and process timber from logs.		Rural industry
Search for stone	The searching for stone, including: a) conducting geological, geophysical, and geochemical surveys; b) costeaming and bulk sampling; c) drilling; and d) taking samples for chemical, physical, or other testing.		Mineral, stone, or soil extraction
Secondary school			Education centre
Service industry	Land used to launder, repair, service or wash articles, machinery, or vehicles.	Car wash Dry cleaner Laundromat Motor repairs	Industry
Service station	Land use to sell motor vehicle fuel from bowsers, and lubricants. It may include the: a) selling of motor vehicle accessories or parts; b) selling of food, drinks and other convenience goods; c) hiring of trailers;		

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
	<p>d) servicing or washing of motor vehicles; and</p> <p>e) installing of motor vehicle accessories or parts.</p>		
Shipping container storage	Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.		Store
Shop	Land used to sell goods or services, or to hire goods. It includes the selling of bread, pastries, cakes or other products baked on the premises. It does not include food and drink premises, gambling premises, landscape gardening supplies, manufacturing sales, market, motor vehicle, boat, or caravan sales, postal agency, primary produce sales, or trade supplies.	<p>Adult sex bookshop</p> <p>Beauty salon</p> <p>Bottle shop</p> <p>Convenience shop</p> <p>Department store</p> <p>Hairdresser</p> <p>Restricted retail premises</p> <p>Supermarket</p>	Retail premises
Slipway			Boat launching facility
Solid fuel depot	Land used to sell solid fuel, such as briquettes, coal, and fire wood.		Fuel depot
Store	Land used to store goods, machinery, or vehicles.	<p>Boat and caravan storage</p> <p>Freezing and cool storage</p> <p>Rural store</p> <p>Shipping container storage</p> <p>Vehicle store</p>	Warehouse
Supermarket			Shop
Take away food premises	Land used to prepare and sell food and drink for immediate consumption off the premises.		Food and drink premises

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Tavern	Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.		Food and drink premises
Tele-communications facility	Any part of the infrastructure of a telecommunications network or any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.		Utility installation
Tertiary institution			Education centre
Timber production	Land used to propagate, cultivate, manage and harvest timber.		Crop raising
Timber yard	Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.		Trade supplies

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Trade supplies	Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: <ul style="list-style-type: none"> a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; g) primary production; or h) local government, government departments or public institutions. 	Timber yard	Retail premises
Tramway	Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops, shunting areas and associated passenger facilities.		
Transport terminal	Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.	Airport Bus terminal Heliport Railway station Road freight terminal Wharf	
Trash and treasure market			Market
Travel agency			Office
Utility installation	Land used: <ul style="list-style-type: none"> a) for telecommunications; b) to transmit or distribute gas, oil, or power; c) to collect, treat, transmit, store, or distribute water; or d) to collect, treat, or dispose of storm or flood water, sewage, or sullage. 	Minor utility installation Reservoir Telecommunications facility	

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Vehicle store	Land used to park or store vehicles in connection with a goods or passenger transport business.		Store
Veterinary centre	Land used to: <ul style="list-style-type: none"> a) diagnose animal diseases or disorders; b) surgically or medically treat animals; or c) prevent animal diseases or disorders. <p>It may include keeping the animals on the premises for treatment.</p>		
Warehouse	Land used to store or display goods. It may include the distribution and the wholesale selling of the goods.	Commercial display area Fuel depot Mail centre Milk depot Store	
Water retarding basin	Land used to store storm or flood water on a temporary basis.		Minor utility installation
Wharf	Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.		Transport terminal
Wind energy facility	Land used to generate electricity by wind force. It includes any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force. It does not include: <ul style="list-style-type: none"> a) turbines principally used to supply electricity for domestic or rural use of the land; or b) an anemometer. 		

LAND USE TERM	DEFINITION	INCLUDES	INCLUDED IN
Winery	Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.		
Zoo			Outdoor recreation facility

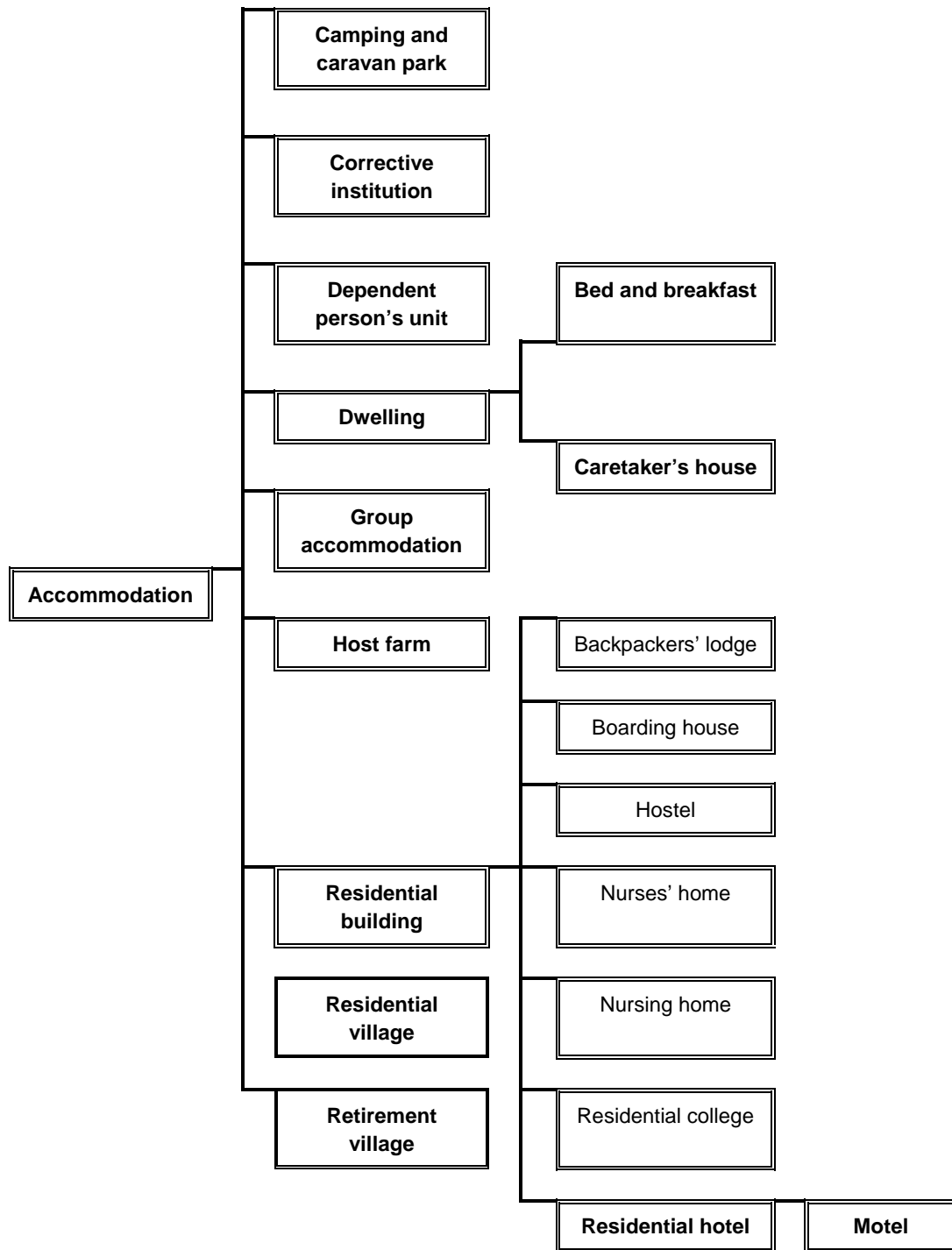
75 NESTING DIAGRAMS

19/01/2006
VC37

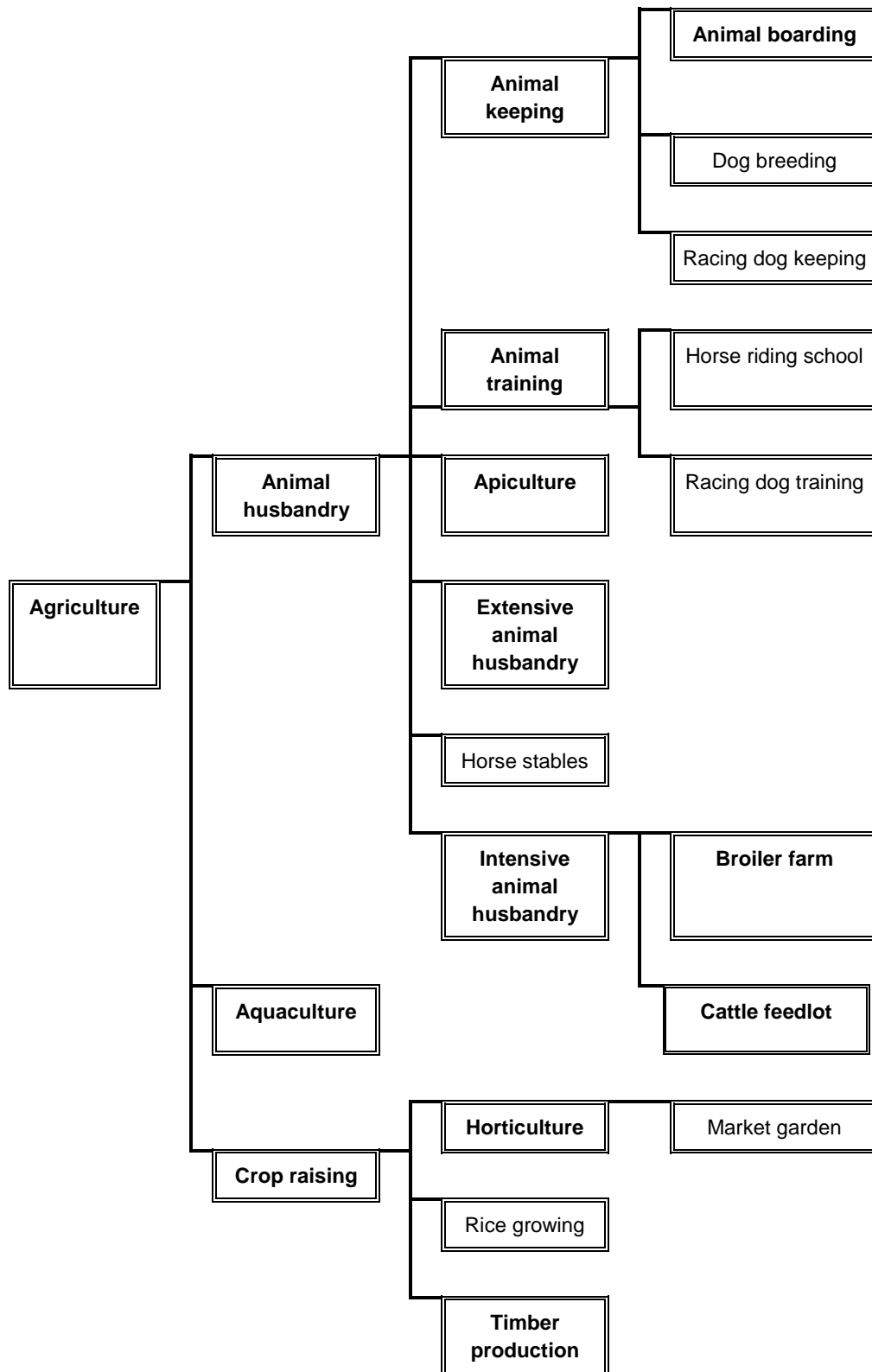
The information in the table in Clause 74 is set out in the following diagrams as a means of indicating the nesting of land use terms.

Land use terms that are not nested are listed separately. If there is any inconsistency between the table, and the diagrams or list, the table prevails.

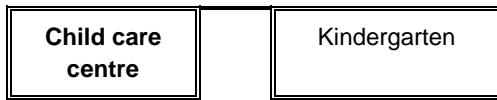
Accommodation group



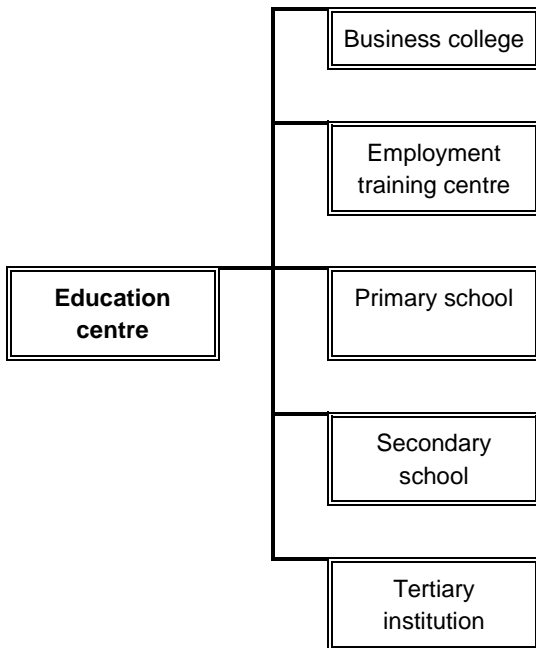
Agriculture group



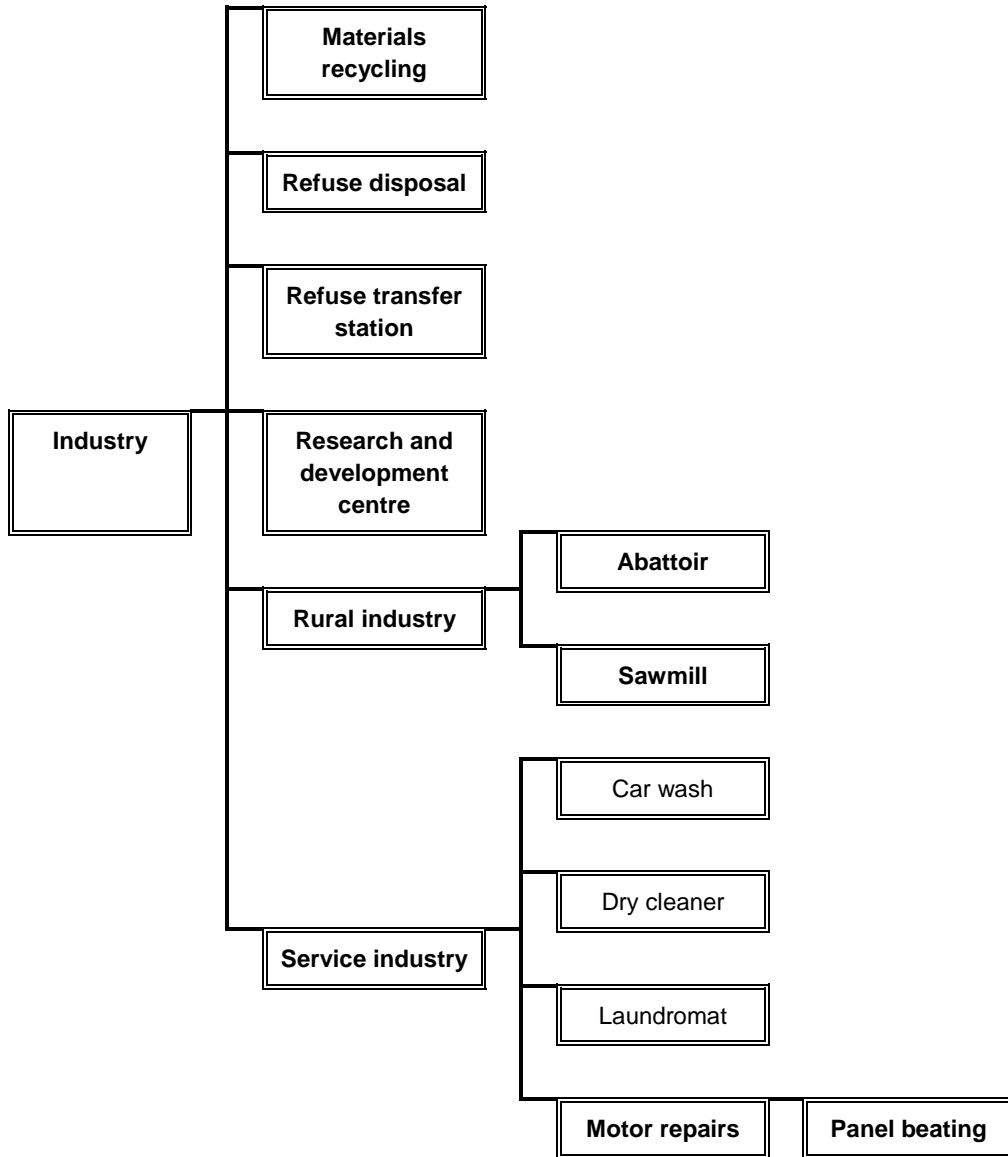
Child care centre group



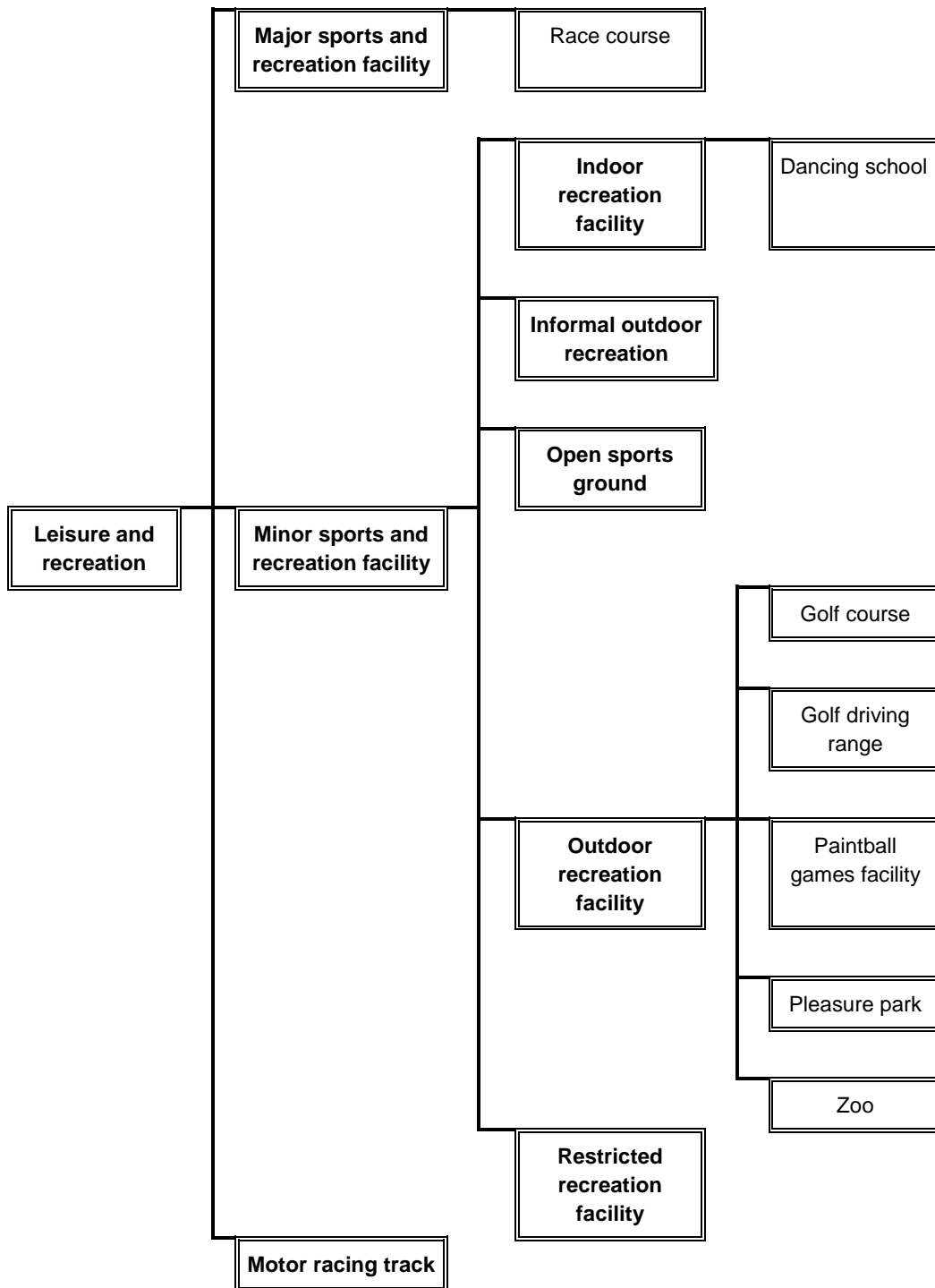
Education centre group



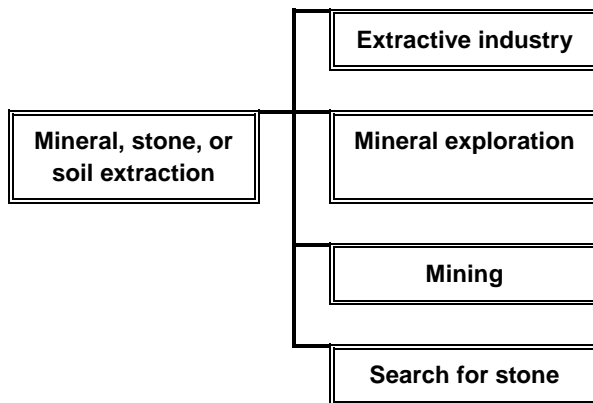
Industry group



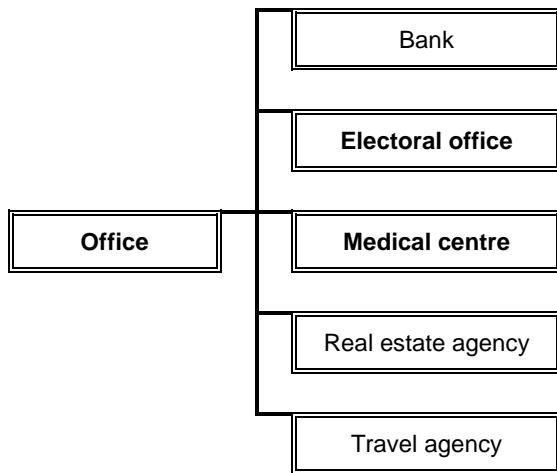
Leisure and recreation group



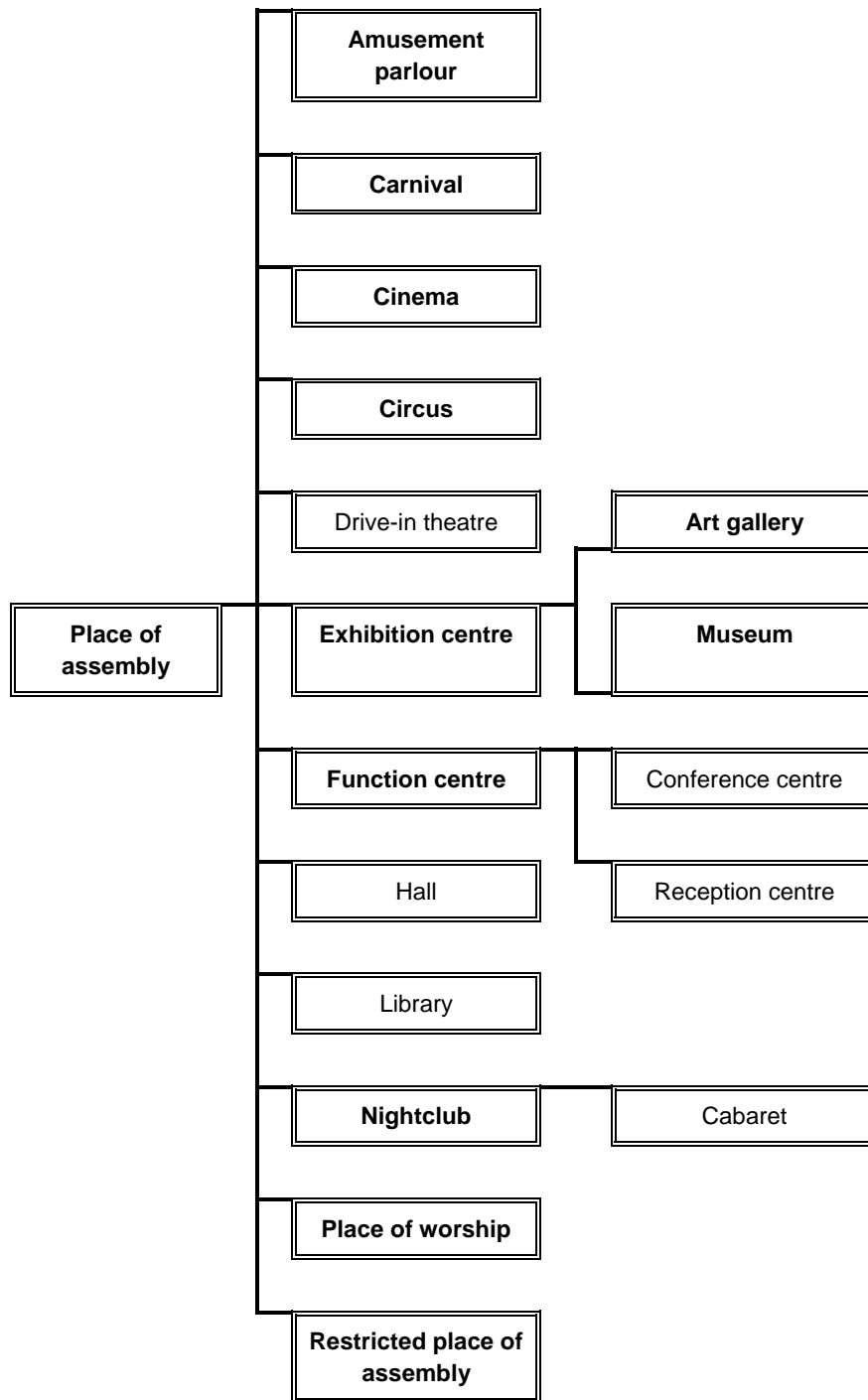
Mineral, stone, or soil extraction group



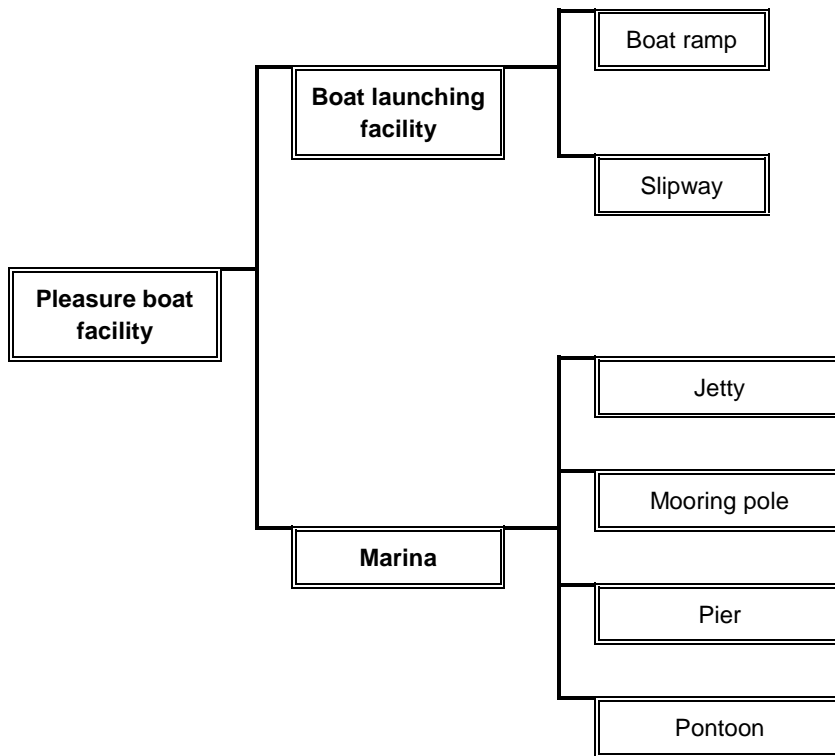
Office group



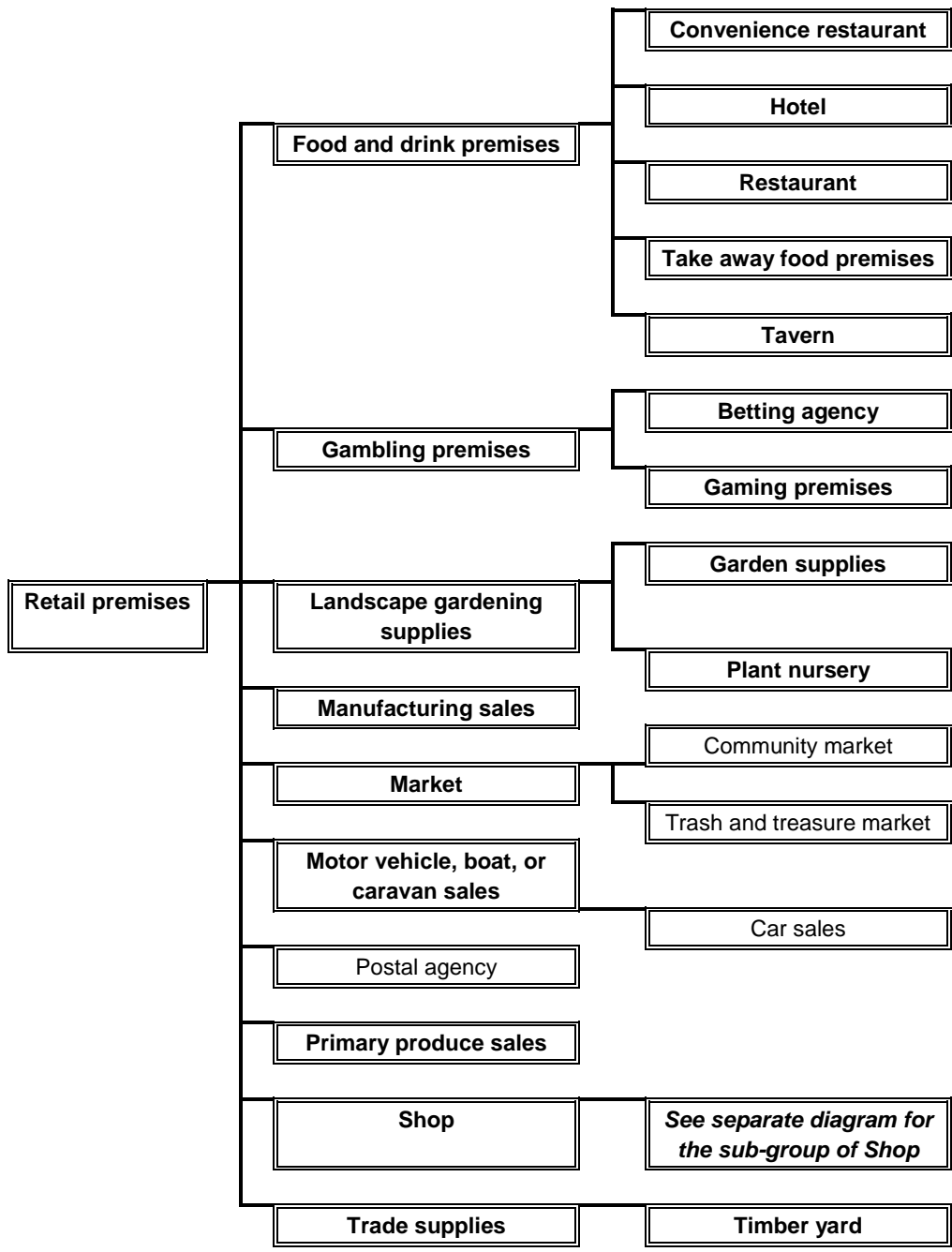
Place of assembly group



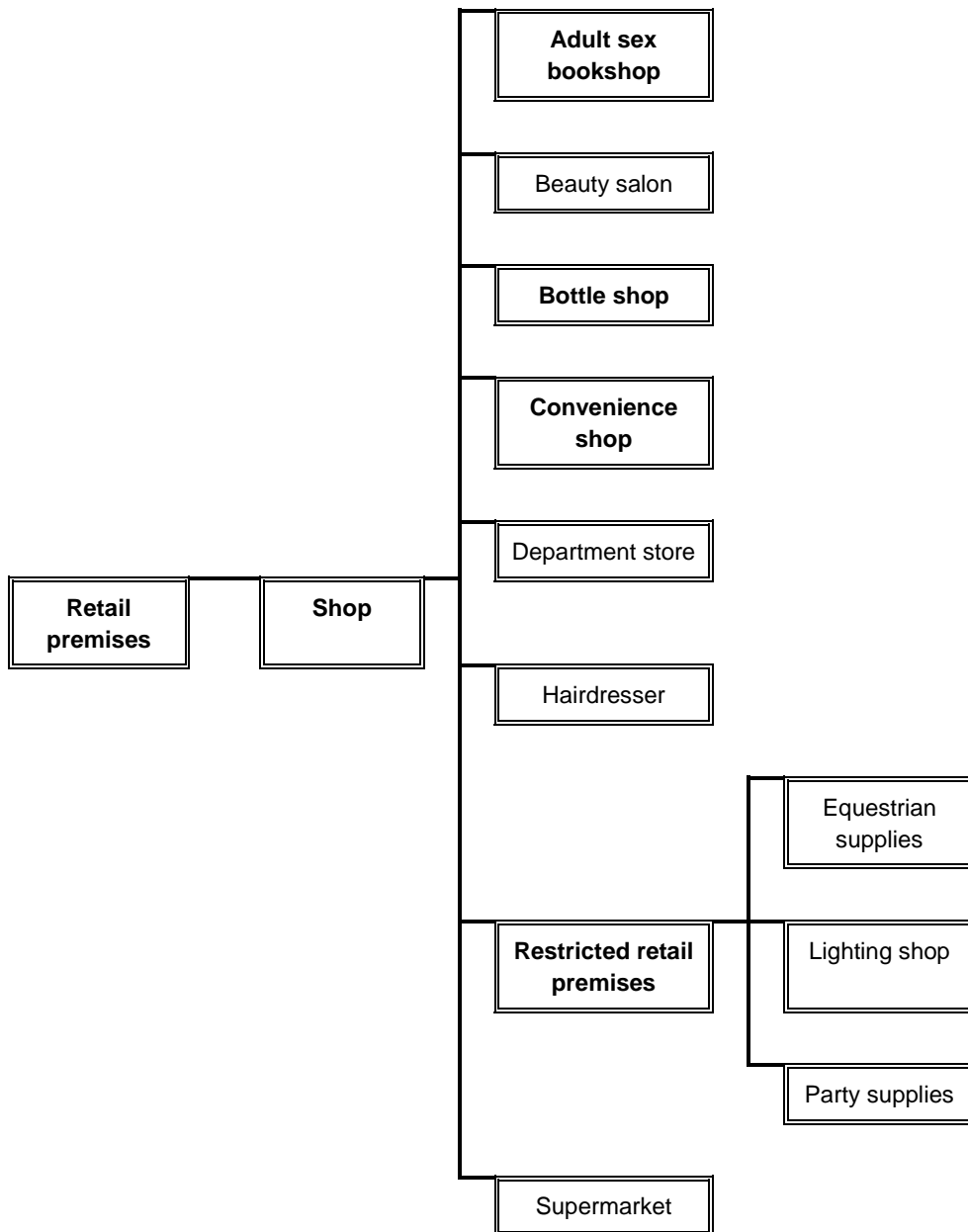
Pleasure boat facility group



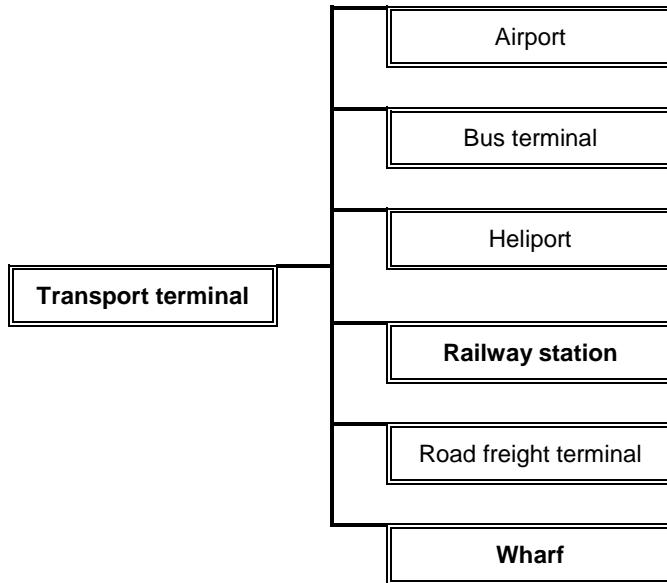
Retail premises group



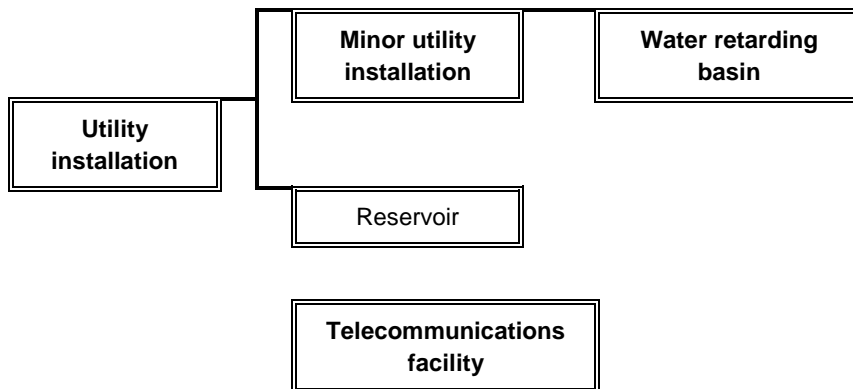
Retail premises group (sub-group of Shop)



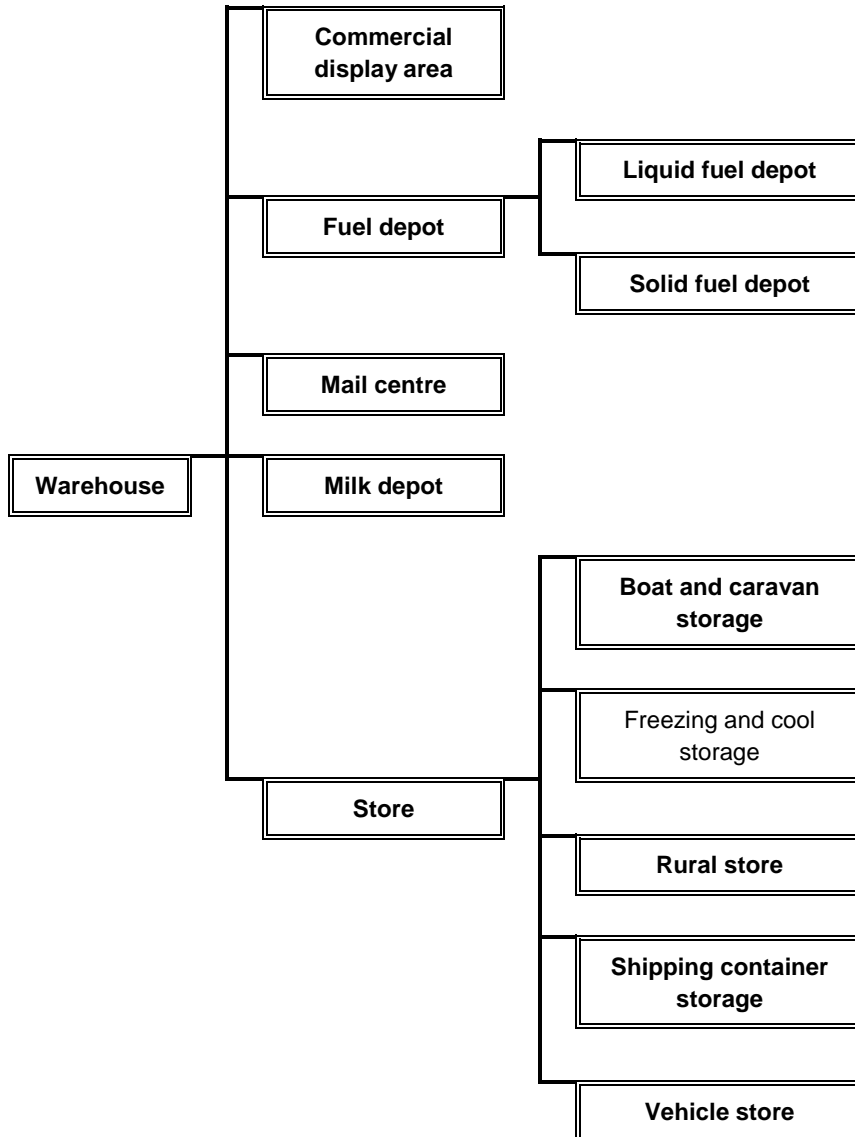
Transport terminal group



Utility installation group



Warehouse group



Land use terms that are not nested

Art and craft centre

Brothel

Car park

Cemetery

Cinema based entertainment facility

Crematorium

Display home

Emergency services facility

Freeway service centre

Funeral parlour

Home occupation

Hospital

Natural systems

Research centre

Saleyard

Service station

Tramway

Veterinary centre

Wind energy facility

Winery



**Incorporated
Documents**

80 INCORPORATED DOCUMENTS19/01/2006
VC37

This section sets out the documents which are incorporated in this scheme.

81 DOCUMENTS INCORPORATED IN THIS SCHEME19/01/2006
VC37

The documents listed in the table below and in the schedule to this clause are incorporated documents under section 6(2)(j) of the Planning and Environment Act 1987.

If a document is not included in the table or the schedule, it is not an incorporated document.

81.01 Table of Documents incorporated in this scheme.19/01/2006
VC37

If a document is not included in the Table or the Schedule to this clause, it is not an incorporated document.

Table to Clause 81.01**NAME OF DOCUMENT**

Code of Forest Practices for Timber Production - Revision No. 2, November 1996

Victorian Code for Cattle Feedlots - August 1995

Guidelines for Environmental Management – Septic Tanks Code of Practice, Publication 891, Environment Protection Authority, March 2003

Private Tennis Court Development Code of Practice – Revision 1, March 1999

Code of Practice for Fire Management on Public Land (Department of Conservation and Natural Resources 1995)

Code of Practice, Piggeries, Department of Planning and Housing and Department of Food and Agriculture, 1992

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

Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995

Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991

Apiary Code of Practice, May 1997

A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997

A Code of Practice for Telecommunications Facilities in Victoria, July 2004

Australian Standard AS/NZS 2890.1-2004 Parking Facilities : Off-street car parking. Standards Australia 2004

NAME OF DOCUMENT

Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities. Standards Australia 2002

[Editor's Note: this entry was amended as above by VC19 of 24/7/03 – however the changes have not been shown in subsequent amendments]

Australian Standard AS2890.5-1993, Parking Facilities Part 5: On-street parking. Standards Australia 1993

Australian Standard AS2890.3-1993, Parking Facilities Part 3: Bicycle parking facilities. Standards Australia 1993

Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)

Guide to Traffic Engineering Practice, Part 6 - Roundabouts, Austroads, 1993 (AP-11.6/93)

Guide to Traffic Engineering Practice, Part 13 - Pedestrians, Austroads, 1995 (AP-11.13/95)

Guide to Traffic Engineering Practice, Part 14 - Bicycles, Austroads 1999 (AP-11.14/99)

Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)

Australian Rainfall and Run-off - A guide to flood estimation, Volume 1, The Institution of Engineers, Australia, Reprinted edition 2001

Australian/New Zealand Standard AS/NZS1158.1.1:1997, Road lighting, Part 1.1: Vehicular traffic (Category V) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1997

Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999

Guide to Residential Streets and Paths, Cement and Concrete Association of Australia, 2004 (C&CCA T51-2004)

Victorian Code for Broiler Farms, September 2001

Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria, 2003

Victoria's Native Vegetation Management – A Framework for Action – August 2002

Activity Centres and Principal Public Transport Network Plan, 2003

19/01/2006
VC37

SCHEDULE TO CLAUSE 81.01

NAME OF DOCUMENT

Construction and Extension of One Dwelling on a Lot between 300m² and 500m², 24 August 2001

Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003



List of Amendments

This section lists the amendments
which have been made to this scheme.

LIST OF AMENDMENTS

Amendment number	In operation from	Brief description
VC9	22 MAY 2000	Makes changes to the Settlement and Housing policies in the State Planning Policy Framework to recognise neighbourhood character.
C8	22 JUN 2000	Introduces a Local Variation to the Good Design Guide relating to development within a 7km radius of the Melbourne GPO.
C6	27 JUL 2000	Rezones surplus City West Water property on the northern side of Queen Street, Altona, more accurately described as Lot 1, Plan of Subdivision 43336T from a Public Use Zone to a Residential 1 zone. (<i>Map amendment</i>)
VC8	17 AUG 2000	Makes changes to the SPPF in relation to biodiversity; introduces an operations clause for the LPPF; amends the rural zones in relation to the construction of outbuildings; amends the residential and rural zones to accommodate the keeping of pet racing dogs; amends the flooding zones and overlays to require the incorporation of local floodplain development plans; amends subdivision and dwelling provisions in the Restructure Overlay; amends clause 52.01 to clarify its relationship with the Subdivision Act 1988; amends clause 52.03 to enable the schedule to prohibit a use or development on specific sites; makes formatting and other changes arising from panel reports and operational experience.
C3	26 OCT 2000	Rezones 1 – 3 Johnston Street, Newport from IN3 to R1 and includes the land in a EAO and a DDO.
C13	26 OCT 2000	Introduces a permit requirement for the construction and extension of one dwelling on a lot between 300m ² and 500m ² .
C2	30 NOV 2000	Introduces the Land Subject to Inundation and Special Building Overlays to recognise the floodplains as determined by Melbourne Water.
VC10	14 DEC 2000	Makes changes to the Table of uses in the Public Conservation and Resource Zone relating to Utility installation and makes typographical corrections.

Amendment number	In operation from	Brief description
VC11	29 MAR 2001	Introduces ability to require permits for outbuildings larger than a specified size in the Low Density Residential Zone; introduces ability to require permits for restaurants in specified areas in the Business 1 Zone; provides more flexibility in the purpose of the Specific Sites and Exclusions provisions; simplifies the operation of the Advertising Signs provisions; reorganises and clarifies the Car Parking provisions; corrects the referral provisions in Clause 61 relating to construction of building or works on land within 60 metres of a major electricity transmission line; introduces a new definition of Retirement village; and makes various formatting and typographical corrections.
C9 Part 2	24 MAY 2001	Introduces a local car parking policy for the Williamstown Commercial Area into the Local Planning Policy Framework.
C15	12 JUL 2001	Introduces a local urban design policy for the Altona Meadows area into the Local Planning Policy Framework.
C11 Part 1	2 AUG 2001	Introduces a Foreshore Height Limitation control for certain areas in Williamstown where there is potential for three storey development and deletes the Tenix site in Nelson Place, Williamstown and Mobil's South Crude Tank Farm site in Kororoit Creek Road, Altona from a similar control.
VC12	24 AUG 2001	<p>Makes changes to the SPPF, LPPF, Zones, Overlays, Particular Provisions, Definitions and list of Incorporated documents based on the general review of residential development provisions and the recommendations of the ResCode Advisory Committee. The changes include the introduction of schedules to four residential zones, a Neighbourhood Character Overlay, new residential development provisions in Clauses 54, 55 and 56 for dwellings and subdivision, and transitional arrangements for subdivision, medium-density housing and residential buildings. Corrects an inconsistency between Amendment S74 and the VPP in relation to public open space contributions in subdivision. Clarifies the definition of Trade supplies.</p> <p>[amends Clauses 21.06 and 22.04, deletes Clause 22.03, and amends the schedule to Clause 52.03 in the Hobsons Bay scheme]</p>

Amendment number	In operation from	Brief description
C20	20 SEP 2001	Rezones land at No. 121 Blackshaws Road and No. 4 Kingham Street, Newport to a Residential 1 Zone and applies an Environmental Audit Overlay. (<i>Map amendment</i>)
VC13	27 SEP 2001	Introduces <i>Victorian Code for Broiler Farms</i> as an incorporated document; amends the SPPF and the Rural Zone and introduces a new Particular provision and definition relating to broiler farm; amends the Advertising signs provisions relating to major promotion signs, business logos and street numbers; includes domestic rainwater tanks as exempt buildings and works except in the Heritage Overlay, updates references in the Environmental Audit Overlay to amended sections of the <i>Environment Protection Act 1970</i> , following amendments to that Act; makes corrections to the Residential 1 Zone and Business 1 Zone and updates the User Guide.
C16	28 SEP 2001	Amends on interim basis the schedule to the Heritage Overlay to identify various properties and precincts in Altona, Laverton and Newport Districts as heritage places warranting planning scheme protection.
C12	8 NOV 2001	Rezones land in Newport bounded by Newport Lakes to the north, Wrought Iron Crafts & Gates Manufacturer (120-130 Mason Street) to the east, Mason Street to the south and Leslie Street to the west from Industrial 3 Zone to Residential 1 Zone; and includes it within a Design and Development Overlay and an Environmental Audit Overlay.
C14	8 NOV 2001	Rezones the land generally located at the corner of Sargood and Blyth Streets from Residential 1 Zone and part Business 1 Zone to Mixed Use Zone and the Council car park on Sargood Street, Altona from Residential 1 Zone to Public Use Zone 6. It introduces a new local planning policy and amends the Schedule to the Mixed Use Zone and grants planning permit no. P00.513.
VC14	22 NOV 2001	<p>Makes corrections to the Residential 1 Zone, Clause 54.04 and Clause 55.05.</p> <p><i>[Editor's Note: the corrections are as a result of errors in the VC12 amendment documents for individual schemes contained on the DOI's CD. Anstat used the VPP document which contained no errors, therefore there have been no changes made to this consolidated scheme.]</i></p>

Amendment number	In operation from	Brief description
C25	17 JAN 2002	Incorporates land excised from the Port of Melbourne Planning Scheme at the Point Gellibrand Coastal Heritage Park, Williamstown into the Hobsons Bay Planning Scheme and amends Clause 61 to state that the Planning Scheme applies to that part of the Municipal District of the City of Hobsons Bay not in the Port of Melbourne Planning Scheme.
C22	11 JUL 2002	Rezones land generally bounded by the Princes Freeway and Kororoit Creek Road, Altona North described as the former RMIT land and comprising approximately 12.1 hectares from Public Use Zone 2 - Education to part Special Use Zone and part Public Conservation and Resource Zone; and replaces Schedule 4 to the Special Use Zone to incorporate additional provisions and guidelines for the use and development of industrial land adjoining native grass lands, and introduce an employee population density guideline of PD60 to the land rezoned Special Use Zone.
Reprint No. 4 August 2002		
C28	29 AUG 2002	Rezones land described as the former Altona Green Secondary School site, Victoria Street, Altona Meadows from Public Use Zone 2 - Education to part Residential 1 Zone and part Public Park and Recreation Zone; and the Council Reserves in O'Shannessy and Elizabeth Courts, Altona Meadows from Public Park and Recreation Zone to Residential 1 Zone. (<i>Map amendment</i>)
VC16	8 OCT 2002	Restructures Clauses 11, 12 and 13 of the State Planning Policy Framework and amends zone maps of 17 Melbourne metropolitan fringe planning schemes to introduce an Urban Growth Boundary and a legend designation for land outside the Urban Growth Boundary; introduces a renewable energy policy in Clause 15 of the SPPF; introduces a new Particular provision and Land use term for Wind energy facility; includes Wind energy facility in the Table of uses in the Public Conservation and Resource Zone; includes a temporary anemometer in the list of buildings and works not requiring a permit, makes the Minister for Planning the responsible authority in planning schemes for considering Wind energy facilities with a capacity greater than 30 megawatts; and introduces Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria, 2002 as an incorporated document in planning schemes; amends Clause 18 of the SPPF to require the design of transport

Amendment number	In operation from	Brief description
		<p>routes to provide for grade separation at railways.</p> <p>[amends the schedule to Clause 61]</p>
VC15	31 OCT 2002	<p>Updates reference to tourism guidelines in SPPF; clarifies the nature of "school" in the SPPF and Clause 56.07 and in conditions opposite various uses in the industrial and business zones, introduces a new Particular provision and Land use term for Shipping container storage; includes Shipping container storage in the Table of uses in the Industrial 1, Business 3 and Business 4 Zones; exempts outdoor swimming pools associated with dwellings from permit requirements in the Design and Development Overlay and Neighbourhood Character Overlay; exempts removal of native vegetation from permit requirements in the Heritage Overlay and Public Acquisition Overlay if it presents an immediate risk of injury or damage; amends Clause 52.01 to establish consistency with the <i>Subdivision Act 1988</i> and to clarify the Class 1 exemption for subdivision of residential buildings; extends the expiry date in Clause 52.04-3 for transitional arrangements for residential development; amends Standard C21 in Clause 56.06-4 to facilitate the use of building envelopes on lots in new subdivisions; amends definitions of Wall height, Materials recycling and Store; and makes minor format changes.</p>
VC17	24 DEC 2002	<p>Provides permit exemption in the Public Acquisition Overlay for proposals that are consistent with the purpose for which the land was or is to be acquired; and provides permit exemptions and introduces an incorporated document for 3 Rail Infrastructure Projects (Rail Gauge Standardisation Project, Regional Fast Rail Project and Fibre Optic Project) in 23 planning schemes.</p> <p>[amends Clause 45.01 to this scheme]</p>
C30	6 MAR 2003	<p>Rezones land at 100-122 Mason Street, Newport bounded by Newport Lakes to the north, Johnston Street to the east, Mason Street to the south and the roadway to the west from Industrial 3 Zone to Residential 1 Zone; and includes it within a Design and Development Overlay and an Environmental Audit Overlay.</p>

Amendment number	In operation from	Brief description
C26	22 MAY 2003	Rezones the parcel of land to the west of the Central Square Shopping Centre, Altona Meadows between Central Avenue and Petre Avenue to the eastern boundary of the residential lots abutting Myers Parade from Residential 1 Zone to Business 1 Zone and replaces the schedule to the Business 1 Zone.
VC18	13 JUN 2003	Introduces Core Planning Provisions for Metropolitan green wedge land in Clause 57 of the Particular provisions.
VC19	24 JUL 2003	Makes changes to the SPPF and various Overlays and Particular provisions relating to Government policies and strategies on native vegetation management, coastal planning and management, highway management and Development Contributions Plans; introduces a Particular provision for satellite dishes, makes high rise residential development in residential zones subject to car parking requirements in Clause 52.06; provides permit exemptions for direction signs to emergency facilities at hospitals and buildings and works associated with a Dependent person's unit; clarifies that permit exemption for subdivision applies to an authority acquiring land rather than generally to an acquiring authority; amends the definition of Shop to clarify that it includes the sale of bread and other products based on the premises; updates references to Ministers, Government departments and agencies; updates references to legislation and incorporated documents; and makes typographical corrections.
C17 Part 2	12 AUG 2003	Implements the findings of the <i>Altona, Laverton & Newport Districts Heritage Study</i> by including additional heritage places in the schedule to the Heritage Overlay and amending various Planning Scheme Maps, and making changes to the Local Planning Policy Framework; and corrects a mapping error in Map 10HO.
VC21	9 OCT 2003	Corrects Clause 52.05-9 to restore provisions relating to High-wall signs deleted in Amendment VC19.
C40	20 Nov 2003	Rezones land at 231 Maidstone Street, Altona comprising approximately 53ha from Special Use Zone 3 – Petrochemical Complex Area to Special Use Zone 4 – Altona Special Industrial Area; and replaces Schedule 4 to the Special Use Zone to introduce appropriate employee population density guidelines to the land.

Amendment number	In operation from	Brief description
VC22	24 NOV 2003	Introduces the Green Wedge Zone and the Rural Conservation Zone in the VPP and amends Clause 57 of 17 planning schemes.
C24	18 DEC 2003	Amends the Hobsons Bay Municipal Strategic Statement to make reference to the Point Gellibrand Coastal Heritage Park Master Plan; amends the Schedule to the Public Park and Recreation Zone to exempt from planning permit requirements any use or development that is in accordance with the Master Plan; amends the Schedule to the Heritage Overlay to exempt from planning permit requirements any development that is in accordance with the Master Plan; and updates the list of incorporated documents to include <i>Point Gellibrand Coastal Heritage Park Master Plan – Revised July 2003</i> .
C32	29 JAN 2004	<p>Removes the Land Subject to Inundation Overlay (LSIO) from land located within the residential subdivision known as Altona Meadows Estate Stage 6 on the north side of Skeleton Creek.</p> <p>Replaces Schedule 4 to the Special Use Zone to ensure the employee population density controls apply only to land zoned SUZ4 – Altona Special Industrial Area.</p> <p>Rezones land at the south west corner of Kanowna Street and Cecil Street, Williamstown from Special Use Zone 1 to Special Use Zone 5; at 50 Davies Street, Newport from Business 1 Zone to Residential 1 Zone; at 185 Cecil Street, Williamstown from Business 1 Zone to Residential 1 Zone; between Fresno Street and Hobsons Bay City Council offices, Altona from Residential 1 Zone to Public Park Recreation Zone; comprising Kyle Road, North Altona from Road Zone 1 to part Residential 1 Zone and part Industrial 1 Zone; and at 121 Victoria Street, Williamstown from part Residential 1 Zone to Business 1 Zone.</p>
C21	4 MAR 2004	Implements Section 48 of the <i>Heritage Act</i> 1995 to ensure that places in the Planning Scheme are consistently identified with places in the Victorian Heritage Register. (<i>Map amendment</i>)
VC23	19 MAY 2004	<p>Introduces the Green Wedge A Zone and amends the Green Wedge Zone and Rural Conservation Zone in the VPP and applies those zones, where appropriate, to Metropolitan green wedge land in 16 planning schemes and amends Clause 57 in the VPP and 17 planning schemes.</p> <p>[amends Clause 57 in this scheme]</p>

Amendment number	In operation from	Brief description
C39	27 MAY 2004	Rezones land at 221-233 Nelson Place, Williamstown from Residential 1 Zone to Business 1 Zone and includes the land within the Local Planning Policy Clause 22.05, Williamstown Commercial Area - Car Parking Policy.
C29 Part 1	3 JUN 2004	Rezones land at 361-399 Kororoit Creek Road, Altona from Urban Floodway Zone to Industrial 1 Zone. (<i>Map amendment</i>)
VC24	11 JUN 2004	Introduces the Farming Zone and Rural Activity Zone in the VPP and amends Clause 17.05 in the SPPF, the Low Density Residential Zone and the Rural Living Zone. [affects Clause 17 only in this scheme]
VC25	1 JUL 2004	Removes reference to 4 Star energy rating in Standard B10, Clause 55.03-5 to ensure consistency between the VPP and the 5 Star energy rating in the Building Regulations.
VC26	26 AUG 2004	Makes changes to the SPPF to implement recommendations of the Live Music Task Force; removes anomalies that allow dwellings to be constructed or extended on common property and existing dwellings to be internally altered and converted to multiple dwellings without permits; updates references to current transport legislation; makes corrections to the Advertising sign provisions; amends the list of incorporated documents to refer to updated documents; restructures the list of incorporated documents in Clause 81 and the Schedule to Clause 81.
VC27	9 SEP 2004	Established all referral and notice requirements in Clause 66 and schedules to Clause 66.
VC28	6 OCT 2004	Introduces a Particular provision, Clause 52.34, for Bicycle facilities.
VC29	4 NOV 2004	Makes a change to Clause 52.17 to clarify that the exemption from the need for a planning permit for the removal, destruction or lopping of native vegetation for farm structures does not include the establishment or operation of a central pivot irrigation system.
VC31	25 NOV 2004	Introduces a new Residential 3 Zone; introduces a new Particular provision and amends Clause 19 to require an urban context report and design response for residential development of four (4) or more storeys; includes a reference to <i>Design Guidelines for Higher Density Housing</i> in Clause 19; and amends the ResCode provisions at Clauses 54.03-2 and 55.03-2 to give effect to residential height provisions.

Amendment number	In operation from	Brief description
VC32	23 DEC 2004	Makes changes to Clause 15.08 of the SPPF to refer to the land use and development policies expressed in the <i>Great Ocean Road Region – A Land Use and Transport Strategy</i> .
C31 Part 1	20 JAN 2005	Introduces four neighbourhood character local policies to Clause 22 applying to residential areas in the north, south, east and west of Hobsons Bay and makes minor changes to the Municipal Strategic Statement including referencing the <i>Hobsons Bay Neighbourhood Character Study</i> .
C65	4 MAR 2005	Makes changes to Clauses 61.01 – 61.04 (inclusive), to make the Minister for Planning the responsible authority for administering and enforcing the scheme for land at Tenix Defence site, Williamstown.
Reprint No. 5, April 2005		
VC33	1 SEP 2005	Removes the requirement for a Clause 54 assessment for Heritage Overlay applications in a residential zone.
VC34	22 SEP 2005	Introduces a new Clause 12 with consequential changes to other clauses in the SPPF, including Clauses 14, 15, 17, 18 & 19; includes reference to <i>Alpine Resorts 2020 Strategy</i> in Clause 15.13 and <i>Activity Centre Design Guidelines</i> and <i>Safer Design Guidelines</i> in Clause 19.03-3; amends subdivision requirements in Clauses 35.04, 35.05, 35.06; makes changes to provisions in Clause 35.06 and Clause 57.01 regarding Wind energy facilities; amends advertising sign controls along railway corridors in Clause 36.01-7; amends Clauses 43.05-3, 55 & 56 to refer to the Residential 3 Zone; amends Clause 44.05 to broaden the range of minor buildings and works that do not require a permit; amends Clauses 44.01, 44.02, 44.03, 44.04, 44.05, 45.01, 45.0-2 and 44.05 to introduce exemptions from notice and review for permit applications; clarifies requirements for extractive industry and private tennis courts in Clauses 52.09, 52.21 and 66.05; introduces definition for Metropolitan Melbourne in Clause 72; introduces a "Tramway" definition and deletes reference to "lightrail"; introduces a new incorporated document, <i>Activity Centres and Principal Public Transport Network Plan, 2003</i> in Clause 81.
VC35	15 DEC 2005	Includes a reference to the <i>Planning Guidelines for Land Based Aquaculture in Victoria</i> in Clause 17; makes Education centre a prohibited use in green wedge areas; includes Emergency services facility as a Section 2 use in Clauses 35.06 and

Amendment number	In operation from	Brief description
		35.07; makes Business identification signs permissible for private land owners in Clause 45.07; removes the need to consider operational guidelines in Clause 52.17; amends the re-subdivision requirements in Clause 57.01-2; introduces an 'Emergency services facility' definition.
VC36	22 DEC 2005	Amends Clause 62 to provide exemption from planning scheme requirements for events on public land.
C38	22 DEC 2005	Rezones land at 720-808 Kororoit Creek Road, Altona North from Special Use Zone 3 - Petrochemical Complex to Special Use Zone 4 - Altona Special Industrial Area, replaces Schedule 3 to the Special Use Zone to remove the condition that industry must be south of Kororoit Creek Road to be a 'permit not required' use, and replaces Schedule 4 to the Special Use Zone to introduce employee population density controls over the land.
VC37	19 JAN 2006	Amends the format of the Victoria Planning Provisions and all planning schemes to facilitate the ZAPP electronic amendment administration system.
C36	25 JAN 2006	Replaces Schedule 1 to Clause 37.02 – Comprehensive Development Zone to allow a variety of permanent residential dwelling uses, accommodation uses and limited commercial uses, and deletes Schedule 8 of the Design and Development Overlay from the subject land.
C57	2 MAR 2006	Replaces Schedule to Clause 36.01 – Public Use Zone to allow display of large promotional signs for more than 28 days.
VC38	16 MAR 2006	Makes changes to Clauses 15.09, 52.17, 66.02 and 72 to provide for a new approach to native vegetation management.