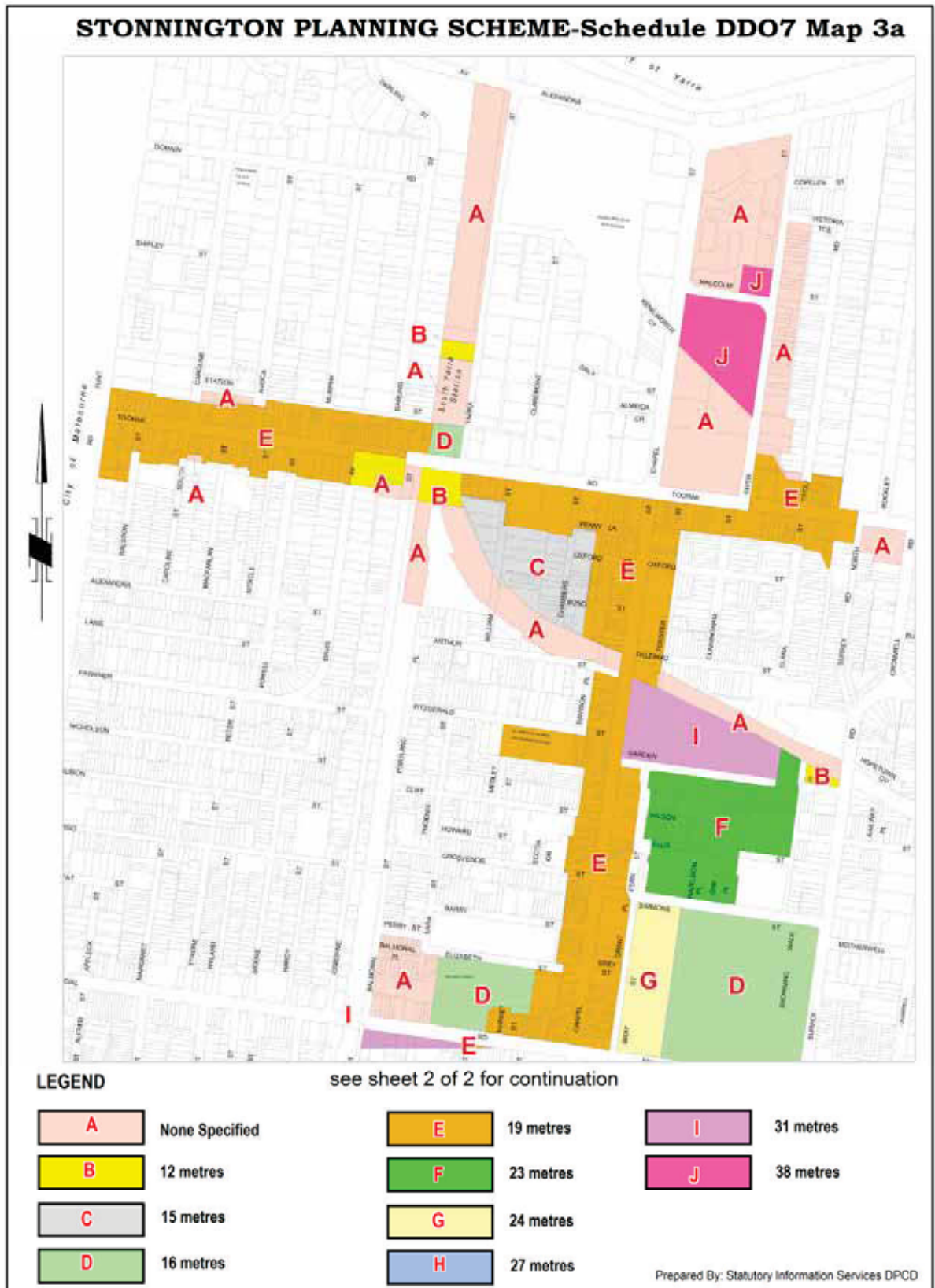
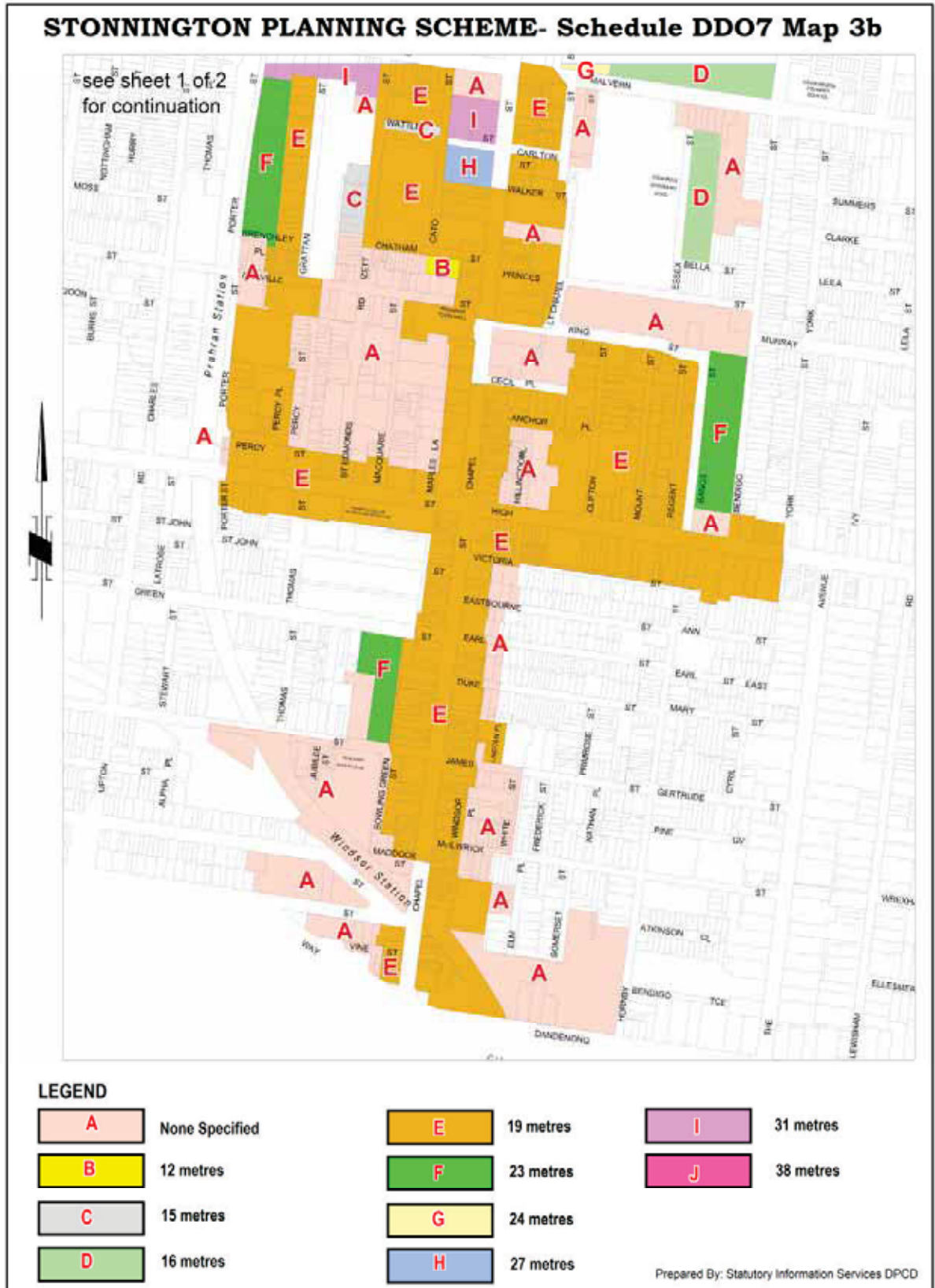


Map 3a – Preferred Maximum Building Heights



Map 3b – Preferred Maximum Building Heights



44.05

15/09/2008
VC49

SPECIAL BUILDING OVERLAY

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

15/09/2008
VC49

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply:

- 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 out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an upper storey extension to an existing building.
- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.
- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.
- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.
- To a replacement fence in the same location and of the same type and materials as the existing fence.
- To a pergola or an open deck area with unenclosed foundations.
- To a carport constructed over an existing carspace.
- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.
- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.
- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.
- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.
- To radio masts, light poles or advertising signs on posts or attached to buildings.

44.05-2

19/01/2006
VC37

Subdivision

A permit is required to subdivide land.

44.05-3

19/01/2006
VC37

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

19/01/2006
VC37

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

19/01/2006
VC37

Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

44.05-6

19/01/2006
VC37

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 or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

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.

45.01

28/10/2013
VC102

PUBLIC ACQUISITION OVERLAY

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 Minister, public authority or municipal council.

To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.

To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

45.01-1

28/10/2013
VC102

Permit required

A permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works, including:
 - A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
 - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
 - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
 - If the vegetation has been planted for pasture, timber production or any other crop.
 - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
 - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To the acquiring authority for the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To an authority or a municipal council if the responsible authority, after consulting with the acquiring authority for the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

45.01-219/01/2006
VC37**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.

45.01-328/10/2013
VC102**Referral of applications**

An application must be referred under Section 55 of the Act to the acquiring authority for the land.

45.01-419/01/2006
VC37**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.

45.01-519/01/2006
VC37**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.

45.01-619/01/2006
VC37**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.

45.01-728/10/2013
VC102**Acquiring authority**

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.

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.

28/10/2013
VC102**SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY**

PS Map	Acquiring Authority	Purpose of Acquisition
PAO1	Roads Corporation	Road widening
PAO2	Stonnington City Council	Road widening
PAO3	Stonnington City Council	Public open space

19/06/2014
C187**SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE**Shown on the planning scheme map as **RGZ1**.**KEY BOULEVARDS****1.0****Requirements of Clause 54 and Clause 55**19/06/2014
C187

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Basements should not exceed 75% of the site area None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

2.0**Maximum building height requirement for a dwelling or residential building**19/06/2014
C187

None specified

3.0**Application requirements**19/06/2014
C187

The following application requirements apply to an application for a permit under clause 32.07, in addition to those specified in clause 32.07 and elsewhere in the scheme:

- Plans showing existing vegetation and any trees proposed to be removed.
- Plans showing proposed landscaping works and planting including tree species and mature height.

4.0**Decision guidelines**19/06/2014
C187

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in clause 32.07 and elsewhere in the scheme:

- Whether the development provides for an appropriate visual transition to residential properties in the Neighbourhood Residential Zone.
- Whether the proposal meets the preferred neighbourhood character statement and design objectives for the Precinct.

5.0

Transitional provisions

19/06/2014
C187

Schedule 1 to Clause 32.07 to the Residential Growth Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approval date continue to apply.

Despite the provisions of Schedule 1 to Clause 32.07, these do not apply to an application under Section 69 of the Act to extend a permit to construct or extend a dwelling.

32.08**GENERAL RESIDENTIAL ZONE**01/07/2014
VC116

Shown on the planning scheme map as **GRZ, R1Z, R2Z or R3Z** 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 encourage development that respects the neighbourhood character of the area.

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

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

32.08-1**Table of uses**01/07/2013
V8**Section 1 - Permit not required**

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
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	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under clause 52.06-3. The site must adjoin, or have access to, a road in a Road Zone.
Minor utility installation	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.
Railway	
Residential aged care facility	

Use	Condition
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
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	
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)	
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 commercial 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.

Use	Condition
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
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, Plant nursery)
Saleyard
Stone extraction
Transport terminal
Warehouse (other than Store)

32.08-2

01/07/2013
V8

Subdivision

Permit requirement

A permit is required to subdivide land.

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

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

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

32.08-301/07/2013
V8**Construction and extension of one dwelling on a lot****Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
 - A lot of less than 300 square metres, or
 - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

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

32.08-422/08/2013
VC104**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings****Permit requirement**

A permit is required to:

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

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

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

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

Transitional provisions

Despite the amendments made to Clause 55 by Amendment VC100, Clause 55 does not apply to:

- an application to construct or extend a development of four or more storeys made before the approval date of the planning scheme amendment that introduces those amendments into the planning scheme; and
- an application under section 69 of the Act to extend a permit to construct or extend a development of four or more storeys granted on or before the approval date of Amendment VC100.

32.08-5

01/07/2013
V8

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

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

32.08-6

01/07/2013
V8

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.

32.08-7

01/07/2013
V8

Maximum building height requirement for a dwelling or residential building

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

This does not apply to:

- An extension of an existing building that exceeds the specified building height, provided that the extension does not exceed the existing building height.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

If no building height is specified, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

32.08-8

01/07/2013
V8

Application requirements

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

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For residential development of five or more storeys, an urban context report and design response as required in Clause 52.35.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The siting and use of existing and proposed buildings.

- Adjacent buildings and uses.
- The building form and scale.
- Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

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

32.08-9 Exemption from notice and review

01/07/2013
V8

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

32.08-10 Decision guidelines

01/07/2013
V8

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

General

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

Subdivision

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

Dwellings and residential buildings

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

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.08-11 Advertising signs

01/07/2013
V8

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.

19/06/2014
C187

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ3**

RESIDENTIAL BOULEVARDS & CORRIDORS

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

19/06/2014
C187

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

Yes

2.0 Requirements of Clause 54 and Clause 55

19/06/2014
C187

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Basements should not exceed 75% of the site area.
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	For a distance of at least 5 metres behind the front facade of the building fronting the street, setback new buildings (including basements) a minimum of 2 metres from at least one side boundary and at least 1 metre from the other side boundary up to 3.6 metres in height. Where no setback is specified, standard A10 or B17 applies.
Walls on boundaries	A11 and B18	Walls should not be located on side boundaries for a distance of 5 metres behind the front façade of the building fronting the street.
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement for a dwelling or residential building

19/06/2014
C187

A building used as a dwelling or a residential building must not exceed 12 metres unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the height of the building must not exceed 13 metres. This does not apply to:

- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.

A lift overrun may exceed the abovementioned mandatory height requirements by no more than 1.2 metres.

In areas subject to the Special Building Overlay or the Land Subject to Inundation Overlay, the maximum building height may be exceeded by no more than the minimum additional building height required by the overlay provisions.

4.0

19/06/2014
C187

Application requirements

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- Plans showing existing vegetation and any trees proposed to be removed.
- Plans showing proposed landscaping works and planting including tree species and mature height.

5.0

19/06/2014
C187

Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- Whether the development provides for an appropriate visual transition to residential properties in the Neighbourhood Residential Zone.
- Whether the proposal meets the preferred neighbourhood character statement and design objectives for the Precinct.

6.0

19/06/2014
C187

Transitional provisions

Schedule 3 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approval date continue to apply.

Despite the provisions of Schedule 3 to Clause 32.08, these do not apply to an application under Section 69 of the Act to extend a permit to construct or extend a dwelling.

19/06/2014
C187**SCHEDULE 9 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ9****GARDEN RIVER & GARDEN SUBURBAN PRECINCTS****1.0 Permit requirement for the construction or extension of one dwelling on a lot**19/06/2014
C187

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

Yes

2.0 Requirements of Clause 54 and Clause 5519/06/2014
C187

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Basements should not exceed 75% of the site area.
Permeability	A6 and B9	None specified
Landscaping	B13	In addition to the requirements of B13, at least one canopy tree should be planted on the site.
Side and rear setbacks	A10 and B17	For a distance of at least 5 metres behind the front facade of the building fronting the street, setback new buildings (including basements) a minimum of 2 metres from at least one side boundary and at least 1 metre from the other side boundary up to 3.6 metres in height. Where no setback is specified, standard A10 or B17 applies.
Walls on boundaries	A11 and B18	Walls should not be located on side boundaries for a distance of 5 metres behind the front façade of the building fronting the street.
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement for a dwelling or residential building19/06/2014
C187

None specified.

4.0 Application requirements19/06/2014
C187

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- Plans showing existing vegetation and any trees proposed to be removed.
- Plans showing proposed landscaping works and planting including tree species and mature height.

5.0 Decision guidelines

19/06/2014
C187

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- Whether the development provides for an appropriate visual transition to residential properties in the Neighbourhood Residential Zone
- Whether the proposal meets the preferred neighbourhood character statement and design objectives for the Precinct.

6.0 Transitional provisions

19/06/2014
C187

Schedule 9 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approval date continue to apply.

Despite the provisions of Schedule 9 to Clause 32.08, these do not apply to an application under Section 69 of the Act to extend a permit to construct or extend a dwelling.

19/06/2014
C187

SCHEDULE 12 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ12**

INNER URBAN PRECINCTS

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

19/06/2014
C187

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

Yes

2.0 Requirements of Clause 54 and Clause 55

19/06/2014
C187

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Basements should not exceed 75% of the site area.
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	Maximum height of 2 metres in streets in a Road Zone, Category 1.
		Other streets 1.2 metres maximum height.

3.0 Maximum building height requirement for a dwelling or residential building

19/06/2014
C187

A building used as a dwelling or a residential building must not exceed a height of 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 height of the building must not exceed 10 metres. This does not apply to:

- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.

In areas subject to the Special Building Overlay or the Land Subject to Inundation Overlay, the maximum building height may be exceeded by no more than the minimum additional building height required by the overlay provisions.

4.0 Application requirements

19/06/2014
C187

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- Plans showing existing vegetation and any trees proposed to be removed.
- Plans showing proposed landscaping works and planting including tree species and mature height.

5.0 Decision guidelines

19/06/2014
C187

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- Whether the development provides for an appropriate visual transition to residential properties in the Neighbourhood Residential Zone.
- Whether the proposal meets the preferred neighbourhood character statement and design objectives for the Precinct.

6.0 Transitional provisions

19/06/2014
C187

Schedule 12 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approval date continue to apply.

Despite the provisions of Schedule 12 to Clause 32.08, these do not apply to an application under Section 69 of the Act to extend a permit to construct or extend a dwelling.

32.09**NEIGHBOURHOOD RESIDENTIAL ZONE**22/08/2013
VC104

Shown on the planning scheme map as **NRZ** 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 recognise areas of predominantly single and double storey residential development.

To limit opportunities for increased residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

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

32.09-1**Table of uses**01/07/2013
V8**Section 1 - Permit not required**

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
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	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must be located in an existing building. The site must adjoin, or have access to, a road in a Road Zone. Must not require a permit under clause 52.06-3.
Minor utility installation	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.

Use	Condition
	Must not require a permit under clause 52.06-3.
Railway	
Residential aged care facility	
Tramway	
Any use listed in clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
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)	
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 commercial 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.

Use	Condition
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
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
Stone extraction
Transport terminal
Warehouse (other than Store)

32.09-2

22/08/2013
VC104

Subdivision

Permit requirement

A permit is required to subdivide land.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

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

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

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

32.09-3

22/08/2013
VC104

Number of dwellings on a lot

The number of dwellings on a lot must not exceed the number specified in a schedule to this zone. If no number is specified, the number of dwellings on a lot must not exceed two.

Transitional provisions

Clause 32.09-3 does not apply to an application to construct two or more dwellings on a lot made before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

32.09-4

01/07/2013
V8

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
 - A lot of less than 300 square metres, or
 - A lot of less than the lot size specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

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

32.09-5
22/08/2013
VC104

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

Permit requirement

A permit is required to:

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

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

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

Transitional provisions

Despite the amendments made to Clause 55 by Amendment VC100, Clause 55 does not apply to:

- an application to construct or extend a development of four or more storeys made before the approval date of the planning scheme amendment that introduces those amendments into the planning scheme; and
- an application under section 69 of the Act to extend a permit to construct or extend a development of four or more storeys granted on or before the approval date of Amendment VC100.

32.09-6
01/07/2013
V8

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

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

32.09-7
01/07/2013
V8

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-1.

32.09-8
22/08/2013
VC104

Maximum building height requirement for a dwelling or residential building

The maximum height of a building used for the purpose of a dwelling or residential building must not exceed the building height specified in a schedule to this zone. If no

building height is specified, the height of a building must not exceed 8 metres unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the height of the building must not exceed 9 metres.

This does not apply to:

- An extension of an existing building that exceeds the specified building height provided that the extension does not exceed the existing building height.
- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

Transitional provisions

Clause 32.09-8 does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme. The requirements of clause 54 as they apply to clause 54.03-2 or of clause 55 as they apply to clause 55.03-2 as in force immediately before the said approval date continue to apply.

32.09-9

01/07/2013
V8

Application requirements

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

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

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

32.09-10 Exemption from notice and review

01/07/2013
V8

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

32.09-11 Decision guidelines

01/07/2013
V8

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

General

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

Subdivision

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

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Non-residential use and development

In the local neighbourhood context:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.09-12 Advertising signs

22/08/2013
VC104

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.

19/06/2014
C187

SCHEDULE 3 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ3**

INNER URBAN PRECINCTS

1.0 Minimum subdivision area

19/06/2014
C187

None specified

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

19/06/2014
C187

Requirement	
Permit requirement for the construction or extension of one dwelling on a lot	A lot less than 500 square metres
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	A lot less than 500 square metres

3.0 Requirements of Clause 54 and Clause 55

19/06/2014
C187

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Basements should not exceed 75% of the site area.
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	Maximum height of 2 metres in streets in a Road Zone, Category 1.
		Other streets 1.2 metres maximum height.

4.0 Number of dwellings on a lot

19/06/2014
C187

None specified

5.0 Maximum building height requirement for a dwelling or residential building

19/06/2014
C187

A building used as a dwelling or a residential building must not exceed a height of 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 height of the building must not exceed 10 metres.

In areas subject to the Special Building Overlay or the Land Subject to Inundation Overlay, the maximum building height may be exceeded by no more than the minimum additional building height required by the overlay provisions.

6.0 Application requirements

19/06/2014
C187

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Plans showing existing vegetation and any trees proposed to be removed.
- Plans showing proposed landscaping works and planting including tree species and mature height.

7.0 Decision guidelines

19/06/2014
C187

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- whether the proposal meets the preferred neighbourhood character statement and design objectives for the Precinct

8.0 Transitional provisions

19/06/2014
C187

Schedule 3 to Clause 32.09 to the Neighbourhood Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approval date continue to apply.

Despite the provisions of Schedule 3 to Clause 32.09, these do not apply to an application under Section 69 of the Act to extend a permit to construct or extend a dwelling.

34.0122/08/2013
VC104**COMMERCIAL 1 ZONE**

Shown on the planning scheme map as **B1Z, B2Z, B5Z** or **C1Z**.

Purpose

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

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Operation

A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne. That schedule may:

- specify the maximum leasable floor area for office
- specify the maximum leasable floor area for shop (other than restricted retail premises)

34.01-115/07/2013
VC100**Table of uses****Section 1 - Permit not required**

Use	Condition
Accommodation (other than Corrective institution)	Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).
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	
Education centre	
Exhibition centre	
Home occupation	
Informal outdoor recreation	
Minor utility installation	
Office	The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Railway	
Retail premises (other than Shop)	
Shop (other than Adult sex bookshop)	The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.

Use	Condition
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

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, 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)	
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)	
Place of assembly (other than Carnival, Cinema, Circus, Exhibition centre and Place of worship)	
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
Intensive animal husbandry
Major sports and recreation facility
Motor racing track

34.01-2

15/07/2013
VC100

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

34.01-3

15/07/2013
VC100

Subdivision

A permit is required to subdivide land.

34.01-4

15/07/2013
VC100

Buildings and works

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
 - The alteration does not include the installation of an external roller shutter.
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.01-5

22/08/2013
VC104

Neighbourhood and site description and design response

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

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 or 55.01 and is satisfactory or does not meet the requirements of Clause 54.01 or 55.01 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 or 55.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

34.01-6

15/07/2013
VC100

Application requirements

Use

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
 - Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
 - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.

- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

34.01-7

15/07/2013
VC100

Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

34.01-8

15/07/2013
VC100

Decision guidelines

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

General

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Subdivision

- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.

- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The 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 five or more storeys, excluding a basement.

34.01-9

15/07/2013
VC100

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.



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