

Manningham Planning Scheme

PLANNING SCHEME

00

31/07/2018
VC148

PURPOSE AND VISION

This section sets out the purpose of this planning scheme, and the vision and strategic direction for the municipality.

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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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PLANNING POLICY FRAMEWORK

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, wellbeing 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.

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

11.01

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VICTORIA

11.01-1S11/02/2020
VC168**Settlement****Objective**

To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.

Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

Policy documents

Consider as relevant:

- Central Highlands Regional Growth Plan (Victorian Government, 2014)
- G21 Regional Growth Plan (Geelong Region Alliance, 2013)
- Gippsland Regional Growth Plan (Victorian Government, 2014)
- Great South Coast Regional Growth Plan (Victorian Government, 2014)
- Hume Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee North Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee South Regional Growth Plan (Victorian Government, 2014)
- Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014)
- Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017)
- Plan Melbourne 2017-2050: Addendum 2019 (Department of Environment, Land, Water and Planning, 2019)

Victoria Settlement Framework



11.01-1R

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Settlement - Metropolitan Melbourne

Strategies

Maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city and protect the values of non-urban land.

Focus investment and growth in places of state significance, including:

- Metropolitan Melbourne Central City.
- National Employment and Innovation Clusters.
- Metropolitan Activity Centres.
- State-Significant Industrial Precincts.
- Transport Gateways.
- Health and Education Precincts.
- Major Urban-Renewal Precincts.

Develop the Suburban Rail Loop through Melbourne's middle suburbs to facilitate substantial growth and change in major employment, health and education precincts and activity centres beyond the central city at an appropriate scale to address the needs of Melbourne's rapidly growing population.

Develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function.

Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.

Melbourne 2050 spatial framework



11.01-1R

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Green wedges - Metropolitan Melbourne

Objective

To protect the green wedges of Metropolitan Melbourne from inappropriate development.

Strategies

Promote and encourage the key features and related values of each green wedge area.

Support development in the green wedge that provides for environmental, economic and social benefits.

Consolidate new residential development in existing settlements and in locations where planned services are available and green wedge values are protected.

Plan and protect major state infrastructure and resource assets, such as airports and ports with their associated access corridors, water supply dams, water catchments and waste management and recycling facilities.

Protect important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.

Support existing and potential agribusiness activities, forestry, food production and tourism.

Protect areas of environmental, landscape and scenic value such as biodiversity assets, national and state parks, Ramsar wetlands and coastal areas.

Protect significant resources of stone, sand and other mineral resources for extraction purposes.

Provide opportunities for renewable energy generation.

Policy documents

Consider as relevant:

- *Upper Yarra Valley and Dandenong Ranges Region - Regional Strategy Plan (1996)*

11.02

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MANAGING GROWTH

11.02-1S

31/07/2018
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Supply of urban land

Objective

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

Strategies

Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.

Ensure that sufficient land is available to meet forecast demand.

Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

Monitor development trends and land supply and demand for housing and industry.

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

Restrict rural residential development that would compromise future development at higher densities.

Policy guidelines

Consider as relevant:

- Victorian Government population projections and land supply estimates.

11.02-2S

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VC148

Structure planning

Objective

To facilitate the orderly development of urban areas.

Strategies

Ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.

Undertake comprehensive planning for 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.

Facilitate the preparation of a hierarchy of structure plans or precinct structure plans that:

- Take into account the strategic and physical context of the location.
- Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.
- Provide for the development of sustainable and liveable urban areas in an integrated manner.
- Assist the development of walkable neighbourhoods.
- Facilitate the logical and efficient provision of infrastructure.
- Facilitate the use of existing infrastructure and services.

11.02-3S31/07/2018
VC148**Sequencing of development****Objective**

To manage the sequence of development in areas of growth so that services are available from early in the life of new communities.

Strategies

Define preferred development sequences in areas of growth to better coordinate infrastructure planning and funding.

Ensure that new land is released in areas of growth in a timely fashion to facilitate coordinated and cost-efficient provision of local and regional infrastructure.

Require new development to make a financial contribution to the provision of infrastructure such as community facilities, public transport and roads.

Improve the coordination and timing of infrastructure and service delivery in areas of growth.

Support opportunities to co-locate facilities.

Ensure that planning for water supply, sewerage and drainage works receives high priority in early planning for areas of growth.

Policy documents

Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Growth Areas Authority, 2009)
- *Ministerial Direction No. 12 – Urban Growth Areas*
- *The Victorian Transport Plan* (Victorian Government, 2008)

11.03

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PLANNING FOR PLACES

11.03-1S20/12/2021
VC174**Activity centres****Objective**

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Strategies

Build up activity centres as a focus for high-quality development, activity and living 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 transport.
- Maximises choices in services, employment and social interaction.

Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.

Undertake strategic planning for the use and development of land in and around activity centres.

Give clear direction on preferred locations for investment.

Encourage a diversity of housing types at higher densities in and around activity centres.

Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.

Improve access by walking, cycling and public transport to services and facilities.

Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.

Encourage economic activity and business synergies.

Improve the social, economic and environmental performance and amenity of activity centres.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
- *Precinct Structure Planning Guidelines* (Growth Areas Authority, 2009)

11.03-1R

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Activity centres - Metropolitan Melbourne

Strategies

Support the development and growth of Metropolitan Activity Centres by ensuring they:

- Are able to accommodate significant growth for a broad range of land uses.
- Are supported with appropriate infrastructure.
- Are hubs for public transport services.
- Offer good connectivity for a regional catchment.
- Provide high levels of amenity.

Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.

Locate new small scale education, health and community facilities that meet local needs in or around Neighbourhood Activity Centres.

Ensure Neighbourhood Activity Centres are located within convenient walking distance in the design of new subdivisions.

11.03-2S31/07/2018
VC148**Growth areas****Objective**

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

Strategies

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

Implement the strategic directions in the Growth Area Framework Plans.

Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.

Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.

Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

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.

Develop Growth Area Framework Plans that will:

- Include objectives for each growth area.
- Identify the long term pattern of urban growth.
- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.

Develop precinct structure plans consistent with the *Precinct Structure Planning Guidelines* (Growth Areas Authority, 2009) approved by the Minister for Planning to:

- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.

MANNINGHAM PLANNING SCHEME

- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

Policy documents

Consider as relevant:

- *The Victorian Transport Plan* (Victorian Government, 2008)
- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Growth Areas Authority, 2009)
- *Ministerial Direction No. 12 – Urban Growth Areas*

11.03-3S

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Peri-urban areas

Objective

To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

Strategies

Identify and protect areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.

Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne, Kyneton, Wonthaggi, Kilmore, Broadford, Seymour and Ballan and other towns identified by Regional Growth Plans as having potential for growth.

Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

Enhance the character, identity, attractiveness and amenity of peri-urban towns.

Prevent dispersed settlement and provide for non-urban breaks between urban areas.

Ensure development is linked to the timely and viable provision of physical and social infrastructure.

Improve connections to regional and metropolitan transport services.

11.03-4S06/09/2021
VC171**Coastal settlement****Objective**

To plan for sustainable coastal development.

Strategies

Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.

Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Minimise linear urban sprawl along the coastal edge and ribbon development in rural landscapes.

Protect areas between settlements for non-urban use.

Limit development in identified coastal hazard areas, on ridgelines, primary coastal dune systems, shorelines of estuaries, wetlands and low-lying coastal areas, or where coastal processes may be detrimentally impacted.

Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.

Ensure a sustainable water supply, stormwater management and sewerage treatment for all development.

Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Prevent the development of new residential canal estates.

Policy documents

Consider as relevant:

- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)

11.03-5S30/04/2021
VC185**Distinctive areas and landscapes****Objective**

To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.

Strategies

Recognise the unique features and special characteristics of these areas and landscapes.

Implement the strategic directions of approved Localised Planning Statements and Statements of Planning Policy.

Integrate policy development, implementation and decision-making for declared areas under Statements of Planning policy.

Recognise the important role these areas play in the state as tourist destinations.

Protect the identified key values and activities of these areas.

Enhance conservation of the environment, including the unique habitats, ecosystems and biodiversity of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

Policy documents

Consider as relevant:

- *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015)
- *Macedon Ranges Statement of Planning Policy* (Victorian Government, 2019)
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014)
- *Yarra Ranges Localised Planning Statement* (Victorian Government, 2017)

11.03-6S

31/07/2018
VC148

Regional and local places

Objective

To facilitate integrated place-based planning.

Strategies

Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.

Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

ENVIRONMENTAL AND LANDSCAPE VALUES

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental 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 Strategy, the National Water Quality Management Strategy, the National Strategy for the Conservation of Australia's Biological Diversity, the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.

12.01

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VC148

BIODIVERSITY

12.01-1S31/07/2018
VC148**Protection of biodiversity****Objective**

To assist the protection and conservation of Victoria's biodiversity.

Strategies

Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.

Strategically plan for the protection and conservation of Victoria's important areas of biodiversity.

Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:

- Cumulative impacts.
- Fragmentation of habitat.
- The spread of pest plants, animals and pathogens into natural ecosystems.

Avoid impacts of land use and development on important areas of biodiversity.

Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).

Assist in the identification, protection and management of important areas of biodiversity.

Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

Policy guidelines

Consider as relevant:

- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

Policy documents

Consider as relevant:

- *Protecting Victoria's Environment – Biodiversity 2037* (Department of Environment, Land, Water and Planning, 2017)
- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)
- Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the *Catchment and Land Protection Act 1994*)

12.01-2S31/07/2018
VC148**Native vegetation management****Objective**

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Strategies

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017):

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

Policy guidelines

Consider as relevant:

- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

Policy documents

Consider as relevant:

- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)
- *Assessor's handbook – applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, 2017)

12.02

06/09/2021
VC171

MARINE AND COASTAL ENVIRONMENT

12.02-1S06/09/2021
VC171**Protection of the marine and coastal environment****Objective**

To protect and enhance the marine and coastal environment.

Strategies

Manage privately-owned foreshore consistently with the adjoining public land.

Protect coastal and foreshore environments and improve public access and recreation facilities around Port Phillip Bay and Western Port by focusing development in areas already developed or in areas that can tolerate more intensive use.

Enhance the ecological values of the ecosystems in the marine and coastal environment.

Protect and enhance the overall extent and condition of native habitats and species diversity distributions across public and private land in the marine and coastal environment.

Encourage revegetation of cleared land abutting coastal reserves.

Minimise direct, cumulative and synergistic effects on ecosystems and habitats.

Maintain the natural drainage patterns, water quality and biodiversity in and adjacent to coastal estuaries, wetlands and waterways.

Maintain and enhance water and soil quality by minimising disturbance of sediments.

Avoid disturbance of coastal acid sulfate soils.

Protect and enhance natural features, landscapes, seascapes and public visual corridors.

Plan for marine development and infrastructure to be sensitive to marine national parks and environmental assets.

Protect the heritage values, the aesthetic quality of locations, cultural links with maritime activities, sea country and sense of place.

Policy guidelines

Consider as relevant:

- Any applicable Regional and Strategic Partnership Product, environmental management plan or coastal and marine management plan approved under the *Marine and Coastal Act 2018* or *National Parks Act 1975*

Policy documents

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)
- *Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulfate Soils* (Department of Environment, Land, Water and Planning, 2010)
- *Victorian Coastal Acid Sulfate Soils Strategy* (Department of Sustainability and Environment, 2009)
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)

12.02-2S06/09/2021
VC171**Marine and coastal Crown land****Objective**

To ensure the use and development of marine and coastal Crown land is ecologically sustainable, minimises impacts on cultural and environmental values, and improves public benefit for current and future generations.

Strategies

Design, locate and maintain buildings and structures to effectively manage:

- Any increase in exposure to coastal hazard risk, including rates of sea level rise, erosion, accretion or inundation.
- Exposure to public health and safety risks.
- Any detrimental impacts (in particular increased hazard risk) on neighbouring Crown or private land.
- Adverse effects on the environment and associated uses and values.
- Impact on marine and coastal functions and processes.

Ensure the siting and design of development on marine and coastal Crown land:

- Facilitates shared infrastructure and the use of land for more than one use.
- Uses materials and finishes that are sympathetic to the coastal environment.
- Is durable in the long term.
- Minimises the environmental footprint.

Ensures that use and development on or adjacent to marine and coastal Crown land:

- Maintains safe, equitable public access.
- Improves public benefit.
- Demonstrates need and has a coastal dependency.
- Minimises loss of public open space.

Consider as relevant:

- Any applicable Victorian Environmental Assessment Council recommendations
- The purpose for which land is reserved under the *Crown Land (Reserves) Act 1978*
- Any relevant environmental management plan or coastal and marine management plan approved under the *Marine and Coastal Act 2018* or *National Parks Act 1975*

Policy documents

Consider as relevant:

- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)

12.03

31/07/2018
VC148

WATER BODIES AND WETLANDS

12.03-1S31/07/2018
VC148**River corridors, waterways, lakes and wetlands****Objective**

To protect and enhance river corridors, waterways, lakes and wetlands.

Strategies

Protect the environmental, cultural and landscape values of all water bodies and wetlands.

Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.

Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.

Ensure development does not compromise bank stability, increase erosion or impact on a water body or wetland's natural capacity to manage flood flow.

Protect the Yarra, Maribyrnong and Murray River corridors as significant economic, environmental and cultural assets.

Facilitate growth in established settlements where water and wastewater can be managed.

Policy documents

Consider as relevant:

- *Maribyrnong River – Vision for Recreational and Tourism Development* (Melbourne Parks and Waterways, 1996)
- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)
- *Melbourne Water's Guidelines for Approval of Jetties* (Melbourne Water, 2011)
- *Healthy Waterways Strategy* (Melbourne Water, 2013)

12.03-1R20/04/2021
VC197**Yarra River protection****Objective**

To maintain and enhance the natural landscape character of the Yarra River corridor.

Strategies

Strengthen the Yarra River's natural environment, heritage and overall health by:

- Protecting, conserving and enhancing areas of Indigenous and non-Indigenous cultural and archaeological significance.
- Protecting the river's riparian vegetation, natural riverbank topography and flood management capacity.
- Ensuring development does not increase the rate or quantity of stormwater, sediment or other pollutants entering the river.
- Protecting and enhancing both terrestrial and aquatic habitats and their linkages along the river corridor.

Promote a sense of place and landscape identity by:

- Retaining a dominant and consistent tree canopy along the river corridor and in its broader landscape setting.
- Ensuring that the appearance of development is subordinate to the local landscape setting, with any views of development being filtered through vegetation.

Retain and enhance people's enjoyment of the river and its environment by:

- Planning for the river and its environs as a recreation and tourism resource.
- Ensuring linkages and public access to the river and its parklands are maintained, enhanced and new links created where appropriate.
- Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year-round.

Ensure that development is designed and sited to maintain and enhance the river's secluded and natural environment by:

- Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation trails and the river itself.
- Ensuring that the siting and design of buildings avoids conflicting with the local natural landscape and environmental character.
- Ensuring building height is below the natural tree canopy and all development is set back a minimum of 30 metres from the banks of the river.

Policy documents

Consider as relevant:

- *Middle Yarra River Corridor Study - Recommendations Report* (Department of Environment, Land, Water and Planning, 2016)
- *Lower Yarra River Corridor Study - Recommendations Report* (Department of Environment, Land, Water and Planning, 2016)

12.04

31/07/2018
VC148

ALPINE AREAS

12.04-1S01/07/2021
VC203**Sustainable development in alpine areas****Objective**

To facilitate sustainable use and development of Alpine areas for year-round use and activity.

Strategies

Protect and manage significant environmental features and ecosystems, taking into account the sensitive and fragile nature of the alpine environment.

Ensure that the use and development of land is managed to minimise the disturbance of indigenous flora and fauna and sensitive landscapes.

Ensure that there is a mixture of use and development to cater for users of alpine areas in all seasons.

Recognise the distinct environments, infrastructure needs and capabilities to support different activities of each alpine resort and other alpine areas.

Provide for the development of consolidated alpine villages, including a diverse range of employment, social and economic opportunities.

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.

Ensure that the sustainable long term planning and management of Victoria's six alpine resorts is consistent with the strategic directions contained in the *Alpine Resorts Strategic Plan* (Victorian Government, Alpine Resorts Co-ordinating Council, 2012).

Develop, monitor and regularly review the Alpine Resort Environmental Management Plans and Comprehensive Development Plans for each alpine resort, recognising their unique characteristics, constraints and opportunities.

Encourage best practice in design that responds to the alpine character of the area.

Ensure heritage places are protected and conserved, including Aboriginal cultural heritage and post contact heritage places.

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.

Implement approved plans, manage development and work with Alpine Resort Management Boards to effectively operate alpine resorts and protect alpine resources.

Ensure that the use and development of land responds to potential environmental risks and contributes to maintaining or improving the environmental quality of alpine environments.

Policy guidelines

Consider as relevant:

- Any applicable approved Victorian Environmental Assessment Council recommendations.
- Any approved management plan or guideline endorsed by the Minister for Energy, Environment and Climate Change or Minister for Water.

Policy documents

Consider as relevant:

MANNINGHAM PLANNING SCHEME

- *Alpine Resorts Strategic Plan* (Victorian Government, Alpine Resorts Co-ordinating Council, 2012)
- 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

12.05

31/07/2018
VC148

SIGNIFICANT ENVIRONMENTS AND LANDSCAPES

12.05-1S

31/07/2018
VC148

Environmentally sensitive areas

Objective

To protect and conserve environmentally sensitive areas.

Strategies

Protect environmentally sensitive areas with significant recreational value from development that would diminish their environmental conservation or recreational values. These areas include the Dandenong and Macedon Ranges, the Upper Yarra Valley, Western Port and Port Phillip Bay 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, Alpine areas and nominated urban conservation areas, historic buildings and precincts.

12.05-2S

31/07/2018
VC148

Landscapes

Objective

To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Strategies

Ensure significant landscape areas such as forests, the bays and coastlines are protected.

Ensure development does not detract from the natural qualities of significant landscape areas.

Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.

Recognise the natural landscape for its aesthetic value and as a fully functioning system.

Ensure important natural features are protected and enhanced.

ENVIRONMENTAL RISKS AND AMENITY

Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.

Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

- Land use and development compatibility.
- Effective controls to prevent or mitigate significant impacts.

Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.

Planning should prepare for and respond to the impacts of climate change.

13.01

31/07/2018
VC148

CLIMATE CHANGE IMPACTS

13.01-1S

31/07/2018
VC148

Natural hazards and climate change

Objective

To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

Strategies

Consider the risks associated with climate change in planning and management decision making processes.

Identify at risk areas using the best available data and climate change science.

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.

Ensure planning controls allow for risk mitigation or risk adaptation strategies to be implemented.

Site and design development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards.

13.01-2S06/09/2021
VC171**Coastal inundation and erosion****Objective**

To plan for and manage coastal hazard risk and climate change impacts.

Strategies

Plan for sea level rise of not less than 0.8 metres by 2100 and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.

Ensure that land subject to hazards is identified and appropriately managed to ensure that future use and development is not at risk.

Avoid use and development in areas vulnerable to coastal inundation and erosion.

Respond to marine and coastal processes in the context of the coastal compartment type.

Assess the effectiveness, costs, benefits, impacts (direct, cumulative and synergistic) and path dependency of available adaptation options in the following order:

1. non-intervention
2. avoid
3. nature-base methods
4. retreat
6. protect

Ensure that development or protective works that seek to respond to coastal hazard risks avoid detrimental impacts on coastal processes.

Policy guidelines

Consider as relevant:

- Any applicable Victorian Environmental Assessment Council recommendations.
- Any applicable Regional and Strategic Partnership Product, environmental management plan or coastal and marine management plan approved under the *Marine and Coastal Act 2018* or *National Parks Act 1975*.
- Any coastal erosion advice required under section 75 of the *Marine and Coastal Act 2018*.
- Local coastal hazard assessments and localised projections.

Policy documents

Consider as relevant:

- Any applicable adaptation action plan prepared under the *Climate Change Act 2017*
- *Guidelines for Coastal Catchment Management Authorities: Assessing Development in relation to Sea Level Rise* (June, 2012)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Planning for Sea Level Rise Guidelines, Port Phillip and Westernport Region* (Melbourne Water, 2017)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)
- *The Victorian Coastal Hazard Guide* (Department of Sustainability and Environment, 2012)
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)

13.02

31/07/2018
VC148

BUSHFIRE

13.02-1S31/07/2018
VC148**Bushfire planning****Policy application**

This policy must be applied to all planning and decision making under the *Planning and Environment Act 1987* relating to land that is:

- Within a designated bushfire prone area;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies**Protection of human life**

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

- Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.
- Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the *Building Act 1993* or regulations made under that Act.
- Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard.
- Considering and assessing the bushfire hazard on the basis of:
 - Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;
 - Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;
 - Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and
 - The site for the development.
- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.
- Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.
- Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.

Settlement planning

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).
- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.
- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.
- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.
- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

Areas of biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.

Use and development control in a Bushfire Prone Area

In a bushfire prone area designated in accordance with regulations made under the *Building Act 1993*, bushfire risk should be considered when assessing planning applications for the following uses and development:

- Subdivisions of more than 10 lots.
- Accommodation.
- Child care centre.
- Education centre.
- Emergency services facility.
- Hospital.
- Indoor recreation facility.
- Major sports and recreation facility.
- Place of assembly.
- Any application for development that will result in people congregating in large numbers.

When assessing a planning permit application for the above uses and development:

- Consider the risk of bushfire to people, property and community infrastructure.

- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

Policy guidelines

Consider as relevant:

- Any applicable approved state, regional and municipal fire prevention plan.

Policy documents

Consider as relevant:

- *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009)
- *Building in bushfire-prone areas - CSIRO & Standards Australia* (SAA HB36-1993, 1993)
- Any bushfire prone area map prepared under the *Building Act 1993* or regulations made under that Act

13.03

31/07/2018
VC148

FLOODPLAINS

13.03-1S06/09/2021
VC171**Floodplain management****Objective**

To assist the protection of:

- Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river, wetland or coastal health.

Strategies

Identify land affected by flooding, including land inundated by the 1 in 100 year flood event (1 per cent Annual Exceedance Probability) or as determined by the floodplain management authority in planning schemes.

Avoid intensifying the impact of flooding through inappropriately located use and development.

Plan for the cumulative impacts of use and development on flood behaviour.

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters and schools) outside the 1 in 100 year (1 per cent Annual Exceedance Probability) floodplain and, where possible, at levels above the height of the probable maximum flood.

Locate use and development that involve the storage or disposal of environmentally hazardous industrial and agricultural chemicals or wastes and other dangerous goods (including intensive animal industries and sewage treatment plants) outside 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.

Ensure land use on floodplains minimises the risk of waterway contamination occurring during floods and floodplains are able to function as temporary storage to moderate peak flows and minimise downstream impacts.

Policy guidelines

Consider as relevant:

- Regional catchment strategies and special area plans approved by the Minister for Energy, Environment and Climate Change or Minister for Water.
- Any floodplain management manual or guideline of policy and practice, or catchment management, river health, wetland 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.

Policy documents

Consider as relevant:

- *Victorian Floodplain Management Strategy* (Department of Environment, Land, Water and Planning 2016)

13.04

31/07/2018
VC148

SOIL DEGRADATION

13.04-1S01/07/2021
VC203**Contaminated and potentially contaminated land****Objective**

To ensure that contaminated and potentially contaminated land is used and developed safely.

Strategies

Ensure contaminated or potentially contaminated land is or will be suitable for the proposed use, prior to the commencement of any use or development.

Protect sensitive uses including a residential use or use as childcare centre, kindergarten, pre-school centre, secondary school or children's playground from the effects of contamination.

Facilitate the remediation of contaminated land to make the land suitable for future intended use or development.

Policy guideline

Consider as relevant the potential for contamination to impact the proposed use or development through an assessment that is proportionate to the risk, including:

- An assessment in accordance with the *National Environment Protection (Assessment of Site Contamination) Measure* (National Environment Protection Council, 1999)
- A preliminary risk screen assessment or environmental audit under Part 8.3 of the *Environment Protection Act 2017*.

Policy documents

Consider as relevant:

- *Ministerial Direction No. 1 - Potentially Contaminated Land*
- *National Environment Protection (Assessment of Site Contamination) Measure* (National Environment Protection Council, 1999)

13.04-2S

31/07/2018
VC148

Erosion and landslip

Objective

To protect areas prone to erosion, landslip or other land degradation processes.

Strategies

Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.

Prevent inappropriate development in unstable areas or areas prone to erosion.

Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.

Policy guidelines

Consider as relevant:

- Any applicable regional catchment strategy.
- Any special area plan approved under the *Catchment and Land Protection Act 1994*.

13.04-3S

31/07/2018
VC148

Salinity

Objective

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

Strategies

Identify areas subject to salinity in the preparation of planning schemes and land use planning decisions.

Promote vegetation retention and replanting in aquifer recharge areas contributing to groundwater salinity problems.

Prevent inappropriate development in areas affected by groundwater salinity.

Policy guidelines

Consider as relevant:

- Any applicable regional catchment strategy and any associated implementation plan or strategy (particularly salinity management plans and regional vegetation plans).
- Any special area plan approved under the *Catchment and Land Protection Act 1994*.

Policy documents

Consider as relevant:

- *Salinity Information Kit: Volume 1 - A Local Government Planning Guide for Dryland Salinity* (Department of Conservation and Natural Resources, 1995)

13.05

31/07/2018
VC148

NOISE

13.05-1S

01/07/2021
VC203

Noise abatement

Objective

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

Strategy

Ensure that development is not prejudiced and community amenity and human health is not adversely impacted 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.

Policy guidelines

Consider as relevant:

- The noise requirements in accordance with the Environment Protection Regulations under the *Environment Protection Act 2017*.

Policy documents

Consider as relevant:

- *Environment Protection Regulations under the Environment Protection Act 2017*
- *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues* (Publication 1826.2, Environment Protection Authority, March 2021)

13.06

31/07/2018
VC148

AIR QUALITY

13.06-1S

01/07/2021
VC203

Air quality management

Objective

To assist the protection and improvement of air quality.

Strategies

Ensure that land use planning and transport 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 the Central City, Metropolitan Activity Centres and Major Activity Centres.
- Providing infrastructure for public transport, walking and cycling.

Ensure, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses.

Policy documents

Consider as relevant:

- *Recommended Separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)

13.07

26/05/2020
VC175

AMENITY, HUMAN HEALTH AND SAFETY

13.07-1S

01/07/2021
VC203

Land use compatibility

Objective

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Strategies

- Ensure that use or development of land is compatible with adjoining and nearby land uses.
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013).

13.07-2S

26/10/2018
VC152

Major hazard facilities

Objective

To minimise the potential for human and property exposure to risk from incidents that may occur at a major hazard facility and to ensure the ongoing viability of major hazard facilities.

Strategies

Ensure major hazard facilities are sited, designed and operated to minimise risk to surrounding communities and the environment.

Consider the risks associated with increasing the intensity of use and development within the threshold distance of an existing major hazard facility.

Apply appropriate threshold distances from sensitive land uses for new major hazard facilities and between major hazard facilities.

Protect registered or licenced major hazard facilities as defined under Regulation 5 of the Occupational Health and Safety Regulations 2017 from encroachment of sensitive land uses.

13.07-3S

28/09/2020
VC183

Live music

Objective

To encourage, create and protect opportunities for the enjoyment of live music.

Strategies

Identify areas where live music venues are encouraged or where there are high concentrations of licensed premises or clusters of live music venues.

Implement measures to ensure live music venues can co-exist with nearby residential and other noise sensitive land uses.

Policy guidelines

Consider as relevant:

- The social, economic and cultural benefits to the community of:
 - Retaining an existing live music venue.
 - The development of new live music entertainment venues.
 - Clustering licensed premises and live music venues.

NATURAL RESOURCE MANAGEMENT

Planning is to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development.

Planning should ensure agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production.

14.01

31/07/2018
VC148

AGRICULTURE

14.01-1S31/07/2018
VC148**Protection of agricultural land****Objective**

To protect the state's agricultural base by preserving productive farmland.

Strategies

Identify areas of productive agricultural land, including land for primary production and intensive agriculture.

Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

Protect productive farmland that is of strategic significance in the local or regional context.

Protect productive agricultural land from unplanned loss due to permanent changes in land use.

Prevent inappropriately dispersed urban activities in rural areas.

Protect strategically important agricultural and primary production land from incompatible uses.

Limit new housing development in rural areas by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Identify areas of productive agricultural land by consulting with the Department of Economic Development, Jobs, Transport and Resources and using available information.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.

14.01-1R

Protection of agricultural land - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Protect agricultural land in Metropolitan Melbourne's green wedges and peri-urban areas to avoid the permanent loss of agricultural land in those locations.

14.01-2S21/09/2018
VC150**Sustainable agricultural land use****Objective**

To encourage sustainable agricultural land use.

Strategies

Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.

Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.

Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.

Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.

Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

Support agricultural investment through the protection and enhancement of appropriate infrastructure.

Facilitate ongoing productivity and investment in high value agriculture.

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

Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.

Policy documents

Consider as relevant:

- *Victorian Code for Cattle Feedlots* (Department of Agriculture, Energy and Minerals, 1995)
- *Victorian Code for Broiler Farms* (Department of Primary Industries, 2009, plus 2018 amendments)
- *Apiary Code of Practice* (Department of Planning and Community Development, 2011)
- *Planning Guidelines for Land Based Aquaculture in Victoria* (Department of Primary Industries, No. 21, 2005)
- *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)
- *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)

14.01-3S

31/07/2018
VC148

Forestry and timber production

Objective

To facilitate the establishment, management and harvesting of plantations and the harvesting of timber from native forests.

Strategies

Identify areas that may be suitably used and developed for plantation timber production.

Promote the establishment of softwood and hardwood plantations on predominantly cleared land, as well as other areas that are subject to or contributing to land and water degradation.

Ensure protection of water quality and soil.

Ensure timber production in native forests is conducted in a sustainable manner.

Conduct timber production (except agroforestry, windbreaks and commercial plantations of 5 hectares or less) in accordance with the *Code of Practice for Timber Production* (Department of Environment and Primary Industries, 2014).

Ensure Victoria's greenhouse sinks are protected and enhanced by controlling land clearing, containing the growth of urban areas and supporting revegetation programs.

Policy documents

Consider as relevant:

- *Code of Practice for Timber Production* (Department of Environment and Primary Industries, 2014)

14.02

31/07/2018
VC148

WATER

14.02-1S06/09/2021
VC171**Catchment planning and management****Objective**

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

Strategies

Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.

Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.

Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:

- Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,
- Minimise erosion of stream banks and verges, and
- Reduce polluted surface runoff from adjacent land uses.

Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas.

Require appropriate measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.

Ensure that development at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.

Ensure land use and development minimises nutrient contributions to water bodies and the potential for the development of algal blooms.

Require appropriate measures to restrict sediment discharges from construction sites.

Ensure planning is coordinated with the activities of catchment management authorities.

Ensure that water quality infrastructure is designed to minimise risk of harm to surface waters and groundwater.

Policy guidelines

Consider as relevant:

- Any regional catchment strategy and related plans approved under the *Catchment and Land Protection Act 1994*.
- Any applicable implementation strategy approved by a catchment management authority or waterway management authority.
- Any special area or management plan under the *Heritage Rivers Act 1992*.
- Any action statement or management plan prepared under the *Flora and Fauna Guarantee Act 1988*.

Policy documents

Consider as relevant:

- *Murray River Regional Environmental Plan No 2 (REP2) of New South Wales*
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)

MANNINGHAM PLANNING SCHEME

- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)
- *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)

14.02-2S

01/07/2021
VC203

Water quality

Objective

To protect water quality.

Strategies

Protect reservoirs, water mains and local storage facilities from potential contamination.

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 groundwater resources, rivers, streams, wetlands, estuaries and marine environments.

Discourage incompatible land use activities 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.

Prevent the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments.

Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.

Use the mapped information available from the Department of Environment, Land, Water and Planning to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources from proposed land use or development.

Policy documents

Consider as relevant:

- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020)
- *Planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)

14.02-3S17/09/2019
VC161**Protection of declared irrigation districts****Objective**

To plan and manage for sustainable change within irrigation districts declared under Part 6A of the *Water Act 1989*.

Strategies

Identify and plan for the future needs of communities to adapt and adjust to land use change within an irrigation district.

Protect agricultural land serviced by irrigation infrastructure to ensure the future viability of an irrigation district.

Ensure non-agricultural land use does not undermine the integrity of irrigation infrastructure and complements existing and future agricultural production.

Ensure land use change within an irrigation district does not negate the potential opportunities for a rural water corporation to make adjustments to the footprint of an irrigation district that are identified under an approved plan or strategy.

Ensure land use change does not limit the ability of future investment in irrigation infrastructure that achieves the intended benefits of minimising water loss, and improved irrigation service efficiency to the farm gate and overall agricultural production.

Policy documents

Consider as relevant:

- *Water for Victoria* (Department of Environment, Land, Water and Planning, 2016)
- *Gippsland Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Western Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Northern Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2009)
- *Central Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2006)
- *Victorian Government White Paper, Securing Our Water Future Together – Our Water, Our Future* (Department of Sustainability and Environment, 2004)

14.03

31/07/2018
VC148

EARTH AND ENERGY RESOURCES

14.03-1S19/08/2021
VC196**Resource exploration and extraction****Objective**

To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards.

Strategies

Provide for the long-term protection of natural resources in Victoria.

Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.

Recognise the possible need to provide infrastructure, including transport networks, for the exploration and extraction of natural resources.

Ensure planning schemes do not impose conditions on the use or development of land that are inconsistent with the *Mineral Resources (Sustainable Development) Act 1990*, the *Greenhouse Gas Geological Sequestration Act 2008*, the *Geothermal Energy Resources Act 2005*, or the *Petroleum Act 1998*.

Develop and maintain buffers around mining and extractive industry activities.

Ensure planning permit applications clearly define 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.

Determine buffer areas between extractive activities and sensitive land uses on the following considerations:

- Appropriate limits on effects can be met at the sensitive locations using practical and available technology.
- Whether a change of land use in the vicinity of the extractive industry is proposed.
- Use of land within the buffer areas is not limited by adverse effects created by the extractive activities.
- Performance standards identified under the relevant legislation.
- Types of activities within land zoned for public use.

Identify and protect extractive industry resources within Strategic Extractive Resource Areas, based on their current or potential contribution to state supply, access to supporting transport networks and proximity to demand markets.

Facilitate the use and development of Strategic Extractive Resource Areas for extractive industries and other compatible land uses.

Protect the brown coal resource in Central Gippsland by ensuring that:

- Changes in use and development of land overlying coal resources, as generally defined in *Framework for 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.
- Use and development within the buffer areas are compatible with use and development adjacent to these areas.
- Ensure that the use and development of land for extractive industry responds to potential environmental risks and maintains or improves the quality of the air, land, acoustic and water environments.

Policy documents

Consider as relevant:

- *Mineral Resources (Sustainable Development) Act 1990*
- *Greenhouse Gas Geological Sequestration Act 2008*
- *Geothermal Energy Resources Act 2005*
- *Petroleum Act 1998*
- *Melbourne Supply Area - Extractive Industry Interest Areas Review* (Geological Survey of Victoria Technical Record, 2003/2)
- *Ballarat Supply Area - Extractive Industry Interest Areas* (Geological Survey of Victoria Technical Record, 1997/3)
- *Bendigo Supply Area - Extractive Industry Interest Areas* (Geological Survey of Victoria Technical Record, 1998/6)
- *Geelong Supply Area - Extractive Industry Interest Areas* (Geological Survey of Victoria Technical Record, 1999/2)
- *La Trobe Supply Area - Extractive Industry Interest Areas* (Geological Survey of Victoria Technical Record, 1999/4)
- *Strategic Extractive Resource Areas Pilot Project Report* (Victorian Government, 2020)

BUILT ENVIRONMENT AND HERITAGE

Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

Planning should protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

Planning should promote development that is environmentally sustainable and should minimise detrimental impacts on the built and natural environment.

Planning should promote excellence in the built environment and create places that:

- Are enjoyable, engaging and comfortable to be in.
- Accommodate people of all abilities, ages and cultures.
- Contribute positively to local character and sense of place.
- Reflect the particular characteristics and cultural identity of the community.
- Enhance the function, amenity and safety of the public realm.

15.01

31/07/2018
VC148

BUILT ENVIRONMENT

15.01-1S

31/07/2018
VC148

Urban design

Objective

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies

Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.

Ensure the interface between the private and public realm protects and enhances personal safety.

Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.

Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.

Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.

Promote good urban design along and abutting transport corridors.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

15.01-1R

31/07/2018
VC148

Urban design - Metropolitan Melbourne

Objective

To create a distinctive and liveable city with quality design and amenity.

Strategies

Support the creation of well-designed places that are memorable, distinctive and liveable.

Integrate place making practices into road space management.

Strengthen Melbourne's network of boulevards.

Create new boulevards in urban-growth areas and selected existing road corridors across Melbourne.

Provide spaces and facilities that encourage and support the growth and development of Melbourne's cultural precincts and creative industries.

15.01-2S20/12/2021
VC174**Building design****Objective**

To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Strategies

Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.

Ensure development responds and contributes to the strategic and cultural context of its location.

Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.

Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

Ensure development is designed to protect and enhance valued landmarks, views and vistas.

Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.

Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.

Encourage development to retain existing vegetation.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)

15.01-3S31/07/2018
VC148**Subdivision design****Objective**

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Strategies

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing native habitat.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
- Reduce car dependency by allowing for:
 - Convenient and safe public transport.
 - Safe and attractive spaces and networks for walking and cycling.
 - Subdivision layouts that allow easy movement within and between neighbourhoods.
 - A convenient and safe road network.
- Being accessible to people with disabilities.
- Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

15.01-4S

31/07/2018
VC148

Healthy neighbourhoods

Objective

To achieve neighbourhoods that foster healthy and active living and community wellbeing.

Strategies

Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:

- Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.
- Streets with direct, safe and convenient access to destinations.
- Conveniently located public spaces for active recreation and leisure.
- Accessibly located public transport stops.
- Amenities and protection to support physical activity in all weather conditions.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

15.01-4R

31/07/2018
VC148

Healthy neighbourhoods - Metropolitan Melbourne

Strategy

Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

15.01-5S

09/10/2020
VC169

Neighbourhood character

Objective

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Strategies

Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Neighbourhood character values and built form that reflect community identity.

15.01-6S

31/07/2018
VC148

Design for rural areas

Objective

To ensure development respects valued areas of rural character.

Strategies

Ensure that the siting, scale and appearance of development protects and enhances rural character.

Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.

Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.

15.02

31/07/2018
VC148

SUSTAINABLE DEVELOPMENT

15.02-1S

31/07/2018
VC148

Energy and resource efficiency

Objective

To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Strategies

Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.

Promote consolidation of urban development and integration of land use and transport.

Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.

Support low energy forms of transport such as walking and cycling.

Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.

Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.

15.03

31/07/2018
VC148

HERITAGE

15.03-1S

26/10/2018
VC155

Heritage conservation

Objective

To ensure the conservation of places of heritage significance.

Strategies

Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

Provide for the protection of natural heritage sites and man-made resources.

Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

Encourage appropriate development that respects places with identified heritage values.

Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements of a heritage place.

Ensure an appropriate setting and context for heritage places is maintained or enhanced.

Support adaptive reuse of heritage buildings where their use has become redundant.

Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.

Policy guidelines

Consider as relevant:

- The findings and recommendations of the Victorian Heritage Council.
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

15.03-2S

31/07/2018
VC148

Aboriginal cultural heritage

Objective

To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Strategies

Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.

Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.

Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the *Aboriginal Heritage Act 2006*.

Policy guidelines

Consider as relevant:

- The findings and recommendations of the Aboriginal Heritage Council.
- The findings and recommendations of the Victorian Heritage Council for post-contact Aboriginal heritage places.

Policy documents

Consider as relevant:

- *Aboriginal Heritage Act 2006*

16

31/07/2018
VC148

HOUSING

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.

Planning for housing should include the provision of land for affordable housing.

16.01

31/07/2018
VC148

RESIDENTIAL DEVELOPMENT

16.01-1S20/12/2021
VC174**Housing supply****Objective**

To facilitate well-located, integrated and diverse housing that meets community needs.

Strategies

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Identify opportunities for increased residential densities to help consolidate urban areas.

Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Encourage the development of well-designed housing that:

- Provides a high level of internal and external amenity.
- Incorporates universal design and adaptable internal dwelling design.

Support opportunities for a range of income groups to choose housing in well-serviced locations.

Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

Policy documents

Consider as relevant:

- *Homes for Victorians - Affordability, Access and Choice* (Victorian Government, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)

16.01-1R09/10/2020
VC169**Housing supply - Metropolitan Melbourne****Strategies**

Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:

- In and around the Central City.
- Urban-renewal precincts and sites.
- Areas for residential growth.
- Areas for greyfield renewal, particularly through opportunities for land consolidation.
- Areas designated as National Employment and Innovation Clusters.
- Metropolitan activity centres and major activity centres.
- Neighbourhood activity centres - especially those with good public transport connections.
- Areas near existing and proposed railway stations that can support transit-oriented development.

Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.

Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.

Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.

Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Create mixed-use neighbourhoods at varying densities that offer more choice in housing.

16.01-2S

09/10/2020
VC169

Housing affordability

Objective

To deliver more affordable housing closer to jobs, transport and services.

Strategies

Improve housing affordability by:

- Ensuring land supply continues to be sufficient to meet demand.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
- Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
- Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.

Increase the supply of well-located affordable housing by:

- Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
- Ensuring the redevelopment and renewal of public housing stock better meets community needs.

Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

Policy documents

Consider as relevant:

- *Homes for Victorians - Affordability, Access and Choice* (Victorian Government, 2017)

16.01-3S

09/10/2020
VC169

Rural residential development

Objective

To identify land suitable for rural residential development.

Strategies

Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.

Encourage the consolidation of new housing in existing settlements where investment in physical and community infrastructure and services has already been made.

Demonstrate need and identify locations for rural residential development through a housing and settlement strategy.

Ensure planning for rural residential development 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 including agricultural production, water, mineral and energy resources.
- 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.
- Maintaining an adequate buffer distance between rural residential development and animal production.

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

Discourage development of small lots in rural zones for residential use or other incompatible uses.

Encourage consolidation of existing isolated small lots in rural zones.

Ensure land is only zoned for 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, water and good quality road access.

16.01-4S

09/10/2020
VC169

Community care accommodation

Objective

To facilitate the establishment of community care accommodation and support their location being kept confidential.

Strategies

Planning schemes should not require a planning permit for or prohibit the use of land in a residential area for community care accommodation that accommodates no more than 20 clients and that is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.

Facilitate the confidential establishment of community care accommodation through appropriate permit, notice and review exemptions.

16.01-5S09/10/2020
VC169**Residential aged care facilities****Objective**

To facilitate the development of well-designed and appropriately located residential aged care facilities.

Strategies

Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.

Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).

Ensure local housing strategies, precinct structure plans and activity centre structure plans provide for residential aged care facilities.

Ensure that residential aged care facilities are located in residential areas, activity centres and urban renewal precincts, close to services and public transport.

Encourage planning for housing that:

- Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.
- Enables older people to live in appropriate housing in their local community.

Provide for a mix of housing for older people with appropriate access to care and support services.

Ensure that proposals to establish residential aged care facilities early in the life of a growth area are in locations that will have early access to services and public transport.

Ensure that residential aged care facilities are designed to respond to the site and its context.

Promote a high standard of urban design and architecture in residential aged care facilities.

Policy guidelines

Consider as relevant:

- The Commonwealth Government's Responsible ratios for the provision of aged care places under the *Aged Care Act 1997*.

ECONOMIC DEVELOPMENT

Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity.

Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

17.01

31/07/2018
VC148

EMPLOYMENT

17.01-1S

31/07/2018
VC148

Diversified economy

Objective

To strengthen and diversify the economy.

Strategies

Protect and strengthen existing and planned employment areas and plan for new employment areas.

Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.

17.01-1R31/07/2018
VC148**Diversified economy - Metropolitan Melbourne****Strategies**

Support the Central City to become Australia's largest commercial and residential centre by 2050, by planning for office, retail, residential, education, health, entertainment and cultural activity spaces.

Plan for the redevelopment of Major Urban-Renewal Precincts in and around the Central City to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses.

Facilitate the development of National Employment and Innovation Clusters by ensuring they:

- Have a high level of amenity to attract businesses and workers.
- Are supported by good public transport services and integrated walking and cycling paths.
- Maximise investment opportunities for the location of knowledge intensive firms and jobs.

Support the employment and servicing role of Health and Education Precincts by:

- Focussing on improving access, particularly public transport access.
- Encouraging co-location of facilities to better utilise existing infrastructure.
- Supporting and facilitating growth of associated businesses and industries.
- Reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.

Plan for industrial land in suitable locations to support employment and investment opportunities.

Facilitate investment in Melbourne's outer areas to increase local access to employment.

17.01-2S

04/10/2018
VC149

Innovation and research

Objective

To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.

Strategies

Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area's public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.

Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.

Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in locations identified to accommodate employment and economic growth.

Support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises.

Improve access to community-based information and training through further developing libraries as community learning centres.

17.02

31/07/2018
VC148

COMMERCIAL

17.02-1S

31/07/2018
VC148

Business

Objective

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategies

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Locate commercial facilities in existing or planned activity centres.

Provide 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.

Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.

Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.

17.02-2S

31/07/2018
VC148

Out-of-centre development

Objective

To manage out-of-centre development.

Strategies

Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres.

Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.

Discourage 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.

Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

17.03

31/07/2018
VC148

INDUSTRY

17.03-1S

01/07/2021
VC203

Industrial land supply

Objective

To ensure availability of land for industry.

Strategies

Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.

Identify land for industrial development in urban growth areas where:

- Good access for employees, freight and road transport is available.
- Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.

Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.

Avoid approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)

17.03-2S

01/07/2021
VC203

Sustainable industry

Objective

To facilitate the sustainable operation of industry.

Strategies

Ensure that industrial activities requiring substantial threshold distances are located in the core of industrial areas.

Encourage activities with minimal threshold requirements to locate towards the perimeter of the industrial area.

Minimise inter-industry conflict and encourage like industries to locate within the same area.

Protect industrial activity in industrial zones from the encroachment of commercial, residential and other sensitive uses that would adversely affect industry viability.

Encourage industrial uses that meet appropriate standards of safety and amenity to locate within activity centres.

Provide adequate separation and buffer areas 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.

Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)

17.03-3S

31/07/2018
VC148

State significant industrial land

Objective

To protect industrial land of state significance.

Strategies

Protect state significant industrial precincts from incompatible land uses to allow for future growth. State significant industrial precincts include but are not limited to:

- Southern Industrial Precinct - Dandenong South.
- Northern Industrial Precinct - Campbellfield, Somerton and Thomastown.
- Western Industrial Precinct - Laverton North and Derrimut.
- Officer / Pakenham Industrial Precinct.
- Port of Hastings Industrial Precinct.

Ensure sufficient availability of strategically located land for major industrial development, particularly for industries and storage facilities that require significant threshold distances from sensitive or incompatible uses.

Protect heavy industrial areas from inappropriate development and maintain adequate buffer distances from sensitive or incompatible uses.

17.04

31/07/2018
VC148

TOURISM

17.04-1S

31/07/2018
VC148

Facilitating tourism

Objective

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Strategies

Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.

Seek to ensure that tourism facilities have access to suitable transport.

Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

Policy guidelines

Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents

Consider as relevant:

- *Tourism Investment Guidelines – Your Guide to Tourism Investment in Victoria* (Tourism Victoria, 2008)

17.04-1R

31/07/2018
VC148

Tourism in Metropolitan Melbourne

Objective

To maintain and develop Metropolitan Melbourne as a desirable tourist destination.

Strategies

Maintain Metropolitan Melbourne's position as a global, national and local destination in its own right and as a gateway to regional Victoria by:

- Developing city precincts and promenades.
- Revitalising the retail core of the Central City.
- Supporting artistic and cultural life.
- Improving public facilities, amenities and access.
- Maintaining city safety.
- Providing information and leisure services.
- Improving transport infrastructure.

17.04-2S06/09/2021
VC171**Coastal and maritime tourism and recreation****Objective**

To encourage a diverse range of strategically located and well-designed coastal and maritime tourism and recreational opportunities that strengthen people's connection with the marine and coastal environment.

Strategies

Support safe and sustainable recreation and tourism development including ecotourism, tourism and major maritime events that:

- Responds to identified demand.
- Minimises impact on environmental and cultural values.
- Minimises impact on other users.
- Minimises direct and cumulative impacts.
- Maintains public safety.
- Responds to the carrying capacity of the site.
- Minimises exposure to coastal hazard risks and risks posed by climate change.

Ensure a diverse range of accommodation options and coastal experiences are provided for and maintained.

Ensure sites and facilities are accessible to all.

Ensure tourism development, within non-urban areas, demonstrates a tourist accommodation need and supports a nature-based approach.

Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.

Develop a network of maritime precincts around Port Phillip and Western Port that serve both local communities and visitors.

Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.

Support a sustainable network of facilities for recreational boating and water-based activities that respond to:

- Identified demand.
- Use and safety considerations.
- The carrying capacity of the location.
- Coastal processes.
- Environmental values.

Strategically plan and operate ports to complement each other in the context of the broader economy, transport networks and the maritime and coastal environments within which they are regulated.

Provide public access to recreational facilities and activities on land and water.

Policy guidelines

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)

Recreational Boating Facilities Framework July 2014 - Central Coastal Board

- *Gippsland Boating Coastal Action Plan 2013 - Gippsland Coastal Board*
- *Western Boating Coastal Action Plan 2010 - Western Coastal Board*

Policy documents

Consider as relevant:

- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Siting and Design Guidelines on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)

TRANSPORT

Planning should ensure a safe, integrated and sustainable transport system that:

- Provides access to social and economic opportunities to support individual and community wellbeing.
- Facilitates economic prosperity.
- Actively contributes to environmental sustainability.
- Facilitates network-wide efficient, coordinated and reliable movements of people and goods.
- Supports health and wellbeing.

18.01

09/12/2021
VC204

LAND USE AND TRANSPORT

18.01-1S09/12/2021
VC204**Land use and transport integration****Objective**

To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

Strategies

Plan and develop a transport system that facilitates:

- Social and economic inclusion for all people and builds community wellbeing.
- The best use of existing social and economic infrastructure.
- A reduction in the distances people have to travel to access jobs and services.
- Better access to, and greater mobility within, local communities.
- Network-wide efficiency and coordinated operation.

Plan land use and development to:

- Protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset.
- Protect transport infrastructure that is in delivery from encroachment or detriment that would impact on the construction or future function of the asset.
- Protect planned transport infrastructure from encroachment or detriment that would impact deliverability or future operation.
- Protect identified potential transport infrastructure from being precluded by land use and development.

Plan land use and development to allow for the ongoing improvement and development of the State Transport System in the short and long term.

Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity.

Plan the timely delivery of transport infrastructure and services to support changing land use and associated transport demands.

Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas.

Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system.

Reserve land for strategic transport infrastructure to ensure the transport system can be developed efficiently to meet changing transport demands.

Support urban development that makes jobs and services more accessible:

- In accordance with forecast demand.
- By taking advantage of all available modes of transport.

Protect existing and facilitate new walking and cycling access to public transport.

Locate major government and private sector investments in regional cities and centres on major transport corridors to maximise the access and mobility of communities.

Design neighbourhoods to:

- Better support active living.
- Increase the share of trips made using sustainable transport modes.
- Respond to the safety needs of all users.

Design the transport system and adjacent areas to achieve visual outcomes that are responsible to local context with particular reference to:

- Landscaping.
- The placement of signs.
- Providing buffer zones and resting places.

Policy documents

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)
- *Delivering the Goods, Creating Victorian Jobs: Victorian Freight Plan* (Department of Economic Development, Jobs, Transport and Resources, July 2018)

18.01-2S09/12/2021
VC204**Transport system****Objective**

To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.

Strategies

Plan and develop a transport system integrated across all movement networks that:

- Facilitates the efficient, coordinated and reliable movement of people and goods at all times.
- Optimises transport system capacity.
- Improves connectivity and facilitates the growth and development of regional Victoria.
- Improves connectivity between Victoria's regional cities and metropolitan Melbourne.
- Ensures sufficient capacity for the movement of passengers into and out of Victoria at Principal Transport Gateways.
- Improves how goods are moved to local, interstate and overseas markets.
- Maximises access to residential areas, employment, markets, services and recreation.
- Improves local transport options to support 20-minute neighbourhoods in Melbourne's suburbs and Victoria's regional cities and towns.
- Is legible and enables easy access and movement between modes.

Plan movement networks that share the same space to do so in a way that balances the needs of the different users of the transport system.

Plan and develop the State Transport System comprising the:

- **Principal Bicycle Network:** Existing and future high quality cycling routes that provide access to major destinations and facilitate cycling for transport, sport, recreation and fitness.
- **Principal Public Transport Network:** Existing and future high quality public transport routes in the Melbourne metropolitan area.
- **Regional Rail Network:** Existing and future passenger rail routes in regional Victoria.
- **Principal Road Network:** Declared arterial roads and freeways under the *Road Management Act 2004*.
- **Principal Freight Network:** Existing and future corridors and precincts where the movement of high volumes of freight are concentrated or of strategic value.
- **Principal Transport Gateways:** Existing and future ports, airports and interstate terminals that serve as key locations for moving passengers and freight into, out of and around Victoria.

Facilitate delivery of:

- Declared major transport projects and their ancillary projects that are of economic, social or environmental significance to the State of Victoria.
- Transport projects that improve the State Transport System.

Policy documents

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)

State Transport System – Metropolitan Melbourne Plan



State Transport System – Regional Victoria Plan



18.01-3S09/12/2021
VC204**Sustainable and safe transport****Objective**

To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

Strategies

Plan and develop the transport system to:

- Maximise the efficient use of resources including infrastructure, land, services and energy.
- Prepare for and adapt to climate change impacts.
- Prioritise the use of sustainable personal transport.
- Protect, conserve and improve the natural environment by supporting forms of transport, energy use and transport technologies that have the least environmental impact.
- Avoid, minimise and offset harm to the environment by:
 - Protecting biodiversity.
 - Reducing transport-related greenhouse gas emissions.

Plan the transport system to be safe by:

- Developing safe transport infrastructure.
- Optimising accessibility, emergency access, service and amenity.
- Separating pedestrians, bicycles and motor vehicles, where practicable.
- Reducing the need for cyclists to mix with other road users.
- Supporting road users to make safe choices through design and wayfinding techniques.
- Prioritising transport safety when designing high-speed roads and intersections.

Support forms of transport and energy use that have the greatest benefit for, and least negative impact on, health and wellbeing.

Design the transport system to be accessible to all users.

Design new suburbs to respond to the safety, health and wellbeing needs of all road users.

Design development to promote walking, cycling and the use of public transport, in that order, and minimise car dependency.

Policy documents

Consider as relevant:

- *Victorian Road Safety Strategy 2021-2030* (Department of Transport, 2021)

18.01-3R

09/12/2021
VC204

Sustainable and safe transport - Metropolitan Melbourne

Strategies

Improve local travel options for walking and cycling to support 20 minute neighbourhoods.

18.02

31/07/2018
VC148

MOVEMENT NETWORKS

18.02-1S

09/12/2021
VC204

Walking

Objective

To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

Strategies

Plan and develop walking networks to:

- Provide pedestrian routes that are safe, direct and comfortable to use.
- Enable walking as a part of everyday life.
- Enable people to meet more of their needs locally and rely less on their cars.
- Be accessible to vehicles that use footpaths, including wheelchairs, prams and scooters.
- Accommodate emerging forms of low-emission, low-speed personal transport.

Develop principal pedestrian networks for local areas that link with the transport system.

Provide walking infrastructure in all major transport projects.

Design walking routes to be comfortable by providing shelter from the sun through canopy trees, verandahs and other structures.

Design direct, comfortable and connected walking infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Policy documents

Consider as relevant:

- *Guidelines for developing Principal Pedestrian Networks* (Department of Economic Development, Jobs, Transport and Resources, 2015)

18.02-2S09/12/2021
VC204**Cycling****Objective**

To facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling.

Strategies

Plan and develop cycling networks to:

- Provide routes that are safe, comfortable, low-stress and well connected.
- Enable cycling as a part of everyday life.
- Enable people to meet more of their needs locally by cycling and to rely less on their cars.
- Accommodate emerging forms of low emission, low and moderate speed personal transport.

Protect and develop the Principal Bicycle Network to provide high-quality cycling routes that are direct and connected, to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Develop Strategic Cycling Corridors by:

- Integrating them with stations and major interchanges on the public transport network that serve places of state significance.
- Integrating them with the central city, national employment and innovation clusters, major activity centres and other destinations of metropolitan or state significance.
- Facilitating safer, lower stress and more direct journeys using a combination of cycleways, cycle paths and shared streets.
- Providing the most direct route practical.
- Designing transport corridors to prioritise cycling links and cyclists.

Protect Strategic Cycling Corridors from encroachment by development and incompatible interface treatments such as cross overs.

Support increased cycling by providing:

- Cycling routes and cycling infrastructure early in new developments and in all major transport projects.
- Cycle parking and related end of trip facilities to meet demand at education, recreation, transport, shopping, commercial, public transport interchanges and community facilities, significant trip generating developments and other major attractions.
- Facilities for cyclists, particularly storage, at public transport interchanges and rail stations.
- Vegetation to shade cycling routes.

Policy documents

Consider as relevant:

- *Principal Bicycle Network* (VicRoads, 2012)
- *Strategic Cycling Corridors* (Department of Transport, 2021)
- *Victorian Cycling Strategy 2018-28* (Transport for Victoria)

18.02-2R

09/12/2021
VC204

Cycling - Metropolitan Melbourne

Strategies

Develop local cycling networks and new cycling facilities that support the development of 20-minute neighbourhoods and that link to and complement the metropolitan-wide network of bicycle routes - the Principal Bicycle Network

18.02-3S09/12/2021
VC204**Public transport****Objective**

To facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.

Strategies

Plan and develop public transport to:

- Connect activity centres, job-rich areas and outer suburban areas.
- Enable people to not have to rely on cars for personal transport.
- Integrate bus and tram networks and stops and public transport interchanges in new development areas, including key urban renewal precincts and outer-suburban areas.
- Integrate with land use and development in outer suburban and growth areas.

Protect and develop the Principal Public Transport Network and Regional Rail Network to facilitate:

- High quality public transport services that support increased diversity and density of development, particularly at interchanges, activity centres and where Principal Public Transport Network routes intersect.
- Modern commuter-style public transport services that link Melbourne with the regional growth areas of Geelong, Bendigo, Ballarat, Seymour and Traralgon.
- Service improvements to other regional and rural areas.
- A metro-style rail system that provides a very high frequency of service in the Melbourne metropolitan area.
- A new high quality orbital rail (Suburban Rail Loop) through Melbourne's middle suburbs.
- A balance between the rail usage needs of public transport and freight.

Facilitate public transport infrastructure in all major transport projects.

Allocate adequate land and infrastructure to support public transport provision in activity centres, transport interchanges and major commercial, retail and community facilities.

Locate higher density and increased development on or close to the Principal Public Transport Network in a way that does not compromise the efficiency of the Principal Public Transport Network.

Support development that facilitates the delivery and operation of public transport services.

Policy documents

Consider as relevant:

- *Principal Public Transport Network* (State Government of Victoria, 2017)
- *VicTrack Rail Development Interface Guidelines* (VicTrack, 2019)
- *Public Transport Guidelines for Land Use Development* (Department of Transport, 2008)

18.02-3R

09/12/2021
VC204

Principal Public Transport Network

Strategies

Facilitate high-quality public transport access to job-rich areas.

Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.

Identify and plan for new Principal Public Transport Network routes.

Support the Principal Public Transport Network with a comprehensive network of local public transport.

Plan for local bus services to provide for connections to the Principal Public Transport Network.

Improve the operation of the Principal Public Transport Network by providing for:

- A metro-style rail system.
- Extended tram lines and the establishment of a light rail system.
- Road space management measures including transit lanes, clearways, stops and interchanges.

18.02-4S09/12/2021
VC204**Roads****Objective**

To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

Strategies

Plan and develop the road network to:

- Ensure people are safe on and around roads.
- Improve people's perceptions of safety on and around roads.
- Improve road connections for all road users.
- Facilitate the use of public transport, cycling and walking.
- Integrate new and emerging technologies into road design, including the increasing connectivity and automation of vehicles.
- Accommodate the expansion of the High Productivity Freight Vehicle Network, and oversize and overmass vehicles.

Protect and develop the Principal Road Network to:

- Provide high mobility for through traffic and the efficient movement of freight by facilitating adequate movement capacity and speeds.
- Improve cross-town arterial links in outer suburbs and growth areas, including circumferential and radial movement to facilitate access to jobs and services.
- Limit access points to high-volume, high-speed roads by utilising urban design techniques such as service roads and internal connector roads.
- Improve high-capacity on-road public transport.

Develop declared freeways to:

- Link Melbourne with major regional cities, major interstate locations and other key locations important to the economy along major national and state transport corridors.
- Connect and provide access to Principal Transport Gateways and freight-generating areas.
- Improve connections to national employment and innovation clusters.
- Connect dispersed major residential areas with key destinations and lower density employment areas.
- Avoid private access, except for service centres.

Provide for grade separation at railway crossings, except with the approval of the Minister for Transport.

Improve Melbourne's distinctive, established boulevards by developing a connected, contemporary network of boulevards within the urban growth boundary.

Design road space to complement land use and meet business and community needs through the provision of wider footpaths, bicycle lanes, transit lanes (for buses and commercial passenger vehicles) and freight routes, in line with the designated role of the road.

Design roads to facilitate the safe movement of people and goods while providing places for people to interact and gather in high pedestrian areas like activity centres, around schools and around community facilities.

Plan an adequate supply of car parking that is designed and located to:

- Protect the role and function of nearby roads.

MANNINGHAM PLANNING SCHEME

- Enable the efficient movement and delivery of goods.
- Facilitate the use of public transport.
- Maintain journey times and the reliability of the on-road public transport network.
- Protect residential areas from the effects of road congestion created by on-street parking.
- Enable easy and efficient use.
- Achieve a high standard of urban design.
- Protect the amenity of the locality, including the amenity of pedestrians and other road users.
- Create a safe environment, particularly at night.

Allocate land for car parking considering:

- The existing and potential modes of access including public transport.
- The demand for off-street car parking.
- Road capacity.
- The potential for demand-management of car parking.

Consolidate car parking facilities to improve efficiency.

Design public car parks to incorporate electric charging facilities to support the use of low-emission vehicles.

Policy documents

Consider as relevant:

- *Victorian Road Safety Strategy 2021-2030* (Department of Transport, 2021)
- *Movement and Place in Victoria* (Department of Transport, February 2019)

18.02-5S09/12/2021
VC204**Freight****Objective**

To facilitate an efficient, coordinated, safe and sustainable freight and logistics system that enhances Victoria's economic prosperity and liveability.

Strategies

Plan and develop Victoria's freight and logistics system to:

- Support the movement of freight within Victoria's freight and logistics system.
- Improve freight efficiency and capacity.
- Manage negative impacts of freight generating activities on urban amenity, the development of urban areas, and on the efficient operation of movement networks.
- Prioritise new technologies that enhance road and rail safety, optimise the metropolitan road network, better manage congestion and reduce supply chain costs.
- Accommodate High Productivity Freight Vehicles, and oversize and overmass vehicles.
- Increase the capacity of the rail network to carry larger volumes of freight.

Protect and develop the Principal Freight Network, including freight movement corridors and freight places, and Principal Transport Gateways, by:

- Facilitating the movement of high volumes of freight and freight of strategic value.
- Linking areas of production and manufacturing to national and international gateways and export markets.
- Increasing the capacity of Principal Transport Gateways and supporting their use and development as important locations for employment and economic activity.
- Designing the Principal Freight Network to adapt to commodity, market and operating changes.
- Managing encroachment from incompatible land use and development that would undermine its ability to operate.

Support the development of freight and logistics precincts in strategic locations within and adjacent to Principal Transport Gateways and along the Principal Freight Network movement corridors by:

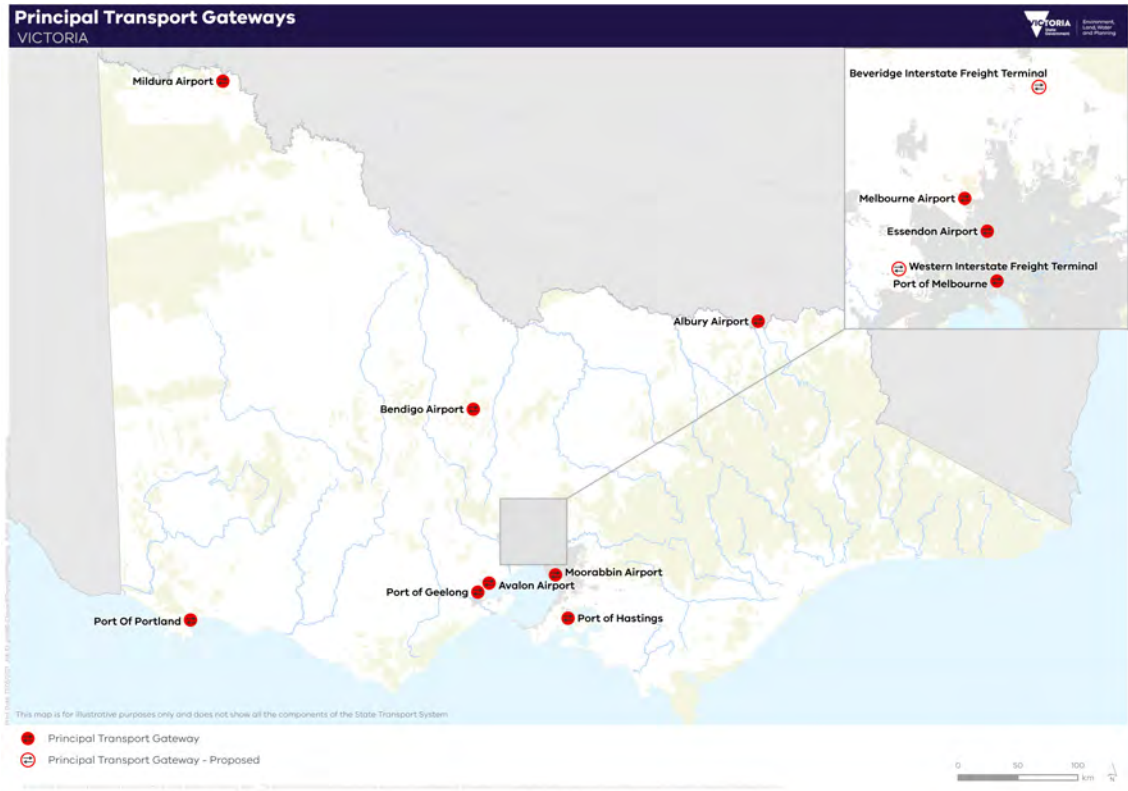
- Allocating land for complementary uses and employment-generating activities, such as distribution and warehousing.
- Reserving and appropriately zoning land for interstate freight terminals to support development that allows for the direct and immediate delivery of goods to market.
- Allocating land to allow high-volume freight customers to locate adjacent to interstate freight terminals, including the Western Interstate Freight Terminal and the Beveridge Interstate Freight Terminal.

Policy documents

Consider as relevant:

- *Principal Freight Network* (Department of Transport, 2021)
- *Principal Transport Gateways* (Department of Transport, 2021)
- *Delivering the Goods, Creating Victorian Jobs: Victorian Freight Plan* (Department of Economic Development, Jobs, Transport and Resources, July 2018)

Principal Transport Gateways



18.02-5R

Freight links - Metropolitan Melbourne

09/12/2021
VC204

Strategy

Ensure suitable sites are provided for intermodal freight terminals at key locations around Metropolitan Melbourne, particularly for the Beveridge Interstate Freight Terminal and the Western Interstate Freight Terminal.

18.02-6S09/12/2021
VC204**Ports****Planning for ports objective**

To support the effective and competitive operation of Victoria's commercial trading ports at local, national and international levels, and to facilitate their ongoing sustainable operation and development.

Planning for ports strategies

Provide for the ongoing development of ports at Melbourne, Geelong, Hastings and Portland in accordance with approved Port Development Strategies.

Identify and protect key transport corridors linking ports to the broader transport network.

Manage any impacts of a commercial trading port and any related industrial development on nearby sensitive uses to minimise the impact of vibration, light spill, noise and air emissions from port activities.

Planning for port environs objective

To plan for and manage land near commercial trading ports so that development and use are compatible with port operations and provide reasonable amenity expectations.

Planning for port environs strategies

Protect commercial trading ports from encroachment of sensitive and incompatible land uses in the port environs.

Plan for and manage land in the port environs to accommodate uses that depend upon, or gain significant economic advantage from, proximity to the port's operations.

Ensure that industrially zoned land within the environs of a commercial trading port is maintained and continues to support the role of the port as a critical freight and logistics precinct.

Identify and protect key transport corridors linking ports to the broader transport network.

Ensure any new use or development within the environs of a commercial trading port does not prejudice the efficient and curfew-free operations of the port.

Ensure that the use and intensity of development does not expose people to unacceptable health or safety risks and consequences associated with an existing major hazard facility.

Ensure that any use or development within port environs:

- Is consistent with policies for the protection of the environment.
- Takes into account planning for the port.

Policy documents

Consider as relevant:

- *Statement of Planning Policy No 1 - Western Port* (1970-varied 1976)
- *2018 Port Development Strategy* (Port of Hastings Development Authority, December 2018)
- *Port of Geelong Port Development Strategy 2018* (Victorian Regional Channels Authority, 2018)
- *2050 Port Development Strategy, 2020 edition* (Port of Melbourne, 2020)
- *Port of Portland – Port Development Strategy* (Port of Portland, 2019)

18.02-7S09/12/2021
VC204**Airports and airfields****Objective**

To strengthen the role of Victoria's airports and airfields within the state's economic and transport infrastructure, facilitate their siting and expansion, and protect their ongoing operation.

Strategies

Protect airports from incompatible land uses.

Ensure 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.

Ensure 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 contribute to the aviation needs of the state.

Ensure the effective and competitive operation of Melbourne Airport at both national and international levels.

Protect the environs of Avalon Airport so it can operate as a full-size jet airport focussing on freight, training and services.

Recognise 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.

Recognise 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.

Maintain Point Cook Airfield as an operating airport complementary to Moorabbin Airport.

Preserve 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.

Avoid the location of new airfields in areas that have greater long-term value to the community for other purposes.

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

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

Plan for areas around all airfields so:

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

Policy documents

Consider as relevant:

MANNINGHAM PLANNING SCHEME

- *National Airports Safeguarding Framework* (as agreed by Commonwealth, State and Territory Ministers at the meeting of the Standing Council on Transport and Infrastructure on 18 May 2012)
- *Avalon Airport Master Plan* (Avalon Airport Australia Pty Ltd, 2015)
- *Avalon Airport Strategy* (Department of Business and Employment/Aerospace Technologies of Australia, 1993) and its associated Aircraft Noise Exposure Concepts
- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*

18.02-7R

09/12/2021
VC204

Melbourne Airport

Strategies

Protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation.

Ensure any new use or development does not prejudice the optimum usage of Melbourne Airport.

Policy documents

Consider as relevant:

- *Melbourne Airport Master Plan 2018* (Australia Pacific Airports (Melbourne) Pty Ltd)
- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*

INFRASTRUCTURE

Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

Planning should ensure that the growth and redevelopment of settlements is 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.

Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.

Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

19.01

31/07/2018
VC148

ENERGY

19.01-1S

31/07/2018
VC148

Energy supply

Objective

To facilitate appropriate development of energy supply infrastructure.

Strategies

Support the development of energy facilities in appropriate locations where they take advantage of existing infrastructure and provide benefits to industry and the community.

Support transition to a low-carbon economy with renewable energy and greenhouse emission reductions including geothermal, clean coal processing and carbon capture and storage.

Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.

19.01-2S

03/08/2021
VC206

Renewable energy

Objective

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

Strategies

Facilitate renewable energy development in appropriate locations.

Protect energy infrastructure against competing and incompatible uses.

Develop appropriate infrastructure to meet community demand for energy services.

Set aside suitable land for future energy infrastructure.

Consider the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

Recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year.

Policy documents

Consider as relevant:

- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, July 2021)
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, July 2021)

19.01-2R

31/07/2018
VC148

Renewable energy - Metropolitan Melbourne

Strategy

Facilitate the uptake of renewable energy technologies on a site-by-site and neighbourhood level during the master planning of new communities and in green wedge and peri-urban areas.

19.01-3S

31/07/2018
VC148

Pipeline infrastructure

Objective

To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.

Strategies

Plan for the development of pipeline infrastructure subject to the *Pipelines Act 2005*.

Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

Plan new pipelines 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.

Provide for environmental management during construction and on-going operation of pipeline easements.

19.02

31/07/2018
VC148

COMMUNITY INFRASTRUCTURE

19.02-1S

31/07/2018
VC148

Health facilities

Objective

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

Strategies

Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.

Plan public and private developments together, where possible, including some degree of flexibility in use.

Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.

Provide adequate car parking for staff and visitors of health facilities.

19.02-1R

31/07/2018
VC148

Health precincts - Metropolitan Melbourne

Strategies

Facilitate health and community wellbeing precincts through the co-location of:

- Hospitals, allied health services and not-for-profit health providers at the regional level.
- General practitioners, community health facilities, allied health services and not-for-profit health providers at the neighbourhood level.

Create health precincts in new suburbs in or close to town centres.

Ensure health precincts are well serviced by community services.

19.02-2S

04/12/2020
VC180

Education facilities

Objective

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

Strategies

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Consider the existing and future transport network and transport connectivity.

Develop libraries as community based learning centres.

19.02-2R

Education precincts - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Ensure education precincts are well serviced by community services.

19.02-3S

31/07/2018
VC148

Cultural facilities

Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies

Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

Establish new facilities at locations well served by public transport.

19.02-3R

Cultural facilities - Metropolitan Melbourne

31/07/2018
VC148

Strategies

Maintain and strengthen Melbourne's distinctiveness as a leading cultural and sporting city with world-class facilities.

19.02-4S

31/07/2018
VC148

Social and cultural infrastructure

Objective

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

Strategies

Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.

19.02-5S

31/07/2018
VC148

Emergency services

Objective

To ensure suitable locations for police, fire, ambulance and other emergency services.

Strategies

Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.

Locate emergency services together in newly developing areas.

19.02-6S

31/07/2018
VC148

Open space

Objective

To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Strategies

Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space 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.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

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.

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, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure 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.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.

19.02-6R31/07/2018
VC148**Open space - Metropolitan Melbourne****Objective**

To strengthen the integrated metropolitan open space network.

Strategies

Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

Ensure major open space corridors are protected and enhanced.

Develop open space networks in growth areas and in the surrounding region of Metropolitan Melbourne, where existing open space is limited and demand is growing, including:

- Cardinia Creek Parklands.
- Cranbourne Regional Park.
- Kororoit Creek Corridor.
- Quarry Hills Regional Park.
- Chain of Parks - Sandbelt.
- Sunbury Regional Park - Jacksons Creek Valley.
- Toolern Creek Regional Park.
- Werribee Township Regional Park.

Create continuous open space links and trails along the:

- Frankston parklands (linking existing parks from Carrum to Mornington).
- Maribyrnong River parklands.
- Merri Creek parklands (extending to Craigieburn).
- Western Coastal parklands (linking Point Gellibrand, Point Cook and Werribee).
- Yarra River parklands (extending from Warrandyte to the Port Phillip Bay).

Provide 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.

Protect the metropolitan water's edge parklands from intrusion and encroachment of development that impacts on open space and their natural landscape setting.

Continue development of the lower Yarra River as a focus for sport, entertainment and leisure.

Support establishing community gardens and productive streetscapes.

Policy documents

Consider as relevant:

- *Linking People and Spaces: A Strategy for Melbourne's Open Space Network* (Parks Victoria, 2002)
- *Maribyrnong River – Vision for Recreational and Tourism Development* (Melbourne Parks and Waterways, 1996)
- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)

19.03

31/07/2018
VC148

DEVELOPMENT INFRASTRUCTURE

19.03-1S24/01/2020
VC160**Development and infrastructure contributions plans****Objective**

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

Strategies

Prepare development contributions plans and infrastructure contributions plans, under the *Planning and Environment Act 1987*, to manage contributions towards infrastructure.

Collect development contributions on the basis of approved development and infrastructure contributions plans.

Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

Policy documents

Consider as relevant:

- *Development Contributions Guidelines* (Department of Sustainability and Environment, 2003 -as amended 2007)
- *Infrastructure Contributions Plan Guidelines* (Department of Environment, Land, Water and Planning, November 2019)
- *Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contributions Plans*
- *Ministerial Direction on the Preparation and Content of Infrastructure Contribution Plans and Reporting Requirements for Infrastructure Contributions Plans*

19.03-2S

09/10/2020
VC169

Infrastructure design and provision

Objective

To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Strategies

Provide an integrated approach to the planning and engineering design of new subdivision and development.

Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

19.03-3S01/07/2021
VC203**Integrated water management****Objective**

To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Strategies

Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.

Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.
- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.

Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Ensure land is set aside for water management infrastructure at the subdivision design stage.

Minimise the potential impacts of water, sewerage and drainage assets on the environment.

Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

Ensure that the use and development of land identifies and appropriately responds to potential environmental risks, and contributes to maintaining or improving the environmental quality of water and groundwater.

Policy documents

Consider as relevant:

- *Water for Victoria - Water Plan* (Victorian Government, 2016)

MANNINGHAM PLANNING SCHEME

- *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)
- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)

19.03-4S

26/10/2018
VC154

Telecommunications

Objective

To facilitate the orderly development, extension and maintenance of telecommunication infrastructure.

Strategies

Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.

Ensure the communications technology needs of business, domestic, entertainment and community services are met.

Ensure that the use of land for a telecommunications facility is not prohibited in any zone.

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

- Increasing and improving access for all sectors of the community 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.

Ensure a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

Policy documents

Consider as relevant:

- *Telecommunications Facilities - A Code of Practice for Telecommunications Facilities in Victoria* (Department of Sustainability and Environment, 2004)

19.03-4R

26/10/2018
VC154

Telecommunications - Metropolitan Melbourne

Strategy

Support the provision of high-quality telecommunications infrastructure in Melbourne's employment, urban renewal and growth areas through early planning for fibre-ready facilities and wireless infrastructure.

19.03-5S01/07/2021
VC203**Waste and resource recovery****Objective**

To reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.

Strategies

Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste and maximise opportunities for resource recovery.

Protect waste and resource recovery infrastructure against encroachment from incompatible land uses by ensuring buffer areas are defined, protected and maintained.

Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

Encourage technologies that increase recovery and treatment of resources to produce energy and other marketable end products.

Enable waste and resource recovery facilities to locate close together in order to share separation distances, reduce the impacts of waste transportation and improve the economic viability of resource recovery.

Site, design, manage and rehabilitate waste disposal facilities to prevent or minimise contamination of groundwater and surface waters, litter, odour, dust and noise.

Integrate waste and resource recovery infrastructure planning with land use and transport planning.

Encourage development that facilitates sustainable waste and resource recovery.

Policy guidelines

Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents

Consider as relevant:

- *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria, 2015)
- *Metropolitan Waste and Resource Recovery Implementation Plan* (Metropolitan Waste and Resource Recovery Group, 2016)
- *Management and storage of combustible recyclable and waste materials - guideline* (Publication 1667.3, Environment Protection Authority, October 2018).
- *Best Practice Environmental Management Guideline (Siting, Design, Operation and Rehabilitation of Landfills)* (Environment Protection Authority, 2001)
- *Victorian Organics Resource Recovery Strategy* (Sustainability Victoria, 2015)
- *Designing, Constructing and Operating Composting Facilities* (Publication 1588.1, Environment Protection Authority, June 2015)
- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)

LOCAL PLANNING POLICY FRAMEWORK

This section sets out the Municipal Strategic Statement and the Local Planning Policies that apply to the area covered by this planning scheme, and includes provisions about their operation.

MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) has been developed as the overall land use strategy for Manningham City Council. The MSS is to be read in conjunction with the Council Plan, which provides the overall corporate direction for the municipality.

Clause 21.01 contains a brief **introduction** about the role of the Municipal Strategic Statement and acknowledges Manningham's commitment to sustainability.

Clause 21.02 provides a brief **profile** of the municipality.

Clause 21.03 identifies the **key influences** for land use and development in the City.

Clause 21.04 contains the **vision** for the City based on the Council Plan. Manningham's vision for future land use planning and development is expressed in a number of **key land use themes** being Residential, Low Density, Green Wedge and Yarra River Corridor, Industrial, Activity Centres and Commercial Areas, Ecologically Sustainable Development, Heritage, Infrastructure, Open Space and Tourism and Community Health and Well-being. It also contains a Strategic Overview Framework Plan.

Clause 21.05 contains Council's **residential objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.06 contains Council's **low density objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.07 contains Council's **green wedge and Yarra River corridor objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.08 contains Council's **industrial objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.09 contains Council's **activity centres and commercial areas objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.10 contains Council's **ecologically sustainable development objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.11 contains Council's **heritage objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.12 contains Council's **infrastructure objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.13 contains Council's **open space and tourism objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.14 contains Council's **community health and well-being objectives and strategies** and describes the way in which these strategies will be achieved.

Clause 21.15 describes the manner in which Council will **monitor and review** the performance of the Manningham Planning Scheme.

Clause 21.16 provides a comprehensive list of Council's **reference documents** contained within the Municipal Strategic Statement.

21.0102/10/2008
C52**INTRODUCTION**

The Municipal Strategic Statement (MSS) sets out the strategic policy objectives of Council and also seeks to further the legislative and policy objectives of planning in Victoria to the extent that they are applicable to Manningham.

The Victoria Planning Provisions establish the State Planning Policy Framework (SPPF) which the Council is required to take into account and to give effect to in the planning and administration of its municipal area. This Policy framework requires Council to balance conflicting objectives in favour of net community benefit and sustainable development.

It deals with matters affecting land use and development including:

- Principles of land use and development planning
- Settlement
- Environment
- Management of resources
- Infrastructure
- Economic well-being
- Social needs
- Regional co-operation

All of these objectives, and the strategies for achieving them, are addressed in the MSS. They are set within a framework of sustainability consistent with the objectives of planning in Victoria and the Council Plan prepared by Manningham City Council.

This statement is based on the principles of sustainability as defined by the Federal Government in its 1992 National Strategy for Ecologically Sustainable Development.

Sustainable land use and development in Manningham's view means:

Using, conserving and enhancing the community's resources so that ecological processes on which life depends are maintained, and the total quality of life now and in the future can be increased.

There are two features in particular which distinguish a sustainable, or more importantly, an ecologically sustainable, approach to development. They are:

- A need to consider, in an integrated way, wider economic, social and environmental implications of decisions and actions for Australia, the international community and the biosphere.
- A need to take a long term, rather than a short term, view when making these decisions and taking these actions.

Through the MSS, Manningham commits to and seeks to foster a belief that to promote the orderly and proper use, development and protection of land, all planning decisions must take into account and address all relevant economic, social and environmental considerations.

21.01-102/10/2008
C52**A sustainable Manningham**

The City of Manningham is committed to moving towards a sustainable future, to ensure that our children and grandchildren inherit a tomorrow that is at least as good as today, and preferably better. Many of our lifestyle's impacts are hidden so we do not have a proper understanding of the damage caused by our communities or their unsustainable practices. Manningham cannot solve the world's problems, but it is possible to move towards making our own local area operate far more sustainably and in so doing influence communities beyond our boundaries.

Sustainability will not be reached tomorrow. However, with a clear vision and goals the path towards sustainability becomes easier. Manningham will not become sustainable solely as a result of the planning scheme. We must draw on resources within the community - ideas, partnerships

and networks because it is only through community involvement and ownership that we can achieve positive results. Manningham's Council Plan acknowledges the role education and incentives must play, allied with controls and other provisions.

This MSS helps to further provide a framework for integrated decision making and is structured around ten key focus areas:

- Residential
- Low Density
- Green Wedge and Yarra River Corridor
- Industrial
- Activity Centres and Commercial Areas
- Ecologically Sustainable Development
- Heritage
- Infrastructure
- Open Space and Tourism
- Community Health and Well-being.

This MSS will also help to create a healthy and vital community, environment and economy to support our lives and lifestyles. The MSS aims to create a better place to live, visit and work for all our present and future citizens.

21.01-2

02/10/2008
C52

An integrated policy approach

The MSS draws on the principles of the Council Plan and links with the budget process. It also provides a local application of State policies and is the basis for local planning policies. Manningham City Council will continue to develop partnerships with the local community, other Councils, the State Government and regional organisations so that all the relevant policies are implemented more effectively and for the environmental, economic and social well-being of Manningham.

21.0221/02/2013
C54**21.02-1**21/02/2013
C54**MUNICIPAL PROFILE****Overview**

Manningham City Council was created on 15 December, 1994 by the addition of Wonga Park to the former City of Doncaster and Templestowe and the excision of an area located in North Ringwood. The City is located 12 kilometres east of Melbourne's Central Activities District (CAD), and covers 114 square kilometres.

The municipality lies within the hydrological catchments of the Port Phillip and Western Port region. The City of Manningham begins at the confluence of the Yarra River and Koonung Creek, which form the natural boundaries of the municipality, with the Yarra River to the north and the Koonung Creek to the south. It is divided by the Mullum Mullum Creek into two distinct topographic and land-use areas. Land to the west is highly urbanised, whilst land to the east is primarily semi-rural in character.

The liveability of the City is an amalgam of high environmental standards, a diverse range of high quality residential environments, natural and scenic resources and a broad range of leisure opportunities, particularly recreation, entertainment, culture and art.

Residential development is largely focussed in areas west of the Mullum Mullum Creek and includes the suburbs of Bulleen, Templestowe, Doncaster, Doncaster East, Donvale and Lower Templestowe. Within these areas the original vegetation was largely removed for orchards and agricultural use but is now replaced by a new tree canopy of maturing gardens that contributes to the character of these suburbs. Residential areas located to the east of the Creek comprise the Warrandyte township and part of Wonga Park township. The Warrandyte township has high environmental and landscape values which add to its bushland character.

Within these residential neighbourhoods are a network of activity centres, commercial strips and industrial areas providing a focus for employment opportunities. As defined by *Melbourne 2030*, the network of activity centres in Manningham currently comprises a Principal Activity Centre (Doncaster Hill), a Major Activity Centre (The Pines, East Doncaster) and ten Neighbourhood Activity Centres (Donburn, Tunstall Square, Jackson Court, Templestowe Village, Macedon Activity Centre, Bulleen Plaza and Doncaster East / Devon Plaza Activity Centre, Park Orchards, Warrandyte township and Warrandyte Goldfields). There are also a number of local activity centres and other commercial areas throughout the municipality. Additionally, there are three industrial areas located in Bulleen, Templestowe and Doncaster which are predominantly used for light industrial purposes such as motor vehicle servicing, building and construction services and printing services.

The State Government introduced the Urban Growth Boundary (UGB) around the edge of Melbourne in October 2002. All land in Manningham located outside the UGB became part of a green wedge. Manningham's Green Wedge area is located to the east of the Mullum Mullum Creek and comprises the township of Wonga Park and parts of Park Orchards and Warrandyte, which display distinctive visual and landscape qualities. Rolling open grazing land, densely wooded areas and pleasant rural-residential environments offer lifestyle opportunities for people who seek to live in these semi-rural surroundings, close to the CAD and other urban services and facilities. Agricultural activity within Manningham's Green Wedge is relatively low and accounts for only about 6% of the total land area. Agricultural activities in Manningham generally include the use of land for orchards and more recently vineyards and hydroponics.

The municipality contains significant areas of remnant indigenous vegetation that have been identified, mapped and classified into 35 Sites of Biological Significance (Biosites). The Biosites have been ascribed national, state or regional biological significance according to the *Manningham City Council Sites of (Biological) Significance Review (2004)*.

Manningham's Biosites support a diverse range of indigenous flora, fauna and ecological vegetation communities, many of which are considered rare or threatened.

The Biosites support the majority of Manningham's biodiversity and are known as Manningham's 'Core Conservation Areas'. Areas of vegetation of the highest quality within these Core Conservation Areas have been identified as 'Critical Conservation Areas'

Some areas of remnant vegetation have been classified as important 'buffer habitat', supporting the quality and function of the Biosites. The buffer habitat and Biosites define the most important areas of biodiversity within the municipality.

Areas within the municipality are susceptible to threat from wildfire, flooding and landslip due to the combination of undulating topography, vegetation cover and waterway catchment systems, which has the potential to significantly affect public safety and result in property loss.

21.02-2

21/02/2013
C54

Regional context

Manningham is part of Melbourne's Eastern Region. It is bounded by the City of Banyule and the Shire of Nillumbik to the north, the Cities of Whitehorse, Maroondah and Boroondara to the south and the Shire of Yarra Ranges to the east.

Regional influences on Manningham provide a broader context for the future direction of land use and development and for future decision making by Council. There are a number of land use issues that have importance beyond the boundaries of the municipality. Key regional influences, opportunities and issues are outlined below.

Port Phillip and Western Port catchments

The municipality lies within the hydrological catchments of the Port Phillip and Western Port region. The Yarra River, Mullum Mullum Creek, Koonung Creek, Jumping Creek and Andersons Creek are important waterways forming part of a larger regional network offering biodiversity conservation, open space and recreational opportunities. The Yarra River catchment is a major environmental, recreational, cultural and tourist resource within the region.

Biodiversity

Despite the heavy destructive toll on vegetation from past land use in the region, just over one third (37.5%) of the municipality's indigenous vegetation (or habitat) remains, mainly east of the Mullum Mullum Creek, in Manningham's Green Wedge.

This indigenous vegetation straddles two 'Bioregions'; Highlands – Southern Fall and Gippsland Plains, with the Mullum Mullum Creek roughly representing the boundary.

The *Manningham Sites of (Biological) Significance (SOS) Review (2004)* mapped the indigenous vegetation of the municipality and identified 35 Biosites – sites of biological significance. It ascribed them National (6 biosites), State (23 biosites) or Regional significance (6 biosites). Furthermore the SOS Review identified that a significant proportion of species in Manningham are threatened at the regional, state and national level. About 15% of our vertebrate fauna listed as rare or threatened at the State or National level.

Manningham's vegetation, flora and fauna fulfil the vital regional role of providing and maintaining ecosystem functions. These functions are sometimes referred to as "ecosystem services" and include services such as the maintenance of atmosphere and climate; filtration and purification of water and maintenance of soil fertility and structure.

Additionally Manningham's indigenous vegetation also has an important habitat corridor function for the region in facilitating movement of wildlife, seeds and pollen across the landscape.

Open space

Manningham has one of the largest networks of parks and public open space in metropolitan Melbourne and forms part of a major network of open space. Waterways in the municipality (including the Yarra River, Mullum Mullum Creek and Koonung Creek) form part of a larger regional network of open space, which provide recreation opportunities and include areas of significant environmental value. The open space network comprises a range of parks, gardens and

reserves that provide opportunities for active and passive recreation pursuits and for environmental conservation. A number of these sites form part of the green wedge and Yarra River corridor and consist of highly valued sites of biological significance.

Transport infrastructure

Major traffic movements in Manningham are in a north-south and east-west direction. The Eastern Freeway connects Manningham to Melbourne's CAD. With no rail based public transport within Manningham, significant importance is placed on improving and upgrading the road network, bike paths and pedestrian networks and the on-road public transport system, including buses. The Eastern Freeway extension between Springvale Road and the Ringwood Bypass (EastLink) opened in June 2008.

Cultural and linguistic diversity

The region has a strong ethnic and cultural diversity that can be linked to the post-European settlement in the area. The most significant numbers of immigrants include members of the German, Italian and Greek communities and more recently, immigrants from Asian countries. Influences on Manningham's settlement include orcharding, and gold mining in the Warrandyte area. The multicultural background of the community has influenced and generated the cultural, religious and economic life within Manningham and the region.

The region also has strong links with traditional aboriginal culture. The inter-relationship of the Wurundjeri tribe with the Yarra River and the Upper Yarra Valley occurs within Manningham and well beyond its boundaries.

Heritage

Heritage buildings, precincts, trees and landscapes contribute to the distinctive character of the region and play an important role in the community by providing historic continuity and a sense of place. Manningham is historically significant for its surviving evidence of early European settlement, the discovery and subsequent mining of gold, its German and Italian communities, the surviving evidence of orcharding practices and the surviving views and places associated with artists. Its architectural significance derives from its sequence of planned settlements illustrating the history of urban design, the local Warrandyte building style, women designers and builders, significant project houses, contemporary architectural design and energy-efficient innovation. Strengths and opportunities in the region include historic precincts such as the Warrandyte township, the Yarra River and the interpretation of local aboriginal heritage and archaeological sites. A number of heritage sites are of national, state and regional significance.

Tourism

Links to the CAD, the Yarra Valley and Dandenong Ranges provide key opportunities for the development of tourism in the region. Strengths within the region include wineries, historic precincts, open spaces, and the natural environment including the Yarra River and the arts. The historical association with art within Melbourne's Valley of the Arts region is a significant tourism feature. Manningham's key attractions include the Museum of Modern Art at Heide (MOMA), Mia Mia Aboriginal Art Gallery and Café, Heidelberg School Artists Trail, Warrandyte township, Petty's Orchard, Main Yarra Trail and Schramms Cottage.

Retailing sector

Regional scale retail, commercial and entertainment facilities are provided at Doncaster, Greensborough, Ringwood, Box Hill and the CAD. The retail and wholesale trade sector is one of the largest providers of employment by industry in Manningham and within the region.

Education and community facilities/services

Manningham is close to a number of tertiary institutions in city and suburban locations, which provide employment and further education opportunities. The municipality offers social and cultural opportunities and community services which attract people from the broader regional context.

Workforce quality and supply

Businesses in the inner and outer eastern regions of Melbourne have a plentiful supply of highly skilled workers. Economic benefits are derived from the prosperous regional economy of Melbourne's inner and outer eastern suburbs.

Changing demographics

The geographical pattern of demand for goods and services will change as population change occurs in the inner east and outer eastern suburbs. Population increases and ageing in the inner east may lead to changing demands for the region's resources. Regional and local infrastructure and community services need to reflect the changing demographics of the region.

21.02-3

02/10/2008
C52

People

Population

Manningham has an estimated resident population of approximately 115,702 (as at 30 June 2006). The average annual growth rate between the 2001 and 2006 was 0.3%, an addition of 1,809 residents to the municipality during that time (ABS 2006 Estimated Resident Population).

Population projections

It is projected that by 2031, Manningham will have an estimated resident population of 136,300 people. It is anticipated that an additional 20,600 people will take residence in Manningham between 2006 and 2031 (forecast.id).

Households

In 2006, Manningham's population was made up of approximately 40,642 households. The average household size was 2.81 persons. Over 52% of the municipality's households consist of couples with children. Couples without children account for over 34% of Manningham's household type, while approximately 16% of all households consist of lone persons (ABS, 2006).

During the 2001-2006 census period, growth occurred primarily in the smaller household types, (i.e. couples without children and lone person households). Between 2001 and 2006 there was an increase in lone person households of approximately 820 compared to the increase of family households of approximately 350 (ABS, 2006).

An additional 11,000 households have been projected for the City of Manningham. This is based on the Eastern Region's need to provide for an additional 91,000 households by 2031. While an increase in the number of households is projected, a decrease in the average household size to 2.4 persons is anticipated (Eastern Regional Housing Statement, April 2006).

Age structure

In 2006, 22% of Manningham's residents were aged 35-49 years, 13.8% were aged 50-59 years and 10.6% were aged 15-24 years. 22.5% of residents were aged 60 years and over. Demographic trends indicate that the greatest change in Manningham's age structure will be the increase in the ageing population (ABS, 2006). It is projected that by 2031, 38,292 of Manningham's population will be aged 60 years or more. This equates to 28% of the population being aged 60 years or more (forecast.id).

By 2031 there is expected to be a significant increase in the percentage of persons aged 70 years and over.

Cultural and linguistic diversity

Manningham has a culturally and linguistically diverse population with over one-third (34%) of Manningham residents born outside of Australia. People from over 130 countries have settled here with the largest proportion of Manningham's population born in China (4.2%), Italy (3.6%), United Kingdom (3.3%), Greece (3.1%), Hong Kong (2.6%) and Malaysia (2.4%) (Australian Bureau of Statistics 2006).

A large proportion of residents, 36.1%, speak a language other than English at home. The most common languages spoken are Cantonese, Greek, Italian and Mandarin. According to the 2006 census, Manningham has the 6th highest proportion of persons born overseas and has the 8th highest proportion of people who speak Languages other than English,

Education

The Manningham community is more highly skilled and educated than the Melbourne average. There are 25 preschools, 24 primary schools, 7 secondary schools and 3 special schools in Manningham. While there are no tertiary institutions in Manningham, almost one-quarter (24.1%) of Manningham's population is accredited with a Bachelor degree or higher. A further 9.4% of residents have an advanced diploma or diploma.

Workforce

The City of Manningham has over 50,000 working residents. Of these employed residents, 59% work full-time and 34% work part-time. Manningham residents are primarily working in the wholesale and retail trade (22.7%), finance, insurance and business services (20%) education, health and community services (18.8%) and manufacturing (13.5%).

While just over 20% of Manningham's residents work in the municipality, almost one fifth (16.5%) travel to the City of Melbourne for work. A significant number also travel to the Cities of Whitehorse, Boroondara and Yarra for employment.

In terms of unemployment, Manningham's rate is 4.6% which has dropped slightly since the 2001 census (4.6%) and is now similar to the Melbourne metropolitan unemployment rate of 5.4%.

Income

Individual income is one of the most important indicators of socio-economic status. In comparison to the Melbourne Statistical Division, Manningham has a greater proportion of persons earning a high income (those earning \$1000 per week or more) but a similar proportion of persons on a low income (those earning less than \$400 per week). Overall, 21.4% of the population earned a high income, and 41.3% earned a low income, compared with 18.7% and 40.3% respectively for the Melbourne Statistical Division.

Health status

The Manningham Health Status Profile (Manningham City Council 2003) indicates that Manningham residents are some of the healthiest and longest-lived people in Victoria. Life expectancy for males is the highest of any local government area at 80.6 years compared to 77.4 for Victoria, and for women it is also the highest at 84 years compared to 82.7 years for the State.

According to the 1998 Australian Bureau of Statistics National Survey of Disability, Ageing and Carers, an estimated 19% of the Australian population, 18% of the Victorian population and 14% of the City of Manningham population have a disability.

Manningham population forecasts indicate that the proportion of residents aged 60 and over will increase significantly over the next 20 years, thus there is likely to be an increase in the demand for medical and associated health support services.

21.02-402/10/2008
C52**Housing**

Most housing stock in Manningham is approximately 40 years old. The housing stock varies from weatherboard dwellings in the older suburbs through to larger modern brick homes in the prestige sector of the housing market. Older housing stock is generally located in the suburbs of Bulleen, Templestowe, Lower Templestowe, Doncaster and parts of Doncaster East. Areas of newer housing and infill developments are occurring in the established urban areas of the municipality, west of the Mullum Mullum Creek.

Dwellings in the established urban areas (approximately 3462 ha) are a mix of single-storey weatherboard and single and double-storey brick veneer detached houses. Medium and higher density housing is generally located close to the activity centres, particularly within and around the Doncaster Hill Activity Centre. This trend is expected to continue.

Housing in the green wedge areas to the east of Mullum Mullum Creek generally comprises well-appointed dwellings on rural-residential allotments ranging from 3ha to 40 ha. The township of Warrandyte consists of smaller allotments ranging from 750m² to 1,250m². Low density development (approximately 2136 ha) is characteristic of housing in the township of Wonga Park, areas of Park Orchards and Donvale, which consist of allotments which are generally no smaller than 0.2 ha.

21.02-502/10/2008
C52**Arts and culture**

The Heide Museum of Modern Art (MOMA), Council's Manningham Gallery, Mia Mia Gallery and the Heidelberg School Artists Trail contribute significantly to the art and cultural focus in the municipality.

Community facilities such as the function centre located at the Council Offices and the Living and Learning Centres provide focal points for learning and a range of social activities for residents. Social clubs, associations, community groups, ethnic and cultural groups provide important networks and cater for the social, cultural and recreational needs of the community.

21.02-602/10/2008
C52**Heritage**

The municipality contains a range of heritage buildings, precincts, trees and landscapes of national, state, regional, local and contributory significance. The cultural heritage of the community will be protected by the retention of these places. They are recognised by the application of heritage overlay controls to ensure that the historical fabric is retained and enhanced and that any development does not significantly alter the character of existing buildings, precincts, trees, landscapes and sites of archaeological significance.

21.02-702/10/2008
C52**Tourism**

Manningham's key tourist and recreational assets attract both local and metropolitan visitors. The majority of visitors to the area come for one day and those that stay are often visiting friends and relatives. Key tourist product strengths include the natural environment, open space, arts, culture, heritage and activity centres. Attractions include the historic township of Warrandyte, Heide Museum of Modern Art (MOMA), Mia Mia Aboriginal Art Gallery and café, Westerfolds Park, Templestowe Village café and restaurant precinct, local wineries, Petty's Orchard, Heidelberg School Artists Trail, Main Yarra Trail, Mullum Mullum Creek, Bolin Bolin Cultural Landscape Trail, Schramms Cottage and Ruffey Lake Park.

21.02-802/10/2008
C52**Business and commerce**

Manningham has a thriving business community with approximately 16,000 businesses trading in the City, of which 80% are small businesses. More than one-third of all businesses are home occupations.

Most jobs are generated by activities such as retailing, building and construction, tourism, business management, school education and personal services.

21.02-9

02/10/2008
C52

Retailing

With over 60 ha (216,452m² of retail floor space - Gross Leasable Floor Area) of land zoned for retail purposes, retailing is a key component of the Manningham economy. It comprises more than 40 local shopping centres. As defined by *Melbourne 2030*, the network of activity centres in Manningham currently comprises one Principal Activity Centre (Doncaster Hill), one Major Activity Centre (The Pines, East Doncaster) and ten Neighbourhood Activity Centres (Donburn, Tunstall Square, Jackson Court, Templestowe Village, Macedon Activity Centre, Bulleen Plaza, Doncaster East Activity Centre including Devon Plaza, Park Orchards, Warrandyte Township and Warrandyte Goldfields). There are also a number of local activity centres and small shopping strips throughout the residential areas of the municipality.

A number of large national retailers are located within the municipality. Over 12,000 people are employed in the wholesale and retail trade sector.

21.02-10

02/10/2008
C52

Industry

There is approximately 19ha of land zoned for industrial purposes. Industry comprises small scale, light industries in older established areas and some newer small scale industrial estates. There is limited potential for industrial development with a lack of vacant land available. There are three industrial areas located in Bulleen, Doncaster and Templestowe, predominantly used for light industrial purposes. Key light industries include printing services, motor vehicle servicing, building and construction services.

It is envisaged that industrial uses within Doncaster Hill will be phased out over time as the area is developed for higher density living.

21.02-11

02/10/2008
C52

Open space and recreation

The municipality has over 19.8 square kilometres of open space representing over 17% of the area of the municipality. The open space network is divided fairly evenly between the east (53%) and west (47%) of the municipality. The open space network comprises over 300 separate parks, gardens and reserves. It is the range and quality of open space opportunities that sets the municipality apart. In particular, the Yarra Valley and its tributaries are the focus of the open space network, providing opportunities for active and passive recreation pursuits and for environmental conservation.

There are seven main waterways in the municipality including the Yarra River, Mullum Mullum Creek, Koonung Creek, Andersons Creek, Brushy Creek, Jumping Creek and Ruffey Creek. Major open space areas include Ruffey Lake Park, Westerfolds Park, Mullum Mullum Creek Linear Park, Warrandyte State Park, Currawong Bush Park and The 100 Acres.

Major sporting facilities include the Eastern Golf Club, Bulleen Park (archery, sporting ovals), Rieschiecks Reserve (athletics) and Buck Reserve. The municipality has a developing network of bicycle paths, walking trails and horse riding trails.

21.02-12

02/10/2008
C52

The natural environment and biodiversity

The natural environment and its biodiversity is one of the municipality's most significant assets. Biodiversity is "...*the variety of all life forms: the different plants, animals and micro-organisms, their genes and the ecosystems of which they are part.*" (Australian Government, Environment Australia website)

Existing remnant indigenous vegetation in Manningham contains and supports the majority of the municipality's biodiversity. Approximately 37.5% of land in Manningham still supports remnant indigenous vegetation, mainly on private land. Much of this land is within Manningham's Green

Wedge area, however there is also significant indigenous vegetation and habitat outside the green wedge area and along the Yarra River corridor. Conservation and management of environmental assets are necessary so that the total quality of life we enjoy now and in the future can be increased.

Remnant vegetation of varying significance occurs throughout the green wedge and Yarra River corridor areas, contributing to the 'bush character'. The more substantial remnants are generally associated with the major waterways (Yarra River, Mullum Mullum Creek, Andersons Creek, Jumping Creek and Brushy Creek). These waterways provide a vital function as wildlife corridors for movement of fauna (and flora) within and across the municipality.

Manningham's Green Wedge (approximately 4322ha) is land located outside the Urban Growth Boundary (UGB) and generally east of the Mullum Mullum Creek as shown on the Manningham Planning Scheme maps. It largely includes the suburbs of Park Orchards, Warrandyte and Wonga Park. Additional tracts of privately owned land are located within the Yarra River corridor and are also significant for their high environmental and landscape values and rural-residential uses. The green wedge and Yarra River corridor areas provide a semi-rural lifestyle choice with significant landscape and environmental values. Major land uses include rural-residential living, conservation, some agricultural enterprises (viticulture and grazing) and hobby farms.

Significant areas of the municipality are subject to environmental hazards including wildfire, flooding and landslip. The use and development of land should aim to minimise the risks associated with these environmental hazards.

21.02-13

02/10/2008
C52

Transport and infrastructure

Major arterial road networks in the municipality provide access to the eastern region, with the Eastern Freeway providing access to the Melbourne CAD. Major north-south road linkages include Elgar Road, Tram Road, Williamsons Road, Thompsons Road, Blackburn Road, Springvale Road and Jumping Creek Road.

There is also a network of cross-municipality roads, including Doncaster Road and Warrandyte Road. Residents are highly dependent on car travel. Motor vehicle ownership is higher than the Melbourne average. Nearly a quarter of all households have three or more vehicles.

Public transport in Manningham is supported by road-based bus and taxi services with no rail based public transport system. Westfield Doncaster, The Pines Activity Centre and Doncaster's Park and Ride Facility (at the corner of Hender Street and Doncaster Road) are Manningham's public transport hubs.

In addition, there are 13 bicycle tracks (off road) and 21 designated walking trails in Manningham.

KEY INFLUENCES

This MSS has been based on the principles of sustainability as defined by the Australian Government in its 1992 National Strategy for Ecologically Sustainable Development. The development of the Manningham Planning Scheme has been strongly guided by Council's understanding of critical land uses, which are likely to challenge Manningham's future growth and sustainable development. An outline of the critical land use issues, which are likely to challenge Manningham's future growth and sustainable development, is provided below. The objectives, strategies and implementation actions, which respond to these issues, are contained in Clauses 21.05 to 21.14.

Commitment to sustainability

Manningham's commitment to sustainability is consistent with the Council Plan and links to Council's Environment Management System (EMS). The MSS will focus on developing locally relevant, achievable land use strategies. These strategies will assist in tackling global issues to produce a city which is a pleasant place to live and is environmentally, economically and socially sustainable.

Biodiversity Conservation and Sustainable Land Management

Critical issues underpinning Manningham's commitment to sustainable development are conserving our biodiversity and ensuring sustainable land management.

Manningham's Sites of (Biological) Significance Review (2004) found that only a little over a third of the municipality's indigenous vegetation now remains. Of that remaining, one third has degraded to such an extent that it is essentially a thin cover of eucalypts with very little indigenous understorey. Much of the balance is at risk of decline – this decline in extent and condition is occurring at an alarming rate. The Review estimated that if the current rate of decline continues, at least one quarter of the municipality's remaining bushland will disappear by 2030.

The key threatening processes identified as driving the on-going decline are vegetation clearance (resulting from subdivision and other development), overgrazing by stock (particularly horses), pest plant and animal invasion, changes in burning regimes, soil erosion and changes in sub-catchment hydrology and climate change. These threats contribute directly and indirectly to the loss of local biodiversity by impairing ecological processes, resulting in habitat loss and fragmentation and local species extinction.

Manningham is committed to sustainable land management and the long-term aim of halting and reversing this trend of species loss and a decline in habitat extent and condition. Manningham supports and will actively contribute to the goal of Net Gain. There is ongoing need to ensure that land use, development and land management practices protect and enhance soil, water and air quality, native flora and fauna and other biodiversity attributes.

Manningham's Green Wedge area

The State Government introduced the Urban Growth Boundary (UGB) around the edge of Melbourne in October 2002. All land in Manningham located outside the UGB became part of a green wedge.

Manningham is committed to protecting and enhancing the existing character, landscape quality and other natural environmental values of the green wedge area in an equitable and sustainable manner. Manningham's Green Wedge will continue to be protected from pressure for further subdivision or more intensive urban development. Issues affecting this area include the management of private land, the interface between the urban and green wedge areas and sites of biological significance. The sustainable management of the green wedge area is one of the largest challenges facing the City.

Future housing needs

An ageing population coupled with the trend toward smaller family structures dominates Manningham's population and dwelling forecasts. This general trend toward smaller household size will lead to an imbalance between the housing needs of the population and the available housing stock.

Single detached dwellings will continue to represent the largest proportion of Manningham's housing stock. In the future there will be an increase in the number of medium and high density residential developments.

Residential development that consolidates the role of established urban areas and reduces pressure for development in more sensitive locations will be encouraged. Higher density housing in close proximity to activity centres, major roads and transport routes, that address changing demographic needs will be encouraged.

Managing change within the residential areas in an innovative and sensitive way is a key challenge facing Council. The implementation of a balanced housing strategy which integrates current and future housing needs, changing socio-demographic patterns, neighbourhood character and protection of significant landscapes and environmentally sensitive areas will continue to form the basis of Council's approach to this issue.

The *Manningham Residential Strategy (2002)* is a key policy document that seeks to direct the provision of housing and manage the level of change in a manner which will best serve the interests of the municipality in terms of accommodation needs, built form and environmental outcomes.

Residential amenity

Increasing pressure for redevelopment, consolidation, medium and higher density housing, raises issues about how these changes affect the character and amenity of our local neighbourhoods. In meeting future housing needs the challenge is to provide for residential redevelopment in appropriate locations, to reduce pressure for development in more sensitive areas, in a manner that respects the residential character and amenity valued by existing residents.

Heritage

The significance, value and contribution to the character of heritage places should be considered in the planning process. Where possible, new developments and changing land uses should be sympathetic to the character of existing heritage assets. Ongoing encouragement is required to assist private owners to conserve heritage places where possible, so that they are kept for future generations to appreciate. Opportunities to promote and enhance links with traditional aboriginal culture exist, with a focus on the Wurundjeri tribe.

Transport

The upgrading and management of the road network and public transport network must improve safety, access, mobility and minimise adverse environmental impacts.

There is a need to:

- progressively upgrade roads in a sustainable manner
- encourage major traffic movements to the arterial roads to minimise traffic intrusion in local areas
- ensure road construction and management decisions reflect a balance of social, economic, land-use and environmental priorities
- ensure that the design of roads and associated services complements the visual and environmental values of significant roadside reservations
- enhance public transport networks and ensure road development is integrated with other road users

- ensure that adopted road layouts contribute to and enhance the sense of place and are consistent with Council's urban design and streetscape strategies
- ensure that Integrated Transport Plans are prepared for all major developments.

Doncaster Road

The challenge following the Eastern Freeway extension is to transform Doncaster Road's identity into a tree-lined boulevard by enhancing and improving the streetscape, pedestrian and residential environment. Past high traffic volumes and congestion have caused a loss of residential amenity, an increase in the number of non-residential uses and pressure to re-zone land for commercial purposes.

There is an ongoing need to enhance Doncaster Road's pedestrian amenity, visual character and local identity as well as consolidate, promote and enhance activity centres along its length.

Yarra River environs

Manningham is committed to protecting and managing the Yarra River and its environs. The Yarra River and environs are a significant focus for open space and recreation, cultural, tourism, landscape and visual interest. Council's future management of its waterways will continue to give priority to initiatives which offer the potential to enhance indigenous flora and fauna habitats, improve water quality and maintain its flood storage capacity. There is a need to continue to improve management of urban stormwater, land use and resources through integrated catchment planning.

Waterlogging and flooding in low lying areas along the Yarra River limit development opportunities and restrict land uses. Urbanisation in these areas significantly increases the potential for rapid run off of rainfall from storms.

Drainage and sewerage

There is a need to ensure that drainage infrastructure is upgraded to provide a safe, efficient system which minimises impacts on environmental and visual values of land. Monitoring and improving the performance of the on-site treatment and disposal of sewerage, sullage and effluent will continue to be a challenge for Council in areas without reticulated sewerage systems. Initiatives, which improve the management of water quality and catchments, including the implementation of the *Stormwater Management Plan* (2001), will continue to be a high priority.

Retailing and activity centres

Initiatives which promote the economic well-being of the principal, major, neighbourhood and local activity centres as the commercial and social focus for the local community, will be of a high priority.

Changing shopping patterns and competition from larger centres, including the regional centres of Doncaster Shoppingtown, Greensborough, Ringwood and Box Hill will influence the viability of neighbourhood and local shopping centres.

Activity centres will be developed as centres for business, shopping, working and leisure. They will also be important locations for the development of different types of housing, including forms of higher density development. It is vital to consolidate development of commercial activities within existing activity centres to reinforce the existing retail hierarchy and ensure that each centre remains viable, vibrant and sustainable into the future.

Tourism

Key tourism product strengths in this area include our natural, historical and cultural assets. Tourism development should be sustainable and draw upon the product strengths and character of the area.

Initiatives that promote and encourage innovative proposals, that are in keeping with and that maintain, protect and enhance the natural and cultural heritage of the area, will be encouraged.

MANNINGHAM PLANNING SCHEME

There is a need to ensure that tourism development is also supported by the provision of appropriate infrastructure and community facilities.

21.04

21/02/2013
C54

VISION - STRATEGIC FRAMEWORK

21.04-1

21/02/2013
C54

City of Manningham Council Plan

The City of Manningham Council Plan is a blue print for the City for the next four years. It is a living document that encompasses the hopes, aspirations and the vision of our community and drives the strategic direction of Council.

The Council Plan is shaped by feedback from consultation with residents and other key stakeholders. It defines projects and objectives that affect the key areas that support our lifestyle and provides an important framework for Council which details the strategies to achieve these projects.

The Council Plan and the MSS share a common vision. Our vision is for:

- A vibrant, safe and culturally diverse community that fosters participation, connectedness, harmony, social inclusion, health and wellbeing.
- A community with access to high quality, responsive services, facilities and infrastructure, to meet changing needs.
- A Council underpinned by sound financial management, customer service, continuous improvement, strong governance and leadership, transparency, consultation, communication and advocacy.
- A municipality that supports sustainable development and achieves a balance between lively activity areas supporting a healthy local economy, and preserving our rural areas and abundance of open space.
- A community that protects and enhances our natural environment and wildlife, and is concerned about reducing our carbon footprint in all that we do.

21.04-2

02/10/2008
C52

Key land use themes

Manningham's vision for future land use planning and development is expressed in the following key land use themes, underpinned by Manningham's commitment to sustainability.

- Residential
- Low Density
- Green Wedge and Yarra River Corridor
- Industrial
- Activity Centres and Commercial Areas
- Ecologically Sustainable Development
- Heritage
- Infrastructure
- Open Space and Tourism
- Community Health and Well-being.

These themes are outlined in Clauses 21.05 to 21.14 of the Local Planning Policy Framework (LPPF) under the following headings:

<i>Overview:</i>	a brief summary of the theme and the key issues.
<i>Key issues:</i>	a snap shot of the issues where a response/attention is required to achieve Council's vision.
<i>Objectives:</i>	the general aims or ambitions for the future.
<i>Strategies:</i>	the ways in which the current situation will progress to meet the objectives.
<i>Implementation:</i>	the means by which the strategic directions will be implemented, including identifying further strategic work.

Reference documents: a list of reports, strategies and documents that contain relevant background research, recommendations and actions.

21.04-3

21/02/2013
C54

Strategic land use framework plan

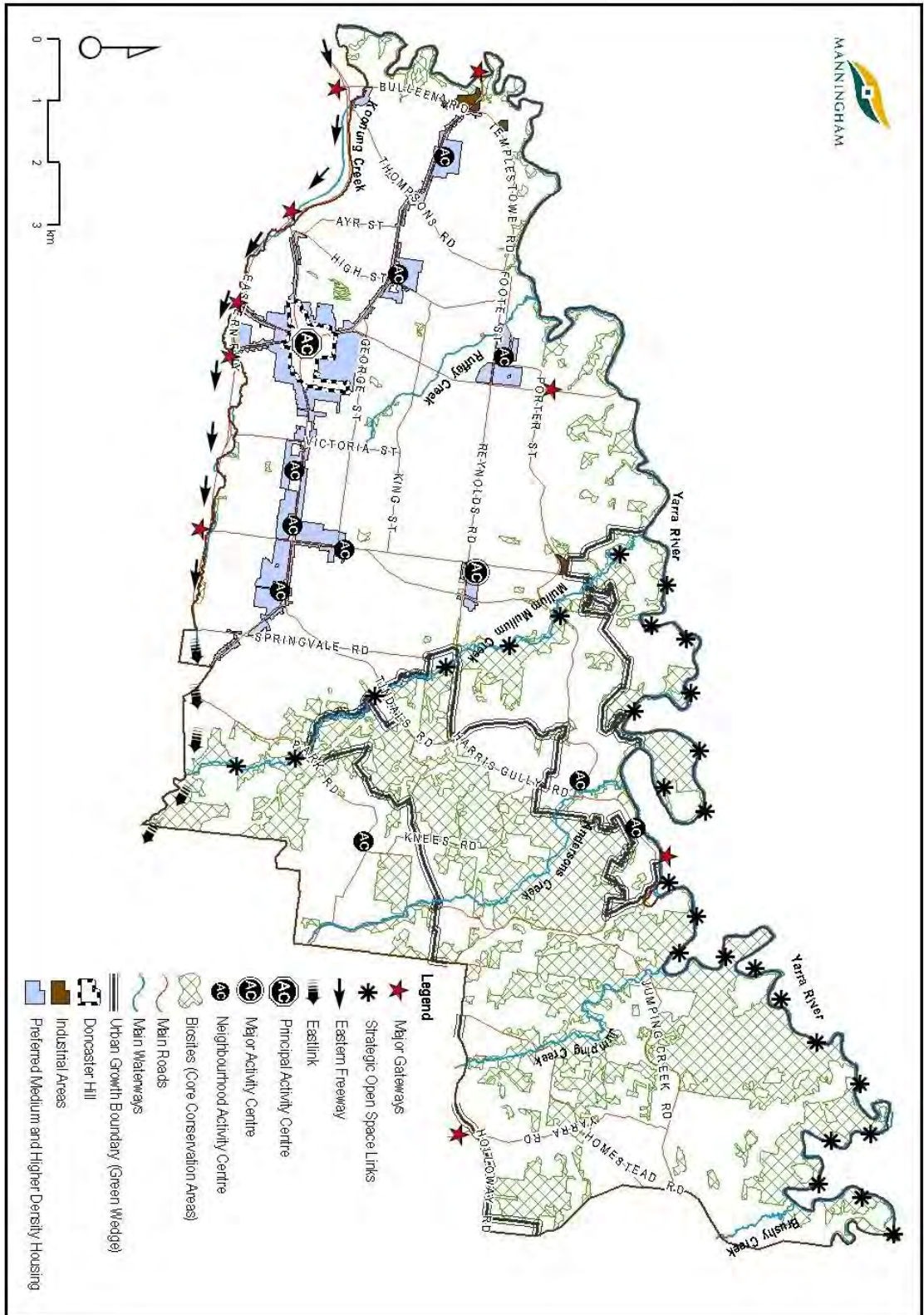
Council's key strategic directions for future land use planning and development are illustrated on the Strategic Overview Framework Plan. The purpose of this plan is to identify locations where specific land use outcomes will be supported and promoted. It also identifies potential 'development opportunity areas' where significant land use change may be expected, as well as areas where land use constraints restrict future development.

Separate land use framework plans have also been prepared (where applicable) for the major land use themes identified in 21.04-2, which appear in each land use chapter. These plans advance the broad strategic directions shown on the overall framework plan but in more detail.

The Strategic Overview Framework Plan depicts the major strategic directions identified for the municipality and includes:

- Preferred locations of medium and higher density housing
- Location of the Urban Growth Boundary
- Sites of Biological Significance (Biosites) for future protection and enhancement
- Major waterways and habitat corridors
- Identification of activity centres hierarchy and industrial areas
- Existing major transport links
- Extension of strategic open space links.

STRATEGIC OVERVIEW FRAMEWORK PLAN



21.0529/09/2016
C102**21.05-1**29/09/2016
C102**RESIDENTIAL****Overview**

This section applies to all land zoned Neighbourhood Residential, General Residential, Residential Growth, Mixed Use and Activity Centre Zone located west of the Mullum Mullum Creek and the township of Warrandyte and parts of Wonga Park. These areas are shown on Residential Framework Plan 1.

Housing

Managing change and growth in the residential areas of Manningham is a key issue facing Council. Infill residential development and redevelopment of key strategic sites that consolidates the role of established urban areas and reduces developmental pressure in the areas with environmental values will be encouraged.

Whilst couples with children are the predominant household structure in Manningham, the key emerging trend is the smaller household type. The continuing ability of our residential areas to accommodate the changing lifestyles and housing needs of current and future populations is becoming an increasingly important issue. Whilst single detached dwellings will continue to represent the largest proportion of Manningham's housing stock, there will be a need for a greater mix of housing in the form of medium and higher density residential developments. Higher density housing will be encouraged in close proximity to activity centres and along major roads and transport routes.

The *Manningham Residential Strategy* (2012) and the *Manningham Residential Character Guidelines* (2012) are key policy documents that seek to direct and manage the level of change in a manner that will best serve the interests of the municipality in terms of housing needs, built form and environmental outcomes. These documents encourage a range of housing types that meet the changing needs of the community and promote high design standards.

Key Redevelopment sites offer urban consolidation opportunities in well serviced areas and localities. The Eastern Golf course site is an identified Key Redevelopment Site in Manningham.

Subdivision

Effective subdivision design should respond to site opportunities and constraints. There are limited opportunities for large scale subdivision in Manningham. A key issue for Council is inappropriate infill subdivision of smaller lots.

Built form and neighbourhood character

Residential developments must be well designed, site responsive and not adversely impact on neighbours, the surrounding environment, streetscape and existing or preferred neighbourhood character.

It is intended to retain the existing bushland character of the Warrandyte township and Wonga Park area.

The key strategic directions for future residential development are illustrated in Map 1 - Residential Character Precincts, in this Clause.

Four precincts have been identified:

Precinct 1: Residential Areas Removed from Activity Centres and Main Roads

Precinct 2: Residential Areas Surrounding Activity Centres and Along Main Roads

Precinct 3: Residential Areas with Predominant Landscape Features

Precinct 4: Post 1975 Residential Areas.

The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.

Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads

This precinct applies to the areas that are removed from activity centres (shopping centres) and main roads.

An incremental level of change is anticipated in Precinct 1. The future development vision is to encourage development that reinforces existing front and rear setbacks and site coverage to provide opportunities for landscaping and retain areas of open space. Accordingly, this precinct will encourage a less intense urban form.

Whilst the design of future dwellings may vary from the existing built form, dwellings in this area will need to provide increased open space for the planting or retention of trees and associated landscaping. The prevailing character of low front fences, retaining walls or the absence of front fences will also be encouraged.

Precinct 2 – Residential Areas Surrounding Activity Centres and along Main Roads

This precinct applies to the areas surrounding activity centres and the areas along Main Roads.

These activity centres include: Bulleen Plaza, Tunstall Square, Macedon Square, Jackson Court, Donburn, Devon Plaza, Templestowe Village, The Pines and Doncaster Hill.

The Doncaster Hill Activity Centre is regarded as the prime location for redevelopment for residential, commercial and community uses in the municipality.

The Pines Activity Centre is also regarded as a key Activity Centre within the municipality and provides a range of retail, commercial, community facilities and residential development opportunities.

The main roads identified in this precinct are Doncaster, Tram and Elgar Roads, Manningham and part of Thompsons, Blackburn and Mitcham Roads. These areas are developed with a range of commercial and residential uses.

Whilst landscaping exists along the main roads, there are opportunities to introduce better landscaping standards to improve the appearance of the main roads in the municipality.

A substantial level of change is anticipated in Precinct 2 with these areas being a focus for higher density developments.

Schedule 8 to the Design and Development Overlay (DDO8)

The majority of Precinct 2 is affected by Schedule 8 to the Design and Development Overlay (DDO8) consisting of three sub-precincts which each stipulate different height, scale and built form outcomes to provide a transition between each sub-precinct and adjoining properties, primarily in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads. These sub-precincts are:

Sub-precinct – Main Road (shown on Manningham Planning Scheme maps as DDO8-1) is an area where three storey (11 metres) ‘apartment style’ developments are encouraged on land with a minimum area of 1,800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1,800m² must all be in the same sub-precinct. All development in the Main Road sub-precinct should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of the Main Road sub-precinct should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct A or B, or other adjoining zone.

Sub-precinct A (shown on Manningham Planning Scheme maps as DDO8-2) is an area where two storey units (9 metres) and three storey (11 metres) ‘apartment style’ developments are encouraged. Three storey, contemporary developments should only occur on land with a minimum area of 1,800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1,800m² must be all in the same sub-precinct. In this sub-precinct, if a lot has an area less than 1,800m², a townhouse style development proposal only will be considered, but development should be a maximum of two storeys. All development in sub-precinct A should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of sub-precinct A should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B, or other adjoining zone.

Sub-precinct B (shown on Manningham Planning Scheme maps as DDO8-3) is an area where single storey and two storey dwellings only will be considered and development should have a maximum site coverage of 60 percent. There is no minimum land area for such developments.

Schedule 9 to the Design and Development Overlay (DDO9)

The area around The Pines Activity Centre (shown on Manningham Planning Scheme maps as DDO9) is an area where development ranging in height from 11 metres to 16 metres is encouraged in designated areas, as identified in *The Pines Activity Centre Structure Plan (2011)*.

Schedule 13 to the Design and Development Overlay (DDO13)

DDO13 applies to part of Precinct 2 being residential areas surrounding prominent intersections and/or interfacing commercial areas where increased residential densities, including up to four storey ‘apartment style’ developments (13.5 metres) on larger lots preferably with a minimum area of 1800sqm, will be considered. All development should have a maximum site coverage of 60 per cent.

Development in Precinct 2 should:

- Provide for contemporary architecture
- Achieve high design standards
- Provide visual interest and make a positive contribution to the streetscape
- Provide a graduated building line from side and rear boundaries
- Minimise adverse amenity impacts on adjoining properties
- Use varied and durable building materials
- Incorporate a landscape treatment that enhances the overall appearance of the development
- Integrate car parking requirements into the design of buildings and landform.

Precinct 3 – Residential areas with Predominant Landscape Features

This precinct includes two separate areas including Wembley Gardens in Donvale and a part of Templestowe. The built form and characteristics of these areas is varied. The common feature is the vegetation, particularly the presence of large trees. The presence of the native and exotic vegetation in Templestowe and in Wembley Gardens gives these areas a distinctive environmental feel. Templestowe is in close proximity to the Yarra River. Development is required to be designed and sited to protect existing visual corridors that exist along the Yarra River and nearby parkland. The absence of front fences creates a sense of openness and reinforces the environmental character of the area.

In this precinct only minimal change is anticipated. Due to the importance of retaining and enhancing the existing vegetation, this precinct will encourage a low residential density in order to retain the existing native and / or exotic vegetation.

Dwellings need to provide generous front, side and rear setbacks to ensure spacing between dwellings when viewed from the street and to provide opportunities to conserve and enhance the existing pattern of vegetation and the existing landscape qualities of the precinct.

Buildings are to be designed to have regard to the natural landscape and topographic features of the site. On sites with a slope, methods to minimise height of floor level above natural ground level would be encouraged. Building height, design and materials should be designed to enable the dwelling to integrate with the surrounding area.

The prevailing character of low front fences, retaining walls, or the absence of front fences is also promoted.

Precinct 4 – Post 1975 residential areas

This precinct includes areas that have been predominately developed since 1975 with a substantial amount of development occurring between late 1980s and the 1990s.

Although some of the housing built in the 1970s is single storey, housing built in the 1980s and 1990s is predominantly double storey and in some instances three storeys.

In this precinct there is minimal unit development.

An incremental level of change is anticipated in this precinct.

Other Residential Areas

It is intended to retain and enhance the existing bushland character of the Warrandyte Township and the Hillcrest area, Donvale. Whilst these areas are excluded from the Residential Character Precincts, like Precinct 3 the common feature of these areas is the vegetation, particularly the presence of large trees. These areas predominantly contain native vegetation which gives these areas a distinctive environmental feel.

Within these areas only minimal change is anticipated. Due to the importance of retaining and enhancing the existing vegetation, a low residential density is encouraged in order to retain the existing native vegetation. The absence of front fences creates a sense of openness and reinforces the environmental character of these areas.

Generous front, side and rear setbacks should be provided to dwellings to ensure spacing between dwellings when viewed from the street and to provide opportunities to conserve and enhance the existing pattern of vegetation and the existing landscape qualities of these areas.

Buildings are to be designed to have regard to the natural landscape and topographic features of the site. On sites with a slope, methods to minimise height of floor level above natural ground level would be encouraged. Building height, design and materials should be designed to enable the dwelling to integrate with the surrounding area.

Environmental and landscape issues

A key challenge for Council is to achieve a balance between protecting environmental and landscape characteristics and accommodating changing housing needs. The provision of new housing is directed by strategies that protect and enhance landscape character, neighbourhood character and environmental values.

Because of the fragmented patchwork of native vegetation in Manningham, a substantial proportion of wildlife movements occur across residential areas characterised by scattered trees. These movements, and hence the landscape of these residential areas, are important to the maintenance of wildlife in Manningham.

Along habitat corridors and within treed residential areas, maintenance of native tree cover (and particularly the locally indigenous species) is the most important requirement for facilitating wildlife movements. These movements are important for the survival of both the wildlife and many indigenous plants that rely on wildlife for pollination, seed dispersal or pest control.

Some residential areas are within or adjacent to Core and Buffer Conservation areas. Proposals to subdivide or develop land will need to avoid, minimise and offset native vegetation removal and impacts.

Any proposals to subdivide or develop land will also need to have regard to constraints such as steep slopes and land prone to landslip, wildfire and flooding.

Economic development issues

Council encourages home-occupations as an important means of achieving economic development and providing opportunities that enable residents to work from home. Benefits to the business owner include reduced travel time and flexible hours, and support for micro start up businesses. The needs of these businesses should be addressed while ensuring that residential amenity is not adversely affected.

Non-residential uses and commercial developments which do not have a community service role are discouraged from locating in residential areas. Commercial development remote from activity centres is also discouraged in order to protect the amenity of residential areas, the viability of activity centres and to ensure the safe and efficient functioning of the road network.

21.05-2

29/09/2016
C102

Housing

Key issues

- Accommodating population growth as outlined in *Melbourne 2030 Planning for Sustainable Growth* (2002).
- Providing a diversity of appropriate housing to meet changing lifestyles and housing needs.
- Need for urban consolidation to address housing growth.
- Potential impact of new development on the surrounding area.

Objectives

- To accommodate Manningham's projected population growth through urban consolidation, in infill developments and Key Redevelopment Sites.
- To ensure that housing choice, quality and diversity will be increased to better meet the needs of the local community and reflect demographic changes.
- To ensure that higher density housing is located close to activity centres and along main roads in accordance with relevant strategies.
- To ensure that areas removed from activity centres and main roads as well as areas with predominant environmental or landscape features are protected from higher density development.
- To promote affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.
- To encourage development of key Redevelopment Sites to support a diverse residential community that offers a range of dwelling densities and lifestyle opportunities.
- To encourage high quality and integrated environmentally sustainable development.

Strategies

Strategies to achieve these objectives include:

- Ensure that the provision of housing stock responds to the needs of the municipality's population.
- Promote the consolidation of lots to provide for a diversity of housing types and design options.
- Ensure higher density residential development occurs around the prescribed activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause.

- Allow housing development that respects existing neighbourhood character and supports incremental level of change in areas removed from activity centres and main roads identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause.
- Maintain a low housing density in areas with predominate landscape features identified as Precinct 3 on the Residential Framework Plan 1 and Map 1 to this clause.
- Support an incremental level of change that respects existing neighbourhood character in residential areas developed post 1975 identified as Precinct 4 on the Residential Framework Plan 1 and Map 1 to this clause.
- Maintain a low housing density in areas with environmental values identified on the Residential Framework Plan 1 to this clause.
- Encourage development to be designed to respond to the needs of people with limited mobility, which may for example, incorporate lifts into three storey developments.
- Investigate the most appropriate suite of planning controls to achieve the desired outcomes for Key Redevelopment Sites.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Neighbourhood Residential Zone.
- Applying the General Residential Zone.
- Applying the Residential Growth Zone.
- Applying a Design and Development Overlay.
- Applying the Residential Growth Zone, the General Residential Zone, Design and Development Overlay – Schedule 9 and Design and Development Overlay 8 and Design and Development Overlay 13 to residential areas close to activity centres and interfacing commercial areas and along main roads. These areas form part of Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause) to identify the location and direct the design of higher density residential development.
- Applying the General Residential Zone to residential areas removed from activity centres and main roads (identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause) to ensure new development respects neighbourhood character and provides for an incremental level of change.
- Applying the Neighbourhood Residential Zone and the Significant Landscape Overlay or Environmental Significance Overlay and the Design and Development Overlay to residential areas with predominate landscape features (identified as Precinct 3 on the Residential Framework Plan 1 and Map 1 to this clause) to ensure that the density, design and siting of residential development is appropriate to its landscape and the low housing density character of the area.
- Applying the General Residential Zone to residential areas developed since 1975 (identified as Precinct 4 on the Residential Framework Plan 1 and Map 1 to this clause) to provide opportunity for new development that respects neighbourhood character and for an incremental level of change.
- Applying the Neighbourhood Residential Zone and the Environmental Significance Overlay and the Design and Development Overlay to areas of environmental significance to ensure that the density, design and siting of residential development is appropriate to its environment and the low housing density character of the area.

Policy and exercise of discretion

- Implementing the Manningham Residential Strategy (2012).

- Implementing the *Doncaster Hill Strategy* (2002).
- Implementing The Pines Activity Centre Structure Plan (2011).
- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).
- Implementing the Locally Threatened Plants in Manningham (2010).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide the location, design and management of accommodation premises (*Accommodation premises policy, Clause 22.04*).
- Using Local Policy to ensure that people with limited mobility have the same level of access to buildings, services and facilities as any other person (*Access for disabled people policy, Clause 22.09*).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Using Clause 22.15, *Dwellings in the General Residential Zone, Schedule 1*, to ensure new development in residential areas removed from activity centres and main roads (identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause) respects neighbourhood character and provides for an incremental level of change.
- Promote the provision of ramps and wide entrances to optimise accessibility within and around the home.
- Promote higher density residential development in locations close to activity centres and public transport (identified on the Residential Framework Plan 1 and Map 1 to this Clause).
- Using Clause 22.17 *Eastern Golf Course Key Redevelopment Site Policy*, to provide the strategic policy framework to guide the future redevelopment of the Eastern Golf Course Site.
- Implementing the City of Doncaster and Templestowe Heritage Study, (1991).
- Implementing the Manningham Heritage Garden & Significant Tree Study – Stage 2, (2006).
- Having regard to Meredith Gould Architects Pty Ltd (February 2011) *Eastern Golf Course Conservation Analysis and Policy*, Melbourne, Victoria.

Further strategic work

Other actions

- Identifying key development sites and encouraging residential development that responds to site constraints, demographic trends and the surrounding pattern of development.

21.05-3

13/02/2014
C96

Subdivision

Key issues

- Site responsive subdivision.
- Inappropriate infill subdivision.

Objectives

- Ensure subdivision responds positively to site features and constraints, integrates well with the neighbourhood, provides a functional environment and achieves energy efficient and environmentally sensitive layouts.
- To ensure the upgrading or provision of appropriate infrastructure and open space as part of subdivision proposals.

- To ensure that infill subdivision addresses future development impacts on adjoining properties and the neighbourhood.
- To ensure that subdivision adopts environmentally sustainable design principles.

Strategies

Strategies to achieve these objectives include:

- Encourage subdivision layouts that consider neighbouring uses and developments.
- Ensure that subdivision layouts adequately provide for the safety and security of residents and property.
- Ensure that subdivision and associated works in wildfire areas are appropriately sited, designed and managed to address wildfire risk.
- Ensure that subdivision and associated works avoid, minimise and offset native vegetation removal and impacts.
- Promote the consolidation of lots to increase design options.
- Ensure subdivisions are designed to provide adequate vehicle, pedestrian and bicycle links.
- Ensure that open space and infrastructure contributions are adequate.
- Require three-dimensional building envelopes for infill subdivision.
- Ensure subdivision design and layout considers lot orientation, size and location of building envelopes and integrated water management to achieve ecologically sustainable development outcomes.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying a Development Plan Overlay.
- Applying a Design and Development Overlay.
- Applying the Wildfire Management Overlay.
- Applying an Environmental Significance Overlay.

Policy and exercise of discretion

- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).
- Implementing the Locally Threatened Plants in Manningham (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide subdivision design that is responsive to the environmental and visual characteristics of the streetscape (*Battle axe blocks policy, Clause 22.11*).
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire areas and identification and addressing of risks from wildfire (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

- Preparing a Local Planning Policy to direct subdivision within existing residential areas.

- Investigating the preparation of a development contributions plan for the municipality for areas outside the Doncaster Hill Activity Centre.

Other actions

21.05-4

19/06/2014
C105

Built form and neighbourhood character

Key issues

- Scale and form of residential development and its impact on neighbourhood character.
- Improving residential design standards.

Objectives

- To ensure that residential development enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.

Strategies

Strategies to achieve these objectives include:

- Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.
- Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.
- Ensure that development is designed to provide a high level of internal amenity for residents.
- Require residential development to include stepped heights, articulation and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Mixed Use Zone.
- Applying the Activity Centre Zone.
- Applying a Vegetation Protection Overlay, Significant Landscape Overlay, Environmental Significance Overlay and/or Heritage Overlay where appropriate.
- Applying the General Residential Zone to residential areas developed since 1975 to provide opportunity for new development that respects neighbourhood character and for an incremental level of change.
- Applying the General Residential Zone to areas removed from activity centres and main roads to ensure new development respects neighbourhood character and provides for an incremental level of change.
- Applying the Neighbourhood Residential Zone to residential areas with predominant landscape features or lower housing densities to ensure that the density, design and siting of residential development is appropriate to its environment and the low housing density character of the area.
- Applying the Design and Development Overlay to ensure that the design and siting of residential development is appropriate.

Policy and exercise of discretion

- Implementing the Manningham Residential Character Guidelines (2012).

- Using Clause 22.01, *Design and development policy*, and Clause 22.15, *Dwellings in the General Residential Zone, Schedule 1*, to ensure that development is responsive to the scale and preferred character of the local neighbourhood.

Further strategic work

- Preparing residential design guidelines for the Warrandyte township.
- Reviewing the location of, and the preferred use and built form of, identified gateway sites.
- Preparing a Local Planning Policy to guide the future use and development of identified gateway sites, if appropriate.

Other actions

- Taking into account the views of Council's Sustainable Design Taskforce on major development applications.
- Requiring applicants for significant proposals to engage in a collaborative design process including pre-application meetings with relevant Council staff.

21.05-5

19/06/2014
C105

Environmental and landscape issues

Key issues

- Impact of land use and development on biodiversity.
- Protection and enhancement of environmental values and significant landscapes.
- Design and construction of development in areas with topographical constraints and areas of environmental significance, landscape character and wildfire risk.

Objectives

- To ensure that land is developed in a way that is compatible with, and protects and enhances the character of the area, its landscape qualities, pattern of vegetation and environmental values.
- To ensure that the environmental significance, visual and landscape character of residential areas with environmental and/or landscape values, including the Warrandyte township, parts of Templestowe, Wonga Park, the Hillcrest area and Donvale/Doncaster East are maintained and enhanced.
- To ensure that development avoids, minimises and offsets native vegetation removal, protects habitat corridors and threatened species of flora and fauna.

Strategies

Strategies to achieve these objectives include:

- Require a site analysis plan of the site and surrounds showing the existing topographic and visual features and how a proposal responds to environmental and landscape features for all relevant planning proposals.
- Retain the predominance of single dwellings on allotments and discourage other forms of inappropriate residential development in areas of environmental significance.
- Ensure that development in areas with recognised environmental and landscape values are designed to minimise the impact on vegetation and protect landscape character and heritage values.
- Require that buildings and works minimise visual impact by locating away from ridgelines and exposed slopes, incorporating screening treatments and non-obtrusive materials and colours.
- Encourage development on sloping sites to adopt suitable design techniques that minimise earthworks and building bulk.

MANNINGHAM PLANNING SCHEME

- Ensure that development in areas of environmental significance avoids, minimises and offsets the removal of and impacts on native vegetation.
- Avoid development, including vegetation removal, on land with slopes of greater than 20%.
- Ensure that buildings are set back appropriate distances from property boundaries to provide for landscaping and the inclusion of canopy trees.
- Ensure that development does not protrude above the prevailing height of the tree canopy in environmental residential areas.
- Ensure that existing trees are retained where appropriate and that replacement trees complement the character of the area.
- Ensure that buildings and/or works in wildfire areas are appropriately sited, designed and managed to address wildfire risk.
- Encourage development that meets higher construction standards and/or utilises alternative treatments to address wildfire risk in preference to vegetation removal.
- Encourage the longevity of older exotic species with landscape character or heritage values.
- Discourage inappropriate development and landscaping on sites adjacent to State Parks and other conservation reserves.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Neighbourhood Residential Zone.
- Applying a Design and Development Overlay to the Warrandyte township, parts of Templestowe and parts of Donvale and Doncaster East.
- Applying an Environmental Significance Overlay and/or Significant Landscape Overlay.
- Applying a Vegetation Protection Overlay.
- Applying the Wildfire Management Overlay.

Policy and exercise of discretion

- Implementing the Manningham Residential Character Guidelines (2012).
- Implementing the *Manningham Heritage Garden & Significant Tree Study – Stage 2* (April 2006) which identifies vegetation of significance to be protected and maintained.
- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).
- Implementing the Locally Threatened Plants in Manningham (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire Areas (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

- Implementing the Roadside Environmental Management Strategy (2004).
- Review the *Roadside Environmental Management Strategy* (2004) with regard to the CFA Roadside Management Guidelines.

- Investigate the use of a local law or planning scheme control to protect significant trees in residential areas that do not have appropriate overlay controls.
- Identify areas for strategic revegetation to enhance habitat corridors and habitat connectivity.

Other actions

- Continuing to control and remove introduced pest plants and pest animals on a priority basis, with emphasis on the provisions under the *Catchment and Land Protection Act 1994* and direction from the Catchment Management Authority.

21.05-6

02/10/2008
C52

Economic development issues

Key issues

- Impact of discretionary uses on residential amenity.
- Impact of non-residential and commercial uses located outside of activity centres on the viability of activity centres
- Linear commercial development outside activity centres.

Objectives

- To encourage uses with a community service role to locate in close proximity to activity centres or other community based facilities.
- To ensure that business activities do not compromise the residential amenity and character of the neighbourhood.
- To ensure that the range of uses within mixed use developments are compatible.
- To locate commercial uses such as restaurants within activity centres.
- To discourage the rezoning of land for commercial uses outside activity centres.

Strategies

Strategies to achieve these objectives include:

- Ensure that the establishment of uses with a community service role do not compromise the amenity of the neighbourhood.
- Ensure that commercial uses are located within activity centres wherever possible.
- Ensure that in considering planning permit applications for home occupations, adequate provision is made for on-site car parking and loading areas and that these are adequately screened from the street and adjoining land.
- Limit the impact of advertising signs on visual amenity.
- Ensure that the range of uses within a mixed use development does not adversely impact on each of the respective uses.

Implementation

These strategies will be implemented by:

Policy and exercise of discretion

- Implementing the *Home-Based Business Strategy* (1996) that encourages the establishment of appropriate businesses that do not compromise residential amenity.
- Implementing the Manningham City Council 2003-2006 Economic Development Strategy (2003).

- Using Local Policy to ensure that non-residential and commercial uses do not affect the amenity of the area. (Design and development policy, Clause 22.01, Accommodation premises policy, Clause 22.04, Non-residential uses in residential areas policy, Clause 22.05 and Eating and entertainment policy, Clause 22.06).
- Using Local Policy to ensure that advertising signs do not impact on visual amenity (*Outdoor advertising signs policy, Clause 22.07*).

Zones and overlays

Further strategic work

Other actions

- Promoting and distributing Manningham's *Home-based Business Information Kit* (2005).

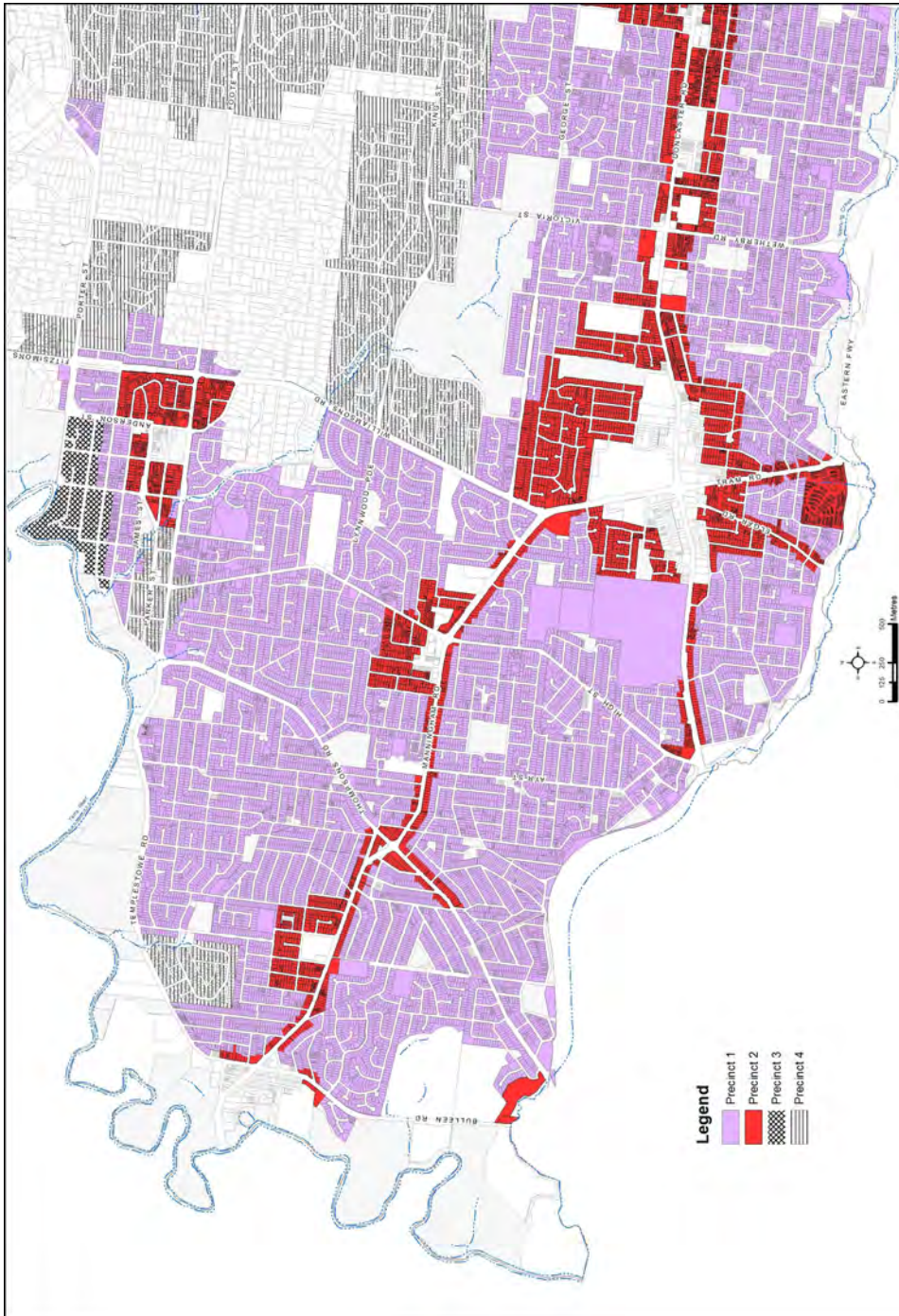
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23/07/2015
C106

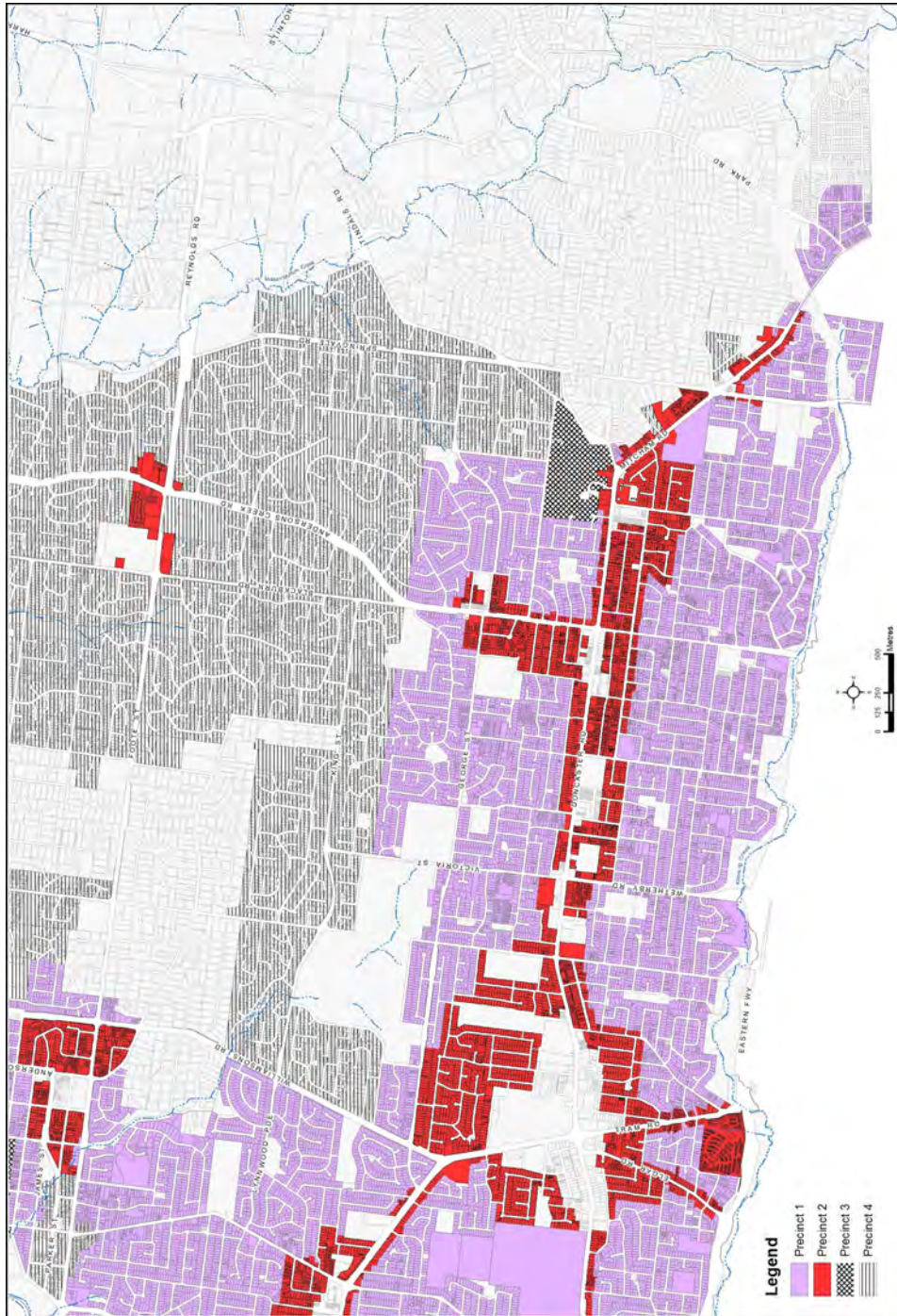
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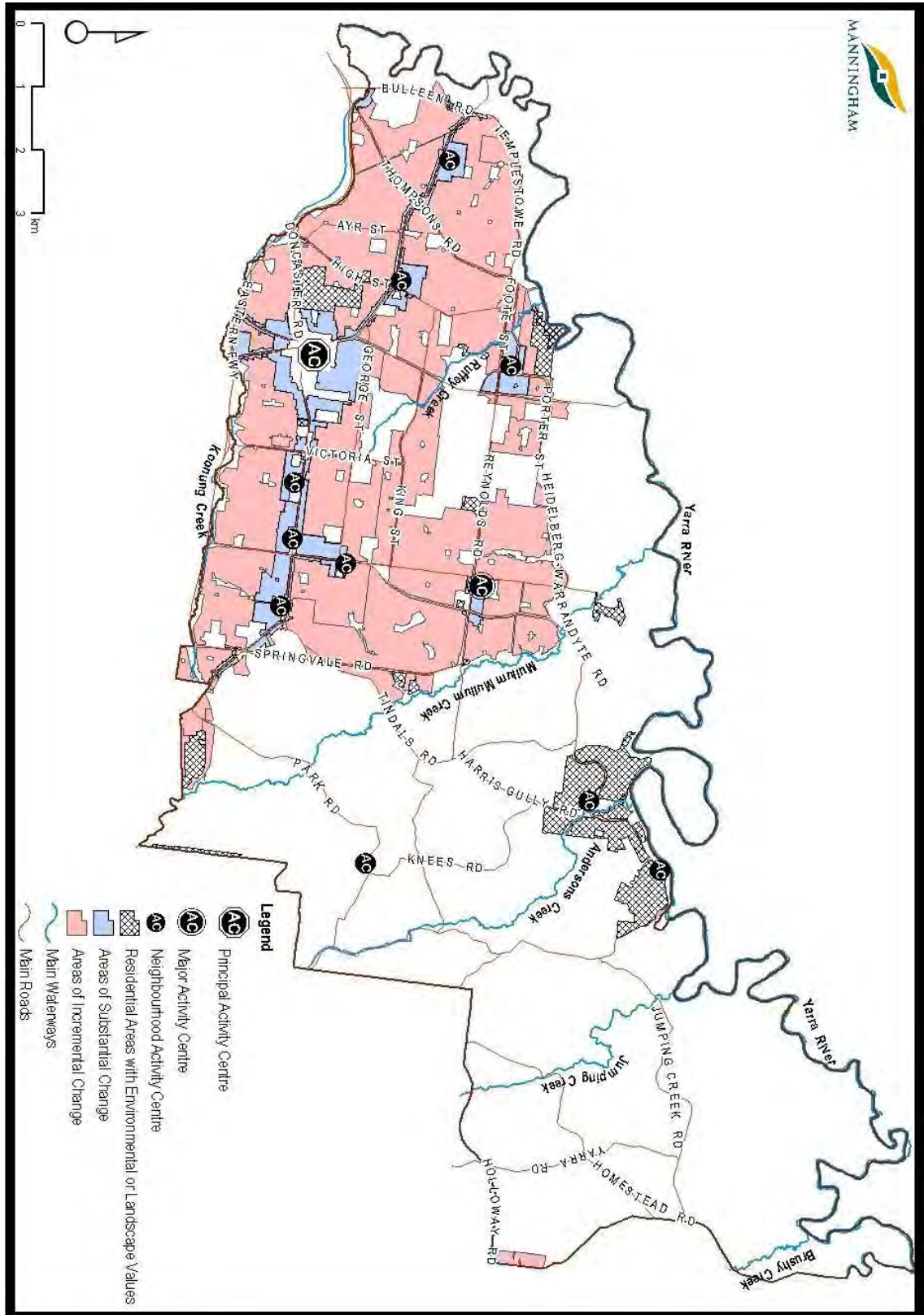
Map 1 (Part 1) – Residential Character Precincts



Map 1 (Part 2) – Residential Character Precincts



Residential Framework Plan 1



21.0603/03/2016
C110**21.06-1**03/03/2016
C110**LOW DENSITY****Overview**

The low density residential areas shown on Low Density Framework Plan 2 are characterised by undulating landform with prominent ridges, dissected by creeks and drainage lines. These areas form a buffer between the green wedge and Yarra River corridor and urban residential areas. These areas offer a choice for people who are seeking a more spacious and attractive environmental setting.

Parts of the low density residential areas have significant native vegetation and biodiversity values, whilst other low density residential areas have a unique landscape character due to the predominance of large canopy pine and cypress trees.

Housing

Housing development should be responsive to identified environmental values and landscape character of land in the Low Density Residential Zone. Development of housing is constrained by the capacity to treat and contain effluent on site. Proposals for residential development must have regard to vegetation, infrastructure provision, topography, waterways, landslip, wildfire, flooding and environmental or landscape significance.

Subdivision

Effective subdivision design in low density residential areas should appropriately respond to and address site opportunities and constraints. Any proposals to subdivide land will need to consider land capability, environmental and landscape values, topography, physical and community infrastructure.

Built form and landscape character

New development should be designed and sited to reinforce and be respectful of the landscape and environmental characteristics of the site and its surroundings. The importance of retaining and enhancing native vegetation cover and in some circumstances pine and cypress tree cover is an intrinsic part of the preferred character of low density residential areas.

Traffic and Carparking

The existing local road network within some parts of the Low Density Residential Zone is characterised by narrow roads, including single lane and unsealed roads, well-vegetated road verges, unmade kerbs and channels and no footpaths. The undulating topography in these locations can create issues associated with impaired lines of vision for vehicles and limited pedestrian accessibility. This semi-rural road network contributes to the low density character of the area. The intensity of use and development should not detrimentally impact on the capacity or safety of the existing local road network, with all associated car parking to be provided on site.

Environmental issues

Many properties within the low density residential areas are not sewered. A key issue is the number of ineffective and poorly maintained septic tank systems across the municipality, which pose a significant threat to water quality. The challenge for Council is to find a balance between the expectations of landowners to develop their site and the capacity of land to retain effluent on site.

The low density residential areas contain a number of sites of National, State or Regional Biological Significance and important associated buffer habitat. Manningham is proactive in the protection and enhancement of the natural environment and biodiversity. The challenge is to effectively manage Manningham's natural assets in response to any development pressures, particularly on land with environmental values, steep slopes and significant vegetation cover or which may be prone to landslip, wildfire or flooding.

Along habitat corridors and within treed residential areas, maintenance of native tree cover (and particularly the locally indigenous species) is an important requirement for facilitating wildlife movements. These movements are important for the survival of both the wildlife and many indigenous plants that rely on wildlife for pollination, seed dispersal or pest control.

Proposals to subdivide or develop land will need to avoid, minimise and offset native vegetation removal and impacts.

Economic development issues

Council encourages home occupations as an important means of achieving economic development and providing opportunities that enable residents to work from home. The needs of these businesses should be addressed while ensuring that residential amenity is not adversely affected.

21.06-2

21/02/2013
C54

Housing

Key issues

- Dwindling land stock for the extension of existing residential areas resulting in development pressures of low density areas.
- Retaining the low density character of areas.
- Inappropriate forms of residential development.
- Number of existing lots less than 4000 square metres which are currently unsewered.
- Impact of housing on biodiversity.

Objectives

- To ensure that development does not adversely impact on the landscape character or environmental values of land.
- To maintain the low density character of the area.
- To discourage the rezoning of low density residential land, regardless of access to services and infrastructure (particularly reticulated sewerage).
- To recognise that increased densities and residential development in low density residential areas are constrained by land capability, environmental values and lack of convenient access to physical and community infrastructure.

Strategies

Strategies to achieve these objectives include:

- Maintain the low density residential land as a buffer area between residentially zoned land and the green wedge and Yarra River corridor, by discouraging the rezoning of land.
- Retain the predominance of single dwellings on allotments and discourage inappropriate residential development.
- Discourage the use and development of land for a second dwelling except where a second dwelling is attached by roof, walls and floor.
- Ensure that the scale of development is appropriate to the capability of land to retain effluent on site.
- Avoid, minimise and offset native vegetation removal and impacts.
- Ensure that the siting and design of housing development and associated infrastructure and services minimises the extent of earthworks and responds to site constraints including slope, waterways and wildfire risk.

21.06-303/03/2016
C110**Traffic and Carparking****Key issues**

- Capacity of existing road network.
- Impact of intensive forms of development on the road network.
- Impact of on-site access and carparking, including areas designated for vehicle manoeuvring.
- Limited pedestrian accessibility.

Objectives

- To ensure that use and development does not detrimentally impact on the safety and function of the existing road network.
- To recognise that the intensity of use and development within low density residential areas is constrained by the capacity of the existing local road network.
- To ensure that on-site access to the primary and any ancillary uses on the site is via a single crossover.
- To ensure all car parking is provided on site.
- To encourage the use of pervious surfaces in the design of on-site access and carparking, including areas designated for vehicle manoeuvring.

Strategies

Strategies to achieve these objectives include:

- Ensure that the intensity and scale of use and development is appropriate having regard to the capacity of the existing road network and pedestrian accessibility.
- Ensure the appropriate design and siting of on-site access, carparking, areas designated for vehicle manoeuvring and avoid the extensive use of hard surfaces.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Low Density Residential Zone.
- Applying the Wildfire Management Overlay.
- Applying an Environmental Significance Overlay.
- Applying a Significant Landscape Overlay.

Policy and exercise of discretion

- Implementing the *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Implementing the *Manningham (Biosites) Sites of Biological Significance Review* (2004).
- Implementing the *Wildlife Movement and Habitat Needs in Manningham* (2009).
- Implementing the *Locally Threatened Plants in Manningham* (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Using local policy to guide residential accommodation (*Residential Accommodation, Clause 22.04*).
- Using local policy to guide non-residential uses in residential areas (*Non-Residential Uses in Residential Areas, Clause 22.05*).

- Using local policy to guide outbuildings in the Low Density Residential Zone (*Outbuildings in the Low Density Residential Zone*, Clause 22.19).
- Implementing the *Manningham City Council, Manningham City Council Development Guide: Outbuildings in the Low Density Residential Zone, October 2015*

Further strategic work

- Investigate the need for a Local Planning Policy to address built form and earthworks in the low density residential areas.

Other actions

- Advocating the provision of sewer connection by Yarra Valley Water for land in low density residential areas.
- Implementing the Domestic Wastewater Management Plan (2002).

21.06-4

03/03/2016
C110

Subdivision

Key issues

- Limited land available for further subdivision.
- Lot size in relation to effluent disposal.
- Impact of subdivision on environmental values and landscape character of land.
- Fragmentation of habitat and loss of biodiversity.
- Access to physical and community infrastructure.

Objectives

- To encourage subdivision and associated works which appropriately responds to land capability, environmental and landscape values, wildfire risk, topography, physical and community infrastructure.
- To ensure that any application for subdivision avoids, minimises and offsets the removal of and impacts upon native vegetation.
- To ensure that subdivision adopts environmentally sustainable design principles.

Strategies

Strategies to achieve these objectives include:

- Ensure subdivision design and layout considers lot orientation, size and location of building envelopes and integrated water management to achieve ecologically sustainable design outcomes.
- Ensure that allotments created by the subdivision are capable of adequately treating and retaining wastewater within the boundaries of each allotment.
- Ensure that subdivision design and layout responds appropriately to topography and vegetation cover and is consistent with Net Gain objectives and principles to avoid, minimise and offset native vegetation removal and impacts, where appropriate.
- Ensure that subdivision and associated works in wildfire areas are appropriately sited, designed and managed to address wildfire risk.
- Encourage subdivision layouts to respond appropriately to neighbouring uses and buildings.
- Encourage subdivision layouts to provide for the safety and security of residents and property by considering wildfire, flooding, landslip and steep slopes.
- Ensure that building and effluent envelopes are located to protect vegetation, view lines and minimise the extent of earthworks.

- Encourage subdivision and associated works to be designed to provide adequate vehicle, pedestrian and bicycle links.
- Avoid the creation of new lots on slopes of greater than 20%.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Low Density Residential Zone.
- Applying the Wildfire Management Overlay.
- Applying an Environmental Significance Overlay

Policy and exercise of discretion

- Implementing the *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Implementing the *Manningham (Biosites) Sites of Biological Significance Review* (2004).
- Implementing the *Wildlife Movement and Habitat Needs in Manningham* (2009).
- Implementing the *Locally Threatened Plants in Manningham* (2010).
- Implementing the *Manningham Monterey Pine and Cypress Tree Assessment* (2003).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*)
- Using Local Policy to guide subdivision design that is responsive to the environmental and visual characteristics of the streetscape (*Battle axe blocks policy, Clause 22.11*).
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire Areas (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

Other actions

- Advocating the provision of sewer connection by Yarra Valley Water for land in low density residential areas.

21.06-5

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Built form and landscape character

Key issues

- Design and construction of development in areas with topographical constraints, wildfire risks, landscape character, visual and environmental significance.
- Impact of vegetation removal and extensive earthworks on landscape character.

Objectives

- To ensure that land is developed in a way that is compatible with the character of the area, its landscape qualities, pattern of vegetation and environmental values.
- To minimise the extent of earthworks and to preserve and enhance natural drainage lines.
- To ensure the retention of existing trees, where appropriate, and that any landscaping complements the character of the area.
- To protect and enhance landscape quality, view lines and vistas.

Strategies

Strategies to achieve these objectives include:

- Encourage the siting and design of buildings and works, selection of materials and landscaping to minimise wildfire risk.
- Encourage development that meets higher construction standards and/or utilises alternative treatments to address wildfire risk in preference to vegetation removal.
- Require that buildings and works minimise visual impact by locating away from ridgelines and exposed slopes, incorporating screening treatments and non-obtrusive materials and colours.
- Ensure that development on sloping sites adopts suitable design techniques that minimise earthworks and building bulk.
- Avoid development, including vegetation removal, on land with slopes greater than 20%.
- Ensure that development does not protrude above the prevailing height of the tree canopy.
- Ensure that existing trees are retained where appropriate and that replacement trees complement the character of the area.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying a Significant Landscape Overlay.
- Applying an Environmental Significance Overlay.
- Applying the Wildfire Management Overlay.

Policy and exercise of discretion

- Implementing the *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Implementing the *Manningham Heritage Garden & Significant Tree Study – Stage 2* (April 2006) which identifies vegetation of significance to be protected and maintained.
- Implementing the *Manningham Monterey Pine and Cypress Tree Assessment (2003)*.
- Using Local Policy to guide development in areas of identified wildfire risk (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

- Investigate the need for a Local Planning Policy to address built form and earthworks in low density residential areas.

Other actions

Environmental issues

Key issues

- Impact of effluent disposal.
- Impact of land use, development and management techniques on biodiversity.
- Impact of vegetation removal.
- Impact of earthworks.
- Competing interests between environmental weeds and significant landscapes.

- Degradation of waterways and streamside environments.
- Fragmentation of habitats and loss of habitat connectivity.
- Impact of pest plants and animals.

Objectives

- To ensure that land use, development and land management practices protect and enhance soil, water and air quality, habitat corridors, waterways, threatened species of flora and fauna and the character of these areas.
- To achieve developments which are site responsive and which complement the topography of an area.
- To encourage the removal of weed species in areas where they have no cultural and heritage landscape significance.
- To ensure that development avoids, minimises and offsets removal of and impacts upon native vegetation.
- To improve habitat, vegetation, soil, water and visual qualities along streamside environments.
- To enhance the extent, condition and connectivity of habitat.
- To control and manage pest plants and animals.

Strategies

Strategies to achieve these objectives include:

- Require the preparation of a site analysis plan of the site and surrounds for all development and subdivision proposals showing the opportunities and constraints, and how a proposal appropriately responds to this analysis.
- Protect and enhance native vegetation including roadside vegetation as wildlife habitat and as corridors for flora and fauna.
- Protect and enhance wetland, stream and waterway environments to conserve soils, ensure water quality, avoid sedimentation and retention of native vegetation as wildlife habitat and as a corridor for wildlife movement.
- Ensure that sediment run-off is contained on site using best practice techniques during the use and development of any land.
- Require land use and development proposals to demonstrate compliance with Net Gain objectives and principles to avoid, minimise and offset native removal of and impacts upon native vegetation.
- Require development and landscaping to protect and enhance wildlife corridors.
- Ensure that subdivision, buildings and/or works in wildfire areas are appropriately sited, designed and managed to address wildfire risk.
- Encourage development that meets higher construction standards and/or utilises alternative treatments to address wildfire risk in preference to vegetation removal.
- Ensure that buildings are set back appropriate distances from property boundaries to provide for landscaping including canopy trees.
- Protect, conserve and enhance the environmental, recreational and heritage values of waterways (including natural drainage gullies) and their environments.
- Ensure that effluent envelopes are located to minimise environmental impacts.
- Avoid development on land with slopes of greater than 20%.
- Require developers to create biological filtration systems along drainage systems.

- Discourage intrusive/inappropriate development on sites located adjacent to State Parks and other conservation reserves.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Low Density Residential Zone.
- Applying an Environmental Significance Overlay or Significant Landscape Overlay.
- Applying the Heritage Overlay
- Applying the Land Subject to Inundation Overlay and/or Special Building Overlay.
- Applying the Wildfire Management Overlay.

Policy and exercise of discretion

- Implementing the *Manningham Biosites: Sites of (Biological) Significance Review* (2004).
- Implementing the *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Implementing the *Manningham Green Wedge Strategy* (2004).
- Implementing the *Wildlife Movement and Habitat Needs in Manningham* (2009).
- Implementing the *Locally Threatened Plants in Manningham* (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*)
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire Areas (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

- Identifying the location of weed species to assist in developing appropriate management techniques.
- Identify areas for strategic revegetation to enhance habitat corridors and habitat connectivity.

Other actions

- Continuing to control and remove introduced pest plants and pest animals on a priority basis with special emphasis on the provisions made under the *Catchment and Land Protection Act 1994* and direction from the Catchment Management Authority.
- Continuing to liaise with Melbourne Water to co-operatively manage the stormwater and natural creek systems in the municipality.
- Enhancing the outcomes of the Local Environment Assistance Fund or other measures to improve land management, sustainable use, and stewardship for relevant properties.
- Ensuring compliance with the *Domestic Wastewater Management Plan* (2002).

21.06-7

03/03/2016
C110

Economic development issues

Key issues

- Impact of discretionary uses including business activities in low density residential areas on amenity.

Objectives

- To encourage uses with a community service role to locate within close proximity to activity centres or other community based facilities.
- To ensure that commercial uses do not compromise the amenity and character of the neighbourhood.
- To ensure that commercial uses do not exceed the servicing capacity of the land.

Strategies

Strategies to achieve these objectives include:

- Ensure that the establishment of uses with a community service role do not compromise the amenity the neighbourhood.
- Ensure that in considering planning permit applications for home occupations, adequate provision is made for on-site car parking and loading areas and these are adequately screened from the street and adjoining land.
- Ensure that the scale of development is appropriate to the capability of land to retain effluent on site.

Implementation

These strategies will be implemented by:

Zones and overlays

Policy and exercise of discretion

- Implementing the *Home-Based Business Strategy* (1996) that encourages the establishment of appropriate businesses that do not unreasonably compromise residential amenity.
- Implementing the *Manningham City Council 2003-2006 Economic Development Strategy* (2003) to encourage the establishment of appropriate home based businesses and which do not unreasonably compromise the amenity of surrounding residential areas.
- Using Local Policy to ensure that non-residential and commercial uses do not unreasonably affect the amenity of the area. (*Residential Accommodation at Clause 22.04, Non-residential uses in residential areas at Clause 22.05 and Eating and entertainment policy, Clause 22.06*).
- Using Local Policy to ensure that advertising signs do not adversely impact on visual amenity (*Outdoor advertising signs policy, Clause 22.07*).

Further strategic work

Other actions

- Promoting and distributing Manningham's *Home-based Business Information Kit* (2005).

21.06-8

03/03/2016
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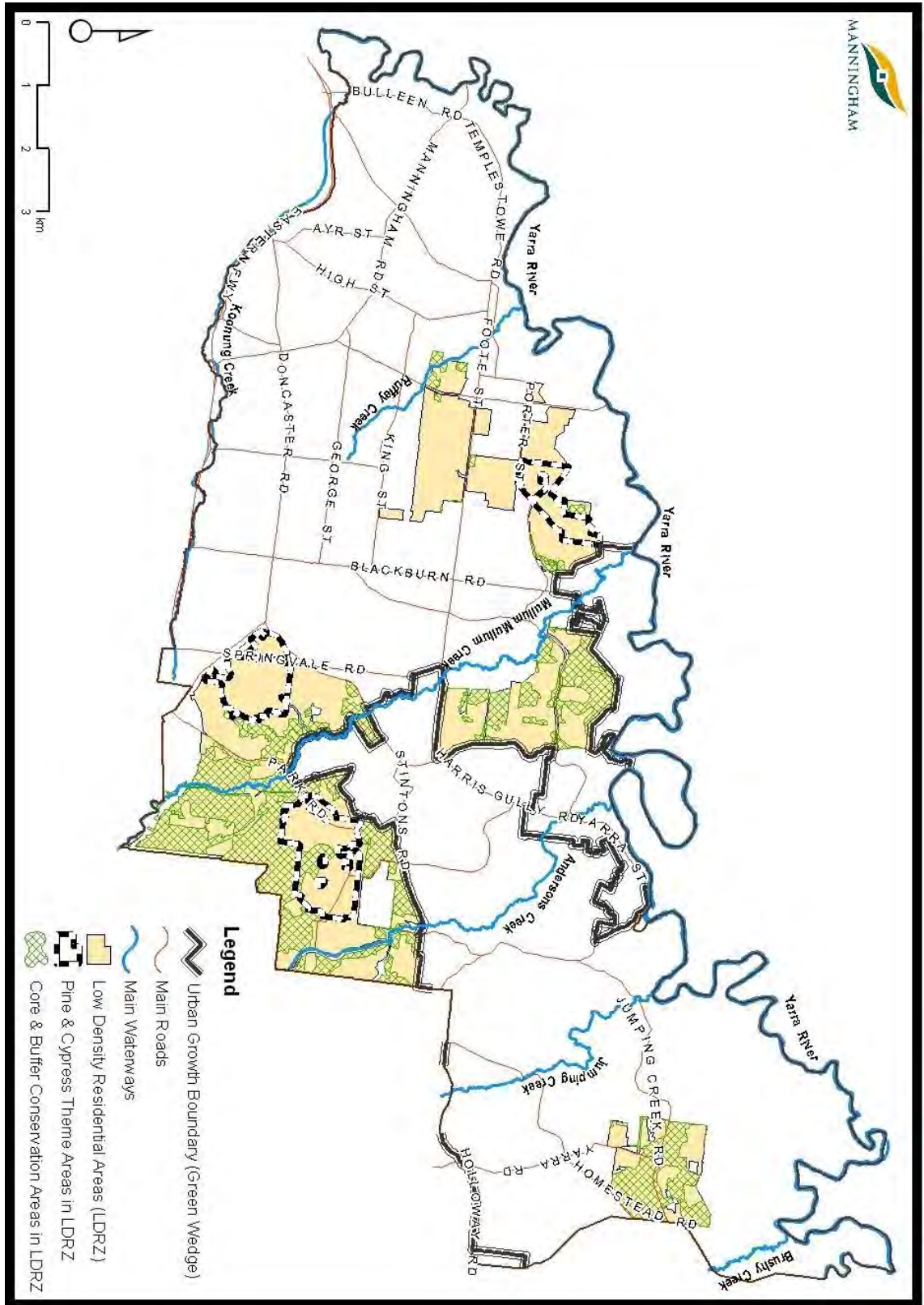
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LOW DENSITY FRAMEWORK PLAN 2



21.0720/09/2019
C117mann**21.07-1**20/09/2019
C117mann**GREEN WEDGE AND YARRA RIVER CORRIDOR****Overview**

This section applies to land shown on the Green Wedge and Yarra River Corridor Framework Plan 3 which includes all land outside the Urban Growth Boundary (UGB) and public and privately owned land within the Yarra River corridor. The State Government introduced the UGB around the edge of Melbourne in October 2002. All land in Manningham located outside the UGB became part of a green wedge.

Manningham's Green Wedge largely includes land within the Rural Conservation Zone and the Wonga Park township, which is included within the Low Density Residential Zone. The Yarra River corridor includes public and privately owned land located within the UGB and which is identified as having high environmental and landscape values.

These areas are primarily rural residential in character and include some agricultural enterprises, hobby farms and environmentally significant properties. A key challenge for Council is to balance competing interests between use of land for rural living, agricultural pursuits and biodiversity protection.

Housing

There are few opportunities for additional housing development within the green wedge and the Yarra River corridor area. The provision of housing in these areas is directed by strategies that protect and enhance landscape character and environmental values. Development will need to have regard to issues of native vegetation, topography, landslip, bushfire, flooding, and cultural, environmental and landscape values and available physical and community infrastructure.

The rural qualities and remnant bushland provide a setting and lifestyle quality which is very attractive to residents and potential home owners.

Subdivision

The current planning controls significantly limit scope for further subdivision of the green wedge and Yarra River corridor areas. Any proposal to subdivide land will need to consider land capability and constraints, adjoining land uses, environmental and landscape values and physical and community infrastructure.

Built form and landscape character

These areas have an attractive, undulating topography. The slopes and extensive vegetation cover contribute to the landscape and environmental qualities. Development should protect and enhance the natural environment, including the Yarra River and other waterways, topography, open space, habitat and fauna links within the green wedge and Yarra River corridor.

Environmental issues

Large parts of Manningham's Green Wedge and Yarra River corridor have significant biological values. They contain the majority of Manningham's Sites of Biological Significance (Biosites) and supporting buffer habitat. The sites are identified as being of National, State or Regional significance. The habitat defined by the biosites and associated buffer habitat constitutes the most important areas of remnant indigenous vegetation within the municipality.

Planning controls seek to protect important remnant vegetation providing habitat for fauna, preserving biodiversity and providing lifestyle choices, whilst creating a desirable destination for residents, visitors and recreational users. The bushland and rural character is under threat from vegetation clearance for development, agriculture, pest plant and animal invasion, overgrazing, soil erosion, changes in hydrology and burning regimes, mismanagement and climate change.

The challenge for the municipality is to provide for sustainable land use and development in these areas while achieving a Net Gain of native vegetation. Biodiversity protection and enhancement will be facilitated by having regard to land capability and environmental management while also protecting the character, landscape and other natural and environmental characteristics.

Economic development issues

Much of the land within these areas is not high quality agricultural land. Commercial activity should complement and enhance the landscape and visual character and environmental significance of these areas.

The focus will be to protect and support the viability of existing agricultural activities and promote other appropriate business activities, which use best practice sustainable land management techniques and provide benefits to the local economy.

Council encourages home occupations as an important means of achieving economic development and providing opportunities that enable residents to work at home. The needs of home occupations should be addressed while ensuring that local amenity and environmental and landscape values are not adversely affected.

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Housing

Key issues

- Limited opportunity for additional housing development.
- Housing development, which does not have regard to land capability, bushfire risk, environmental and landscape values.
- Inappropriate location of infrastructure and services.
- Impact of housing on biodiversity.

Objectives

- To ensure that housing development in the green wedge and Yarra River corridor responds appropriately to land capability, bushfire risk, environmental, landscape and, cultural values, adjoining land uses and physical and community infrastructure.
- To ensure that siting and design of housing development and associated infrastructure and services minimises the extent of earthworks and avoids, minimises and offsets vegetation removal and impacts.

Strategies

Strategies to achieve these objectives include:

- Prepare and implement a Land Management Plan for all development applications as appropriate.
- Maintain existing patterns of development and the character of the green wedge and Yarra River corridor areas.
- Ensure that the scale of development is appropriate to the capability of the land to retain effluent on site.
- Avoid, minimise and offset native vegetation removal and impacts.
- Ensure that the siting and design of housing development and associated infrastructure and services minimises the extent of earthworks and responds to site constraints including slope, waterways and bushfire risk.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Rural Conservation Zone.
- Applying the Low Density Residential Zone to the Wonga Park township.
- Applying the Bushfire Management Overlay.
- Applying the Environmental Significance Overlay.
- Applying the Erosion Management Overlay.
- Applying the Land Subject to Inundation Overlay.

Policy and exercise of discretion

- Implementing the *Manningham Green Wedge Strategy* (2004).
- Implementing the *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Implementing the *Manningham (Biosites) Sites of Biological Significance Review* (2004).
- Implementing the *Wildlife Movement and Habitat Needs in Manningham* (2009).
- Implementing the *Locally Threatened Plants in Manningham* (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).

Further strategic work

- Reviewing the appropriate zoning of land currently zoned Rural Conservation Zone within the Urban Growth Boundary.

Other actions

- Implementing the *Domestic Wastewater Management Plan* (2002).

21.07-3

20/09/2019
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Subdivision

Key issues

- Loss of productive agricultural land.
- Pressure for subdivision of the green wedge.
- Impact on environmental and landscape values from subdivision.
- Loss of biodiversity
- Poor land capability for development.
- Lack of physical and community infrastructure.
- Creation of environmental hazards such as flooding, landslip and bushfire risk,

Objectives

- To discourage fragmentation of land within the green wedge and Yarra River corridor.
- To discourage subdivision where it will result in the loss of productive agricultural land.
- To ensure that any application for subdivision responds appropriately to land capability, bushfire risk, landscape, cultural and environmental values, adjoining land uses and physical and community infrastructure.
- To ensure that any application for subdivision avoids, minimises and offsets the removal of and impacts upon native vegetation.

- To ensure that adequate provision is made for appropriate physical infrastructure and services.
- To ensure that subdivision adopts ecologically sustainable design principles.

Strategies

Strategies to achieve these objectives include:

- Prepare and implement a Land Management Plan for all applications for subdivision.
- Encourage landowners of new subdivisions to identify building envelopes to limit the impacts of development, with consideration to environmental, cultural and landscape qualities, bushfire risk, topography, watercourses, lot size/design and servicing constraints.
- Ensure that subdivision design and layout responds appropriately to topography and vegetation cover and is consistent with Net Gain objectives and principles to avoid, minimise and offset native vegetation removal and impacts.
- Avoid the creation of new lots with a slope greater than 20%.
- Ensure subdivision design and layout considers lot orientation, size and location of building and effluent envelopes and integrated water management to achieve ecologically sustainable design outcomes.
- Ensure that subdivision, buildings and/or works in bushfire areas are appropriately sited, designed and managed to address bushfire risk.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Rural Conservation Zone.
- Applying the Low Density Residential Zone to the Wonga Park township.
- Applying the Bushfire Management Overlay.
- Applying the Environmental Significance Overlay.
- Applying the Erosion Management Overlay.
- Applying the Land Subject to Inundation Overlay.

Policy and exercise of discretion

- Implementing the *Manningham Green Wedge Strategy* (2004)
- Implementing the *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Implementing the *Manningham (Biosites) Sites of Biological Significance Review* (2004).
- Implementing the *Wildlife Movement and Habitat Needs in Manningham* (2009).
- Implementing the *Locally Threatened Plants in Manningham* (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Using Local Policy to guide subdivision incorporating irregular battle axe type allotments (*Battle axe blocks policy, Clause 22.11*).
- Using Local Policy to guide the protection of environmental and landscape values in identified Bushfire Areas (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).
- Implementing the *Manningham Green Wedge Infrastructure - Site Responsive Design Guide* (2013)

Further strategic work

Other actions

- Implementing the *Domestic Wastewater Management Plan (2002)*.

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Built form and landscape character

Key issues

- Design and construction of development in areas with topographical constraints, bushfire risk, landscape character, visual and environmental significance.
- Impact of vegetation removal and earthworks on landscape character.
- Loss of scenic values of the Yarra River corridor.

Objectives

- To encourage building form that responds appropriately to the landscape and minimises risk.
- To encourage retention of native vegetation.
- To minimise the extent of earthworks and to preserve and enhance natural drainage lines.
- To encourage the planting of indigenous vegetation.
- To protect and enhance landscape quality, view lines and vistas.

Strategies

Strategies to achieve these objectives include:

- Avoid the construction of buildings on ridgelines.
- Design and site buildings to minimise visual impact.
- Encourage the siting and design of buildings and works, selection of materials and landscaping to minimise bushfire risk.
- Encourage development that meets higher construction standards and/or utilises alternative treatments to address bushfire risk in preference to vegetation removal.
- Ensure building design is site responsive.
- Avoid development on land with slopes greater than 20%.
- Ensure that the siting and design of development including landscaping, minimises impacts on adjacent State Parks and other conservation reserves

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying an Environmental Significance Overlay.
- Applying the Bushfire Management Overlay.
- Applying the Erosion Management Overlay.
- Applying the Land Subject to Inundation Overlay.

Policy and exercise of discretion

- Implementing the *Manningham Green Wedge Strategy (2004)*.
- Implementing the *Development Guide for Areas of Environmental and Landscape Significance (2011)*.

- Implementing the Manningham Heritage Garden & Significant Tree Study – Stage 2 (April 2006) which identified vegetation of significance to be protected and maintained.
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire Areas (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).
- Using Local Policy to guide the siting and location of outbuildings in the Rural Conservation Zone (*Outbuildings in the Low Density Residential Zone and the Rural Conservation Zone, Clause 22.19*).
- Using Local Policy to guide use and development in the Rural Conservation Zone (*Use and Development in the Rural Conservation Zone, Clause 22.20*).

Further strategic work

- Investigate the need for a Local Planning Policy to address built form and earthworks.

Other actions

21.07-5

20/09/2019
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Environmental issues

Key issues

- Loss of biodiversity.
- Loss and fragmentation of habitat for fauna and flora.
- Impacts upon threatened species.
- Impact of land use and development on biodiversity.
- Degradation of waterways, aquatic and riparian habitats.
- Invasion and spread of pest plants and pest animals.

Objectives

- To conserve and enhance the significant environmental qualities of the green wedge and Yarra River corridor.
- To ensure that land use, development and land management practices protect and enhance biodiversity, soil, water and air quality, native flora and fauna and the character of these areas.
- To achieve developments which are site responsive and which complement the topography and environmental qualities of an area.
- To improve the habitat, vegetation, soil, water and visual qualities alongside streamside environments.

Strategies

Strategies to achieve these objectives include:

- Require the preparation of a site analysis plan of the site and surrounds for all development and subdivision proposals showing the opportunities and constraints, and how a proposal appropriately responds to this analysis.
- Prepare and implement Land Management Plans that enhance the land's environmental values.
- Protect and enhance native vegetation, including roadside vegetation as wildlife habitat and as corridors for flora and fauna.
- Protect and enhance wetland, stream and waterway environments to conserve soils, ensure water quality, avoid sedimentation and retention of native vegetation as wildlife habitat and as a corridor for wildlife movement.

- Require land use and development proposals to demonstrate compliance with Net gain objectives and principles to avoid, minimise and offset removal of and impacts upon native vegetation.
- Promote the re-vegetation of cleared areas or gaps in habitat corridors with indigenous species.
- Ensure that subdivision, buildings and/or works in bushfire areas are appropriately sited, designed and managed to address bushfire risk.
- Encourage development that meets higher construction standards and/or utilises alternative treatments to address bushfire risk in preference to vegetation removal.
- Require proposals to be supported by the outcomes of a proper land capability assessment.
- Ensure that sediment run-off is contained on site using best practice techniques during the use and development of any land.
- Require development and landscaping to protect and enhance habitat corridors.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying an Environmental Significance Overlay.
- Applying the Erosion Management Overlay.
- Applying the Bushfire Management Overlay.
- Applying the Land Subject to Inundation Overlay

Policy and exercise of discretion

- Implementing the *Manningham Green Wedge Strategy* (2004).
- Implementing the *Manningham Biosites: Sites of (Biological) Significance Review* (2004).
- Implementing the *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Implementing the *Wildlife Movement and Habitat Needs in Manningham* (2009).
- Implementing the *Locally Threatened Plants in Manningham* (2010).
- Implementing the *Roadside Environmental Management Strategy* (2004).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Using Local Policy to guide land use and development in areas of known or potential archaeological significance (*Cultural heritage policy, Clause 22.03*).
- Using Local Policy to guide the protection of environmental and landscape values in identified Bushfire Areas (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).
- Using Local Policy to guide the siting and location of outbuildings in the Rural Conservation Zone (*Outbuildings in the Low Density Residential Zone and the Rural Conservation Zone, Clause 22.19*).
- Using Local Policy to guide use and development in the Rural Conservation Zone (*Use and Development in the Rural Conservation Zone, Clause 22.20*).

Further strategic work

- Identifying and mapping additional sites of identified bushfire risk and including the sites in the Bushfire Management Overlay.

- Identifying the location of weed species to assist in developing appropriate management techniques.
- Investigating the potential for the establishment and enhancement of fauna habitat and linking corridors between sites of environmental significance.
- Investigating the areas where the Council order in relation to prohibition of dogs and cats should be applied.

Other actions

- Continuing to control and remove introduced pest plants and animals on a priority basis with special emphasis on the provisions made under the *Catchment and Land Protection Act 1994* and direction from the Catchment Management Authority.
- Continue to support private landowners in conserving biodiversity through Council's Biodiversity Incentive Programs.
- Developing an environmental checklist for new buildings to ensure that environmentally sound materials are used where possible.
- Implementing the *Domestic Wastewater Management Plan (2003)*.
- Implementing the *Horse Riding Strategy (2001)* with respect to best practice pasture management, horse trail management and environmental education for riders and identify implementation opportunities through the planning scheme.

21.07-6

20/09/2019
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Economic development issues

Key issues

- The restrictions of the Rural Conservation Zone on opportunities for potential business activities.
- Environmental and amenity impacts of agricultural and commercial businesses.
- Attracting sustainable businesses.
- Threat to viability of existing agricultural and commercial businesses

Objectives

- To ensure further development does not impact on existing productive agricultural land and activities.
- To ensure residential and environmental amenity is not affected by business activities.
- To encourage sustainable business opportunities which complement the scenic, landscape and environmental qualities of the area.

Strategies

Strategies to achieve these objectives include:

- Increase local employment opportunities.
- Support the establishment of a mix of appropriate, sustainable, non-intensive agricultural uses in the Yarra River Corridor and green wedge areas.
- Encourage business opportunities including nature-based tourism in the Yarra River corridor and green wedge areas, which complement the remnant bushland and rural living environment.
- Ensure that home occupations have minimal impact on the amenity of the surrounding area, including noise.

Implementation

These strategies will be implemented by:

Policy and exercise of discretion

- Implementing the *Home-Based Business Strategy* (1996) that encourages the establishment of appropriate businesses that do not compromise residential amenity.
- Implementing the *Manningham Green Wedge Strategy* (2004)
- Implementing the *Manningham City Council 2003-2006 Economic Development Strategy* (2003).

Zones and overlays

Further strategic work

- Investigating options for alternative ‘sustainable’ business opportunities.

Other actions

- Promoting and distributing Manningham’s *Home-based Business Kit* (2005).
- Ensuring the benefits of the Bush Gain and Local Environment Assistance Fund Programs are available to businesses.
- Implementing the *Manningham Land Capability Study* (2004).

21.07-7

20/09/2019
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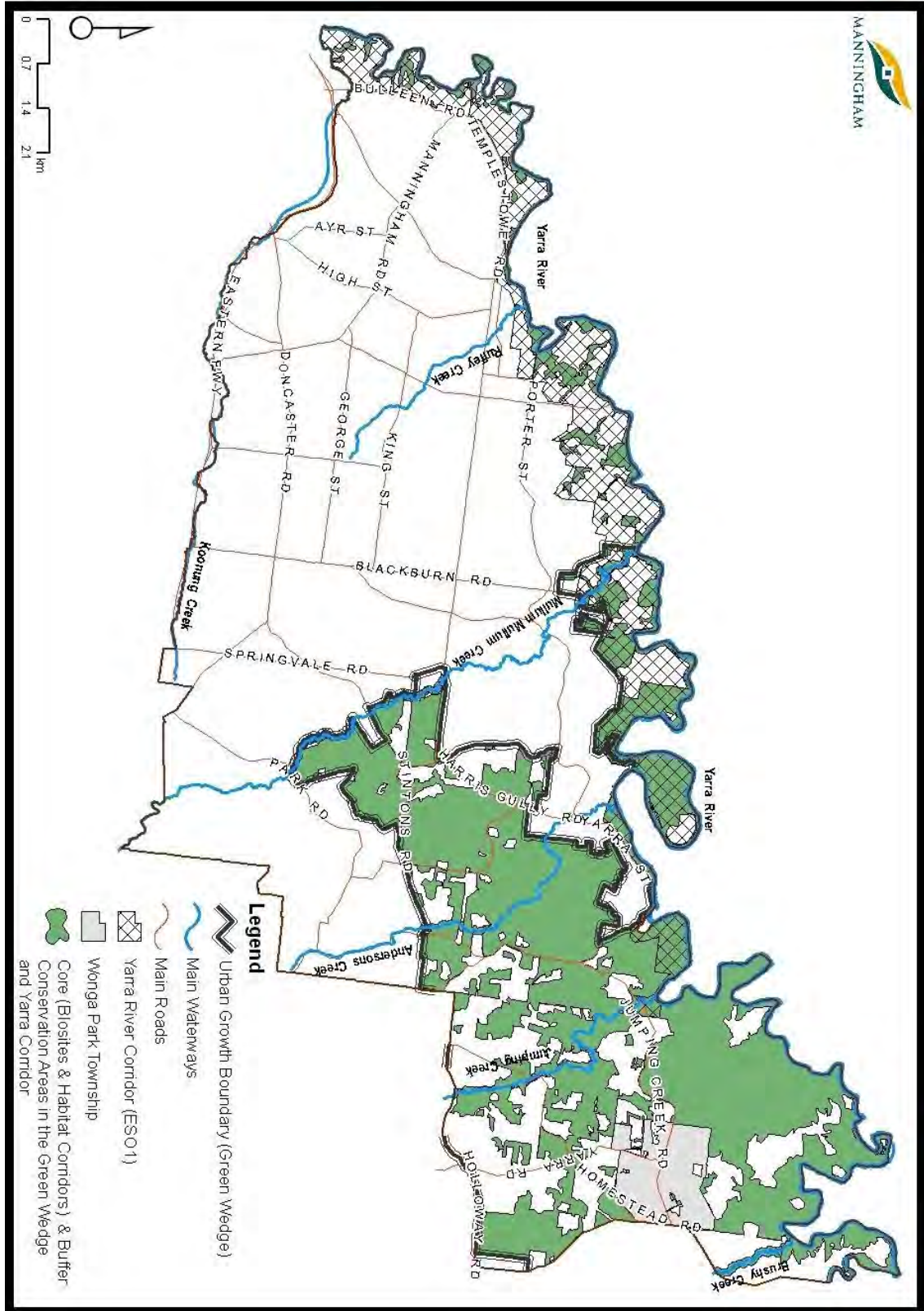
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GREEN WEDGE AND YARRA RIVER CORRIDOR FRAMEWORK PLAN 3



21.0817/09/2009
VC59**21.08-1**02/10/2008
C52**INDUSTRIAL****Overview**

Manningham has few areas zoned for industrial use. These areas are shown in Industrial Framework Plan 4. The industrial centres at Bulleen and Templestowe are located within high quality landscapes and vistas. A key challenge for Council is to ensure that the use and/or development of these industrial areas, does not have a detrimental impact on nearby residential areas and existing environment and/or landscape values.

Industrial use

Council will discourage the establishment of non-industrial uses in the Bulleen and Templestowe areas to consolidate the role of these light industrial areas.

It is envisaged that industrial uses within Doncaster Hill will be phased out over time as the area is developed for higher density living.

Council will encourage measures that ensure a competitive operating environment for business, through the encouragement of sustainable business practices, including initiatives, which foster best practice environmental management and use of competitive business technologies.

Urban design and built form

It is important that new development improves the visual appearance, accessibility, safety, promotes sustainable development and addresses the scale and form of surrounding development through site responsive design.

21.08-217/09/2009
VC59**Industrial use****Key issues**

- Consolidating the role of industrial areas.
- Impacts of industrial use and development on the environment and residential amenity.
- The changing role of the Doncaster Hill Activity Centre.

Objectives

- To retain opportunities for industrial uses within existing industrial areas.
- To encourage industrial uses that does not adversely affect the amenity of the local area and the natural environment.
- To phase out industrial uses in the Doncaster Hill Activity Centre, over time to accommodate higher density living.

Strategies

Strategies to achieve these objectives include:

- Discourage the establishment of non-industrial uses within the industrial areas.
- Consolidate the role of these areas to minimise the need to rezone additional land for industrial purposes.
- Discourage uses that may have a negative impact on the local area.
- Encourage businesses to adopt best practice environmental management and consider latest business technologies.
- Discourage the further expansion of industrial uses within the Doncaster Hill Activity Centre.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Industrial 1 Zone.
- Applying the Activity Centre Zone to industrial land within the Doncaster Hill Activity Centre.

Policy and exercise of discretion

- Implementing the *Doncaster Hill Strategy* (2002).
- Using Local Policy to guide the use and development of land in industrial areas (*Industrial areas policy, Clause 22.16*).

Further strategic work

- Reviewing the *Manningham City Council 2003-2006 Economic Development Strategy* (2003) to consider industrial land use and development.

Other actions

21.08-3

17/09/2009
VC59

Urban design and built form

Key issues

- Appearance of buildings, car parking and signage.

Objectives

- To ensure that scale and built form of development makes a positive contribution to the streetscape character and visual amenity.
- To achieve development with a high standard of amenity, functionality and safety.
- To reduce the visual impacts of car parking and driveway areas.
- To ensure that all advertising signs complement the character of the area, the site and surrounds, built form and streetscape, minimise clutter, are well designed and improve the site's attractiveness and function.
- To encourage development to have regard to Ecologically Sustainable Development principles.
- To provide landscaping to soften built form within industrial areas.

Strategies

Strategies to achieve these objectives include:

- Encourage development that improves the visual appearance of industrial areas through appropriate built form and minimises the visual impacts of car parking and signage.
- Require development to include stepped heights, articulation, and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.
- Encourage car parking areas to be located at the rear, side or basement of buildings in a way that responds to landform and surrounding development.
- Encourage the use of appropriate landscaping and water sensitive design to soften the visual appearance of large areas of car parking within developments.
- Encourage signs which complement the character of the area, the site and surrounds, built form and streetscape, minimise clutter, are well designed and improve the site's attractiveness and function.
- Minimise the impacts of signs on key landmarks, views and vistas.

- Provide adequate setbacks for buildings located adjacent to parkland to allow appropriate landscaping to be undertaken.
- Ensure that any development adjacent to parkland is of a scale and form that minimises its visual impact on users of the parkland.
- Require the retention of native vegetation wherever practical and/or requiring landscaping to incorporate indigenous flora.
- Require safe and convenient vehicle and pedestrian access.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying an Environmental Significance Overlay to industrial areas in Bulleen and Templestowe.
- Applying a Significant Landscape Overlay to industrial land in Websters Road, Templestowe.
- Applying an Activity Centre Zone to industrial land within the Doncaster Hill Activity Centre.
- Applying an Environmental Audit Overlay to former industrial land within the Doncaster Hill Activity Centre.

Policy and exercise of discretion

- Implementing the *Doncaster Hill Strategy* (2002).
- Using Local Policy to encourage appropriate uses within industrial areas and improve the built form and functionality of industrial developments, including design and location of car parking areas (*Industrial areas policy, Clause 22.16 and Access for disabled people policy, Clause 22.09*).
- Using Local Policy to guide the location and display of advertising signs (*Outdoor advertising signs policy, Clause 22.07*).
- Using Local Policy to encourage high standards of development and appropriate uses in the Bulleen industrial area (*Bulleen gateway policy, Clause 22.10*).

Further strategic work

- Reviewing Clause 22.10 *Bulleen Gateway policy*, to determine if it is still relevant.

Other actions

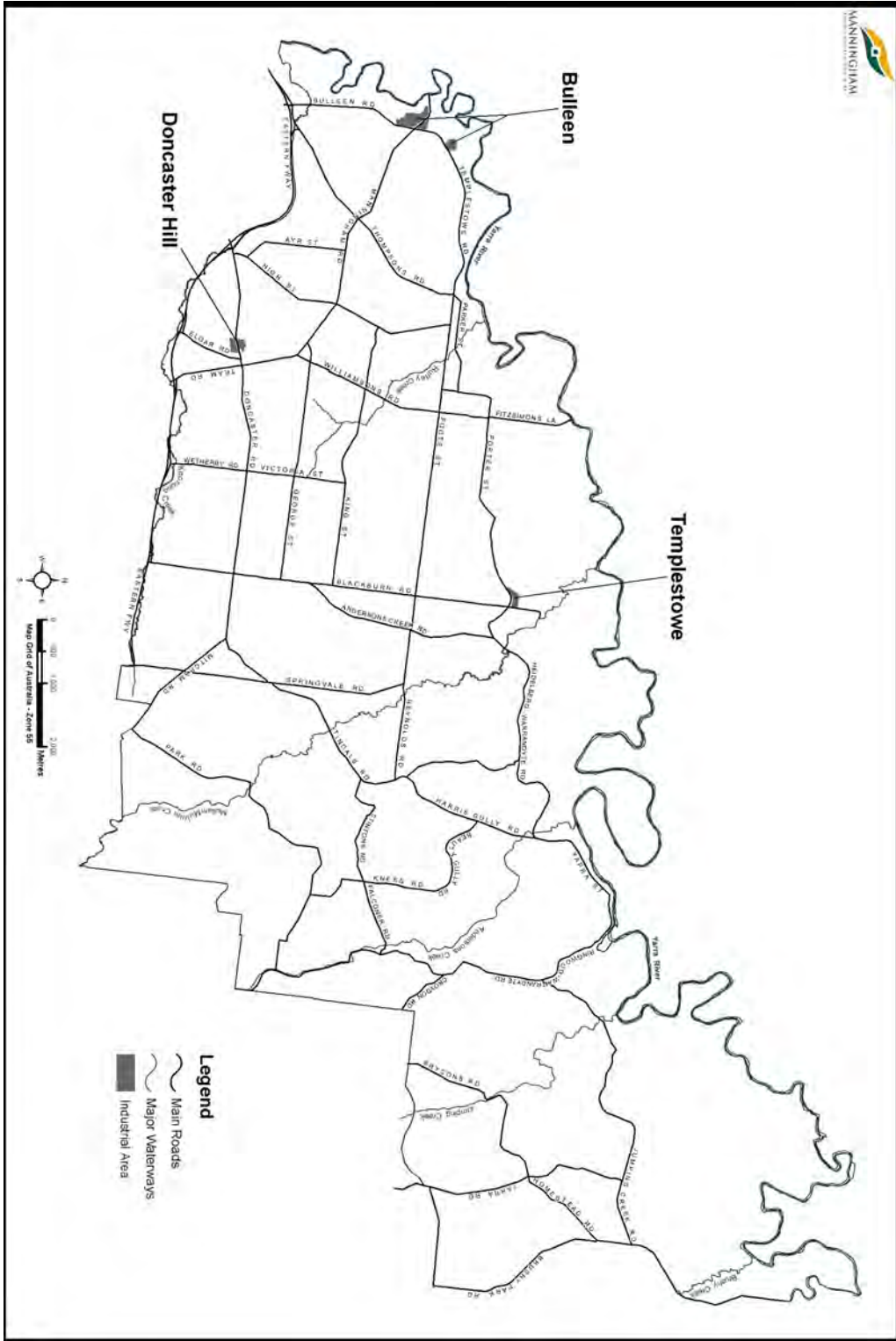
21.08-4

02/10/2008
C52

Reference documents

- Manningham City Council (2002) *Doncaster Hill Strategy*, Manningham City Council, Doncaster.

Industrial Framework Plan 4



21.0923/05/2019
C104**21.09-1**23/05/2019
C104**ACTIVITY CENTRES AND COMMERCIAL AREAS****Overview**

This section applies to all activity centres and commercial areas identified in Framework Plan 5. Activity Centres are generally included within a Commercial 1 Zone or an Activity Centre Zone. Other commercial areas are generally zoned Commercial 1 Zone and Mixed Use Zone.

Manningham's network of activity centres currently comprises two Major Activity Centres (Doncaster Hill, Doncaster and The Pines, East Doncaster) and ten Neighbourhood Activity Centres (Donburn, Tunstall Square, Jackson Court, Templestowe Village, Macedon Activity Centre, Bulleen Plaza, Doncaster East / Devon Plaza Activity Centre, Park Orchards, Warrandyte township and Warrandyte Goldfields). There are also a number of local activity centres, and other commercial areas throughout the municipality.

Activity centres are integral to the local economy and local employment generation and are an important focal point for community life and interaction.

Key challenges for Manningham's network of activity centres are to ensure that commercial development is contained within the activity centres and that existing centres remain vibrant, viable and sustainable into the future. These centres will be supported by an enhanced public transport system. The Major and identified Neighbourhood Activity Centres will be the focus of increased residential growth and development. Other key challenges facing activity centres include changes to industry and social trends (eg, regionalisation of government services to larger centres, internet shopping, lifestyle shopping) as well as the impact of The Pines and Westfield Doncaster expansions on other centres.

Small clusters of commercial development exist throughout Manningham. There is increasing pressure for linear commercial development along main roads and for new commercial development to be located outside of activity centres. These types of developments impact on the viability of the existing activity centres and are often poorly located in terms of access to appropriate services and public transport.

Major Activity Centre (Doncaster Hill)

Plan Melbourne 2017-2050 identifies Doncaster Hill as a Major Activity Centre.

The Doncaster Hill Activity Centre is a 58 hectare area located in Doncaster, stretching along the major corridors of Doncaster Road, Williamsons Road and Tram Road. It is located approximately 12 kilometres from the Melbourne Central Activities District and is one of the highest points in Melbourne showcasing views of the Dandenongs, Kinglake Ranges and the panoramic Melbourne City skyline.

The Doncaster Hill Activity Centre is regarded as a prime location for redevelopment based on topographic features and existing physical and community infrastructure assets.

To meet changing demographic trends and achieve residential targets identified by Council there is a need to provide a greater diversity of dwelling types. As part of the *Manningham Residential Strategy* (2012), high and medium density housing densities will be encouraged within identified Activity Centres whilst residential development outside identified Activity Centre areas will be the focus for lower density, detached housing development. The Doncaster Hill Activity Centre has been identified as a focus for high density residential development.

Manningham has a commitment to sustainability. The Doncaster Hill Activity Centre is an opportunity to showcase an integrated land-use planning and development framework which:

- challenges mainstream community planning and building design to achieve desired environmental outcomes
- provides more local jobs to reduce journey to work trips
- provides housing where residents may walk to facilities and services

- encourages reduced levels of car ownership and increased public transport usage.

Vision

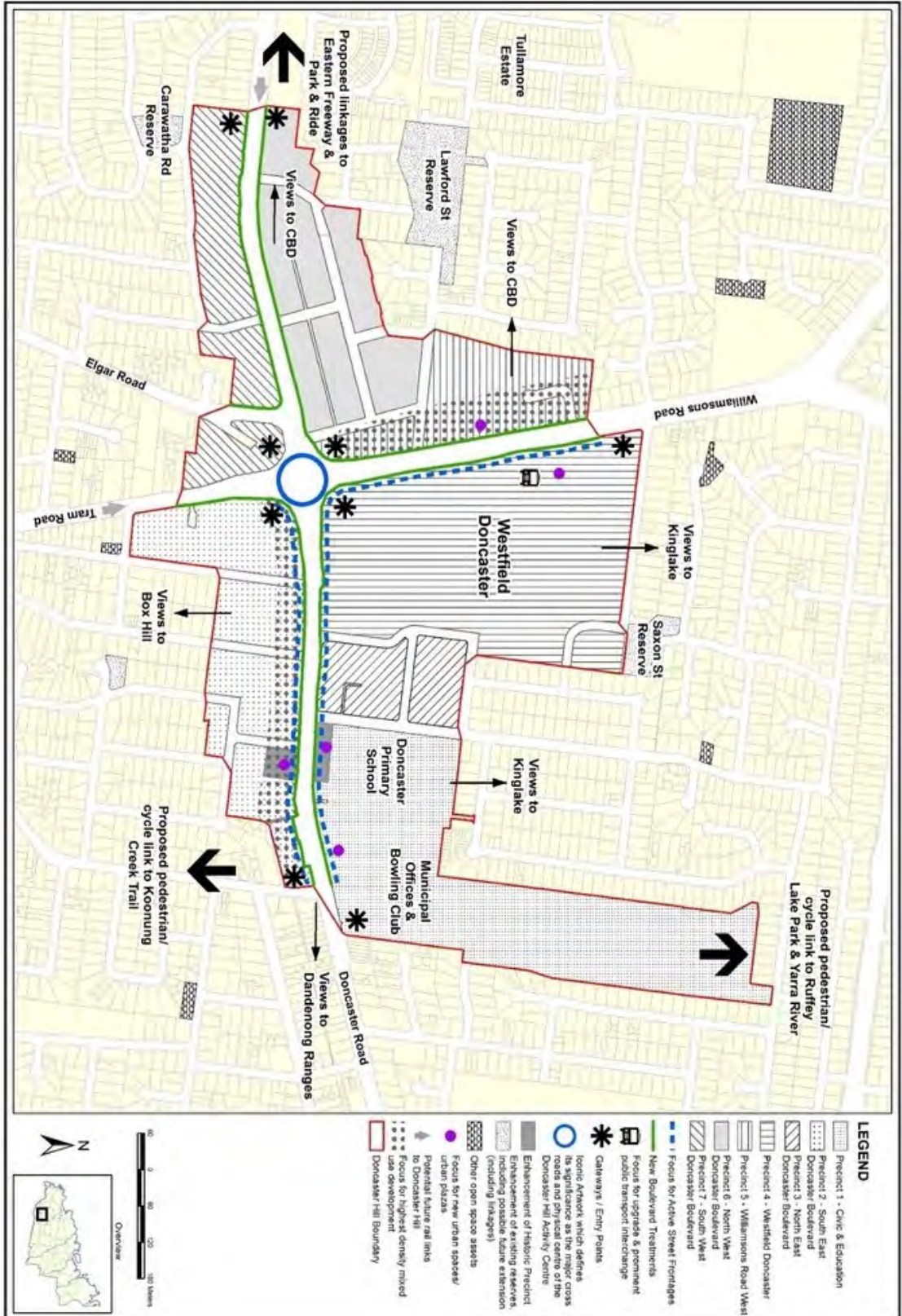
The *Doncaster Hill Strategy* (October 2002, revised 2004) envisages that the Doncaster Hill Activity Centre will be a key destination in Melbourne's East. It will be a high density, sustainable, vibrant, contemporary mixed use urban village with a strong sense of place and civic identity based on the following key vision objectives:

- To implement the objectives of Plan Melbourne 2017-2050 in respect of Major Activity Centres as a focus for retail, social, commercial, entertainment, civic and residential uses.
- To facilitate the future expansion of Westfield Doncaster to provide an economically viable and sustainable precinct with retail, commercial and entertainment offerings that meet local and regional expectations and demands.
- To integrate ecologically sustainable development principles and techniques into every facet of the design, construction and operation/occupancy stages of new development to raise the aspirations of all users, appropriate for a city looking towards a long-term, responsible and sustainable future.
- To ensure that built form outcomes demonstrate the use of contemporary architecture combined with innovative urban design and building techniques that incorporate ecologically sustainable design principles.
- To emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.
- To encourage high density, high rise residential development.
- To provide a greater diversity of dwelling types.
- To alleviate pressure for more intense residential development in established urban areas.
- To reduce travel demand and change travel behaviour.
- To promote the development of sustainable transport options.
- To meet the future infrastructure requirements of Doncaster Hill in a comprehensive, timely and equitable way.
- To develop an integrated mixed-use precinct for Doncaster Hill Activity Centre which provides for an appropriate mix of uses and functions on a location specific level, including the provision of:
 - mixed uses within buildings, particularly along boulevard locations
 - small scale retail opportunities at ground floor level in conjunction with other mixed use developments
 - additional commercial/office floor space
 - flexible floor spaces within buildings to ensure life cycle adaptability.

The key strategic directions for future land-use planning and development are illustrated by the Doncaster Hill Strategy Framework Plan, included as Map 1 to this Clause. This Framework Plan provides the design vision as a stimulus for private and public sector developments.

MANNINGHAM PLANNING SCHEME

Map 1 – Doncaster Hill Strategic Framework Plan



Precincts

Seven distinctive development precincts have been identified and delineated within the Doncaster Hill Activity Centre. The precincts are delineated in accordance with their topographic orientation and aspect on Doncaster Hill, their relationship to main roads, and their present and future uses.

The precincts provide guidance to the expected outcomes in each area and a framework for the assessment of appropriate mixes of functions, building scale and character to create a distinctive sense of identity and character for each of the precincts.

In addition to the seven precincts, guidance to the expected outcomes for the intersection of Doncaster, Williamsons and Tram Roads is also outlined. The seven precincts of the Doncaster Hill Activity Centre and the intersection are identified on Map 2 to this Clause.

Precinct 1

Existing conditions

This precinct contains existing civic, education and art infrastructure for Doncaster Hill Activity Centre, including the defining historic buildings and most of the existing open space. It also features commanding views of the Kinglake ranges to the north and the Dandenong ranges to the east.

Vision

The creation of a consolidated, prominent and accessible civic centre with an expanded community and education focus, with gateway presence. It will also include a major urban open space/green spine for Doncaster Hill Activity Centre residents and the wider Manningham community. It is also envisaged to incorporate strong pedestrian links to other areas of Doncaster Hill Activity Centre and enhance the historic/arts sub-precinct.

Precinct 2

Existing conditions

This precinct is a north-facing strip on the south side of the Doncaster Road ridgeline, commanding 360-degree panoramic views and already containing a significant component of the commercial development for Doncaster Hill Activity Centre.

Vision

The focus for high-density mixed use development on Doncaster Hill, this precinct will include cafes, restaurants and outdoor eating at ground level taking advantage of the north-facing aspect, forming the backbone of a vibrant and active boulevard. It is also envisaged that strong pedestrian links will be established between both sides of Doncaster Road and that the heritage buildings will be retained to reinforce heritage/arts character of the area.

Precinct 3

Existing conditions

This precinct is the interface zone between the Civic and Education Precinct 1 to the east and Westfield Doncaster (Precinct 4) to the west. It falls away dramatically to the north maximising northern views and exposure. The Precinct presently comprises mainly low-density housing, with several rear lanes, and commercial development abutting Doncaster Road.

Vision

In light of its strategic location between Precincts 1 and 4, the future fabric in Precinct 3 will be highly permeable, including well-defined public spaces with linking pathways and with development addressing rear laneways and well designed public plaza(s). Precinct 3 will be well connected to high-density mixed-use development along Doncaster Road and Westfield Doncaster. Development will step down the hill and should fully exploit the northerly aspect and commanding views to the northern ranges.

Precinct 4

Existing conditions

Westfield Doncaster is a major regional shopping centre centrally located within the Doncaster Hill Activity Centre. The site has significant frontages to the main roads and occupies the dominant corner of the main intersection. It commands panoramic views to the north and west. The precinct also contains residential uses along the northern boundary.

Vision

As the Principal retail and entertainment focus of the Doncaster Hill Activity Centre it is envisaged that Westfield Doncaster will be better integrated into Doncaster Hill Activity Centre and the surrounding community. Future developments at Westfield Doncaster should be consistent with the vision of Doncaster Hill Activity Centre by incorporating activated street frontages and external spaces, a greater mix of uses, pedestrian accessibility, an accessible and prominent public transport interchange and improved engagement with the main intersection.

Precinct 5

Existing conditions

This precinct extends along the Williamsons Road ridgeline. It contains the only existing high-density housing development on the Hill and the Doncaster Hotel, the third largest single consolidated site within Doncaster Hill Activity Centre. The precinct features panoramic city skyline views to the west and direct access to open space and parkland along its southern boundary.

Vision

It is envisaged that high-density development continues along the Williamsons Road ridgeline, with strong links to Lawford Reserve, Westfield Doncaster and the public transport interchange. Strategic view corridors are to be created from the west side of Williamsons Road (in the vicinity of the Shoppingtown Hotel site) towards the city skyline, including from public open space abutting Williamsons Road.

Precinct 6

Existing conditions

This precinct comprises the northwest area of Doncaster Road and Doncaster Hill Activity Centre. The precinct presently has a strong commercial/light industrial character, and older residential stock along Firth Street. It commands city views from the higher reaches at the east end.

Vision

It is envisaged that the mixed-use village character will continue on a smaller scale to that proposed for precincts further east and strong pedestrian links will be created to Lawford Reserve and to the south side of Doncaster Road. Commercial and mixed-uses will be located along Doncaster Road with medium-density residential uses located towards the rear of the precinct. Together with Precinct 7 it forms the major gateway entry to Doncaster Hill Activity Centre along Doncaster Road comprising of a consistent built edge and tree-planting with a gateway building located at west entry point.

Precinct 7

Existing conditions

This precinct comprises the south-west area of Doncaster Road and the Doncaster Hill Activity Centre, and is presently characterised by light industrial and commercial uses, including a number of restaurants at the west end and also including some residential land uses to the south. It commands city views from the higher reaches at the east end.

Vision

It is envisaged that a mixed-use village will be created on a smaller scale than that proposed for precincts further east. Together with Precinct 6, it forms a major gateway entry to the Doncaster Hill Activity Centre with consistent tapering of the built edge - to preserve the views of the city. It is envisaged that a gateway building be located at west entry point and that boulevard tree planting be located along the length of Doncaster boulevard. Commercial and mixed-uses will be located along Doncaster Road.

Intersection of Doncaster, Williamsons and Tram Roads

Existing conditions

This intersection comprises the major cross roads and physical centre of the Doncaster Hill Activity Centre with views to the city skyline and Box Hill. The intersection forms part of the major arterial road networks in the municipality, with access from the intersection to the Eastern Freeway, CBD and Box Hill Activity Centre. Doncaster Road is the municipality's main east-west arterial road and major bus route.

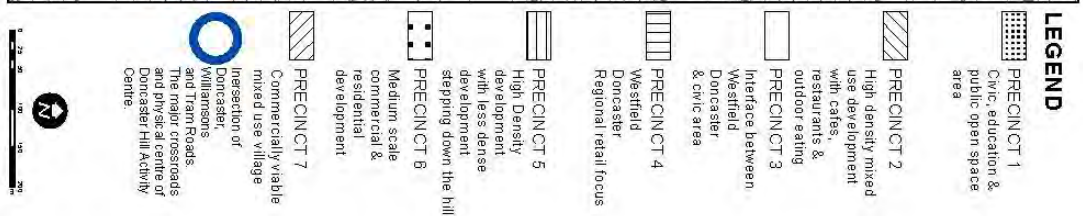
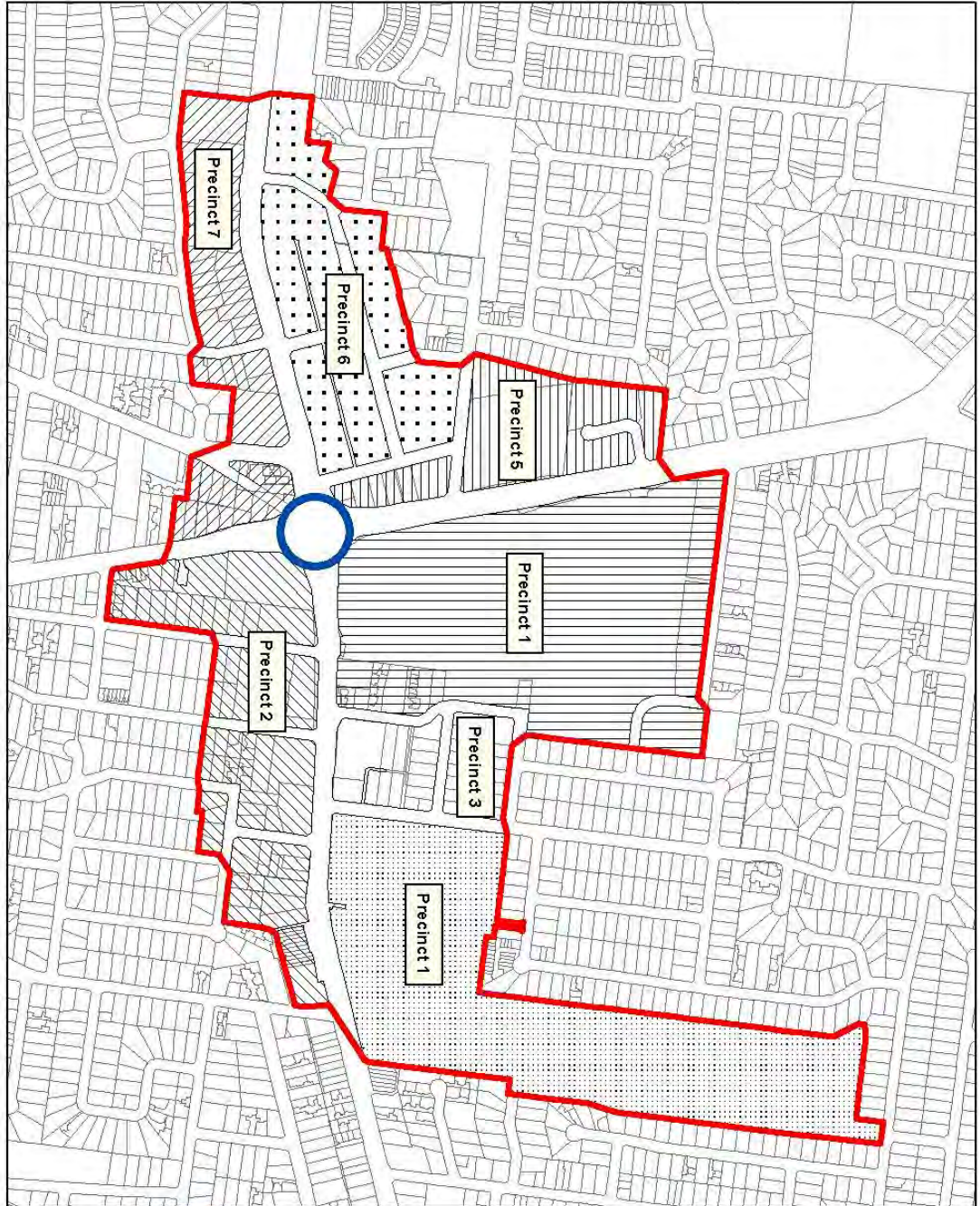
Vision

The Strategy supports the provision of iconic artwork at the intersection which:

- defines its significance as the major cross roads and physical centre of the Doncaster Hill Activity Centre
- creates a focal point of iconic status for Doncaster Hill Activity Centre visible from all directions
- visually unifies the 4 corners of the intersection
- preserves the street level pedestrian focus and retains views along Doncaster Road.

It is envisaged that this intersection will have greatly increased pedestrian safety and amenity, connecting all precincts abutting the Doncaster Road, Williamsons and Tram Roads intersection.

Map 2 – Location of Doncaster Hill Activity Centre Precincts



Major Activity Centre (The Pines, Doncaster East)

The Pines Activity Centre is identified as a Major Activity Centre in *Melbourne 2030*. The Pines Activity Centre is located on Blackburn, Reynolds and Andersons Creek Roads, Doncaster East and occupies an area of approximately 38 hectares and is approximately 19 kilometres north east of Melbourne. The Pines Activity Centre is on the urban fringe of the Melbourne Metropolitan area and situated approximately within one kilometre of Manningham's Green Wedge to the north and low density areas to the east. Although the trade area extends approximately eight kilometres east, the growth forecast for The Pines is limited by the relatively low density of the trade area, lack of passing traffic and the proximity of large regional shopping centres.

The Pines Activity Centre Structure Plan boundary has been applied to include sufficient land to provide for the needs of the local community until 2025 after which time The Pines Activity Centre Structure Plan will need to be reviewed. As a Major Activity Centre, mixed use development, higher density housing and a wider range of arts, community, cultural and entertainment facilities will be encouraged.

Vision

The Pines Activity Centre will continue to be a focus for the community and to provide for their retail, community, recreational and entertainment needs as well as providing for a diversity of residential options within its context of being on the fringe of the metropolitan area of Melbourne and its proximity to the Green Wedge.

Key Strategic Objectives are:

- Support the development of The Pines Activity Centre which meets the social, recreational and retail needs of the population at the sub-regional level.
- Ensure that any future development in The Pines Activity Centre is in keeping with its location on the fringe of the urban area and its proximity to the Green Wedge.
- Encourage apartment style development within The Pines Activity Centre to maximise the use of the commercial and social facilities provided within and to provide alternative housing options for the locality.
- Encourage greater use of public transport to and from The Pines Activity Centre and advocate for more services and for these services to be provided more frequently.
- Enhance the public realm within The Pines Activity Centre by ensuring that the public spaces meet a range of community needs, are well linked together, are easily accessible, safe and visually pleasing.
- Maximise use of the area's natural strengths such as views to surrounding rural and bushland areas in keeping with the community interest.
- Support housing choices to meet changing demographic trends, especially an ageing population.
- Support a range of health, family and professional services relevant to the role of The Pines Activity Centre.
- Support a range of education and learning activities to meet the needs and aspirations of the local community.
- Provide for well defined vehicular, bicycle and pedestrian access both within and external to all precincts, with strong pedestrian crossing points to be established on main roads.

The key strategic directions for future land-use planning and development are guided by The Pines Activity Centre Structure Plan Framework Plan included as Map 3 to this Clause.

Map 3 – The Pines Activity Centre Framework Plan



Neighbourhood Activity Centres

Manningham's Neighbourhood Activity Centres provide a limited mix of uses to meet local convenience needs. A key issue is to ensure that these centres remain viable and can evolve to meet the future needs of the community.

These centres will continue to be community hubs and meeting places for local residents, and opportunities for locating a range of social, community and recreational services within these centres will be encouraged. The activity centres located west of the Mullum Mullum Creek will be a focus for increased medium density development.

Development in the activity centres should improve functionality, accessibility, safety, social interaction, promote sustainability, and address scale and identity through site responsive design.

Local Activity Centres

Manningham has a number of Local Activity Centres throughout the municipality. These centres generally comprise only a small number of shops, which serve the convenience needs of immediate residents. These centres tend to experience high levels of vacancy for long periods of time and there is increasing pressure to allow different uses within these centres.

Commercial areas

A number of commercial areas exist outside out of Manningham's Activity Centres, in particular along main roads (e.g. Doncaster and Manningham Roads). Future development in existing commercial areas must incorporate the use of high quality urban and sustainable design that addresses and minimises the impact of the development on the existing streetscape and adjoining areas.

21.09-2

23/05/2019
C104

Major Activity Centre (Doncaster Hill)

Key issues

- The identification of Doncaster Hill as the civic hub for the municipality.
- The need for mixed use development with a focus on high density residential development in the Doncaster Hill Activity Centre.
- Pressure for commercial and retail development outside the Doncaster Hill Activity Centre.
- Incorporating ecologically sustainable development principles in every facet of design, demolition, construction and operation.
- Achieving innovative contemporary design and built form for all new development that is based on the best of current architectural design practice and sustainability principles.
- Infrastructure requirements in the Doncaster Hill Activity Centre.

Objectives

- To provide quality civic community services and facilities.
- To promote mixed use, high density residential development.
- To encourage the location of commercial and retail development within the Doncaster Hill Activity Centre.
- To recognise the key role that Westfield Doncaster plays as an anchor in the Doncaster Hill Activity Centre and as a major regional shopping centre.
- To maximise energy conservation and increase use of renewable energy resources.
- To achieve water sensitive urban design that offers a superior alternative to the traditional approach to water management.

- To minimise the environmental impacts of input and output materials as well as any material used in the external construction and development of buildings and works.
- To achieve healthy indoor environment quality.
- To achieve a reduction in waste generated by building occupants that is collected, hauled to and disposed of in landfills.
- To achieve building design which includes accessibility and reduces the need to modify or alter buildings, in response to future changing needs and uses.
- To maximise alternative modes of transport and minimise environmental impacts associated with car parks.
- To minimise environmental impacts associated with site construction practices.
- To achieve innovative contemporary design and built form for all new development that is based on the best of current architectural design practice and sustainability principles.
- To ensure that the future infrastructure requirements of the Doncaster Hill Activity Centre are met in a comprehensive timely and equitable manner.
- To ensure all costs are equitably apportioned between developers and the responsible authority, in the provision of all relevant infrastructure.
- To encourage active uses and pedestrian generating activities at street level.
- To improve pedestrian, bicycle and public transport access to and within Doncaster Hill.
- To minimise adverse impacts associated with the location and operation of gaming venues and machines.

Strategies

Strategies to achieve these objectives include:

- Provide a range of social and community services to be located in the Doncaster Hill Activity Centre to meet the needs of the current and future residents and reinforce its role as Manningham's civic centre.
- Provide for high density residential development on individual sites in conjunction with a mix of other uses.
- Discourage the expansion of commercial and retail uses outside the Doncaster Hill Activity Centre.
- Facilitate the expansion of Westfield Doncaster in accordance with an approved Development Plan.
- Support visual, functional and capacity improvements to the bus interchange facility.
- Address and incorporate ecologically sustainable design principles into developments at the earliest opportunity as an important design and development consideration, rather than be incorporated once concepts and plans are well advanced.
- Demonstrate the full potential of ecologically sustainable development by incorporating current best practice, using emerging design solutions and technologies and embracing a 'beyond compliance' approach to mandatory standards into proposals.
- Create an Activity Centre of a more human scale and character, which enhances the uniqueness and attractiveness of Doncaster Hill.
- Ensure that built form provides a range of building heights stepping with and emphasising the existing landform of the Doncaster Hill Activity Centre.
- Protect and enhance key views and vistas.

MANNINGHAM PLANNING SCHEME

- Provide buildings, which are visually diverse and contribute to the public realm through the use of varied, high quality, durable and environmentally appropriate materials.
- Incorporate unique architectural and/or ecologically sustainable design features in identified design element areas so that they substantially contribute to overall building form and appearance.
- Apply appropriate building setbacks for new development, ensuring that building occupants and users of the Doncaster Hill Activity Centre have a high level of amenity in terms of ventilation, daylight access, outlook, view sharing, wind mitigation and privacy.
- Achieve the development of a strong boulevard character along Doncaster Road, Williamsons Road and Tram Road based on creating:
 - a strong sense of place and a safe and comfortable environment
 - active street frontages and mixed uses within buildings along Doncaster and Williamsons Roads (and part of Tram Road) as a focal point for appropriate uses and vibrant pedestrian generating activities including, café, leisure and other entertainment activities
 - a boulevard landscape treatment that comprises of high quality landscape treatment (including boulevard planting, canopy tree planting, screen planting, extensive tree plantings and theme plantings in appropriate locations) to be complemented by appropriate setbacks and built form.
- Apply gateway treatments to signal entry into and to enhance the special identity of the Activity Centre including the main intersection of Doncaster Road, Williamsons Road and Tram Road. Gateway treatments can include buildings showcasing unique contemporary architecture, artwork, lighting, distinctive tree planting and well-designed signage.
- Ensure that signage and displays are well designed and positioned to respect the amenity and safety of users, including the protection and enhancement of view lines and vistas and the boulevard character.
- Ensure that development incorporates high quality public and private open spaces that are useable, accessible, safe, well landscaped and provide opportunities for recreation and social interaction. These spaces should be well linked to major facilities for pedestrian networks to assist with permeability and pedestrianisation.
- Provide high quality pedestrian and bicycle linkages in both public and private areas, which improve the street level environment to create connections that are accessible, safe, interesting and pleasant.
- Provide high quality public art, which significantly contributes to the development of a contemporary and distinctive sense of place by creating an appropriate scale and location marker, defining image and reflecting the character for individual precincts.
- Provide appropriate infrastructure to meet the needs of the Doncaster Hill community, in accordance with the *Doncaster Hill Development Contributions Plan*, Manningham City Council, February 2005.
- Implement the *Doncaster Hill Development Contributions Plan*, Manningham City Council, February 2005 by proportionately allocating identified development contributions, according to projected share of usage.
- Require an economic assessment of the impacts of significant proposed developments/expansions on other activity centres.
- Implement Integrated Transport Plans to ensure access to employment, services and housing choices.
- Locate gaming venues and machines so as to discourage convenience gambling and ensure the availability of a range of alternative social and recreational activities.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying an Activity Centre Zone.
- Applying the Development Contributions Plan Overlay (DCPO1) for the purpose of levying contributions for the provision of works, services and facilities before development can commence.
- Applying the Public Acquisition Overlay (PAO1) and (PAO7) for the purpose of identifying land that Council proposes to acquire for open space or new road construction purposes.
- Applying a Development Plan Overlay.

Policy and exercise of discretion

- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to guide the location, design and management of gaming machines and venues (*Gaming, Clause 22.18*).
- Applying the Doncaster Hill Parking Precinct Plan (Doncaster Hill Parking Precinct Plan, GTA Consultants for Manningham City Council, 5 July 2004 Clause 52.06-6).
- Applying the Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005.

Further strategic work

- Investigating the development of performance standards and the identification of ‘beyond compliance’ approaches for Sustainability Management Plans.
- Investigating the need for more detailed design guidelines for specific areas and elements.
- Applying the Development Contributions Plan to ensure that the future infrastructure requirements are met in a comprehensive, timely and equitable way.
- Applying appropriate car parking rates, supporting public transport use, creating highly permeable pedestrian networks and providing pedestrian and cyclist links to reduce dependency on private car use.
- Developing a Doncaster Hill Green List for High-Density Development detailing sustainable products, brands and suppliers.

Other actions

- Regularly review the Activity Centre Zone to ensure it is delivering appropriate land use and development outcomes.
- Requiring applications for new use and development of land to apply the objectives and requirements of the *Doncaster Hill Strategy* (October 2002, revised 2004).
- Requiring applications for new use and development to have regard to the *Manningham Residential Strategy* (2012).
- Promoting and distributing the Doncaster Hill Sustainability Guidelines (2004).
- Continuing to advocate the extension of light rail into Doncaster Hill.
- Considering the views of the Sustainable Design Taskforce on major applications.
- Implementing mechanisms for the collection, disbursement and management of the Development Contributions Plan fund.

21.09-3

23/07/2015
C108**Major Activity Centre (The Pines, Doncaster East)****Key issues**

- Long-term viability of The Pines Shopping Centre and limited trade catchment area.
- Providing a suitable range of community facilities and services, infrastructure and accommodation to meet the needs of the changing demographics, in particular, the ageing population.
- Limited land available to provide for additional commercial and residential development.
- Achieving innovative, contemporary built form based on best practice architectural design and sustainability principles.
- Development does not address the streetscape.
- Enhancing the public transport interchange function of The Pines Shopping Centre.
- The topography of The Pines Activity Centre presents challenges for creating pedestrian and bicycle friendly environments.
- High visibility of the Pines Activity Centre from the Green Wedge.
- Establishing an identity and sense of community and place that is unique to this area.
- Preservation of biosites and habitat on Andersons Park and along road reserves.

Objectives

- To encourage a mix of uses and activities within The Pines Activity Centre which meets the social, recreational and retail needs of the population at the sub-regional level.
- To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.
- To avoid the fragmentation of land through subdivision.
- To achieve innovative, contemporary design and built form for all new development that is based on the best of architectural design practice and incorporates ecologically sustainable design principles.
- To encourage active uses and pedestrian generating activities as part of any future development of The Pines Activity Centre which address the streetscape.
- To ensure that open space areas and community facilities are linked to surrounding residential areas and the Shopping Centre through pedestrian and cycling paths.
- To ensure that public spaces provide a high standard of amenity, convenience, accessibility and safety.
- To improve pedestrian, bicycle and public transport access to The Pines Shopping Centre and within the Activity Centre.
- To ensure that the public transport interchange remains highly accessible and is located in a visually prominent position to promote greater use of public transport.
- To ensure appropriate traffic management and adequate parking provisions.
- To maximise use of views to the surrounding rural and bushland areas.
- To provide landscaping to soften built form incorporating indigenous planting where possible.
- To encourage the development of a distinct theme and sense of place unique to The Pines Activity Centre through landscaping and urban design improvements.
- To minimise adverse impacts associated with the location and operation of gaming venues and machines.

Strategies

Strategies to achieve these objectives include:

- Identify opportunities for increased retail and office floor space to meet the future needs of the sub regional population.
- Ensure provision of a greater intensity and diversity of housing.
- Encourage the provision of a bedroom and bathroom on the lower levels of dwellings and encourage the provision of lifts in apartment buildings.
- Provide for a range of health, leisure, recreation, family education and learning and professional activities to meet the needs of the sub regional population and support the role of The Pines as a Major Activity Centre.
- Encourage the provision of an economic assessment of the impacts of significant proposed developments/expansions on other activity centres.
- Ensure that all non-residential uses are designed to protect both existing and future residential amenity from excessive noise and odour.
- Ensure that new residential developments are designed to protect occupants from external noise and not unduly prejudice the operation of surrounding non-residential uses.
- Develop community buildings which adhere to good urban design principles, energy efficiency and which attract a broad range of users.
- Design public spaces to provide a high standard of amenity, convenience, accessibility and safety.
- Require an appropriate transition in height both within the activity centre and to surrounding neighbourhoods.
- Provide buildings which are visually diverse and contribute to the public realm through the use of varied, high quality, durable and environmentally appropriate materials.
- Provide pedestrian/bicycle links through The Pines Activity Centre, surrounding areas and open space links.
- Ensure that new commercial uses and development facilitates public transport use, pedestrian flows and bicycle use.
- Require a traffic impact assessment, where appropriate, to be prepared for development which assesses any impacts along Blackburn, Reynolds and Anderson Creek Road, including any mitigation works such as signalisation or other traffic treatments.
- Provide car parks, preferably at basement level, loading facilities and internal roads to service any future commercial or apartment style development.
- Implement Integrated Transport Plans to ensure access to employment, services and housing choices.
- Protect and enhance key views and vistas.
- Minimise massing and bulk of buildings along the ridgeline.
- Encourage built form (including provision of restaurants or public spaces) within The Pines Shopping Centre that capitalises on key views and vistas including views to the Dandenongs and the Kinglake Ranges
- Plant and maintain native vegetation buffers between Council reserves and the residential areas.
- Protect, enhance and maintain the remnant indigenous vegetation in Andersons Park to promote the park's natural conservation areas and informal recreational values.
- Develop a landscaped theme based on the planting of Eucalyptus polyantheromos (Red Box) trees, complemented by indigenous vegetation.

- Locate gaming venues and machines so as to discourage convenience gambling and ensure the availability of a range of alternative social and recreational activities.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Commercial 1 Zone.
- Applying the Public Use Zone 6.
- Applying the Residential Growth Zone.
- Applying the Public Park and Resource Zone
- Applying a Design and Development Overlay.

Policy and exercise of discretion

- Implementing the Manningham Residential Strategy (2012).
- Implementing The Pines Activity Centre Structure Plan (2011).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to guide the location, design and management of gaming machines and venues (*Gaming, Clause 22.18*).

Further strategic work

- Preparing a Manningham Development Contributions Plan focusing on key development areas to ensure adequate provision of infrastructure.
- Investigating opportunities for improved accessibility and connectivity within The Pines Activity Centre.

Other actions

- Investigating opportunities to improve sustainable business practices at The Pines.
- Continuing to advocate for improvements to access, frequency and hours of operation of public transport to The Pines.
- Considering the views of the Sustainable Design Taskforce on major applications.
- Development of a pedestrian/bicycle plan which includes a focus on the bus interchange.

21.09-4

23/05/2019
C104

Neighbourhood Activity Centres

Key issues

- The long-term viability of Neighbourhood Activity Centres and the impact of Westfield Doncaster and The Pines expansions.
- Pressure for commercial and retail development outside Neighbourhood Activity Centres.
- The appearance of buildings, car parking and signage.
- Impact of Neighbourhood Activity Centres on adjoining residential areas.
- Lack of suitable community facilities, social services, public spaces and infrastructure to meet future needs.
- Provision of appropriate car parking and traffic management arrangements.

Objectives

- To maintain the role of Neighbourhood Activity Centres to meet local convenience needs.
- To achieve active street frontages in Neighbourhood Activity Centres.
- To discourage the location of new commercial and retail development outside Neighbourhood Activity Centres.
- To minimise the negative impact of Neighbourhood Activity Centres on the amenity of adjoining residential areas.
- To achieve high quality urban design which promotes a sense of place, community identity, social interaction and a safe environment.
- To provide landscaping to soften built form.
- To achieve building design which includes accessibility and reduces the need to modify or alter buildings, in response to future changing needs and uses.
- To ensure that public spaces provide a high standard of amenity, convenience, accessibility and safety.
- To provide quality community services and facilities in proximity to and within Neighbourhood Activity Centres.
- To ensure that adequate infrastructure is provided as part of any development.
- To improve pedestrian, bicycle and public transport access to Neighbourhood Activity Centres.
- To achieve effective and safe pedestrian movement within Neighbourhood Activity Centres.
- To ensure appropriate traffic management and adequate parking provision.
- To ensure that development provides the highest level of access for all people.

Strategies

Strategies to achieve these objectives include:

- Encourage a mix of uses including residential development to ensure the long-term viability and competitiveness of the activity centres.
- Require the location of new commercial and retail uses to be within activity centres.
- Upgrade the appearance of Neighbourhood Activity Centres through the implementation of Urban Design Masterplans.
- Ensure that land use and development within Neighbourhood Activity Centres minimises the impact on residential amenity.
- Encourage high quality and contemporary built form.
- Encourage car parking areas at the rear, side or underneath buildings in a way that responds to landform and surrounding development.
- Encourage the use of landscaping to soften the visual appearance of development.
- Encourage signs which complement the character and amenity of the area, the site and surrounds, built form and streetscape, minimise clutter, are well designed and improve the site's attractiveness and function.
- Encourage the establishment of community based facilities in or adjacent to activity centres to encourage social interaction and to service resident needs.
- Design public spaces to provide a high standard of amenity, convenience, accessibility and safety.
- Require an economic assessment of the impacts of significant proposed developments/expansions on other activity centres.

- Require a traffic and car parking assessment to be prepared for development, where appropriate.
- Maximise opportunities for car parking including consolidation of land (e.g. at the rear of shops).

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Commercial 1 Zone to the Neighbourhood Activity Centres.

Policy and exercise of discretion

- Implementing the Manningham Activity Centre Strategy (2005).
- Implementing the Manningham Residential Strategy (2012).
- Implementing any existing structure plans.
- Using Local Policy to improve the functionality of commercial developments, including the location and design of car parking areas (*Design and development policy, Clause 22.01; Accommodation premises policy, Clause 22.04; Non-residential uses in residential areas policy, Clause 22.05; Eating and entertainment premises policy, Clause 22.06; and Access for disabled people policy, Clause 22.09*).
- Using Local Policy to guide the location and display of advertising signs (*Outdoor advertising signs policy, Clause 22.07*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Implementing the Jackson Court Parking Precinct Plan (Jackson Court Shopping Centre Parking Precinct Plan, Arup and Manningham City Council, June 2000 Clause 52.06-6).

Further strategic work

- Implementing the Manningham Activity Centres Strategy (2005).
- Preparing guidelines for sustainable business practices to encourage activity centres to operate in a more environmentally responsive manner.

Other actions

- Considering the views of the Sustainable Design Taskforce on major applications.
- Developing, implementing and reviewing Urban Design Masterplans for each activity centre to provide landscape and urban design measures to increase public safety, comfort, functionality and achieve a high standard environment.
- Preparing a Manningham Development Contributions Plan focusing on key development areas to ensure adequate provision of infrastructure.
- Preparing Special Rates and Charges Schemes to enhance Neighbourhood Activity Centres in accordance with the *Manningham Activity Centre Strategy* (2005).

21.09-5

19/06/2014
C105

Local Activity Centres

Key issues

- Long-term viability of Local Activity Centres.
- Vacancy rates within Local Activity Centres.
- Redevelopment of these centres for a mix of uses.

- The appearance of buildings and signage.
- Provision of appropriate car parking and traffic management arrangements.
- Impact of Local Activity Centres on adjoining residential areas.

Objectives

- To ensure that Local Activity Centres make a positive visual contribution to the local neighbourhood.
- To minimise the negative impact of Local Activity Centres on the amenity of adjoining residential areas.
- To ensure the adequate provision of car parking within Local Activity Centres.

Strategies

Strategies to achieve these objectives include:

- Encourage high quality built form that complements and responds to surrounding developments.
- Improve pedestrian, bicycle and public transport access to Local Activity Centres.
- Achieve effective and safe pedestrian movement within Local Activity Centres.
- Require adequate provision of car parking for new development and uses.
- Encourage signs which complement the character and amenity of the area, the site and surrounds, built form and streetscape, minimise clutter, are well designed and improve the site's attractiveness and function.
- Ensure new use and development within Local Activity Centres minimises the impact on residential amenity.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Commercial 1 Zone.

Policy and exercise of discretion

- Using Local Policy to improve the functionality of commercial developments, including the location and design of car parking areas (*Design and development policy, Clause 22.01; Accommodation premises policy, Clause 22.04; Non-residential uses in residential areas policy, Clause 22.05; Eating and entertainment premises policy, Clause 22.06; and Access for disabled people policy, Clause 22.09*).
- Using Local Policy to guide the location and display of advertising signs (*Outdoor advertising signs policy, Clause 22.07*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).

Further strategic work

- Investigating the future role of Local Activity Centres to determine appropriate uses and vision for each centre.

Other actions

- Considering the views of the Sustainable Design Taskforce on major applications.

21.09-6

23/07/2015
C108**Commercial areas****Key issues**

- Pressure to locate commercial development outside of activity centres and existing commercial areas.
- Pressure to rezone residentially zoned land adjacent to existing commercial areas, particularly along Doncaster Road.
- Impact on the amenity of adjoining uses.
- The design and appearance of new commercial development.

Objectives

- To contain commercial development within existing commercial areas or activity centres.
- To minimise the impact of commercial development on the amenity of other adjoining uses.
- To achieve development with a high standard of amenity, functionality and safety.
- To ensure that the range of uses within mixed use developments are compatible.
- To achieve high quality urban design that makes a positive visual contribution to existing commercial areas.
- To reduce the visual impacts of car parking and driveway areas.
- To provide landscaping to soften built form.
- To minimise adverse impacts associated with the location and operation of gaming venues and machines.

Strategies

Strategies to achieve these objectives include:

- Require proposals for commercial floorspace to be located within existing commercial areas.
- Ensure that commercial development minimises the impact on residential amenity.
- Require commercial developments to provide a high standard of amenity, convenience, accessibility and safety.
- Ensure high standards of urban design that enhances the appearance of existing commercial areas and activity centres and complements surrounding developments.
- Require multi-level development to include stepped heights, articulation, and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.
- Encourage car parking areas at the rear, side or underneath buildings in a way that responds to landform and surrounding development.
- Encourage the use of sustainable landscaping to soften the visual appearance of development.
- Encourage signs which complement the character of the area, the site and surrounds, built form and streetscape, minimise clutter, are well designed and improve the site's attractiveness and function.
- Locate gaming venues and machines so as to discourage convenience gambling and ensure the availability of a range of alternative social and recreational activities.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Commercial 1 Zone.

- Applying the Mixed Use Zone.
- Applying a Design and Development Overlay.

Policy and exercise of discretion

- Using Local Policy to improve the functionality of commercial developments (Design and development policy, Clause 22.01; Accommodation premises policy, Clause 22.04; Non-residential uses in residential areas policy, Clause 22.05; Eating and entertainment premises policy, Clause 22.06; and Access for disabled people policy, Clause 22.09).
- Using Local Policy to guide the location and display of advertising signs (*Outdoor advertising signs policy, Clause 22.07*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to guide the location, design and management of gaming machines and venues (*Gaming, Clause 22.18*).

Further strategic work

- Investigating the appropriateness of the Mixed Use Zone within existing commercial areas.

Other actions

- Considering the views of the Sustainable Design Taskforce on major applications.
- Encouraging collaborative design processes with key stakeholders for significant proposals.

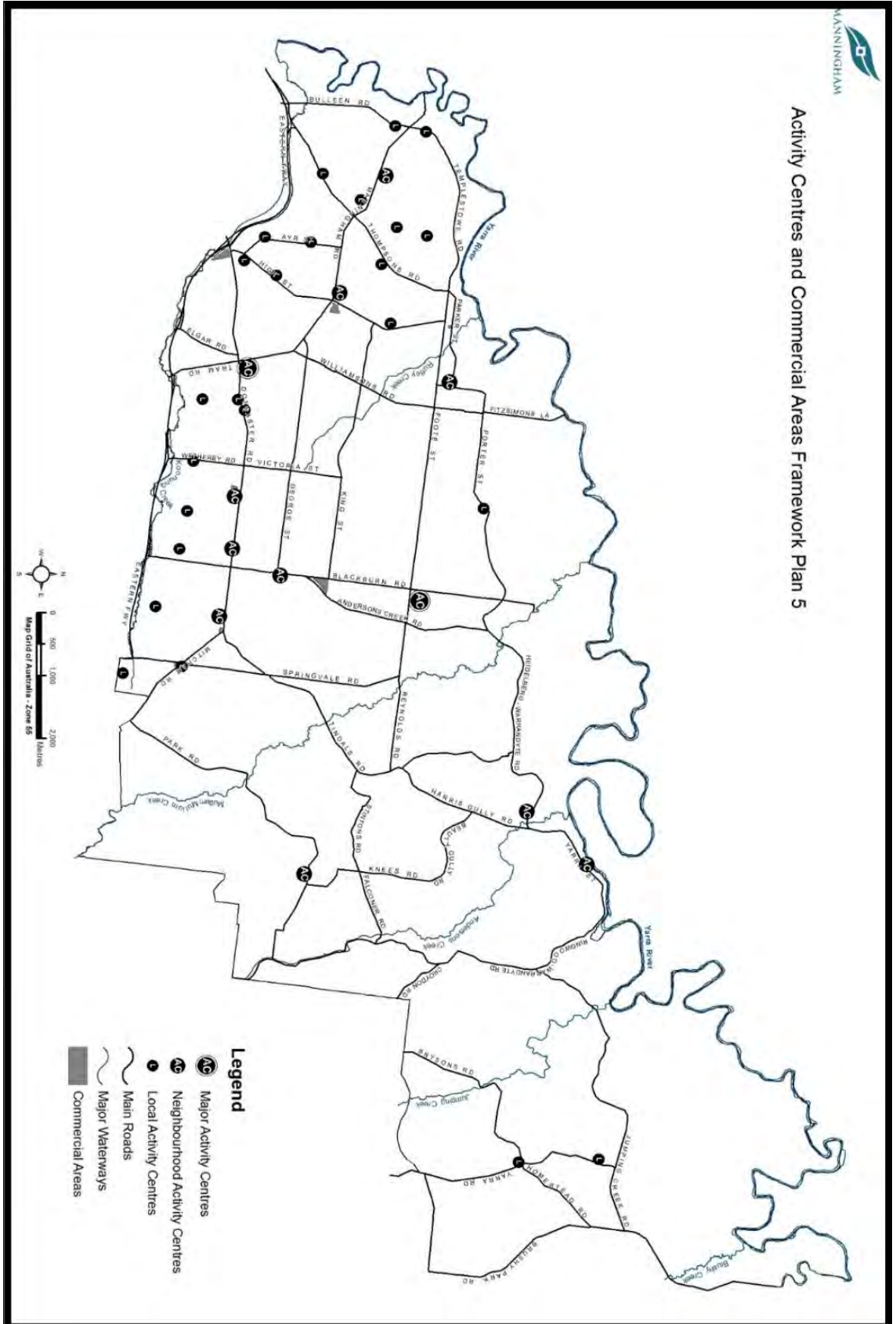
21.09-7

23/05/2019
C104

Reference documents

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- Manningham City Council (2012) *Manningham Residential Strategy*, Manningham City Council, Doncaster.
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Activity Centres and Commercial Areas Framework Plan 5



Activity Centres and Commercial Areas Framework Plan 5



21.1031/08/2017
GC42**21.10-1**31/08/2017
GC42**ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT****Overview**

Manningham is committed to Environmentally Sustainable Development (ESD), which recognises, values and protects the natural environment and ecological process on which life depends both now and in the future.

Council supports and encourages land use planning and development, design and construction using ESD principles. Key ESD principles include energy conservation, water conservation, protecting human health, and protecting and enhancing the built, natural and cultural environments. ESD initiatives should incorporate current best practice, emerging technology and continuous innovation.

Council's Environmentally Sustainable Development Policy seeks to achieve best practice design, construction and operation for new development. This will accelerate Manningham's commitment to being an environmentally sustainable city.

Best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

Building energy management

Many buildings use active mechanisms and non-renewable energy sources to provide thermal comfort. Effective passive heating and cooling relies on building orientation, window design and placement

Water sensitive design

Water is a scarce resource and needs to be conserved. Manningham Council has developed a Sustainable Water Management Plan. Council has also set a target for reduction in water usage of 15% (based on 2001-2004 water consumption levels) by 2015. It is essential to reduce the amount of water used through water conservation and recycling. Water sensitive design offers an alternative to traditional approaches to water management.

External environmental amenity

Ensuring appropriate acoustic quality within residential and work environments, including the placement of plant and equipment (eg exhaust fans), has been proven to improve the productivity and well-being of building occupants.

Waste management

Council encourages a reduction in waste generated by building occupants. Therefore design strategies should include easily accessible recycling facilities on site and in public spaces.

Quality of public and private realm

Public and private spaces should be safe and accessible, promote activity and enhance the quality of the development.

Transport

Moving and transporting people, materials, equipment and systems impacts on the environment. 14% of greenhouse emissions are related to transport in Australia.

Urban Ecology

Council recognises the need to maintain and improve the health of our urban ecosystem.

21.10-231/08/2017
GC42**Energy performance****Key issues**

- Poor orientation, siting and design of buildings.
- The consumption of non-renewable energy resources and generation of waste and emissions.
- Increasing levels of greenhouse gas emissions.
- High levels of embodied energy in building materials.

Objectives

- To achieve appropriate siting and design, to minimise non-renewable energy consumption and greenhouse gas emissions.
- To require development to incorporate efficient use of energy, by including current best practice in passive design, and resource use, which demonstrates low environmental impact.
- To encourage development which incorporates sustainable building materials.

Strategies

Strategies to achieve these objectives include:

- Orientate a development's most used spaces (e.g. living rooms and work areas) to face north to take advantage of winter solar heat gain and natural light.
- Shade north facing windows from the summer sun, such as eaves, overhangs, awnings, pergolas, upper floor balconies or deciduous vegetation.
- East and west facing windows to be externally shaded with devices such as blinds, shutters or awnings.
- Reliance on natural daylight into internal spaces.
- The preparation of sustainability management plans for developments, where required, which minimise use of non-renewable resources, waste, emissions and energy.
- Promotion of current best practice in environmentally sustainable development, including resource use which demonstrates low environmental impact.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified

Policy guidelines

- Implementing the *Doncaster Hill Strategy* (2002).
- Applying the Environmentally Sustainable Development Policy (Clause 22.12) in considering an application for development specified in Table 1 of that policy.
- Assessing all planning applications for new development against the objectives and strategies of this Clause, and requiring development to incorporate current best practice sustainable design principles and techniques.

Further strategic work

- Continue development of Environmental Sustainable Development Guidelines for the municipality.

Other actions

- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).

21.10-331/08/2017
GC42**Water sensitive design****Key issues**

- The capture and re-use of water.
- Poor water quality of our waterways and creeks.
- Increased and unnecessary usage of potable water.

Objectives

- To minimise water use.
- To encourage the capture and re-use of water.
- To reduce the demand on potable water.
- To improve the quality of water in our waterways and creeks.
- To encourage water sensitive urban design.
- To improve water efficiency as part of future development, including best practice that demonstrates low environmental impact.

Strategies

Strategies to achieve these objectives include:

- Encourage the installation of rainwater tanks to reduce the use of potable water.
- Encourage the re-use of grey water.
- Encourage landscape design and plant selection, which minimises the reliance on irrigation.
- Promote the detention and absorption of stormwater where practicable through use of permeable paving, pebble paths, lawns and gardens.
- Encourage the provision of appropriate on-site detention systems to reduce loadings on the stormwater systems after heavy rains.
- Encourage the use of pollutant traps to prevent garbage entering the waterways.
- Ensure water sensitive urban design elements are incorporated into subdivisions and developments.
- Encourage proposals for residential subdivisions and developments to include measures for control of potential environmental impacts during construction, in particular, to adopt good site construction techniques and to be consistent with the *Manningham Stormwater Management Plan* (2001).
- Require the preparation of sustainability management plans or sustainable design assessments for developments, where required, which demonstrate water efficiency.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified

Policy guidelines

- Implementing the *Doncaster Hill Strategy* (2002).

- Applying the Environmentally Sustainable Development Policy (Clause 22.12) in considering an application for development specified in Table 1 of that policy.
- Assessing all planning permit applications for new development against the objectives and strategies of this Clause and ensuring development incorporates best practice sustainable design principles and techniques.

Further strategic work

- Investigating appropriate options for the capture and recycling of water.
- Continue development of Environmentally Sustainable Development Guidelines for the municipality.

Other actions

- Encouraging best practice water sensitive design.
- Providing/distributing information on water sensitive design.
- Promoting and distributing the *Doncaster Hill Sustainability Guidelines (2004)*.
- Encourage compliance with the *Manningham Stormwater Targets (2008)*, and *Stormwater Blueprint (2012)*.
- Implementing the *Manningham Drainage Strategy 2004 to 2014 (2004)*.
- Implementing Manningham's Water Management Plan.

21.10-4

31/08/2017
GC42

External environmental amenity and internal healthy environment

Key issues

- Impact of noise on residential and working environments.
- Stormwater pollution.
- Adequate provision of good indoor environmental quality.

Objectives

- To reduce the impact of noise pollution.
- To minimise site disturbance and pollution of stormwater.
- To achieve healthy indoor environmental quality.

Strategies

Strategies to achieve these objectives include:

- Encourage appropriate wall construction types to ensure that sound transmittance levels between rooms or buildings meet the appropriate levels for the intended use.
- Consider the location of uses and plant equipment, such as exhaust fans, in relation to noise generation.
- Ensure plant equipment is positioned and baffled to minimise any noise impact.
- Encourage the use of appropriate acoustic treatment such as double-glazing windows and acoustic fencing to minimise any noise impact.
- The preparation of construction management plans, which aim to minimise any environmental impacts.
- Minimise site disturbance, including protecting existing vegetation and top soil where appropriate.

- Require the preparation of sustainability management plans or sustainable design assessments for development, where required, which demonstrate how the external and internal environmental quality will be improved.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified

Policy and guidelines

- Implementing the *Doncaster Hill Strategy (2002)*.
- Applying the Environmentally Sustainable Development Policy (Clause 22.12) in considering an application for development specified in Table 1 of that policy.
- Assessing all planning applications for new development against the objectives and strategies of this Clause and requiring development to incorporate current best practice sustainable design principles and techniques.

Further strategic work

- Continue development of Environmentally Sustainable Development Guidelines for the municipality.

Other actions

- Promoting and distributing the *Doncaster Hill Sustainability Guidelines (2004)*.

21.10-5

31/08/2017
GC42

Waste management

Key issues

- Minimise materials going to landfill.
- Minimise emissions, and pollution from waste.
- Minimise resource depletion.

Objectives

- To encourage the provision of recycling facilities on site and in public spaces.
- To incorporate integrated waste management in development including best practice that demonstrates low environmental impact.

Strategies

Strategies to achieve this objective include:

- Promote easily accessible recycling facilities on site to encourage use by tenants and facilitate ease of collection by contractors.
- Require the preparation of sustainability management plans or sustainable design assessments for development, where required, which demonstrate improved waste management that reduces waste.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified

Policy guidelines

- Implementing the *Doncaster Hill Strategy* (2002).
- Applying the Environmentally Sustainable Development Policy (Clause 22.12) in considering an application for development specified in Table 1 of that policy.
- Assessing all planning applications for new development against the objectives and strategies of this Clause, and requiring development to incorporate current best practice sustainable design principles and techniques.

Further strategic work

- Continue development of Environmentally Sustainable Development Guidelines for the municipality.

Other actions

- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).
- Implementing the Interim *Waste Management Strategy* (2012-2017).

21.10-6

31/08/2017
GC42

Quality of private and public realm

Key issues

- Accessibility.
- Retention of vegetation and opportunities for landscaping.
- Safer design.
- Size and quality of open space areas for private and public realm.

Objectives

- To ensure that private and public spaces are safe and accessible.
- To ensure public spaces are appropriately designed and located to promote activity and use of these areas and enhance the quality of developments.
- To promote solar access to private and public spaces.
- To encourage appropriate landscaping within private and public spaces.
- To encourage safe, and useable areas of open space in development, including best practice that demonstrates low environmental impact.

Strategies

Strategies to achieve these objectives include:

- Encourage development to be designed to meet the highest levels of accessibility.
- Site buildings to have regard to adjacent public and private space and limit unreasonable overshadowing.
- Improve accessibility by making attractive, vibrant, walkable environments.
- Encourage the design of buildings, subdivisions, street layout, car parks and public open space that are safe.
- Require the preparation of sustainability management plans or sustainable design assessments for development, where required, which demonstrate improvements to the quality of the private and public realm.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified

Policy and exercise of discretion

- Implementing the *Doncaster Hill Strategy* (2002).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to promote the same level of access for people with limited mobility to buildings, public spaces, services and facilities as any other person (*Access for disabled people policy, Clause 22.09*).
- Requiring that development specified in Table 1 at Clause 22.12 meets the requirements of environmentally sustainable development policy.
- Assessing all planning permit applications for new development against the objectives and strategies of this Clause, and requiring development to incorporate best practice sustainable design principles and techniques.

Further strategic work

- Continue development of Environmentally Sustainable Development Guidelines for the municipality.

Other actions

- Promoting and distributing Council’s Policy for *Disability Access and Inclusion Policy 2013-2017*.
- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).

21.10-7

31/08/2017
GC42

Transport

Key issues

- Minimising car dependency
- Limitations of the local public transport system.
- Environmental impacts of vehicular traffic.
- Reducing car dependency.

Objectives

- To encourage the design and construction of car parking areas for future adaptability.
- To encourage the design of the built environment to promote the use of public transport, walking and cycling.
- To allow opportunities for equitable access to all services and activities.
- To encourage new development to incorporate sustainable transport principles and adopt best practice in environmentally sustainable development, including best practice that demonstrates low environmental impact.

Strategies

Strategies to achieve these objectives include:

- Provide appropriate bicycle parking and after trip facilities.

- Require the preparation of sustainability management plans and sustainable design assessments for development, where required, which demonstrate how sustainable transport will be promoted and encouraged.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified.

Policy guidelines

- Implementing the *Doncaster Hill Strategy (2002)*.
- Implementing the *Manningham Integrated Transport Strategy (2009)*.
- Requiring that development specified in Table 1 at Clause 22.12 meets the requirements of environmentally sustainable development policy.
- Assessing all planning permit applications for new development against the objectives and strategies of this Clause and requiring development to incorporate best practice sustainable design principles and techniques.

Further strategic work

- Continue development of Environmentally Sustainable Development Guidelines for the municipality.

Other actions

- Promoting and distributing the *Doncaster Hill Sustainability Guidelines (2004)*.
- Conducting a review of the *Manningham Bicycle Strategy (2013)*.
- Continuing to advocate to the State Government for improved public transport in Manningham.

21.10-8

31/08/2017
GC42

Urban Ecology

Key issues

- Impact of hard paved areas or impervious surfaces.
- Retention of existing significant vegetation.
- Creation of urban heat island effect.

Objectives

- To encourage healthy external environments with increased vegetation, and landscaping.
- To protect and enhance environmental values and significant landscapes.

Strategies

Strategies to achieve these objectives include:

- Increasing natural habitat through plant selections and water features.
- Promoting sustainable garden techniques.
- Encouraging new residential and commercial development to incorporate best practice environmentally sustainable design principles.
- Creating healthy and consistently landscaped environment that incorporates native and indigenous planting.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified.

Policy guidelines

- Require that development specified in Table 1 at clause 22.12 meets the requirements of environmentally sustainable development policy.
- Assessing all planning permit applications for new developments against the objectives and strategies of this Clause, and requiring that development incorporates best practice sustainable design principles and techniques.

Further strategic work

- Continue development of Environmentally Sustainable Development Guidelines for the municipality.

Other actions

None specified.

21.10-9

31/08/2017
GC42

REFERENCE DOCUMENTS

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- Manningham City Council (2004) *Doncaster Hill Sustainability Guidelines*, Manningham City Council, Doncaster.
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- Manningham City Council (April 2015- update of November 2011 Plan) *Domestic Wastewater Management Plan*, Manningham City Council, Doncaster.
- Manningham City Council (2005) *Water15 - Sustainable Water Management Plan (2005-2015)*, Manningham City Council, Doncaster.
- Manningham City Council (2012) *Manningham Stormwater Targets (2008)*, and *Stormwater Blueprint* Manningham City Council, Doncaster.

21.1125/06/2009
C82**HERITAGE****21.11-1**02/10/2008
C52**Overview**

Manningham's cultural heritage reflects the historical development of the municipality. Many culturally significant buildings, precincts, trees, landscapes and sites of archaeological significance have been identified and documented through heritage studies of the municipality.

Council is committed to preserving and enhancing cultural heritage places in the municipality. Council will continue to identify cultural heritage assets and broaden the community's understanding and involvement in the protection, promotion and future conservation of these places. The challenge will be to effectively manage pressures to develop sites of cultural heritage significance and encourage the retention of heritage fabric in development proposals.

21.11-212/03/2009
C71**Key issues**

- Pressure to inappropriately use, develop or demolish places of cultural heritage value.
- Impact of development on land adjoining places of heritage significance.
- Lack of information regarding the location and significance of indigenous archaeological places.

21.11-302/10/2008
C52**Objectives**

- To enhance cultural heritage through the retention and protection of significant buildings, precincts, trees and landscapes.
- To minimise impacts on heritage places as a result of changes to adjoining land uses and development.
- To protect sites of archaeological significance.

21.11-425/06/2009
C82**Strategies**

Strategies to achieve these objectives include:

- Identify and assess the cultural significance of heritage places and sites of archaeological significance.
- Discourage the demolition and destruction of heritage places.
- Encourage the retention of heritage fabric in development proposals.
- Encourage initiatives that preserve and enhance Manningham's cultural heritage.
- Protect and enhance the unique heritage values of the Warrandyte Township Heritage Precinct.
- Require that an assessment be undertaken by a suitably qualified archaeologist, for development proposals in areas where there is a known or potential site of archaeological significance.
- Consider the preparation of amendments to the Heritage Overlay schedule to allow prohibited uses, where the use is unlikely to have a detrimental impact on adjoining land and which may assist with the ongoing preservation of the heritage building.
- Encourage the use of existing buildings in the Heritage Precinct on the north side of Yarra Street, Warrandyte for a limited range of commercial uses and to discourage the use of the buildings for any other purpose.

21.11-512/03/2009
C71**Implementation**

These strategies will be implemented by:

Zones and overlays

- Applying the Heritage Overlay.

MANNINGHAM PLANNING SCHEME

- Applying the Heritage Overlay as an interim measure to protect identified heritage assets while sites are being assessed through the planning scheme amendment process.
- Applying a Vegetation Protection Overlay where only the vegetation is deemed significant.
- Including the sites at 95, 103 – 109, 163, 165, 167, 183 – 187, 189, 193 – 197 and 207 Yarra Street, Warrandyte as sites where prohibited uses may be considered under the Heritage Overlay.

Policy and exercise of discretion

- Having regard to the *Warrandyte Township Heritage Guidelines*, Parts 1 to 7 (July 2007).
- Implementing the *City of Doncaster and Templestowe Heritage Study* (1991), *Doncaster and Templestowe Heritage Study – Additional Heritage Research* (1994), the *Wonga Park Heritage Study – Report on Stages 1 and 2* (1996), the *City of Doncaster and Templestowe: The Archaeological Survey of Aboriginal Sites* (1991), the *Manningham Heritage Garden & Significant Tree Study – Stage 2* (April 2006) and the *Manningham Heritage Study Review 2006*, Melbourne to ensure that there is adequate recognition of the cultural heritage assets of the municipality.
- Implementing the *Warrandyte Urban Design Framework* (2005) and having regard to supporting the retention and use of the existing privately owned buildings in the Heritage Precinct on the north side of Yarra Street, Warrandyte for a small scale shop (other than Adult sex bookshop, Bottleshop, Department store, restricted retail premises and Supermarket) or small office (other than Medical Centre).
- Implementing the *Warrandyte River Reserve Management Plan* (2005).
- Using Local Policy to recognise and protect local cultural heritage assets (*Cultural heritage policy, Clause 22.03*).

Further strategic work

- Completing and implementing the Manningham Heritage Study Review.
- Completing and implementing the Manningham Heritage Guidelines.
- Completing and implementing the Significant Tree and Heritage Garden Study.
- Implementing the *Manningham Monterey Pine and Cypress Tree Assessment* (2003)
- Undertaking the Wonga Park Indigenous Heritage Study.

Other actions

- Supporting preparation of new conservation plans and the implementation of these plans through the Heritage Restoration Fund.
- Having regard to the *Commitment to Indigenous People by the Cities of Banyule, Manningham and Whitehorse* (1998) to recognise and support the indigenous members of our community, their habitation of the land, history, diversity and strength of their cultures and spiritual relationship with land and water.
- Seeking input from the National Trust of Australia (Victoria) where properties are recorded or classified by the National Trust.
- Continuing and promoting the use of incentives including Heritage Advisory Service and Heritage Restoration Fund.
- Encouraging and initiating further studies and research into aspects of the municipality's history and heritage.
- Seeking input from Aboriginal Affairs Victoria (AAV), the relevant registered Aboriginal party or appropriate Aboriginal organisations where properties are of known or potential archaeological significance.

21.11-6

26/02/2009
C60**Reference documents**

- Cities of Banyule, Manningham and Whitehorse (1998) *Commitment to Indigenous People by the Cities of Banyule, Manningham & Whitehorse*, Victoria.
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- Urban Initiatives (2005) *Warrandyte Urban Design Framework (2005)*, Melbourne, Victoria.

21.1217/09/2009
VC59**21.12-1**02/10/2008
C52**INFRASTRUCTURE****Overview****Public transport**

Over reliance on car based transport is an environmental and social concern. The municipality is currently serviced by a single mode of public transport (bus). There are opportunities to improve this through increasing the frequency of bus services and extending the hours of operation. In addition, there are opportunities to extend tramlines into the municipality. There is a need to encourage the use of existing public transport, which may include Park and Ride facilities. The State Government has a policy of achieving 20% of all travel being by public transport by 2020 (DOI 2004).

Refer to Infrastructure Framework Plan 6 for key infrastructure features and opportunities.

Movement network

There is a hierarchy of roads in the municipality including declared arterial roads, Council arterial roads, collector roads and local streets. There are deficiencies with the standards of some of the declared arterial roads and Council arterial roads, which need to be upgraded.

Doncaster Road is the main east-west arterial road and a major bus route in the municipality. Council will promote initiatives that improve the public transport function of Doncaster Road and seek to improve pedestrian amenity, visual character and its local identity by changing its appearance to a treed boulevard.

There are a number of major existing on-road and off-road routes throughout the municipality, which make up the existing Manningham bicycle network and are used by commuter and recreational cyclists. There is also a network of linear parks which provide additional recreational opportunities including walking and horse trails.

Council will continue to identify and upgrade the existing road, bicycle and pedestrian networks throughout the municipality. This will take into account social, economic and environmental values whilst recognising safety, traffic needs, improved access and mobility.

Services

Council is responsible for providing drainage for the local street network and local catchment areas. Council encourages developments to design and upgrade drainage infrastructure to reduce the occurrence of inundation and flooding, improve safety and enhance the amenity of the municipality. An integrated approach is sought to the management of stormwater and the progressive upgrading of stormwater and drainage infrastructure assets. Council will investigate the introduction of drainage contributions focussing on areas around activity centres, and will continue to identify land which has drainage and flood constraints.

The protection and enhancement of Manningham's waterways and catchments is a key issue. Manningham lacks reticulated sewerage systems in its low-density residential and green wedge areas, which has a significant impact on these waterways. Council will continue to encourage the provision of reticulated sewerage to unsewered areas and/or innovative solutions to reuse wastewater.

Council requires the undergrounding of services to all new development and subdivisions. With regard to the provision of new powerlines, only those powerlines of up to 66kV will be required to be located underground. The undergrounding of existing powerlines is also encouraged particularly for historic and environmentally sensitive areas, where the opportunity arises.

Telecommunications and satellite dishes

Telecommunication facilities and satellite dishes often have visual and environmental impacts, including issues relating to amenity, visual intrusion on the streetscape or landscape and a lack of compatibility with surrounding land uses.

21.12-217/09/2009
VC59**Public transport****Key issues**

- Lack of public transport services in some areas.
- Infrequency and limited hours of public transport services.
- The need to provide alternative public transport options.
- Connectivity between modes of transport.
- The need to encourage greater use of an improved public transport network.

Objectives

- To increase the usage of public transport.
- To improve the existing bus network with regard to frequency, connectivity and accessibility.
- To improve bus infrastructure including upgrading bus stops and interchanges.
- To encourage the provision of a second form of public transport (tramline).

Strategies

Strategies to achieve these objectives include:

- Facilitate the location and development of transport hubs at or adjoining activity centres.
- Facilitate the provision of bus shelters at high use public transport sites.
- Encourage creation of 'park and ride' and 'bike and ride' facilities and public transport linkages.

Implementation

These strategies will be implemented by:

Zones and overlays**Policy and exercise of discretion**

- Implementing the *Manningham Integrated Transport Strategy* (2003).
- Implementing the *Manningham Bicycle Strategy* (2001).

Further strategic work

- Reviewing the *Manningham Bicycle Strategy* (2001).

Other actions

- Continuing to advocate for improved public transport services and facilities within the municipality.
- Investigate appropriate locations for new 'park and ride' and 'bike and ride' facilities.

21.12-317/09/2009
VC59**Roads****Key issues**

- The continued upgrade of the road, bicycle and pedestrian networks.
- Balancing the environmental values of roadside vegetation with safety needs.
- The need to improve the streetscape and amenity along Doncaster Road and other main roads.

Objectives

- To ensure that road construction standards and new vehicle crossings achieve a balance between the role of providing safe and efficient passage of vehicles, bicycles and pedestrians while taking into account the natural and cultural heritage values of roadsides and the area's character.
- To maximise opportunities along Doncaster Road and other main roads to facilitate pedestrian and cyclist activity and provide higher levels of user amenity.
- To ensure that a comprehensive network of paths is available which facilitates safe and accessible bicycle and pedestrian movement.

Strategies

Strategies to achieve these objectives include:

- Require that design and construction standards cater for safe, efficient and effective vehicle movement and servicing needs.
- Require that design and construction standards protect remnant vegetation using techniques such as site assessment prior to any roadworks, the development of action/management plans to ensure protection of indigenous vegetation and the use of suitable indigenous plant species.
- Promote cycling and walking opportunities by providing safe bicycle routes and expanding the bicycle network, and providing pedestrian trails to improve accessibility to local and regional commercial, community and recreational facilities.
- Provide opportunities to enhance the amenity of Doncaster Road and other main roads.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Road Zone 1 for Category 1 roads.
- Applying the Road Zone 2 for Category 2 roads.

Policy and exercise of discretion

- Implementing the *Public Open Space Strategy* (2004).
- Implementing the *Roadside Environmental Management Strategy* (2004).
- Implementing the *Manningham Bicycle Strategy* (2001).
- Implementing the *Manningham Integrated Transport Strategy* (2003).
- Implementing the *Doncaster Hill Pedestrian and Cycle Plan* (2003).
- Implementing the *Doncaster Hill Developer Contribution Plan* (2004).

Further strategic work

- Reviewing the Design and Development Overlay for Doncaster Road (DDO1).
- Reviewing the *Manningham Bicycle Strategy* (2001).

Other actions

- Consider recommendations from the North East Integrated Transport Study.
- Implementing the *Arterial Roads Improvement Strategy* (2004)
- Implementing the *Road Safety Strategy* (2005).

21.12-4

10/10/2019
C109Pt1mann**Services****Key issues**

- The introduction of water capture, reuse and recycling within developments.
- The existence of unsewered land.
- Low and/or declining water quality.
- Drainage capacity and the need to prevent loss of life and damage to property.
- Visual impact of services.
- Unsuitability of land (lot size, soil type, etc) to absorb wastewater.

Objectives

- To encourage connection to sewer where available and within reasonable proximity.
- To integrate the capture and re-use of water within developments.
- To ensure that drainage infrastructure is designed and upgraded to provide a safe, and efficient system.
- To ensure that the use and development of land maintains the flood flow characteristics of the Yarra River and its tributaries.
- To encourage the use of recycled water.
- To ensure that appropriate management practice is applied to the urban stormwater system.
- To ensure the undergrounding of services to all new development and subdivisions.
- To ensure that all new development and subdivision connect to mains water.
- To ensure that all new development and subdivision can treat and retain wastewater on site.

Strategies

Strategies to achieve these objectives include:

- Regularly monitor reports on water quality in natural waterways in Manningham.
- Regularly monitoring and reviewing stormwater quality.
- Regulate the off-site flow of water by installing and maintaining on-site detention systems and consider inclusion of a capture and reuse function within these systems.
- Ensure that the use and development of land does not affect the role of land as an active floodway.
- Promote best practice stormwater management and reuse techniques.
- Require subdivision applications to include a designated effluent disposal envelope on each lot where appropriate..
- Require applications for development and subdivision to include the results of land capability assessments where appropriate, which demonstrate that the proposal is capable of treating and containing wastewater on site.
- Encourage applicants to create natural biological filtration systems in areas of high sediment and/or nutrient run-off, including roadside developments and subdivisions.
- Require development proposals that increase water runoff from a site, to detain stormwater on site or conduct or assist with other works which are necessary to maintain or increase drainage capacity, where appropriate.
- Maintain the flood flow characteristic of the Yarra River and its tributaries.

- Require all new development, including subdivision to provide underground services.
- Require all new development, including subdivision to be connected to mains water.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Urban Floodway Zone.
- Applying the Special Building Overlay.
- Applying the Land Subject to Inundation Overlay.

Policy and exercise of discretion

Further strategic work

- Investigating introduction of a Developer Contributions Plan for the upgrade of drainage infrastructure.
- Identifying land with drainage and flood constraints in the planning scheme.
- Developing Ecologically Sustainable Development Guidelines for the municipality.
- Investigating the appropriateness of a Local Planning Policy to guide ecologically sustainable development, for the municipality.

Other actions

- Continuing to liaise with Melbourne Water to co-operatively manage the stormwater and natural creek systems in the municipality.
- Continuing to monitor and review the operation of septic tank systems.
- Continuing to lobby Yarra Valley Water with regard to the sewer backlog program and the use of local alternative treatment technologies.
- Promoting the use of new technology in the treatment of wastewater for re-use.
- Implementing the *Manningham Drainage Strategy 2004-2014* (2004).
- Implementing the *Manningham Stormwater Management Plan* (2001).
- Implementing the *Domestic Wastewater Management Plan* (2002).
- Implementing *Manningham's Water15 – Sustainable Water Management Plan* (2005).
- Implementing *Manningham Flood Management Plan for Manningham Council and Melbourne Water* (2011).

21.12-5

02/10/2008
C52

Telecommunications and satellite dishes

Key issues

- Visual and environmental impact of telecommunication facilities and satellite dishes.

Objectives

- To ensure that any future telecommunications facilities and satellite dishes are located to minimise impacts on the environmental values of land
- To ensure that any future telecommunications facilities and satellite dishes are sited to minimise visual impacts on adjoining and nearby land.
- To ensure that telecommunication cables are situated underground.

Strategies

Strategies to achieve these objectives include:

- Encourage telecommunications infrastructure and satellite dishes, and arrangements for associated vehicle access and maintenance, in locations, which minimise environmental and visual impacts.
- Encourage the sharing of existing infrastructure for telecommunication facilities including the use of existing infrastructure such as roof-top locations or integrated with existing buildings.
- Require the application of low maintenance, non-reflective finishes and appropriate colour schemes to ensure telecommunication facilities and satellite dishes blend in with the surrounds.
- Require the undergrounding of new telecommunication cables.
- Require underground conduits to be installed with sufficient capacity to enable sharing of the conduit by other telecommunication carriers.

Implementation

These strategies will be implemented by:

Zones and overlays

Policy and exercise of discretion

Further strategic work

Other actions

- Preparing and continually updating a map showing existing telecommunication facilities to assist in the consideration of opportunities for co-location.
- Encouraging the design and location of low impact facilities to minimise visual impact.

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10/10/2019
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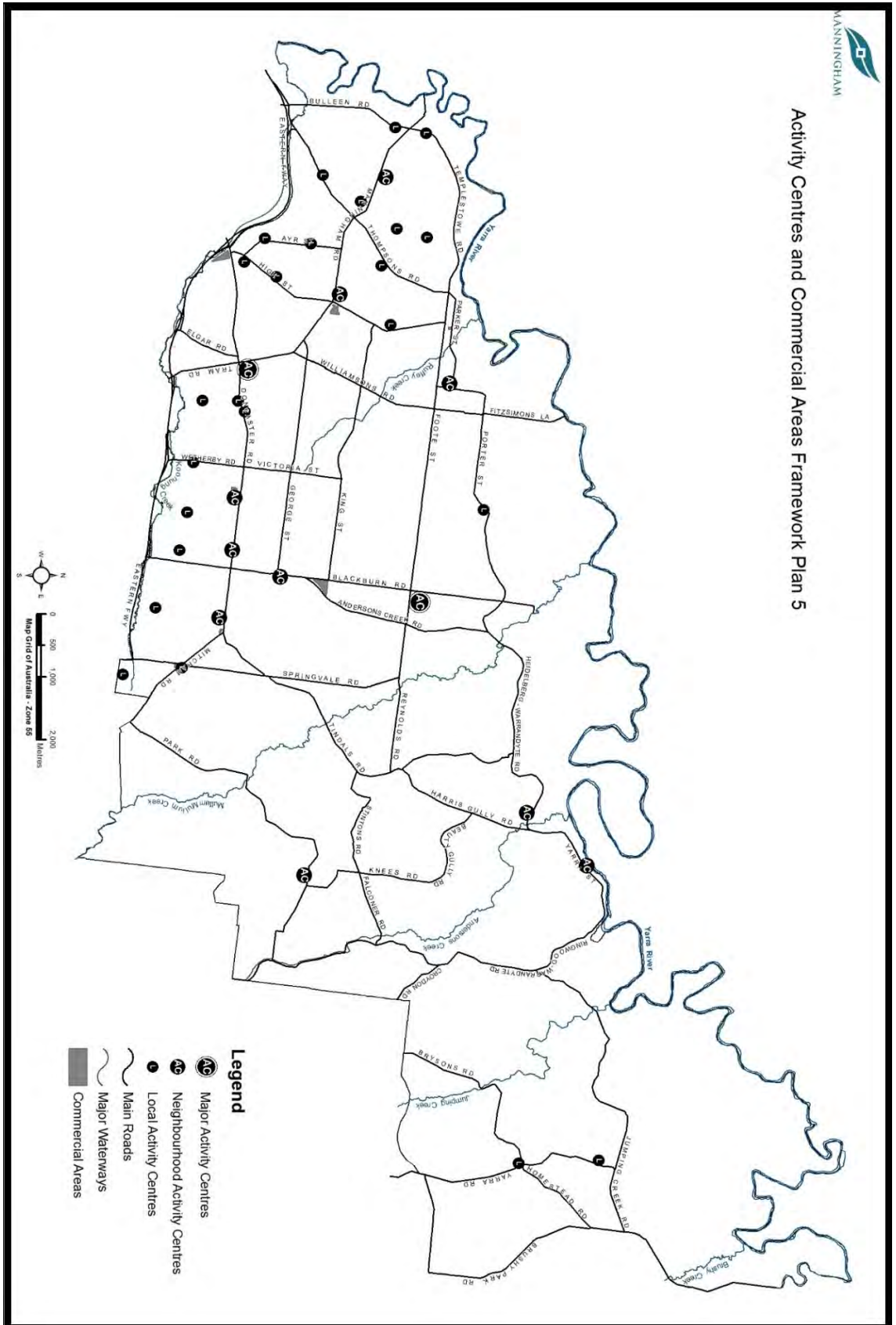
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MANNINGHAM PLANNING SCHEME

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Infrastructure Framework Plan 6



21.1319/04/2018
C123**OPEN SPACE AND TOURISM****21.13-1**19/04/2018
C123**Overview****Open space**

Council's vision for open space is to provide a range of active and passive recreation opportunities in accordance with community needs, which is readily accessible, conserves and enhances natural and cultural resources, contributes to the local economy, and contributes to an amenable environment in which to live, work and visit for current and future generations.

The *Open Space Strategy – Parts 1 and 2 (2014)* provides for the effective management of open space assets and provision of future open space opportunities, including sporting, conservation, community use and facility development. The extension and enhancement of the open space network and its linkages is also vital. The use and development of open space assets needs to respond to the cultural, interpretive and ecological values and changing needs of the community. Council will continue to expand the public open space network over time.

Refer to Open Space and Tourism Framework Plan 7 for key open space and tourism assets.

Tourism

Tourism in Manningham provides a diverse range of business and employment opportunities for residents and visitors to experience and to enjoy the natural and cultural environments.

Council supports tourism initiatives that maintain and enhance a valuable and sustainable tourism industry and which complement adjoining land uses. Development that protects local environmental features, landscape qualities, local character and cultural heritage will be encouraged. The development of physical and social infrastructure to support the tourism industry in Manningham is critical, including signage, transport linkages and community facilities.

Tourism will focus on project implementation at a local level while retaining marketing at a regional level. A key challenge is to further enhance tourism opportunities at a local level, which will involve working closely with local residents and local businesses.

21.13-219/04/2018
C123**Open space****Key issues**

- An adequate supply of land to meet the future needs of strategic open space links, natural areas and recreational facilities.
- Pressure for public access to open space areas with conservation values.
- Competing interests between adjoining land use and development on public open space and its user groups.
- Use of public open space and recreational resources for drainage purposes.
- Higher density residential development placing increased pressure on the demand for public open space.
- Developing public open space for more intensive leisure and sporting activities.

Objectives

- To identify existing and future active and passive recreation needs and social trends of residents and visitors.
- To provide a wide range of high quality and accessible public open space areas to encourage physical activity and social interaction to meet the existing and future needs of residents and visitors.

- To identify existing gaps in the public open space network and develop a program for how they can be addressed.
- To minimise the impact of adjoining land use and development on public open space and its users.
- To protect, enhance and increase biodiversity values of public open space.
- To minimise the impact of the use and development of public open space on the surrounding area.
- To protect, enhance and increase landscape values of public open space.
- To recognise the hierarchy of public open space assets, equitably distributing open space resources, access to facilities and a diverse range of opportunities.
- To develop and maintain public open space of regional or municipal significance for the benefit of the whole community.
- To provide and manage comprehensive pedestrian, bicycle and trail networks.
- To incorporate the drainage function in public open space areas without detriment to safety, environmental, visual and recreational values.

Strategies

Strategies to achieve these objectives include:

- Prepare and implement Management/Development Plans for public open space.
- Develop biolinks between open space and other areas with high conservation values.
- Develop and continue to consolidate the important recreation, education and conservation role of key public open space areas.
- Require public open space contributions for subdivision that increase the demand for open space and where the provision of a land contribution is not appropriate.
- Accept land as the open space contribution for subdivision if one of the following criteria applies:
 - It provides a link with other areas of public open space
 - It provides a pedestrian/cycle link to commercial areas, residential streets and/or activity centres
 - It contains significant remnant habitat
 - It provides opportunity for community development
 - It meets the planning criteria adopted for the provision of public open space
 - It is situated along a waterway identified within the *Open Space Strategy – Parts 1 and 2 (2014)* as a major or other link
 - It is required for sporting or other community facility.
- Develop bike and pedestrian networks that are linked to the Yarra Valley Parklands and other major public open space areas.
- Require applicants to implement land management practices to limit adverse effects of pest plants and pest animals where appropriate.
- Provide a balance between open space requirements and the drainage function of land.
- Facilitate drainage proposals that are implemented in a manner, which enhances recreational resources and the environmental values of public open space.
- Require developments close to, adjoining or in public open space areas to be sympathetic to:

- identified functions of linear parks
 - natural areas and reserves with flora and fauna values
 - sporting reserves
 - community/recreation reserves
 - neighbourhood parks.
- Require uses and developments to minimise negative impacts on public open space, including flora and fauna habitat, hydrology, water, visual and landscape qualities.
 - Require developments close to, adjoining or in significant roadside areas to recognise the flora and fauna values as an important part of the public open space system, and the need to protect and enhance these values.
 - Purchase strategic areas of land for the public open space network.
 - Sell reserves of minimum open space value to fund the purchase and/or development of more strategic areas of public open space.
 - Seek open space contributions from new developments at the time of subdivision for public open space in line with the rates specified in the Schedule to Clause 52.01 (Public Open Space Contribution and Subdivision).

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Public Park and Recreation Zone.
- Applying the Public Conservation and Resource Zone.
- Applying an Environmental Significance Overlay.
- Applying a Significant Landscape Overlay.
- Applying the Schedule to Clause 52.01 (Public Open Space Contribution and Subdivision).

Policy and exercise of discretion

- Implementing the *Open Space Strategy – Parts 1 and 2 (2014)* and relevant Management/Development Plans approved by Council.
- Implementing the *Manningham Bicycle Strategy (2001)* to integrate new development with existing and proposed bicycle and pedestrian networks.
- Implementing the *Manningham Green Wedge Strategy (2004)* that reiterates the importance and value of preserving and enhancing open space.
- Implementing *Manningham Biosites: Sites of (Biological) Significance Review (2004)*.

Further strategic work

- Reviewing zone and overlay provisions to achieve greater regional consistency and protection of the Yarra River, its environs and tributaries in conjunction with the Department of Planning and Community Development and other municipalities along the Middle Yarra.
- Preparation of Management/Development Plans in accordance with the *Open Space Strategy – Parts 1 and 2 (2014)*.

Other actions

- Facilitating and improving communication regarding public open space planning, development and ongoing management between Council, government and statutory authorities, community groups, reserve users and local residents.
- Developing and implementing a system for planning development of public open space areas.
- Developing and implementing responsible and responsive financial planning for the continued development and management of public open space.
- Establishing a system for evaluating whether the objectives of the *Open Space Strategy – Parts 1 and 2 (2014)* are being met through its ongoing implementation.
- Investigating the use of revolving funds, including Trust for Nature to purchase and on-sell strategic land parcels.
- Investigating the potential of land swap, community trust, buy back and sale of surplus Council Reserves, to purchase land of particular strategic or environmental significance required for the public open space system.
- Developing programs for the purchase of strategic private land in the priority identified in *Public Open Space Strategy (2004)*, and the funding of either the purchase and/or development of areas of strategic public open space through the sale of Unclassified Reserves.
- Implementing the *Horse Riding Strategy (2001)*.
- Implementing the *Playspace Strategy (2003)*.

21.13-3

19/04/2018
C123

Tourism

Key issues

- Identifying and developing appropriate tourism opportunities.
- Development of local tourism facilities that enhance local environmental features, landscape qualities, local character and cultural heritage.
- Providing diverse business opportunities.
- Development of appropriate infrastructure to enhance tourism product strengths of the region.
- Balancing visitor needs/demands and the pressure placed on natural resources and local communities.

Objectives

- To promote Manningham's competitive strengths including the attraction of investment capital in tourism in the following areas:
 - links to the Yarra Valley Region
 - historic and modern arts
 - arts/crafts enterprises
 - heritage and cultural assets
 - natural assets
 - Aboriginal culture
 - quality food and wines.
- To encourage accommodation that enhances regional and local tourism without causing detriment to scenic, landscape and environmental resources.

- To minimise any adverse impacts of tourism activities on local communities, surrounding land uses and natural resources.
- To ensure tourism development does not impact on the amenity of the area.
- To improve the quality, capacity and accessibility to key tourism assets.

Strategies

Strategies to achieve these objectives include:

- Encourage tourism opportunities that meet the needs of the local and business community.
- Promote, protect and enhance Melbourne's Valley of the Arts region as a tourist destination.
- Promote and enhance Manningham's tourism assets in Framework Plan 7.
- Require the development of tourist activities to respond to land capability (including environmental and servicing constraints).
- Encourage uses such as small-scale bed and breakfast accommodation, matched to land capability (including environmental and servicing constraints).
- Promote tourism developments that complement local communities, surrounding land uses and natural resources.
- Require development proposals to adopt best-practise design and construction techniques to ensure that the proposals have a neutral or positive impact on environmental characteristics and visual landscape quality of surrounding land uses and natural resources.
- Promote sustainable and high quality development of physical infrastructure.
- Promote environmentally sensitive road upgrades.
- Promote key tourism assets with appropriate signage.
- Require developments to demonstrate that traffic impacts will be minimised.

Implementation

These strategies will be implemented by:

Zones and overlays

Policy and exercise of discretion

- Implementing the *Open Space Strategy – Parts 1 and 2 (2014)* to encourage development of appropriate infrastructure to enhance tourism product strengths and to balance visitor needs/demands and the pressure placed on natural resources and local communities.
- Implementing the *Manningham City Council 2003-2006 Economic Development Strategy (2003)*.
- Using Local Policy to ensure that signage does not affect the amenity of the area (*Outdoor advertising signs policy, Clause 22.07*).

Further strategic work

- Preparation of a Local Tourism Strategy having regard to the Tourism Development Plan for Melbourne Riverlands (1997) and Melbourne's Valley of the Arts Regional Tourism Marketing Board, Marketing and Business Plan 2002-2004.

Other actions

- Promoting public transport links to key tourism assets.

- Implementing the *Arterial Road Improvement Strategy* (2004), *Tourist Signing Guidelines* (2001) and the *Manningham Integrated Transport Strategy* (2003), which promote the development of appropriate infrastructure to enhance tourism product strengths of the region.

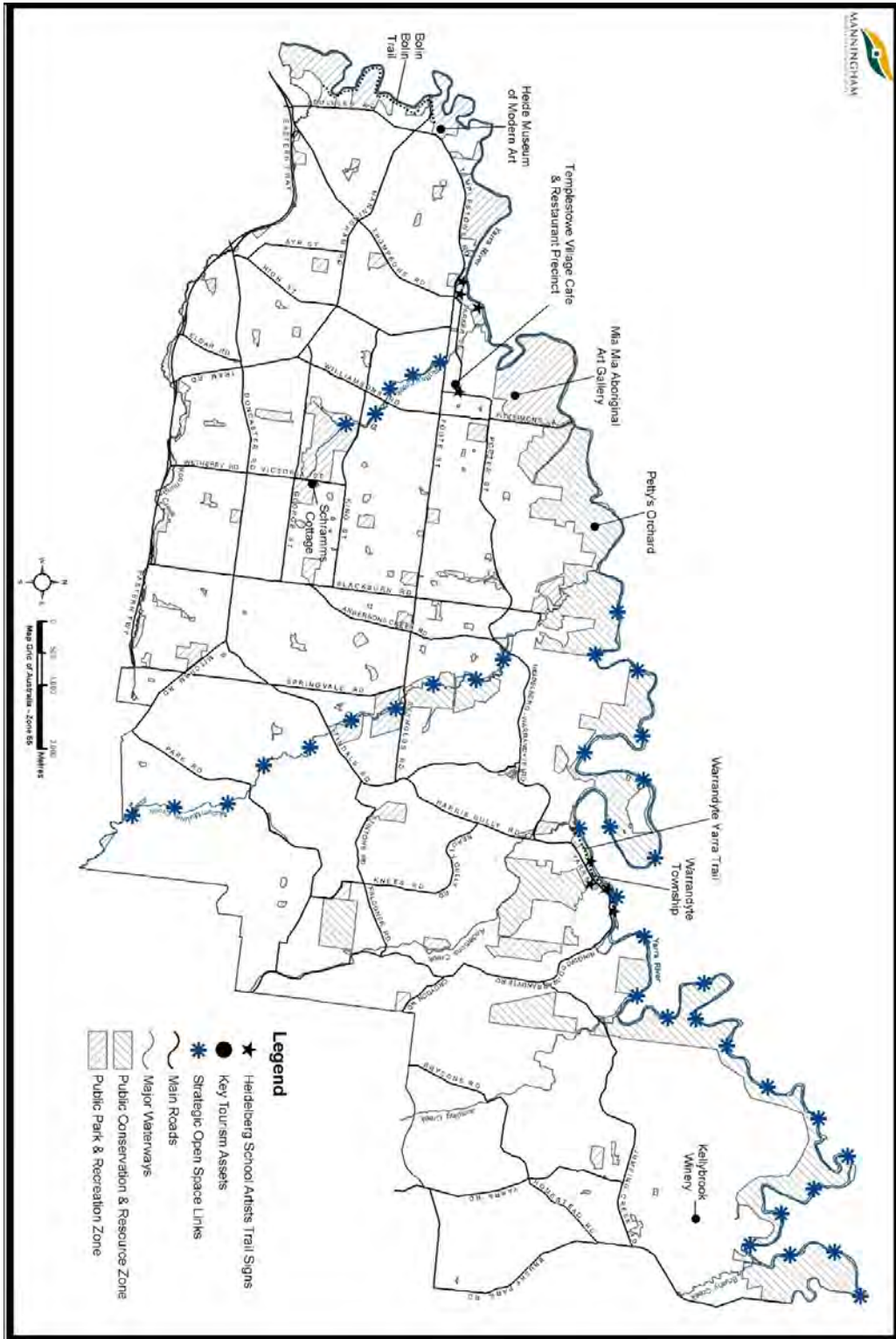
21.13-4

19/04/2018
C123

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Open Space and Tourism Framework Plan 7



21.1423/07/2015
C108**COMMUNITY HEALTH AND WELL-BEING****21.14-1**02/10/2008
C52**Overview**

Manningham is committed to encouraging and promoting community connectedness and belonging. The focus will be to encourage land-use, developments and initiatives that achieve social interaction and cohesion. A key challenge for Council is to ensure equal access for all people and the provision of safe and healthy environments which contribute to the enjoyment and well-being of the community. Development proposals should ensure that access is provided for people of all levels of mobility. They should improve community safety through urban design initiatives.

Council will pursue and encourage opportunities for the provision of community facilities which meet community needs.

Key community facilities and opportunities are shown on Community Health and Well-being Framework Plan 8.

21.14-202/10/2008
C52**Key issues**

- Provision of equal access to services and facilities.
- Limited flexibility of existing facilities to meet the community's changing needs.
- Maintain and enhance the health, well-being and safety of the community.
- Spaces for social interaction.
- Providing a suitable range of community facilities, social services, infrastructure and accommodation to meet the needs of the changing demographics.
- Identification of contaminated land.

21.14-323/07/2015
C108**Objectives**

- To provide appropriate spaces and facilities for social interaction.
- To ensure that physical access to buildings, services and facilities meet the highest standards.
- To provide quality community amenities, educational institutions, diverse leisure, sporting and cultural opportunities and resident support services and programs.
- To encourage the provision of multi-purpose facilities in proximity to activity centres.
- To encourage the provision of aged accommodation in locations with appropriate infrastructure and access to services.
- To ensure that urban design promotes a sense of place, community identity, social interaction and a safe environment.
- To ensure that potentially contaminated sites do not impact on subsequent land uses or result in adverse effects on soil, water, air quality and health.
- To minimise adverse impacts associated with the location and operation of gaming venues and machines.

21.14-402/10/2008
C52**Strategies**

Strategies to achieve these objectives include:

- Encourage the establishment of community based facilities, including child care centres and health care facilities, in proximity to activity centres or other community facilities.
- Design community facilities that are flexible enough to meet the changing needs of the community.

- Encourage a social impact assessment to be prepared for major applications to determine the likely impact on the provision of community services.
- Encourage an Access Audit to be undertaken for all major applications.
- Encourage the provision of social, cultural and educational opportunities within activity centres identified on Framework Plan 8.
- Design buildings and public spaces to provide a high standard of amenity, convenience, accessibility and safety.
- Require contaminated land to be appropriately treated as opportunities arise.

21.14-5

23/07/2015
C108

Implementation

These strategies will be implemented by:

Zones and overlays

Applying the Environmental Audit Overlay.

Policy and exercise of discretion

- Using Local Policy to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person (*Access for disabled people policy, Clause 22.09*).
- Using Local Policy to facilitate opportunities for community/social interaction and creating public spaces, which have a sense of place (*Cultural heritage policy, Clause 22.03*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to guide the location, design and management of gaming machines and venues.

Further strategic work

- Investigating the provision of appropriate measures to be included in commercial developments, centre structure plans and other initiatives that meet the social and changing needs of residents.
- Applying a Development Contribution Plan for the provision of social, cultural and educational opportunities and streetscape enhancements as part of major development proposals.

Other actions

- Considering opportunities for facilitating community development within open space as part of the strategic planning of the public open space network and detailed planning of individual reserves.
- Reviewing implementation actions for contaminated land.
- Implementing *the Infrastructure, Asset Refurbishment / Replacement Strategy 1999 – 2099* (1999).
- Implementing the draft *Social Planning Policy* (2005).
- Implementing *Healthy Living in Manningham: Manningham Municipal Public Health Plan 2005-2008* (2005).
- Implementing the Manningham Council's Policy, *Access to the Built Environment* (2003).
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- Implementing the *Playspace Strategy* (2003)

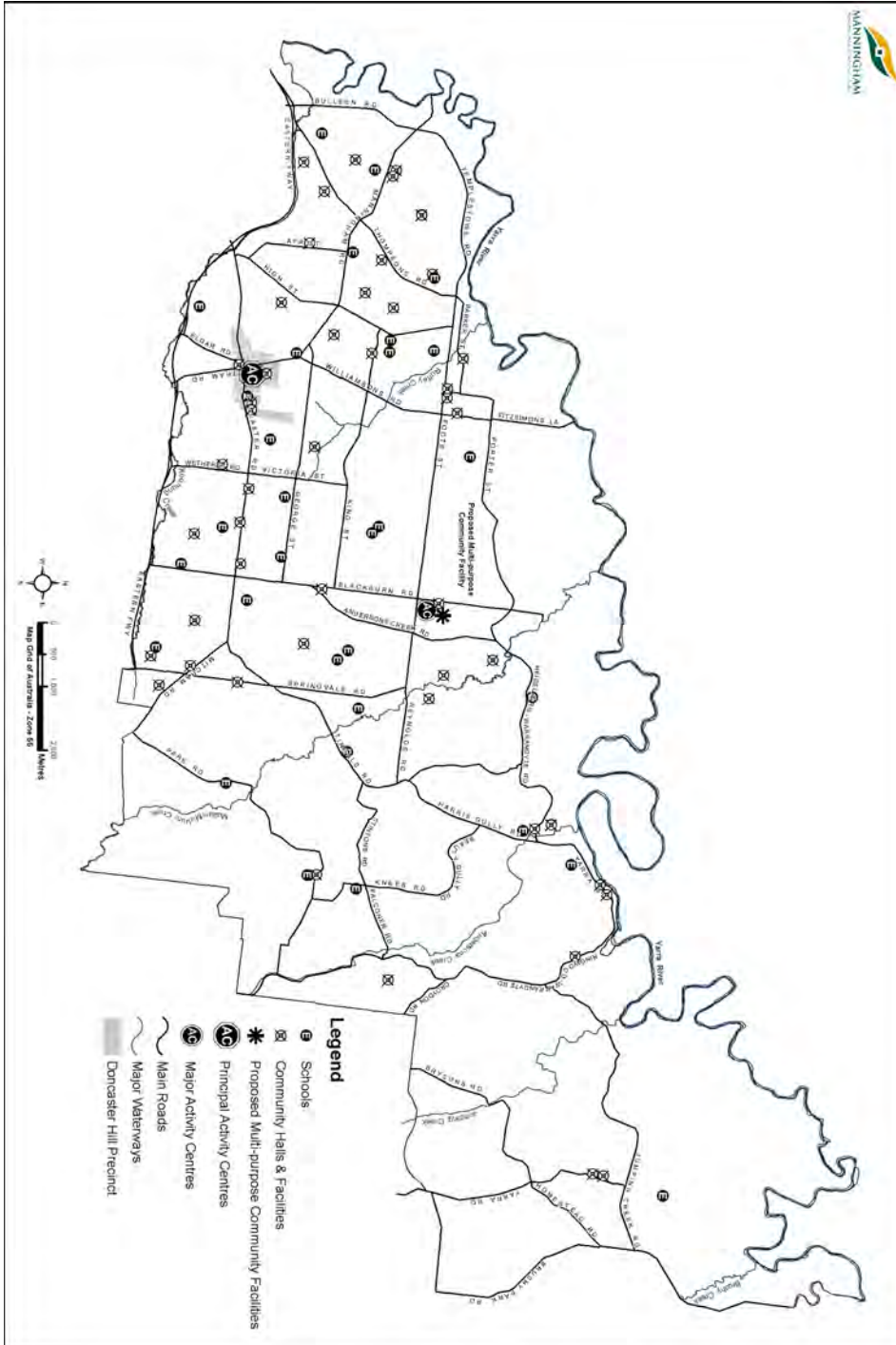
21.14-6

23/07/2015
C108

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COMMUNITY HEALTH AND WELL-BEING FRAMEWORK PLAN 8



MONITORING & REVIEW

The MSS is an evolving decision making framework and process to develop and integrate economic, social and environmental objectives into sustainable land use and development strategies for Manningham.

Council will review the MSS and Planning Scheme every three years in accordance with the *Planning and Environment Act 1987*. The review process will be used to assess the effectiveness of strategic policy directions within the Local Planning Policy Framework (LPPF) and will involve the preparation of a status report with recommendations.

The review process and monitoring program will be linked to Council's Corporate Planning Processes. Progress towards achieving the Council Plan's vision and objectives is measured via a suite of indicators and targets monitored and reported annually. The effectiveness of the LPPF (MSS and Local Planning Policies) will be measured through the use of indicators and targets contained within the Council Plan, given that this document shares a common vision and objectives with the LPPF.

In summary, the effectiveness of the LPPF will be monitored in a number of ways:

Strategic policy achievement

- tracking of indicators and targets using the Council Plan
- use of indicators and targets using other key Council Strategies e.g. Manningham's Water15 – Sustainable Water Management Plan (2005)
- annual Municipal Opinion Survey.

Operational effectiveness

A general performance monitoring program to evaluate the operational effectiveness of the administration of the planning scheme will include analysis of:

- percentage of applications requiring additional information
- time taken for decisions (both delegated and non-delegated)
- the number of applications received per year including analysis of applications decided under delegation, by Council and by the Victorian Civil and Administrative Tribunal
- proportion of applications appealed to the Victorian Civil and Administrative Tribunal
- proportion of Council decisions supported by the Victorian Civil and Administrative Tribunal
- number of amendments undertaken and proportion approved
- review of strategies and policies by the Statutory Planning Unit and Economic and Environmental Planning Unit and other relevant service units.

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LOCAL PLANNING POLICIES

22.0117/08/2017
C119**DESIGN AND DEVELOPMENT POLICY**

This policy applies to development in a Commercial 1 Zone or a Mixed Use Zone.

22.01-102/10/2008
C52**Policy basis**

The scale, form and appearance of development must respond to site opportunities and constraints. Importantly developments must make a positive contribution to the City's sense of place, reinforcing and enhancing the distinctive character of a diverse range of environments in the municipality.

The Municipal Strategic Statement (MSS) recognises that a key strength of the municipality is its community and quality of the built and natural environment. The MSS promotes site responsive design and construction, and high standards of urban design, which is appealing to residents and visitors.

This policy comprises seven design elements that address the following issues:

- Context (building form, colours and materials, height, massing, setbacks, roof form and window and door proportions)
- Landscape design
- The public realm
- Landmarks, views and vistas
- Residential interface
- Car park and driveway construction
- Subdivision.

22.01-217/08/2017
C119**Objectives**

- To ensure that the design, location and appearance of development respects the height and massing of surrounding development where this is a recognised and valued feature.
- To encourage contemporary architecture combined with innovative urban design and building techniques, where appropriate.
- To promote the siting of land uses and development, which reduces the need to travel and encourages multi-purpose trips.
- To retain existing vegetation where possible and ensure that a high standard of landscaping is achieved.
- To achieve a 'boulevard' character and well-defined built edge along Doncaster Road.
- To discourage development that restricts significant views from main roads.
- To achieve design, which is functional, safe, convenient, attractive, accessible and responsive to the site and surrounds.
- To facilitate the creation of functional and high quality built form and urban spaces.
- To encourage active street frontages.
- To ensure protection from unreasonable overlooking or overshadowing of abutting and nearby residential properties.
- To ensure that land used for vehicle access and parking is properly designed, constructed and drained.
- To ensure that subdivisions are designed to:
 - Include appropriate allocation of carparking
 - Provide suitable access

- Ensure adequate provision of services

22.01-3

17/08/2017
C119

Policy

It is policy that:

Context

- Development recognises and responds to the natural and built form elements of the surrounding area and achieves a site responsive design.
- Development promotes innovative, contemporary built form which complements the streetscape with respect to building form, colours and materials, height, massing, building setbacks, roof form and window and door proportions, where appropriate.
- Development is designed to respond to landform, orientation and landscape features.
- Visual bulk be minimised through the articulation of form and surface treatments.
- The design of any building avoids blank walls.
- Commercial and mixed use building facades have visual interest, not exceed 70% glazing, and be articulated by non-glazed vertical and horizontal elements to accentuate windows and other openings.

Landscape design

- Landscape design:
 - be compatible with the neighbouring area
 - retains indigenous and other mature vegetation wherever possible
 - incorporates screen planting and landscape buffers as an interface to adjoining sites
 - provides canopy trees and indigenous plantings where appropriate
 - provides visual interest to soften the urban built form environment
 - creates private and public open space areas that are accessible, safe, attractive and functional for all users.
- Landscape treatment be achieved in front setback areas along main roads by:
 - planting a row of large canopy trees which complement the boulevard theme along the front and roadside boundaries within the building setback area where appropriate
 - locating car parking underneath or at the rear of buildings
 - incorporating elements such as garden beds, paving, artwork and lighting to provide interest for pedestrians.
- A detailed landscaping plan be provided, showing species, locations, approximate height and proposed spread of planting, hard surfaces, treatment of change in levels and other landscape features as a condition of any permit.

The public realm

- Building design provide active street frontages to buildings that are situated along main roads, public urban areas, open space areas and pedestrian linkages.
- Designs that appear to suggest ownership of public spaces be avoided.
- Building design and setbacks enhance pedestrian safety and amenity by allowing for penetration of sunlight and minimising wind tunnelling effects.

- Building design of commercial buildings enables ground floor activity to be visible from the street.
- Windows, terraces and balconies offer surveillance of adjacent public areas.
- Pedestrians, cyclists and vehicles are able to move onto and around the site with safety and ease.
- Pedestrian amenities such as seating, lighting and public art are provided, where appropriate.
- Pedestrian entrances to buildings:
 - are clearly visible/identifiable from streets and public areas
 - provide shelter, a sense of personal address and transitional space between the public and private realm.

Landmarks, views and vistas

- Significant views and vistas are protected through the appropriate location, height and setbacks of new buildings.

Residential interface

- Development is set back sufficient distances from side and rear boundaries to prevent detrimental impacts to neighbouring properties by way of building bulk and overshadowing and to enable appropriate landscape treatment to be provided to soften the appearance of buildings and works.
- A respectful interface be created with residential areas by:
 - Siting building and works to respond to site features on adjoining residential properties such as topography, position of any buildings and existing vegetation.
 - Providing front building setbacks, which create an appropriate transition to residential streetscapes.
 - Internal and external service areas being sensitively located and designed.
 - Buildings being stepped back in height to achieve a suitable transition of scale to adjoining residential properties.
 - Designing the car parking layout to minimise any adverse impacts on nearby properties.
 - Designing and siting security lighting to minimise light spill to adjoining properties.
 - Maintaining the privacy of adjoining properties through the sensitive siting and design of car parks, windows, doors, service areas, outdoor areas and the use of appropriate techniques including the treatment of windows, boundary fences, screening, and landscaping techniques.

Car park and driveway construction

- Car parking areas and driveways contribute to the function, safety and appearance of the development by:
 - Being designed for convenient access, having well-defined vehicle entry points, clearly separating vehicular and pedestrian circulation, and enabling vehicles to exit the site in a forward direction onto abutting roads.
 - Being surfaced, drained, constructed and line-marked in accordance with good engineering practice and, where appropriate, be in accordance with an engineering construction plan submitted to and approved by the responsible authority.
 - Encouraging paved surfaces and other hard standing areas to be constructed with dark coloured concrete or bitumen, coloured patterned concrete or brick paving.
 - Landscaping car parking areas with appropriate canopy trees, where practical, and maintaining them in accordance with an approved landscape plan.

- Providing a planting strip of a minimum width of 1.5 metres along the residential boundary where at-grade car parking areas and driveways abut residential properties, in order to screen the parking area.
- Minimising the protrusion of basement car parks above ground level.
- Incorporating undercroft car parking where appropriate and visually integrating multi-deck car parks with adjoining streetscapes.
- Car parks, accessways and set down areas provide for safe and efficient traffic movement.

Subdivision

- Applications for subdivision be accompanied by a site analysis of the site and surrounds showing:
 - 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.
 - 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.
 - A traffic survey providing a detailed analysis of the expected traffic generation and the capacity of the local road network accompany applications as appropriate.
 - The width of road and driveway pavement is appropriate for the number of lots and is adequate to enable convenient movement by service, emergency and waste collection vehicles.
 - Communal or visitor car parking is provided within common property.
 - In the case of unsewered land, effluent envelopes be delineated on sites with environmental or servicing constraints, implemented by an Agreement under section 173 of the *Planning and Environment Act 1987* as necessary.

22.01-4

02/10/2008
C52

Decision guidelines

Before deciding on an application the Responsible Authority will consider as appropriate:

- The extent to which the application meets the objectives and directions of this policy.

22.0221/02/2013
C54**NATIVE VEGETATION POLICY**

This policy applies wherever a permit is required to remove native vegetation or where the subdivision of land will result in the removal of native vegetation (excluding land covered by the Significant Landscape Overlay Schedules 6 and 7).

22.02-121/02/2013
C54**Policy basis**

Manningham contains areas of significant native vegetation supporting a diverse range of indigenous flora, fauna and vegetation communities. Many of these species are rare or threatened at a local, state or national level.

The most intact and significant areas of native vegetation have been mapped and classified into 35 Sites of Biological Significance (Biosites) and are identified as being of National, State or Regional significance according to the *Sites of (Biological) Significance Review*, 2004.

The Biosites support the majority of Manningham's biodiversity and are referred to as 'Core Conservation Areas'. Within the Core Conservation Areas (Biosites) areas of vegetation of the highest quality are referred to as 'Critical Conservation Areas'.

Other areas of native vegetation more modified from their presumed 'natural' condition than Core Conservation Areas, are classified as 'Buffer Conservation Areas'. Buffer Conservation Areas have environmental values in their own right, as well as providing additional (usually adjacent) habitat that supports the ecological integrity and function of Core Conservation Areas. Core and Buffer Conservation Areas are protected by Environmental Significance Overlays.

Areas with native trees and patches of native vegetation also occur outside of Core and Buffer Conservation areas. Whilst these areas may be of lesser environmental value or significance, they still have habitat values worthy of protection and provide landscape amenity and character. Such areas include low density residential areas (Significant Landscape Overlay Schedule 1), and the Domain Estate, Templestowe (Significant Landscape Overlay Schedule 3).

The Municipal Strategic Statement (MSS) recognises the value and importance of all of Manningham's native vegetation in providing important ecosystem services such as the maintenance of atmosphere and climate; filtration and purification of water and maintenance of soil fertility and structure. Additionally Manningham's indigenous vegetation also has an important habitat corridor function for the region in facilitating movement of wildlife, seeds and pollen across the landscape.

The MSS further recognises that Manningham's native vegetation is threatened by removal and other impacts including overgrazing by stock (particularly horses), pest plant and animal invasion, changes in burning regimes, soil erosion and changes in sub-catchment hydrology and climate change. These threats contribute directly and indirectly to the loss of local biodiversity by impairing ecological processes, resulting in habitat loss and fragmentation and local species extinction.

These threatening processes need to be addressed if the municipality's native vegetation is to be conserved and enhanced and the goal of an overall gain (Net Gain) at a local level in the extent and quality of native vegetation, is to be achieved.

This policy:

- applies the conservation of native flora and fauna SPPF objective in clause 15.09 to local circumstances.
- provides guidance and clarification regarding the application of *Victoria's Native Vegetation Management - A Framework for Action*, (Department of Natural Resources and Environment 2002) in Manningham.
- applies the findings and conclusions of three key ecological studies for Manningham:
 - *Sites of (Biological) Significance Review (2004)*
 - *Wildlife Movement and Habitat Needs in Manningham (2009)*

- *Locally Threatened Plants in Manningham (2010).*

22.02-2

21/02/2013
C54

Objectives

The objectives of this policy are:

- To establish principles and guidelines for the implementation of ‘Net Gain’ within Manningham.
- To protect, conserve and where possible enhance the biodiversity values of the municipality.
- To recognise, protect and conserve ecosystem services and functions.
- To protect and conserve and where possible enhance Manningham’s native vegetation particularly Biosites - Sites of Biological Significance (Core Conservation Areas) and Buffer Conservation Areas.
- To protect, conserve and enhance habitat corridors and habitat connectivity.
- To protect and conserve species of indigenous flora and/or fauna which are considered threatened within Manningham.
- To minimise, mitigate and manage threatening processes and negative impacts upon indigenous flora and fauna.

22.02-3

21/02/2013
C54

Policy

It is policy that:

- The primary consideration in assessing applications for vegetation removal should be the quantity and conservation significance of the vegetation proposed to be removed.
- The removal or destruction of native vegetation within Critical Conservation Areas (as identified in Schedule 2 to the Environmental Significance Overlay, Clause 42.01), or habitat corridors, will generally not be permitted unless:
 - exceptional circumstances apply;
 - the removal of native vegetation has been avoided so far as practicable;
 - if impacts cannot be avoided, the removal of native vegetation has been minimised through appropriate planning and expert input to project design or management; and
 - appropriate offsets that meet the requirements of Victoria’s Native Vegetation Management: A Framework for Action and the Port Phillip and Western Port Native Vegetation Plan are achievable.
- The removal or destruction of native vegetation within Core Conservation Areas (as identified in Schedule 2 to the Environmental Significance Overlay, Clause 42.01), will be discouraged and should only be permitted if:
 - the removal of native vegetation has been avoided so far as practicable;
 - if impacts cannot be avoided, the removal of native vegetation has been minimised through appropriate planning and expert input to project design or management; and
 - appropriate offsets that meet the requirements of Victoria’s Native Vegetation Management: A Framework for Action are achievable.
- The removal or destruction of native vegetation will only be permitted in all other areas where it is unavoidable, is the minimum amount required for the proposed land use, and can be adequately offset by the protection and/or recruitment of indigenous vegetation.

- Native vegetation should not be removed where it will result in the removal or destruction of a rare or threatened flora or fauna species at the municipal, state or federal level; or where it will adversely affect the long term survival and reproduction of a rare or threatened flora or fauna species at the municipal, state or federal level.
- Native vegetation should not be removed where it will result in the fragmentation or isolation of patches of remnant vegetation and/or negate the ability of an area of native vegetation to provide habitat or function as a habitat corridor.
- Native vegetation should not be removed or destroyed on land with a slope of greater than 20 percent.
- Native vegetation should not be removed within 30 metres of watercourses to maximise the function of waterways as habitat corridors.
- Native vegetation should not be removed or destroyed in areas where offsets have previously been achieved.
- Where offsets are required the following principles apply:
 - All offsets should be located and provided in compliance with *Victoria's Native Vegetation Management: A Framework for Action* and the *Port Phillip and Western Port Native Vegetation Plan*.
 - Offsets should preferably be located on the same property as the proposed works or development, unless this is clearly not practical or possible or it can be shown that a better environmental outcome can be achieved off-site.
 - It is Council's preference that offsets be located within the municipality unless this is not achievable.
 - Offsets for the removal, lopping or destruction of native vegetation on privately owned and non-council owned land should preferably be created on land of the same tenure.

22.02-4

21/02/2013
C54

Decision guidelines

It is policy that the responsible authority considers, as appropriate:

- The extent to which the application complies with *Victoria's Native Vegetation Management: A Framework for Action* and the *Port Phillip and Western Port Native Vegetation Plan*.
- The extent to which the application has met the requirement to avoid, minimise and offset native vegetation removal to achieve a net gain outcome;
- The impact of any proposed vegetation removal on Critical, Core or Buffer Conservation Areas and/or other surrounding habitat.
- The impact of any proposed vegetation removal on threatened species and identified habitat corridors.
- The extent to which the application meets the objectives and directions of this policy.

22.02-5

21/02/2013
C54

Policy references

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22.0312/03/2009
C71**CULTURAL HERITAGE POLICY**

This policy applies to cultural heritage places which are places of aesthetic, historical, scientific, architectural or social significance including:

- Individually significant buildings and places
- Individual trees, groups of trees, gardens and landscapes
- Heritage precincts including groups of buildings and other features
- Sites and areas of archaeological significance
- Aboriginal cultural heritage places, objects and landscapes.

22.03-102/10/2008
C52**Policy basis**

Manningham's cultural heritage reflects the historical development of the municipality. Many culturally significant buildings, precincts, trees, gardens, landscapes and sites of archaeological significance have been identified and documented through heritage studies of the municipality.

Clause 21.11 of the Municipal Strategic Statement (MSS) states that the cultural heritage of the community will be protected by the retention of significant buildings, precincts, trees, gardens and landscapes. It also seeks to protect and enhance cultural heritage places, which contribute to Manningham's distinctive character and help residents appreciate the history and development of their local area and provide historic continuity and a sense of place. The Municipal Strategic Statement and heritage studies seek to assist in the development and management of cultural heritage places, guide land use decisions and to raise public awareness of heritage issues.

22.03-202/10/2008
C52**Objectives**

The objectives of this policy are:

- To recognise, protect, conserve, manage and enhance identified cultural heritage places.
- To ensure that the significance of cultural heritage places involving the aesthetic, historic, scientific, architectural or social value of a heritage asset to past, present and future generations, is assessed and used to guide planning decisions.
- To encourage the retention of cultural heritage places and ensure that these places are recognised and afforded appropriate protection to enrich the character, identity and heritage of the municipality.
- To ensure that the subdivision of a cultural heritage place does not adversely affect the identified aesthetic, historic, scientific, architectural or social value of the heritage place or other features identified in the Schedule to the Heritage Overlay.
- To promote the identification, protection and management of sites and areas of archaeological significance including aboriginal cultural heritage.

22.03-312/03/2009
C71**Policy**

It is policy that:

Subdivision

- Subdivision design retains, where appropriate, the original setting of a cultural heritage place including garden areas, buildings, outbuildings, fences, driveways or retains features essential to the character, importance and integrity of the place.
- Within a heritage precinct, new subdivision be consistent with that of the precinct in terms of layout, lot size and the ability to support future development, which is similar in scale, bulk and setbacks.

Demolition and/or removal of buildings, structures or features

- The partial or complete demolition and/or removal of any building, structure or feature of identified cultural heritage significance will be strongly discouraged, in order to conserve the range and quality of cultural heritage places in the municipality.
- The partial or complete demolition and/or removal of a building, structure or feature of identified cultural significance may be supported in limited circumstances, including where retention is demonstrated to be unsafe or unsound beyond reasonable repair and/or the partial demolition relates to non-original fabric or is demonstrated to be non-contributory and an appropriate replacement building or alteration is proposed.
- The demolition and/or removal of buildings within the Warrandyte Township Heritage Precinct may be supported where the building does not contribute to the significance of the precinct.
- Demolition approvals generally not be granted until replacement buildings or works have been approved.

New buildings and works or additions to buildings

- Additional buildings or works on the site of a heritage building and/or located within a heritage precinct conserve, enhance and be responsive to the heritage place and/or precinct.
- The development of cultural heritage places be compatible with and not adversely affect the heritage value and significance of the cultural heritage place and/or precinct.
- Development adjacent to heritage places and precincts responds positively to the heritage place in terms of its bulk, setbacks, materials, colour scheme and form.
- The design of new buildings not “mock” the heritage building and/or precinct, but rather complement the original fabric and design characteristics of the heritage building and/or precinct in terms of bulk, style, materials, setbacks, colour scheme and form.

Alterations

- The design and location of external and internal alterations should preserve, restore or reconstruct the original features and forms of heritage buildings.
- External alterations maintain the aesthetic, historic, scientific, architectural or social value of a heritage building/precinct and a building’s contribution to the streetscape.
- All new materials used be respectful of the nature and colour of the original fabric of the building.
- Alterations to the front façade of a heritage building are treated with particular care in recognition of their potential negative impact on the architectural and aesthetic contribution of the building to the streetscape.
- Alterations to the rear of buildings are encouraged in order to minimise or avoid any detriment to the aesthetic and architectural contribution of the building to the streetscape and the heritage precinct.

Vegetation

- The removal or lopping of vegetation identified as making a significant contribution to the setting and heritage value of a heritage place is strongly discouraged.
- Removal or lopping of significant vegetation may be supported in limited circumstances, including where parts or all of the vegetation is dead, dying or presents an immediate risk.

Aboriginal cultural heritage values

- In considering an application for use or development, or a request to rezone land, Council will have regard to the requirements of the *Aboriginal Heritage Act 2006* and any maps and guidelines produced by Aboriginal Affairs Victoria.

- Applicants proposing to develop or rezone land in areas of Aboriginal cultural heritage sensitivity will be requested to demonstrate that the impact of the proposed development on Aboriginal cultural heritage values has been addressed in accord with the requirements of the *Aboriginal Heritage Act* 2006 and any maps and guidelines produced by Aboriginal Affairs Victoria.

Warrandyte Township Heritage Guidelines

- In addition to the above policy, the *Warrandyte Township Heritage Guidelines* Parts 1 to 7 (July 2007) incorporated into this Scheme will be applied to assess planning permit applications within the Warrandyte Township Heritage Precinct

22.03-4

02/10/2008
C52

Application requirements

All applications

- Planning permit applications be accompanied by an assessment from a suitably qualified heritage expert outlining how the proposal conserves, enhances and is responsive to, the significance of the cultural heritage place.

Demolition and removal of buildings, structures or features

- Where the demolition of all or part of a heritage building or structure is proposed on the grounds of compromised structural integrity or safety:
 - the application be accompanied by a report from a suitably qualified structural engineer providing evidence to Council's satisfaction that the building or structure or part thereof is structurally unsound and is unable to be made safe without significant alteration to the original fabric of the heritage building or structure
- An application for demolition or removal of all or part of a heritage building or structure be accompanied by an assessment that includes as appropriate:
 - justification as to why the building cannot be retained
 - evidence that the building does not contribute to the significance of the cultural heritage place
 - consideration of options to retain some part of the building to commemorate its cultural heritage importance
 - justification as to why the removal of a building should proceed, including evidence of how and where the building is to be moved
 - a comprehensive photographic record of the building and its setting in the streetscape, a plan of the building's foot print and layout, a copy of the title for the property to which a building is to be relocated, a copy of the building permit for the site to which the building is being relocated and a report on how the building is to be moved and how it will be restored in its new location.
- The applicant demonstrates that all possible avenues have been pursued to ensure the conservation of cultural heritage places, prior to consideration of demolition or removal of buildings, structures and features as appropriate.

New buildings and works or additions to buildings

- A report be provided outlining the techniques that have been used to ensure that new development responds appropriately to the bulk, form, setbacks, materials and style of the heritage building and/or precinct.

Vegetation

- An application for the removal, destruction or lopping of vegetation be accompanied by an arboricultural report to the satisfaction of the responsible authority.

22.03-512/03/2009
C71**Decision guidelines**

Before deciding on an application the Responsible Authority will consider as appropriate:

- The extent to which the application meets the objectives and directions of this policy.
- The significance of the cultural heritage place.
- The views of Council's Heritage Advisor.
- The views of the National Trust of Australia (Victoria).
- The recommendations of representatives of the relevant Aboriginal community or registered Aboriginal party for the management of Aboriginal cultural heritage places and objects.
- Heritage studies and all available documentation.
- The need to prepare a tree condition or heritage impact assessment for any proposed development, which could affect cultural heritage places.
- The need to prepare a tree or heritage management plan to guide the implementation of any proposed development, including conservation and arboriculture works.

Where an application proposes the demolition or removal of a building or parts of a building, it is policy that the responsible authority considers as appropriate:

- The degree of its significance.
- The character and appearance of the building or works and its contribution to the architectural, social or historic character and appearance of the streetscape and the area.
- Whether the demolition or removal of any part of the building would contribute to the longer-term conservation of the significance of that building.
- Whether the demolition or removal is justified for the development of the land or the alteration of, or addition to a building.
- Whether a demolition permit should be granted before the proposed replacement building or works have been approved.

Where an application proposes alterations or additions to a building, it is policy that the responsible authority considers as appropriate:

- The degree of the building's significance.
- The effect of the new works upon the significance, character and appearance of a building or its streetscape contribution.
- The building's structural condition.

Where an application proposes to use a heritage building for a prohibited use, it is policy that the responsible authority considers as appropriate:

- The appropriateness of the use with regard to the surrounding land use.
- Whether the proposed use furthers the heritage objectives of the planning scheme.
- The use of the buildings in the Heritage Precinct on the north side of Yarra Street, Warrandyte for a small scale shop (other than Adult sex bookshop, Bottleshop, Department store, restricted retail premises and Supermarket) or small office (other than Medical Centre).

22.03-626/02/2009
C60**Policy references**

Cities of Banyule, Manningham and Whitehorse (1998) *Commitment to Indigenous People by the Cities of Banyule, Manningham & Whitehorse*, Victoria.

Context Pty Ltd, Peterson R, Stafford B (1991) *City of Doncaster and Templestowe Heritage Study*, City of Doncaster and Templestowe, Doncaster.

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- Context Pty Ltd, Kellaway Cr C, Peterson R (1996) *Wonga Park Heritage Study – Report on Stages 1 & 2 for the City of Manningham*, Manningham City Council, Doncaster.
- Context Pty Ltd (2006) *Manningham Heritage Study Review 2006*, Melbourne.
- Ellender I (1991) *The City of Doncaster and Templestowe: The Archaeological Survey of Aboriginal Sites*, Department of Conservation and Environment, Melbourne.
- HLCD Pty Ltd & Lancashire D (July 2007) *Warrandyte Township Heritage Guidelines*, Parts 1 to 7, Victoria.
- John Patrick Pty Ltd Landscape Architects (2006) *Manningham Heritage Garden & Significant Tree Study – Stage 2*, Manningham City Council, Doncaster.
- Kellaway C (1994) *Doncaster and Templestowe Heritage Study – Additional Historical Research*, City of Doncaster and Templestowe, Doncaster.
- Manningham City Council (2005) *Warrandyte River Reserve Management Plan*, Manningham City Council, Doncaster.
- Michael Smith Landscape Architecture & Urban Design, Kenyon B, Banks F (2003) *Manningham Monterey Pine and Cypress Tree Assessment*, Manningham City Council, Doncaster.
- Peterson R (1993) *Heritage Study Additional Sites Recommendations*, City of Doncaster and Templestowe, Doncaster.
- Peterson, R (1999) *Manningham Heritage Guidelines*, Manningham City Council, Doncaster.
- Urban Initiatives (2005) *Warrandyte Urban Design Framework (2005)*, Melbourne, Victoria.

22.0403/03/2016
C110**RESIDENTIAL ACCOMMODATION**

This policy applies to the use and development of land for residential accommodation, which includes group accommodation, residential buildings, residential villages and retirement villages in the Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Low Density Residential Zone.

22.04-103/03/2016
C110**Policy basis**

This policy builds on the Municipal Strategic Statement (MSS) as it relates to the diversity and location of residential accommodation in Manningham. In particular, the policy gives effect to the following objectives of the MSS:

- Clause 21.05 – Residential, which seeks to provide a range of housing densities in locations with convenient access to services, facilities, and public transport. This Clause also states that accommodation should reflect the diverse needs, expectations and aspirations of people in the community and assist them to ‘age in place’ and that accommodation should be located, designed and operated to provide a safe and pleasant environment while maintaining the amenity of the neighbourhood setting.
- Clause 21.14 – Community Health and Well-Being, which seeks to ensure residential accommodation responds to the diverse lifestyles of people, taking into consideration their health, safety, and wellbeing.
- Clause 21.06 – Low Density, which seeks to ensure that the location of residential accommodation is appropriately sited and responsive to the significant landscape character of low density areas, recognising that these locations are constrained by land capability, environmental values, both narrow and unsealed roads, lack of kerbs and channels and lack of convenient access to public transport and physical and community infrastructure.

22.04-203/03/2016
C110**Objectives**

The objectives of this policy are:

- To ensure that group accommodation, residential buildings, residential villages and retirement villages are appropriately located close to activity centres, main roads, community facilities and public transport networks, to optimise convenient access to these services and facilities.
- To ensure that safe and convenient vehicle and pedestrian access is provided within, to and from the site.
- To ensure that adequate provision is made for on-site car parking.
- To ensure that siting takes account of traffic generated on the street and effects on traffic flow and road safety.
- To ensure that the location of the use does not adversely affect the role and function of the road network and that adequate provision is made for on-site car parking.
- To ensure that adequate provision is made for utility services.
- To ensure that the design, scale, visual bulk and appearance of development minimises the impact on neighbourhood character and the streetscape.
- To ensure that these facilities minimise the impact on land with identified environmental and/or landscape values.
- To ensure that the amenity of the locality is not detrimentally affected by way of the operation of these uses, including the effects of noise, car parking and traffic.
- To ensure that the location and design of these facilities promotes a high level of amenity and accessibility for all users of the facility.

- To ensure that developers/operators provide a suitable level of support services and facilities for residents.

22.04-3

03/03/2016
C110

Policy

It is policy that:

Location

- Group accommodation, residential buildings, residential villages and retirement villages uses should be located within the Residential Growth Zone and General Residential Zone areas that are:
 - Conveniently located to enable access to public transport, community and retail facilities and services.
 - Close to or adjoining existing community activities, to provide a focal point for community services and to create opportunities for interaction.
 - In areas where the slope of land is at a suitable grade which provides for easy pedestrian mobility both within the site and to externally located community facilities and services.
 - On a main or collector road so that the use does not depend on a local road for main vehicular movements, or in the case of smaller scale development, on local roads where it can be demonstrated that additional traffic movements will be well within the capacity of the local road network.
 - On a site with at least one, 15 metre minimum frontage.
 - On sites where extensive earthworks to create uniform site and floor levels are not required.
 - On sites where extensive vegetation removal is not required.
 - On sites with access to existing sealed roads and constructed pedestrian footpaths.
- Land within the Neighbourhood Residential Zone and Low Density Residential Zone is not a preferred location for residential accommodation. All of the following specific location requirements should be considered, including that the land:
 - Has convenient access to an activity centre and community facilities external to the site;
 - Is located on a main road or collector road so that the use does not depend on a local road for main vehicular movements; and
 - Is on a public transport route and within 400m walking distance to public transport.
- Within the Low Density Residential Zone, non-residential uses should also comply with all of the following criteria:
 - The site is serviced by reticulated sewerage;
 - Access to the site is via a sealed main road with existing kerb and channel, avoiding the use of narrow and single lane roads;
 - The site is not constrained by factors such as a slope of more than 20%, significant vegetation cover, drainage lines or highly visible ridgelines or hilltops; and
 - The site does not require significant earthworks to facilitate the development.

Design and built form

The following applies to all zones identified in the preamble to this Clause, unless specifically identified otherwise:

- Building and site design responds to streetscape character.

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- Building and site design should avoid excessive overshadowing and visual bulk to adjoining residential properties to maintain the privacy of adjoining residential properties.
- Windows should be located to avoid unreasonable overlooking, without the need for screening.
- Building form, colours and materials, height, massing, setbacks, roof form and window and door proportions are responsive to the neighbourhood character.
- In Low Density Residential Zone areas the development (built form, setbacks, landscaping, service areas, open space, driveway and car park areas) should be designed to be subordinate and non intrusive in terms of scale, height, location, visibility and materials of construction, so as to respect the low density residential and landscape character of the area.
- The facility is designed and sited so as to minimise off site impacts from car parking, outdoor lighting, plant and equipment noise, deliveries and other facility operations.
- Plant and equipment (air conditioning/heating etc.) located at ground level is appropriately housed in an acoustic building/structure where appropriate.
- Roof mounted plant and equipment is permanently screened by appropriate materials, so that it generally cannot be seen from within the facility or from adjoining and nearby dwellings and the public realm.
- Appropriate outdoor lighting, including low-level pathway lighting, is provided for the safety and security of residents, staff and visitors.
- The design and layout of any building, car park and open space area be readily and safely accessible.
- The layout of buildings and outdoor areas meets the needs of persons with limited mobility.
- Accommodation for older persons be designed to:
 - Ensure the layout of buildings and design of outdoor areas meets the needs of persons with limited mobility;
 - Make adequate provision for both indoor and outdoor leisure and recreational facilities with sufficient weather protection; and
 - Include a sufficient area of private and/or communal open space to meet the needs of the future occupants.
- Retirement village, group accommodation, residential village and retirement village development in a residential zone should respond to the topography of the site to ensure buildings and works are appropriately sited, having regard to existing slope and viewline characteristics.
- 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 the Table below.

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	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

Development Context	Minimum Setback from front Street (Metres)	Minimum Setback from a Side Street (Metres)
abutting allotment facing the same street, and the site is not on a corner.		
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.	<p>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.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p>	<p>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, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback 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.</p>

- 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 specified in the Table above..
- The maximum building height should not exceed the maximum height specified in the zone, schedule to a 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.
- A new building not on or within 150mm of a boundary should be set back from the 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, flutes, 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 specified in the Table above .
- 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 specified in the Table above .

Open space and landscaping

- Developments are landscaped in a manner that softens the visual impact and assists with integration into streetscapes.
- The slope of land provides for easy pedestrian mobility within the site.

- Landscape plans incorporate designated communal open space areas and facilities which provide opportunities for residents to enjoy outdoor passive recreation.
- Public and communal open spaces are designed in a manner which protects natural features on the site, provides outlook for as many residential suites/lodging rooms as practicable, and enables ready access and usage.
- The removal of vegetation on sites of identified environmental or landscape significance is minimised.

Car parking and access

- Car parking areas and driveways contribute to the function, safety and appearance of a development by:
 - Being designed for convenient access, having well-defined vehicle entry points, clearly separating vehicular and pedestrian circulation, and enabling vehicles to exit the site in a forward direction onto abutting roads.
 - Being surfaced, drained, constructed and line-marked in accordance with good engineering practice and, where appropriate, be in accordance with an engineering construction plan submitted to and approved by the responsible authority.
 - Car park areas should be adequately screened with landscaping and positioned to ensure minimal removal of existing vegetation.
 - Paved surfaces and other hard standing areas to be constructed (where appropriate) with dark coloured concrete or bitumen, coloured patterned concrete or brick paving.
 - Landscaping carparking areas with appropriate canopy trees, where practical, and maintaining them in accordance with an approved landscape plan.
 - Incorporating a planting strip of a minimum width of 1.5 metres along the residential boundary where at-grade car parking areas and driveways abut residential properties, in order to screen the parking area.
 - Minimising the protrusion of basement car parks above ground level.
 - Incorporating undercroft parking where appropriate, visually integrating multi-deck car parks with adjoining streetscapes.
 - Designing and siting security lighting to minimise light spill to adjoining properties.
- Car parks, accessways and set down areas should provide for safe and efficient traffic movement.
- Adequate space be provided for waste removal vehicles to safely manoeuvre on site, where appropriate.
- On-site car parking be provided as required for:
 - Occupants;
 - Staff;
 - Visitors;
 - Delivery and emergency vehicles; and
 - Disabled persons.

22.04-4

03/03/2016
C110

Application requirements

An application for group accommodation, residential buildings, residential villages and retirement villages should be accompanied by the following information, as appropriate:

- A site analysis of the site and surrounding area including:

- The type of accommodation proposed, including the level of care and the age group it will service, and an explanation regarding the support services to be provided to assist residents as they age in place.
- The availability and need for this type of accommodation.
- The car parking provisions and layout, and traffic impacts on the surrounding street networks.
- Location, elevations and setbacks of all buildings and works.
- Topography of the land, including existing vegetation, view lines and slope.
- The provision of private and communal open space (as required).
- The level of accessibility provided to ensure that older persons and those with disabilities have equitable, convenient and safe access to all required facilities and services within and external to the site.
- Access to public transport, activity centres and other community services and infrastructure.
- Any other matters relevant to the site and environment.

22.04-5

03/03/2016
C110

Decision guidelines

Before deciding on an application, the Responsible Authority will consider, as appropriate:

- The extent to which the application meets the objectives and directions of this policy.
- The availability of this type of facility.
- The design response.
- Suitability of the location of the facility, having regard to providing convenient access to public transport, activity centres and supporting community facilities and services.
- Whether a different setback would be more appropriate, taking into consideration the prevailing setbacks of existing buildings on nearby lots and the topographic characteristics of the site.
- The value of retaining vegetation within the front setback.
- Any relevant neighbourhood character objective, policy or statement set out in the scheme.
- The effect of 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.

22.05

03/03/2016
C110

NON-RESIDENTIAL USES IN RESIDENTIAL AREAS

This policy applies to non-residential uses in a Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Low Density Residential Zone.

22.05-1

03/03/2016
C110

Policy basis

This policy builds on the Municipal Strategic Statement (MSS) objectives in Clause 21.05 and 21.06 which aim to balance the need for residents to access services in residential locations while ensuring that residential amenity is not adversely affected.

The residential zones (Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Low Density Residential Zone) are encouraged to accommodate a range of non-residential uses that service local community needs.

Clustering of non-residential uses benefits the local community by allowing multi-purpose trips to be made, reducing car dependency and providing opportunities for social interaction.

However, non-residential uses in residential areas have the potential to adversely impact on the amenity and character of an area through high levels of on-site activity, traffic generation, the emission of noise, odour, light and visual disorder (storage of waste). Based on the residential zones, which define areas where growth will be directed and where only incremental and minimal change will be encouraged, discretionary non-residential uses need to be responsive to the existing or preferred character and amenity of their residential location in the following ways:

- In the General Residential Zone and the Neighbourhood Residential Zone areas, discretionary non-residential uses need to be responsive to the existing neighbourhood character and environmental and landscape values.
- In the Low Density Residential Zone areas, discretionary non-residential uses need to be responsive and subordinate to existing neighbourhood character and environmental and landscape values.
- In the Residential Growth Zone areas, the integration of non-residential uses as part of higher density development is encouraged to avoid the underutilisation of land.

22.05-2

03/03/2016
C110

Objectives

The objectives of this policy are:

- To encourage uses with a community service role to be located within or in close proximity to activity centres, avoiding linear commercial development outside this area.
- To ensure that the siting, design, scale and appearance of development reflects either the existing or preferred residential and streetscape character.
- To retain existing vegetation where possible when sites are developed for non-residential purposes and ensure that a high standard of landscaping is achieved.
- To ensure the layout of buildings and outdoor areas meets the highest standards of accessibility. To provide for a high level of privacy and protection from unreasonable overlooking.
- To ensure that residential amenity is not detrimentally affected by the operation of non-residential uses including the effects of noise, car parking and traffic, light, odour and waste.
- To ensure that the location of the use does not adversely affect the role and function of the road network and that adequate provision is made for on-site car parking.
- To encourage the design of frontages of buildings at footpath level to offer visual interest, passive surveillance and opportunity for social interaction.

- To ensure that non-residential use and development within low density residential areas are subordinate to the bulk and scale of surrounding residential development and is sensitive to the landscape character and environmental values of the site and area.
- To ensure the design and siting of buildings are appropriate to the environment and low density housing character of the area.
- To encourage consolidation of existing allotments located in the Residential Growth Zone to facilitate integrated mixed use development on larger sites.
- To encourage non-residential uses within the Residential Growth Zone to be integrated at ground level within developments, with residential above.

22.05-3

03/03/2016
C110

Policy

It is policy that non-residential discretionary uses are assessed against the following criteria which applies to all zones identified in the preamble to this clause, unless specifically identified otherwise:

Location

- Non-residential uses should be located close to or within activity centres or near other community based facilities.
- Non-residential uses should abut a Road Zone, and where possible, with vehicular access from a service road to avoid the generation of additional through traffic on residential streets, particularly where such uses are likely to serve catchments beyond the local level.
- Non-residential uses should be located where they are readily and safely accessible by road, public transport, bicycle and pedestrian networks.
- In locations not identified for residential growth, non-residential uses are encouraged to utilise existing residential buildings (where appropriate converted to suit the use), in preference to a purpose-built premise.
- Within Low Density Residential Zone areas, non-residential uses should also comply with all of the following location criteria:
 - The site is serviced by reticulated sewerage;
 - Access to the site is via a sealed main road with existing kerb and channel;
 - The site is not constrained by factors such as slope, significant vegetation cover; drainage lines and highly visible ridgelines or hilltops; and
 - The site does not require significant earthworks to facilitate the development.

Siting, Scale, Design and Built Form

- Buildings and works should complement the surrounding or preferred built form with respect to building scale, siting, height, massing, setbacks, existing roof form and window and door proportions.
- Buildings and works proposed within the Low Density Residential Zone should be subordinate to the existing scale of development and landscape character.
- Development should be set back sufficient distances from side and rear boundaries to prevent detrimental impacts on neighbouring properties by way of building bulk and overshadowing and to enable appropriate landscape treatment to be provided.
- Commercial building facades should have visual interest, not exceed 70% glazing, and be articulated by non-glazed vertical and horizontal elements to accentuate windows and other openings.
- Entries should be clearly defined and accessible.

- The choice of colours and materials should be appropriate to the existing or preferred neighbourhood character and, where appropriate, respond to the natural environment.
- High solid fences located along a site frontage are discouraged.

Landscape

- Native and other mature vegetation should be retained on-site wherever possible.
- Landscape buffers are encouraged to ensure that the streetscape character and amenity of abutting residential properties is maintained.
- A planting strip should be provided of a minimum width of 1.5 metres along the residential boundary where at-grade car parking areas and driveways abut residential properties, in order to screen the parking area.
- Landscaping of car parking areas should incorporate appropriate canopy trees, where practicable.
- Landscaping within car parking areas should provide opportunities for shade and increase visual amenity.

Amenity

- Uses should not adversely affect the amenity of nearby residents by way of noise, loss of privacy, traffic, car parking, lighting, odours or disturbance associated with hours of operation.
- A respectful interface should be created with residential areas by:
 - Providing appropriate noise attenuation measures that inhibit the transmission of noise from buildings, car parking areas and external plant equipment (eg. exhaust fans, air conditioning units).
 - Maintaining the privacy of adjoining residential properties through the sensitive siting and design of car parks, windows, doors, service areas, outdoor and storage areas and the use of appropriate techniques including the treatment of windows, boundary fences, screening, and landscaping techniques.
 - Designing and siting security lighting to minimise light spill to adjoining properties.
- Animal holding areas in veterinary centres should be designed so that noise from animals does not affect the amenity of the area.
- Any external play areas within child care centres should be designed and located to provide a high standard of amenity with consideration to slope, solar orientation, shade techniques, external noise sources and landscaping.
- The visual and acoustic privacy of properties adjoining child care centres should be maintained through the sensitive siting of car parks, play areas, windows, doors and the use of appropriate design techniques.
- Adequate waste disposal facilities should be appropriately located on site to reduce the potential for negative on site/offsite noise, visual appearance, lighting and odour impacts.

Traffic, car parking and driveway construction

- Any expected increase in traffic should not adversely affect the amenity, environment or safety of the residential neighbourhood.
- The demand for on-street car parking should not adversely affect the amenity, environment or safety of the neighbourhood.
- On-street car parking will be discouraged in locations where kerb and channel is not available.
- Car parking should be located at the side or rear of a property. For developments within the Residential Growth Zone, consideration should be given to the provision of car parking within basement and or undercroft parking areas.

- Car parks, accessways and set down areas should provide for safe and efficient traffic movement.
- Car parking areas and driveways should contribute to the function, safety and appearance of the development by:
 - Being designed for convenient access, having well-defined vehicle entry points, clearly separating vehicular and pedestrian circulation, and enabling vehicles to exit the site in a forward direction onto abutting roads.
 - Clearly delineating the separation between residential and non-residential parking areas within developments which include integrated residential and non-residential uses.
 - Being surfaced, drained, constructed and line-marked in accordance with good engineering practice and, where appropriate, be in accordance with an engineering construction plan submitted to and approved by the responsible authority.
 - Encouraging paved surfaces and other hard standing areas to be constructed (where appropriate) with dark coloured concrete or bitumen, coloured patterned concrete or brick paving.
 - Encouraging car parking areas within the Low Density Residential Zone areas to be non-intrusive in scale, having regard to visibility and materials of construction.
 - Minimising the height of basement car parks above ground level.
 - Incorporating undercroft parking where appropriate, visually integrating multi-deck car parks with adjoining streetscapes.
 - Adequately screening car parking areas with landscaping and positioned to ensure minimal removal of existing vegetation.

22.05-4

03/03/2016
C110

Application requirements

In addition to the zone requirements, the following information is to be provided with an application to the satisfaction of the responsible authority:

- A written statement with details about the proposed use including, but not limited to:
 - The number of staff, hours of operation, attendees, and number of car spaces provided.
 - Information regarding how the use will serve the needs of the local residential community.
 - A traffic and parking demand impact assessment.
 - A site context assessment, outlining how the proposed development will respond to the existing or preferred residential character of the area.

22.05-5

03/03/2016
C110

Decision guidelines

Before deciding on an application the Responsible Authority will consider as appropriate:

- The extent to which the application meets the objectives and directions of this policy.
- The objectives of the Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Low Density Residential Zone and relevant overlay provisions.
- The Municipal Strategic Statement (MSS), in particular Clauses 21.05 and 21.06.
- For sites within the Residential Growth Zone, how the proposal demonstrates its integration within apartment-style development on a minimum lot area of 1,800sqm.

22.06

02/10/2008
C52

EATING AND ENTERTAINMENT PREMISES POLICY

This policy applies to the use and development of land for eating and entertainment premises.

22.06-1

02/10/2008
C52

Policy basis

Clause 21.09 of the Municipal Strategic Statement (MSS) supports activity centres as the focus for retail, commercial, social and community activity. Eating and entertainment premises should be located within existing activity centres and commercial areas.

Eating and entertainment premises will only be supported in residential areas where they are designed and landscaped to make a positive contribution to the local area by enhancing amenity, responding to neighbourhood character, facilitating high levels of mobility and providing sufficient on-site car parking and appropriate vehicle access.

22.06-2

02/10/2008
C52

Objectives

The objectives of this policy are:

- To ensure that eating and entertainment premises are appropriately located having regard to:
 - Intensity (no. of seats/patrons) and hours of operation of the proposed activity
 - Location of access points
 - Adequate provision of car parking
 - Traffic generated being appropriate to the street and locality and not adversely affecting traffic flow or road safety.
- To discourage linear commercial development outside activity centres and existing commercial areas.
- To ensure the design, scale and appearance of development is consistent with the residential character and streetscape of the area.
- To retain existing vegetation where possible and ensure that a high standard of landscaping is achieved.
- To ensure adequate access is provided for people with limited mobility.
- To ensure that residential amenity is not detrimentally affected by the operation of eating and entertainment premises including the effects of loss of privacy, noise, car parking and traffic, light spillage, odour and waste.
- To ensure that the location of the use is appropriate to the role and function of the road network and that adequate provision is made for on-site car parking.
- To ensure that land used for vehicle access and parking is properly designed, constructed and drained.

22.06-3

02/10/2008
C52

Policy

It is policy that:

Location

- Eating and entertainment premises should preferably be located:
 - Abutting a Road Zone or a road, which has vehicular access from a service road
 - Close to or within business zones or in areas, which are appropriate to the intensity and scale of the proposed use, with minimal impact on the amenity of the local area and nearby residential properties

MANNINGHAM PLANNING SCHEME

- On roads, which avoid the generation of additional through traffic on residential streets, particularly where, major eating and entertainment premises serve catchments beyond the local level
- Within activity centres to promote and reinforce the social and community role of centres
- Where they are readily and safely accessible by all users
- In the places identified in the following table:

Use	Preferred Location
Amusement parlour	In activity centres, recreational venues or indoor sports centres and near youth oriented facilities, including food outlets. Near public transport facilities and where car parking is available. Discouraged adjacent to residential properties or in close proximity to a hotel or school.
Nightclub	Within the Doncaster Hill Activity Centre.
Restaurant	Cluster or abut similar uses or in an activity centre or existing commercial area. It is preferred that restaurants locate where there is sufficient on-site or shared car parking capacity. Abutting and having access to a road within a Road Zone.
Take Away Food Premises	Cluster or abut similar uses or in an activity centre or existing commercial area. It is preferred that take-away food premises locate where there is sufficient on-site or shared car parking capacity.
Convenience Restaurant	Cluster or abut similar uses or in an activity centre or existing commercial area. It is preferred that convenience restaurants locate where there is sufficient on-site or shared car parking capacity.
Hotel, Tavern	Abutting and having access to a road within a Road Zone.
Function centre	Abutting and having access to a road within a Road Zone. In conjunction with or adjacent to other related facilities (e.g. hotel, restaurant).

Neighbourhood and streetscape character

- Where it is proposed to locate any eating or entertainment premises within a residential zone, that:
 - The design, scale and appearance of the use and/or development is encouraged to complement the housing styles and general character of the area
 - Front building setbacks are encouraged to be consistent with abutting residences
 - High solid fences located along the site's frontage are to be avoided
 - Landscape treatment should be compatible with the neighbouring area.

Urban design principles

- Development complements the surrounding built form with respect to building form, colours and materials, height, massing, building setbacks, roof form and window and door proportions.
- Development be set back sufficient distances from side and rear boundaries to prevent detrimental impacts to neighbouring properties by way of building bulk and overshadowing and to enable appropriate landscape treatment to be provided to soften the appearance of buildings and works.
- Commercial building facades have visual interest, not exceed 70% glazing, and be articulated by non-glazed vertical and horizontal elements to accentuate windows and other openings.
- Entries be clearly defined and accessible.

- The choice of colours and materials be appropriate to the neighbourhood character, and where appropriate reflect the natural environment.
- Pedestrians, cyclists and vehicles be able to move onto and around the site with safety and ease.
- Street furniture for the purposes of outdoor dining be designed and located to allow appropriate pedestrian access.
- Canopy trees be included throughout the development, where appropriate.
- Indigenous and other mature vegetation, including ground-storey, be retained on-site wherever possible.
- Landscape buffers are encouraged to ensure that the streetscape character and amenity of abutting residential properties is maintained.

Residential interface

- Eating and entertainment premises should not adversely affect the amenity of nearby residents by way of noise, loss of privacy, traffic, car parking, lighting, odours or disturbance associated with hours of operation.
- Hours of operation and number of patrons be limited to minimise impacts on nearby properties.
- A respectful interface be created with residential areas by:
 - Providing appropriate noise attenuation measures that inhibit the transmission of noise from buildings, car parking areas and external plant equipment (e.g. exhaust fans, air conditioning units)
 - Maintaining the privacy of adjoining properties through the sensitive siting and design of car parks, windows, doors, service areas, outdoor areas and the use of appropriate techniques including the treatment of windows, boundary fences, screening, and landscaping techniques
 - Designing and siting security lighting to minimise light spill to adjoining properties.
- The form of development and activity levels generated by the proposal be compatible with surrounding land uses.
- Service areas be sited and waste stored in an appropriately designed and screened area to minimise impacts on nearby properties.

Traffic, car parking and driveway construction

- Any expected increase in traffic should not adversely affect the amenity, environment or safety of the residential neighbourhood.
- The demand for on-street car parking should not adversely affect the amenity, environment or safety of the neighbourhood.
- Car parking should be located at the side or rear of the property.
- Car parks, access ways and set down areas should provide for safe and efficient traffic movement.
- Car parking areas and driveways contribute to the function, safety and appearance of the development by:
 - Being designed for convenient access, having well-defined vehicle entry points, clearly separating vehicular and pedestrian circulation, and enabling vehicles to exit the site in a forward direction onto abutting roads
 - Being surfaced, drained, constructed and line-marked in accordance with good engineering practice and, where appropriate, in accordance with an engineering construction plan submitted to and approved by the responsible authority
 - Encouraging paved surfaces and other hard standing areas to be constructed with dark coloured concrete or bitumen, coloured patterned concrete or brick paving

- Landscaping car parking areas with appropriate canopy trees, where practical, and maintaining them in accordance with an approved landscape plan
- Providing a planting strip of a minimum width of 1.5 metres along the residential boundary where at-grade car parking areas and driveways abut residential properties, in order to screen the parking area
- Minimising the height of basement car parks above ground level
- Incorporating undercroft parking where appropriate, visually integrating multi-deck car parks with adjoining streetscapes.
- Car parking for a restaurant should be provided at the ratio of at least:
 - 0.4 car space to each seat where it is located within an activity centre or other commercial areas
 - 0.2 car space to each seat located outdoors where associated with a restaurant located in an activity centre or other commercial areas

22.06-4

02/10/2008
C52

Application requirements

- A report is to be provided which addresses but is not limited to, number of staff, hours of operation, number of patrons/seats and number of car spaces.

22.06-5

02/10/2008
C52

Decision guidelines

Before deciding on an application the Responsible Authority will consider as appropriate:

- The extent to which the application meets the objectives and directions of this policy.
- Traffic impacts, including the impact of the proposed use and development on the safety and efficiency of main roads.
- Whether the location of the site promotes safe and convenient vehicle and pedestrian access.
- The adequacy and efficiency of car parking including the findings of any parking surveys.
- The proposed hours of operation.
- The residential amenity of neighbouring and nearby properties.

22.07

26/02/2009
C60

OUTDOOR ADVERTISING SIGNS POLICY

This policy applies to the erection and display of outdoor advertising signs.

22.07-1

02/10/2008
C52

Policy basis

Advertising signs are an important component of the built environment. While there is a need for the effective identification of businesses, a proliferation of signs, and signs that are poorly sited and designed, significantly detract from the attractiveness and amenity of the municipality. A clutter of signs also reduces the effectiveness of individual signs. It is important, therefore, that signs are displayed in a manner compatible with the character of the surrounding area and which avoids visual clutter.

Advertising signs need to be clear, legible and visually attractive. Signs need to be well designed and should complement the area, building design, streetscape and any views.

Due to the diversity of environments in Manningham, there is a need to promote different objectives for advertising signs depending on their location. These include:

- Residential areas
- Areas with identified landscape and environmental values
- Land adjacent to main roads
- Commercial and industrial areas
- Green wedge and Yarra River corridor areas and public land.

The Municipal Strategic Statement encourages signs that complement the built form and streetscape character, minimise clutter, are well designed and improve the attractiveness and function of properties.

22.07-2

02/10/2008
C52

Objectives

The objectives of this policy are:

- To allow the orderly display of signs consistent with the objectives of Clause 52.05.
- To ensure that signs complement the amenity and streetscape/landscape character of the surrounding area, particularly in sensitive and prominent landscape areas, residential areas and along main roads.
- To encourage the use of sign themes in commercial areas and to ensure that advertising signs are compatible with any advertising theme or pattern that has been developed for the area.

22.07-3

26/02/2009
C60

Policy

It is policy that the following matters be taken into account when considering applications for outdoor advertising signs:

Residential areas

Maintain a high level of amenity and privacy and ensure minimal intrusion from business uses that are not part of the character of these areas.

Council will encourage:

- One small business identification sign for home occupation uses
- Landscaping around signs to soften their impact and appearance
- Non-illuminated signs
- Signs that have been designed to minimise any detrimental or negative visual impacts
- Signs that have been designed to complement the character and appearance of an area

MANNINGHAM PLANNING SCHEME

- Signs, which have been designed to respect the significance, character and appearance of heritage places
- Signs which do not duplicate existing signs or information.

For non-residential uses, Council will encourage the use of:

- Clear, well designed, uncluttered business identification signs
- Illumination of these signs only where it can be shown that the impact, including light-spill on adjoining residential areas, is minimal.

Objectives (Criteria)	Performance Standards
To protect and enhance the amenity of the residential environment.	<p>Dwellings used for a commercial purpose – only one, non-illuminated sign located within the boundary of the site.</p> <p>Discourage the use of flashing, intermittent, bunting signs and promotion signs.</p>
To minimise any detrimental or negative visual impact of signs.	<p>Non-residential uses - the number of signs should be minimised to avoid visual clutter and reduce the impact on adjoining dwellings.</p> <p>Non-residential uses - discourage the illumination of signs that cause any reflection, glare or light-spill to adjoining dwellings.</p>
To protect the historic character and appearance of buildings within heritage areas.	<p>Signs in Warrandyte should be designed in accordance with the <i>Warrandyte Township Heritage Guidelines Parts 1 to 7 (July 2007)</i>.</p> <p>Minimise the number of signs per premises.</p>

Areas with identified landscape and environmental values

Protect and enhance areas of land with particular landscape and/or environmental values.

Council will encourage:

- Non-illuminated signs
- Landscaping around signs to soften their impact and appearance
- Signs that have been designed to minimise any detrimental or negative visual impacts.
- Signs that have been designed and sited to complement the character and appearance of an area.

Objectives (Criteria)	Performance Standards
To protect maintain and enhance the amenity of the natural environment.	<p>Minimise the number of signs displayed, to avoid clutter and reduce the impact on adjoining properties.</p> <p>Signs designed to be unobtrusive and complementary to the scale and character of buildings and the landscape and environmental values of the area.</p> <p>Discouraging advertising signs that are visible from areas with identified landscape and environmental values.</p>
To encourage signs that complement the character of the site and surrounds, minimise clutter, are well designed and improve the site's attractiveness and function.	<p>Signs that are non-reflective, with materials and colours that are of muted shades and natural tones to complement the environment.</p> <p>Consolidation of signs where there are multiple tenancies.</p> <p>Discourage illuminated signs.</p>

Land adjacent to main roads

Signs erected along main roads are to be designed and located to minimise impact on the amenity of the surrounding area and the streetscape. The siting, size and illumination of advertising signs are to have regard to safe and efficient traffic movement.

MANNINGHAM PLANNING SCHEME

Council will encourage:

- Signs that are professionally designed and reflect the architectural design of buildings on the land
- The use of signs that have regard to the size, scale and bulk of built form in the surrounding area and adjacent residential areas
- Signs that have no or only minimal impact upon residential amenity
- Signs that do not create hazards to traffic.

Objectives (Criteria)	Performance Standards
To maintain a high level of visual amenity for surrounding and adjoining land uses.	Discourage large illuminated signs on land adjacent to residential areas. Signs that duplicate information on existing or proposed signs will be discouraged.
To minimise advertising that may create hazards to traffic.	Discourage flashing or intermittent signs. The siting of signs must not interfere with driver sight-lines.

Commercial and industrial areas

Allow advertising signage that facilitates business activities within commercial and industrial areas, which are an important part of the regional and local economy.

Council will encourage:

- Suspended under-verandah signs, including internally illuminated signage
- A free-standing pole sign of appropriate scale for buildings with a front setback
- Business identification signs of appropriate character and scale
- Consolidation of signs on sites containing multiple businesses.

Objectives (Criteria)	Performance Standards
To allow the adequate identification of individual businesses.	Signs be confined within the architectural elements of the building.
To ensure that signs are in keeping with the scale and character of the building and do not detract from the architectural appearance of the building and the surrounding area.	Flashing or intermittent signage is discouraged. Above-verandah signs are discouraged. Signs on kerbside cafes, including supporting weather protection structures, bollards, awnings and umbrellas that do not dominate these structures and are designed with regard to the scale and bulk of the building and surrounding area. Discourage signs that protrude above the height of the building, including any parapet. Discourage signs that project from a wall or a parapet.
To promote the use of fewer but more effective signs and ensure that they are compatible with existing signs.	Illuminated signs have regard to light-spill, visual clutter, the number of existing signs on site, obstruction of existing signs and general amenity issues. Large illuminated signs are discouraged on land adjacent to residential areas.
To encourage a co-ordinated and co-operative approach to the total marketing of shopping centres, in conjunction with structure plans, where applicable.	Signs within shopping centres be designed with regard to a co-ordinated image for the centre. Signs in Warrandyte township be designed in accordance with the <i>Warrandyte Township Heritage Guidelines</i> Parts 1 to 7 (July 2007).

Green wedge and Yarra River corridor areas and public land

Protect and enhance Manningham’s non-urban and public land areas distinctive visual, environmental, heritage, recreational and landscape qualities from intrusive and inappropriate advertising signs.

Council will encourage:

- Landscaping around signs to soften their impact and appearance
- Signs that have been designed to minimise any detrimental visual impacts
- Signs that have been designed to complement the character and appearance of an area.

Objectives (Criteria)	Performance Standards
To encourage signs that complement the character of the site and surrounds, minimise clutter, are well designed and improve the site’s attractiveness and function.	Signs that are non-reflective, with materials and colours that are of muted shades and natural tones to complement the environment. Consolidation of signs where there are multiple tenancies. Discourage illuminated signs.
To protect, maintain and enhance the amenity of the natural environment.	Minimise the number of signs displayed for business uses, to avoid clutter and reduce the impact on adjoining properties. Discourage signs on vacant land or public land where they impact on the amenity and appearance of the surrounding area. Signs designed to be unobtrusive and complementary to the scale and character of buildings, non-urban and landscaped areas.
To protect the environs of the Yarra River from obtrusive advertising.	Discourage signs within the viewshed of the Yarra River.

22.07-4

02/10/2008
C52

Decision guidelines

Before deciding on an application the Responsible Authority will consider as appropriate:

- Whether the application demonstrates an appropriate response to the objectives of this policy.
- The integration of the proposed signage with the building design, landscaping and streetscape.
- Whether the signage will detract from the architectural style and/or heritage significance of a building or area.
- Whether the existing signage on the building or site is adequate.
- The character of the local environment including the location of any other signs and the need to avoid visual clutter.
- The need to ensure that there is an equitable distribution of signage between premises in commercial precincts to avoid the dominance of one business over another.
- The need to avoid conflict with traffic signals and other necessary control and directional signs.
- The need for tourist road signs to consider the criteria outlined in the *Guidelines for Tourist and Services Signing on Roads in Victoria* .

22.07-5

26/02/2009
C60

Policy reference

HLCD Pty Ltd & Lancashire D (July 2007), *Warrandyte Township Heritage Guidelines*, Parts 1 to 7, Victoria.

Tourism Victoria & VicRoads (2001), *Tourist Signing Guidelines – Guidelines for Tourist and Services Signing on Roads in Victoria*.

Urban Initiatives Pty Ltd (2005) *Yarra Street, Warrandyte – Urban Design Framework, Melbourne*.

22.0802/10/2008
C52**SAFETY THROUGH URBAN DESIGN POLICY**

The policy applies to all land.

22.08-102/10/2008
C52**Policy basis**

Safe and healthy environments contribute to the enjoyment and well-being of the community.

There is a strong relationship between safety and quality of life. Perceptions of crime and safety influence how people choose to interact with spaces, places and other people. Both fear of crime and actual crime can be decreased when environmental design effectively reduces the potential crime conditions.

Clause 21.14 of the Municipal Strategic Statement (MSS) and the Manningham Municipal Public Health Plan recognise that enhancement of the built environment and improving community safety are important to the quality of life, health and well being.

Appropriate design can improve safety and reduce the level of crime and anti-social behaviour by using the following principles:

- Natural Access Control – this controls access points to buildings and places and creates a perception of risk to offenders through strategies such as lighting, fencing, signage, textured surfaces and placement of entrances and exits.
- Natural Surveillance – this refers to the ability to see and be seen by others by maximising visibility through strategies such as maintenance of clear sight lines, elimination of entrapment areas and placement of windows and balconies.
- Territorial Reinforcement - this refers to the provision of signs, fencing, landscaping and access paths to assist in defining boundaries to facilitate the perception of public and private ownership and responsibility for spaces.

This policy identifies important urban design and land use principles to enhance community safety in accordance with the City of Manningham Council Plan and the Municipal Strategic Statement common vision for a sustainable future where the municipality will provide a safe, secure and healthy environment for the community.

22.08-202/10/2008
C52**Objectives**

The objectives of this policy are:

- To provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham.
- To minimise opportunities for crime, through well designed and well maintained buildings and spaces.
- To encourage the use of public spaces.
- To improve accessibility by creating attractive, vibrant, walkable environments.
- To discourage graffiti and vandalism.

22.08-302/10/2008
C52**Policy**

It is policy that:

Building design

- Buildings be designed and constructed to provide informal surveillance of adjacent public open space.
- The location of building entrances and windows maximise opportunities for passive surveillance of streets and other public spaces.

- Buildings be orientated to maximise surveillance of entrances and exits from streets.
- Building design and layout avoid potential entrapment points, such as “blind” alcoves and “dead-ends”.
- Buildings be designed to deter external roof access.
- Balconies be separated between dwellings.
- Commercial or mixed-use buildings include ground floor uses that create active street frontages.
- The location and design of automatic teller machines provide good lighting and clear sightlines.

Graffiti and vandalism

- Landscape planting is provided alongside exposed walls facing public spaces, where appropriate.
- The use of activated sensor lighting is provided in areas accessible to the public including car parks and open spaces.
- The extent of exposed walls on boundaries, which are accessible from public spaces, is limited.
- The use of face brickwork with rolled joints, rather than raked joints, to walls and fences adjoining public spaces, is encouraged to facilitate the removal of graffiti.
- The use of a non-textured render finish to walls and fences is encouraged where they adjoin public spaces to facilitate the removal of graffiti.
- Use of materials, which discourage graffiti (such as cyclone wire fencing and landscaping around commercial and industrial development) is encouraged.
- Public spaces are adequately illuminated and are subject to surveillance from overlooking windows.
- Design incorporates features, which create a physical barrier between exposed walls, fences and public spaces.
- The enclosing of public spaces, which adjoin private property or use of opaque materials, which prevent surveillance, is avoided.

Street layout/access and subdivision

- Subdivision layouts should provide a direct link and multiple routes to public facilities such as public transport, shops, schools and parks.
- Streetscapes be attractive, and have clearly defined areas for pedestrian and vehicle movement by providing a nature strip, change in levels, different building materials and appropriate lighting.
- The streetscape should provide natural surveillance and visibility for pedestrians, drivers and occupants of adjacent buildings/properties.
- No through roads be well sign posted and designed for easy vehicular movement.
- Planting in road reserves maintain natural surveillance.
- Rear lane ways and pedestrian tunnels should be avoided unless adequate surveillance opportunities for these areas can be incorporated into the design.
- Road design should incorporate traffic calming strategies to reduce vehicle speed and promote safety.

Lighting

- Public lighting be placed in nodes such as footpaths, pedestrian crossings, public transport stops, building entries and open spaces. Lighting should be vandal resistant, glare proof and have overlapping light patterns to avoid dark areas.

- Private spaces should include diffused floodlights and movement sensitive spotlights to illuminate property.
- Security lighting should not create hazards to passing motorists and pedestrians.
- Bright lights that create a wall of darkness beyond a public space be avoided.

Fencing

- Fencing should be open rather than solid to minimise concealment and facilitate informal surveillance.
- Fence materials and colours should discourage graffiti and allow for easy maintenance.
- Fencing required for public areas such as playgrounds should use materials, which maximise visibility.

Public open space including walking and bike tracks.

- Bicycle and walking paths be clearly defined and provide continuous and accessible pathways for travel.
- Playgrounds be located in areas that are clearly visible to guardians and residents. Placing playgrounds behind buildings or in secluded pockets should be avoided.
- Youth recreation should be located in areas that provide continued surveillance.
- Adequate lighting be provided to pathways and areas that are intended for night use to increase the perception of personal security. Lighting should be easily maintained and vandal resistant.
- Landscaping of public spaces should be designed to provide clear and unobstructed views.
- Small areas of open space be avoided as they can be difficult to maintain and often end up becoming disused.
- The planting of trees and shrubs with dense foliage should be avoided near pathways as they provide concealment for potential offenders.
- Appropriate plant selection be used to discourage access to certain areas.

Car parks

- The design, location and management of car parks promote public safety and maximise visibility and sightlines to eliminate hidden car spaces, blind corners and areas of potential entrapment.
- Clear directional signage be provided within the car park and at entry/exit points.
- Pedestrian and vehicular traffic be segregated at entry/exit points using design elements such as bollards, kerbs and railings.
- Adequate lighting be provided to all areas of the car park and aim to reduce contrasts between shadows and illuminated areas.
- Development surrounding open car parks, including landscaping treatments, provide opportunities for casual surveillance of the car park.

Signage

- Signage be clear, appropriately illuminated and sited to indicate designated routes and places and advise users of security measures in place such as security cameras or intercom systems.
- Signage be clearly visible, easy to read and simple to understand to provide assistance to pedestrians and those using public facilities.

Public Toilets

- Toilets be located in areas where adequate lighting is available, close to roads and footpaths, in areas of high activity and in clear view.

- Landscaping with low shrub or ground cover be utilised to increase effectiveness of natural surveillance.
- Anti-graffiti finishes be used for internal and external wall finishes.
- Internal and external lighting be provided and regularly maintained to provide a safe environment.

22.08-4

02/10/2008
C52

Decision guidelines

Before deciding on an application the Responsible Authority will consider as appropriate:

- The extent to which the application meets the objectives of this policy.

22.09

19/01/2006
VC37

ACCESS FOR DISABLED PEOPLE POLICY

This policy applies to the development of all land in the City of Manningham.

22.09-1

19/01/2006
VC37

Policy basis

This policy is based on the following principles in accordance with the Disability Discrimination Act:

- People with a disability have the same fundamental rights as all members of the Manningham community.
- The needs of people with a disability may change across their life span.
- Changes to the physical and social environment which create access and equity are the key to inclusion of people with a disability in the community.

The Municipal Strategic Statement recognises the importance of implementing strategies to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person.

22.09-2

19/01/2006
VC37

Objectives

The objectives of this policy are:

- To facilitate the integration of people with a disability into the community.
- To ensure that people with a disability have the same level of access to buildings, services and facilities as any other person.

22.09-3

19/01/2006
VC37

Policy

It is policy that:

- Needs of people with a disability are taken into account in the design of all proposed developments.
- All appropriate planning applications be referred to Council's Disability Advisory Committee for comment to ensure that the needs of people with a disability are best taken into account.
- Appropriate planning permit or approval conditions and guidelines be applied where building regulations do not adequately address the needs of people with a disability.

22.09-4

19/01/2006
VC37

Decision guidelines

In assessing an application the responsible authority will consider:

- Whether the design and layout provides convenient and safe access for people with disabilities.
- The views of the Disability Advisory Committee.

22.10

19/01/2006
VC37

BULLEEN GATEWAY POLICY

This policy applies to land in Bulleen as identified on Map 1 to this policy.

22.10-1

19/01/2006
VC37

Policy basis

Bulleen is subject to a number of development pressures arising from industrial, commercial and retail development and transport-based impacts, including road development.

The above matters impact on the local environment, including open space. They also pose a threat to residential amenity.

Bulleen is a major gateway to Manningham and adjoins the Yarra Valley Parklands and the Yarra River.

The Municipal Strategic Statement encourages the improvement and enhancement of the visual amenity and function of the Bulleen Gateway area.

22.10-2

19/01/2006
VC37

Objectives

The objectives of this policy are:

- To retain the commercial area as a ‘neighbourhood’ level centre.
- To encourage high standards of development and promote compatibility between the various forms of land use.
- To encourage appropriate built form to enhance this gateway to the municipality.

22.10-3

19/01/2006
VC37

Policy

It is policy that:

- Viewlines between development and adjoining parklands be protected and enhanced through the sensitive siting and design of buildings and works.
- The integrity of the residential areas be maintained and enhanced.
- The industrial area be promoted as an attractive place to do business.
- Development be designed to enhance the entrance to the municipality.
- The role of the industrial area be consolidated by discouraging non-industrial uses.

22.10-4

19/01/2006
VC37

Policy reference

City of Doncaster and Templestowe (1991) Bulleen Gateway Study City of Doncaster & Templestowe, Doncaster.

Map 1 - Bulleen Gateway Policy Study Area



22.11
19/06/2014
C105

BATTLE AXE BLOCKS POLICY

This policy applies to all land.

22.11-1
02/10/2008
C52

Policy basis

Land within Manningham is characterised by a variety of lot sizes and shapes including irregular battle axe type allotments.

The State Planning Policy Framework encourages diversity of choice with respect to settlement and the Municipal Strategic Statement encourages subdivision and development, which responds positively to site features, integrates well with the neighbourhood, provides a functional environment and achieves energy efficient and environmentally sensitive layouts.

22.11-2
02/10/2008
C52

Objectives

The objectives of this policy are:

- To ensure that site entries are clearly defined and visible.
- To ensure that driveways are designed and located to create visual interest.
- To ensure driveways are designed and sited to retain existing vegetation and provide adequate opportunity for landscaping.
- To ensure that driveways provide safe, manageable and convenient access to dwellings.
- To provide for the shared use of driveways and new infrastructure.
- To ensure driveways are designed to enable waste collection, where appropriate.
- To ensure that satisfactory arrangements are made for maintenance of facilities.

22.11-3
19/06/2014
C105

Policy

It is policy that the following criteria be addressed when considering applications for battle axe blocks:

Criteria	Design & Management Suggestions
Clearly defined and visible site entries.	Design access shafts with a minimum width of: <ul style="list-style-type: none"> ▪ 8 metres for the Low Density and the Rural Conservation Zones. ▪ 6 metres for the General Residential and Neighbourhood Residential Zones. unless site dimensions or characteristics warrant a variation. Design access shafts with a minimum width of 10 metres where there are two or more adjoining shafts.
Driveways designed and located to create visual interest.	Design driveways to be curvilinear to create visual interest and to encourage vehicles to slow down. Landscape access shafts.
Driveways provide safe, manageable and convenient access to dwellings.	Driveway widths and incorporation of passing bays to reflect likely usage patterns with consideration to the number of lots and driveway length.
Driveways and new infrastructure shared when two or more shafts are proposed.	Construct only one driveway within combined shafts. Include service infrastructure within a common trench. Avoid dividing fences constructed on the common boundaries of the shafts.

Criteria	Design & Management Suggestions
	Create common property over the shafts; or alternatively, create carriageway easements giving owners reciprocal carriageway rights over the shafts and enter into an agreement under Section 173 of the <i>Planning and Environment Act 1987</i> , which provides for the sharing and maintenance of facilities and landscaping.
Satisfactory arrangements are made for the provision and maintenance of infrastructure.	<p>Ensure that services and/or conduits are provided to the end of the access shafts at the time of subdivision works to avoid disturbance to landscaping and infrastructure within shafts when lots are developed.</p> <p>Driveways designed to accommodate waste collection vehicles where this is required for the number of lots serviced and length of access shaft.</p> <p>Create an Owners Corporate or alternatively enter into an agreement under Section 173 of the <i>Planning and Environment Act 1987</i>, which provides for the sharing and maintenance of facilities and landscaping.</p>

22.11-4

02/10/2008
C52

Decision guidelines

Before deciding on an application the Responsible Authority will consider as appropriate:

- Whether the location of the shaft enables safe and convenient vehicle access.
- Whether the width of the shaft is compatible with the surrounding pattern of development.
- The length, layout, width and design of driveways and opportunities for vehicles to pass, where facilities are shared.
- Opportunities for landscaping and the retention of existing vegetation within the shaft to soften the appearance of driveways and create legibility in the streetscape.
- Proposed methods for the maintenance of facilities and landscaping.

22.1227/05/2019
GC131**ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT**

This policy applies throughout the City of Manningham to residential and non-residential development that requires a planning permit in accordance with the thresholds in Table 1 of this Policy (except for land affected by the Activity Centre Zone (Schedule 1) that applies to Doncaster Hill).

22.12-131/08/2017
GC42**Policy Basis**

This policy builds on and implements the sustainability objectives and strategies expressed in Clause 21.10 of the Municipal Strategic Statement relating to environmentally sustainable development.

Manningham City Council is committed to Environmentally Sustainable Development (ESD) which recognises, values and protects the natural and ecological process on which life depends, both now and in the future, consistent with Clause 21.10-1 of the MSS. Critical to achieving this commitment is for development to meet appropriate environmental design standards.

This policy provides a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- More environmentally sustainable urban form; and
- Integrated water management.

If environmentally sustainable design is not considered at the time of planning approval, the ability to achieve environmentally sustainable development may be compromised by the time these matters are considered as part of a building approval. In addition, there may be difficulties or extra costs associated with retro-fitting the development to implement environmentally sustainable design principles.

This policy does not prescribe performance outcomes. The policy enables the provision of information and provides decision guidelines which will assist in the assessment of whether development meets environmentally sustainable development objectives.

This policy complements a range of non-statutory measures aimed at encouraging environmentally sustainable development. These measures include educating residents and applicants, assisting applicants to use Environmentally Sustainable Development (ESD) tools, leading by example with Council projects, promotion of exemplary private projects and promotion of the use of materials with favourable life cycle impacts.

22.12-231/08/2017
GC42**Objectives**

The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy, best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

It is a policy to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

The following objectives should be satisfied where applicable:

Energy performance

- To improve the efficient use of energy, by ensuring development demonstrates design potential for ESD initiatives at the planning stage.
- To reduce total operating greenhouse gas emissions.
- To reduce energy peak demand through particular design measures (eg, appropriate building orientation, shading to glazed surfaces, optimise glazing to exposed surfaces, space allocation for solar panels and external heating and cooling systems).

Water resources

- To improve water efficiency.
- To reduce total operating potable water use.
- To encourage the collection and reuse of stormwater.
- To encourage the appropriate use of alternative water sources (eg. greywater).

Indoor environment quality

- To achieve a healthy indoor environment quality for the wellbeing of building occupants, including the provision of fresh air intake, cross ventilation, and natural daylight.
- To achieve thermal comfort levels with minimised need for mechanical heating, ventilation and cooling.
- To reduce indoor air pollutants by encouraging use of materials with low toxicity chemicals.
- To reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
- To minimise noise levels and noise transfer within and between buildings and associated external areas.

Stormwater management

- To reduce the impact of stormwater run-off.
- To improve the water quality of stormwater run-off.
- To achieve best practice stormwater quality outcomes.
- To incorporate the use of water sensitive urban design, including stormwater re-use.

Transport

- To ensure that the built environment is designed to promote the use of walking, cycling and public transport, in that order.
- To minimise car dependency.
- To promote the use of low emissions vehicle technologies and supporting infrastructure.

Waste management

- To ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development.
- To ensure durability and long term reusability of building materials.
- To ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

Urban ecology

- To protect and enhance biodiversity within the municipality.

- To provide environmentally sustainable landscapes and natural habitats, and minimise the urban heat island effect.
- To encourage the retention of significant trees.
- To encourage the planting of indigenous vegetation.
- To encourage the provision of space for productive gardens, particularly in larger residential developments.

22.12-3

31/08/2017
GC42

Policy

It is policy that applications for the types of development listed in Table 1 be accompanied by information which demonstrates how relevant policy objectives will be achieved.

It is policy that applications for larger non-residential developments (as specified in Table 1) be accompanied by a Green Travel Plan.

22.12-4

31/08/2017
GC42

Application Requirements

An application must be accompanied by either a Sustainable Design Assessment or a Sustainability Management Plan as specified in Table 1, as appropriate.

A Sustainable Design Assessment will usually not need to be prepared by a suitably qualified professional. It should:

- Provide a simple assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and
- Identify environmentally sustainable development measures proposed in response to policy objectives, having regard to the site's opportunities and constraints.

A Sustainability Management Plan should:

- provide a detailed assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and
- identify achievable environmental performance outcomes having regard to the objectives of this policy (as appropriate); and
- demonstrate that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site's opportunities and constraints; and
- document the means by which the performance outcomes can be achieved.

Various assessment tools have been listed in Table 1 which may be used to assess how the proposed development addresses the objectives of this policy, as appropriate.

Table 1 – ESD Application Requirements

Type of development	Application requirements	Example tools
Accommodation / Mixed Use with residential component:		
<ul style="list-style-type: none"> ▪ 3- 9 dwellings; or 	Sustainable Design Assessment (SDA)	BESS
<ul style="list-style-type: none"> ▪ Development of a building for accommodation other than dwellings with a gross floor area of 500m² to 1000m²; or 		STORM

Type of development	Application requirements	Example tools
<ul style="list-style-type: none"> Alterations and additions creating 500m² or more of additional gross floor area (excluding outbuildings). 		
<ul style="list-style-type: none"> 10 or more dwellings; or Development of a building for accommodation other than dwellings with a gross floor area more than 1000m². 	Sustainability Management Plan (SMP) Green Travel Plan (GTP)	BESS Green Star MUSIC STORM
Non-residential:		
<ul style="list-style-type: none"> Development of a non-residential building with a gross floor area of 500m² to 1000m²; or Alterations and additions of 500m² to 1000m². 	Sustainable Design Assessment (SDA)	BESS MUSIC STORM
<ul style="list-style-type: none"> Development of a non-residential building with a gross floor area more than 1000m²; or Alterations and additions more than 1000m². 	Sustainability Management Plan (SMP) Green Travel Plan (GTP)	Green Star BESS MUSIC STORM

Note 1: Development (in Table 1) has the same meaning as in Section 3 of the Planning and Environment Act 1987, but does not include subdivision. To remove any doubt, development also includes alteration and additions. In the case of alterations and additions, the requirements of the Policy apply only to the alterations and additions.

Note 2: Mixed Use developments are required to provide the information applicable to each use component of the development.

22.12-5

31/08/2017
GC42

Decision Guidelines

In determining an application, the Responsible Authority will consider as appropriate:

- The extent to which the development meets the objectives and requirements of this policy from the design stage through to construction and operation.
- Whether the proposed environmentally sustainable development performance standards are functional and effective to minimise environmental impact.
- Whether the proposed environmentally sustainable development initiatives are reasonable having regard to the type and scale of the development and any site constraints.
- Whether an appropriate assessment method has been used.
- Whether an ESD plan or framework has previously been approved by the responsible authority (whether under a planning control or otherwise).

22.12-6

31/08/2017
GC42

Reference Documents

BESS (Built Environment Sustainability Scorecard), Council Alliance for a Sustainable Built Environment (CASBE), 2015, www.bess.net.au

Green Star, Green Building Council of Australia, www.gbca.com.au

Nationwide House Energy Rating Scheme (Nat HERS), Department of Climate Change and Energy Efficiency, www.nathers.gov.au

STORM, Melbourne Water, www.storm.melbournewater.com.au

Urban Stormwater Best Practice Guidelines, CSIRO, 2006.

Note: The above reference documents and websites may be amended from time to time. It is intended that these documents and websites (or amended versions) are relevant reference documents to this policy.

22.12-7

31/08/2017
GC42

Commencement

The ESD Application requirements in Table 1 do not apply to applications received by the responsible authority before the gazettal date of this clause.

22.12-8

27/05/2019
GC131

Expiry

This policy will expire if it is superseded by a comparable provision in the Victoria Planning Provisions.

22.13

17/09/2009
VC59

[NO CONTENT]

22.1423/07/2009
C74**ENVIRONMENTAL AND LANDSCAPE SIGNIFICANCE PROTECTION IN IDENTIFIED WILDFIRE AREAS POLICY**

This policy applies to all land affected by the provisions of the Wildfire Management Overlay.

22.14-123/07/2009
C74**Policy Basis**

Manningham is committed to protecting and enhancing the environmental and landscape values in areas of high fire intensity.

Wildfire is a natural and common component of the Australian landscape and the retention of vegetation does increase the likelihood of a wildfire event. The Wildfire Management Overlay affects a significant portion of the municipality east of the Mullum Mullum Creek and attempts to protect life and property from the threat of wildfire.

The MSS recognises that the non-urban areas to the east of the Mullum Mullum Creek remain heavily vegetated which contributes to the high incidence of sites of botanical and zoological significance, while also making a substantial contribution to the landscape amenity of the municipality and the greater regional area.

This policy aims to guide decision making for applications for subdivision, buildings and/or works, with regard to the strategic goals of vegetation retention, protection of environmental and landscape significance and the safety for people and property by management of the wildfire risk.

22.14-223/07/2009
C74**Objectives**

- To retain vegetation and to preserve the recognised environmental and landscape significance of the municipality while also promoting development that is safe from the risk of wildfire.
- To encourage higher construction standards and/or alternative treatments in preference to vegetation removal or development that would impact on recognised environmental and/or landscape values.

22.14-323/07/2009
C74**Policy****Subdivision**

Where a permit is required for subdivision, it is policy to:

- Encourage subdivision (which could result in the construction of new dwellings) in wildfire areas only where there will not be a detrimental impact on vegetation and the recognised environmental and/or landscape significance of the land and surrounds, due to the required wildfire risk management works.

Buildings and works

Where a permit is required for buildings and/or works, it is policy to:

- Encourage dwellings, buildings and/or works to be designed to achieve a higher level of construction and/or utilise alternative treatments to address wildfire risk, in preference to requiring vegetation removal, which would have a detrimental impact on the recognised environmental and/or landscape significance of the land and surrounding area.
- Encourage dwellings, buildings and/or works to be appropriately located to avoid the removal of vegetation, or which will detrimentally affect the recognised environmental and/or landscape significance of the subject land and surrounds, due to the required wildfire risk management works.

Performance measures

It is policy that proposals for buildings and/or works be assessed against AS 3959 to determine the appropriate level of construction given the category of bushfire attack determined for the site.

Decision guidelines

Before deciding an application for a planning permit for subdivision and/or development, the responsible authority will consider, as appropriate:

- The extent of vegetation to be removed;
- The impact on the recognised environmental and/or landscape significance of the land and surrounding area;
- The degree to which alternative treatments and/or higher levels of construction have been applied to limit the removal of vegetation and to reduce the impact on the recognised environmental and/or landscape significance of the land and surrounding area;
- The views of the Department of Sustainability and Environment;
- Any statements or policies pertinent to the land and surrounding area relating to the protection of vegetation or the recognised environmental and/or landscape significance;
- The degree to which the application satisfies the performance criteria contained within the documents ‘*Planning Conditions and Guidelines for Subdivisions*’ and ‘*Design and Siting Guidelines, Bushfire Protection for Rural Houses*’.

22.14-4

23/07/2009
C74

Policy References

Design and Siting Guidelines, Bushfire Protection for Rural Houses, Country Fire Authority and Ministry for Planning and Environment, 1990.

Planning Conditions and Guidelines for Subdivisions, Country Fire Authority, 1991.

Building in Bushfire-Prone Areas, CSIRO & Standards Australia (SAA HB36-1993), May 1993.

Australian Standard AS 3959-1999, Building Code of Australia, December 1999.

Building in a Wildfire Management Overlay – Applicant’s Kit, Country Fire Authority, February 2002.

22.1519/06/2014
C105**DWELLINGS IN THE GENERAL RESIDENTIAL ZONE, SCHEDULE 1**

This policy applies to an application to construct or extend one dwelling on a lot less than 500 square metres and the construction and extension of two or more dwellings on a lot, a dwelling on common property and a residential building on land in the General Residential Zone, Schedule 1.

22.15-123/07/2009
C74**Policy Basis**

This policy implements the objectives for the 'Residential Areas Removed from Activity Centres and Main Roads' identified in Clause 21.05 Residential which seek to ensure that residential development contributes to a preferred neighbourhood character and provides for an incremental level of change.

22.15-223/07/2009
C74**Objectives**

The objectives of this policy are:

- To reinforce the existing garden character of the area by ensuring open space allows for the retention and planting of canopy trees.
- To ensure that the natural landscape and topography are identified as principal elements of neighbourhood character.
- To reinforce the open streetscape character by having no, or low fencing to allow views to the front gardens.
- To encourage a lesser intensity of development which provides a range of single and double storey dwellings and provides for a diversity of housing types for the community.
- To ensure that new development is well articulated and that two storey elements are not unduly bulky or visually intrusive.
- To encourage roof styles that reflect those in the existing streetscape.
- To encourage spacing between dwellings to reinforce the pattern of development of the street.

22.15-323/07/2009
C74**Policy**

It is policy to:

Siting

- Ensure that the rear setback is of a sufficient width to allow for the retention or planting of canopy trees and to allow for recreational opportunities.
- Minimise buildings on boundaries to create spacing between dwellings to reinforce the pattern of the street. If any adjoining property has no existing boundary walls, the total length of walls should be limited to that generally required for the provision of a garage.

Form

- Encourage upper levels to be stepped in from the ground floor to avoid sheer walls and achieve articulation and visual interest. Preferably, upper levels should not exceed 75% of the ground floor area (excluding verandahs and balconies).
- Promote building materials that reflect the prevailing materials of the surrounding residential area.
- Ensure porticos and other design features integrate with the overall design of the building and not include imposing design features such as double storey porticos.

Car Parking and Access

- Ensure garages are set back a greater distance than the front wall of the building.
- Design developments with a maximum of two vehicle crossovers. Where possible retain existing vehicle crossovers to minimise the removal of street tree(s). Driveways should be generally setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.
- Incorporate a landscape strip on either side of a driveway capable of supporting a variety of shrubs and small trees, with preferably a minimum width of 0.5 metres adjacent to the fence-line and a one metre width adjacent to the dwelling.

Landscaping

- Ensure the provision of pervious surfaces in the front and rear setbacks to enable the provision or retention of canopy trees.
- Require the private open space area and the front setback of dwellings to have a minimum of one canopy tree with a spreading crown, capable of growing to a height of 8.0m or more at maturity.

Fencing

- Ensure that the front fence is at least 50 per cent transparent.
- Encourage fences that adjoin public open spaces to be no higher than 1.8 metres and are at least 50 per cent transparent, where appropriate.

22.15-4

19/06/2014
C105

References

Manningham Residential Character Guidelines (2012)

22.16

02/10/2008
C52

INDUSTRIAL AREAS POLICY

This policy applies to all land in an Industrial 1 Zone.

22.16-1

02/10/2008
C52

Policy basis

The industrial centres of Bulleen and Templestowe are located within high quality landscapes and vistas. These centres are also located in close proximity to residential neighbourhoods.

The industrial areas located within Doncaster Hill Activity Centre will be phased out over time as the area is developed for higher density living.

Clause 21.08 of the Municipal Strategic Statement recognises that there are no further opportunities for the development of new industrial centres within the municipality. It is therefore important to discourage the establishment of non-industrial uses in the Bulleen and Templestowe industrial centres and consolidate the industrial role of these centres. It is also important that use and development in the industrial centres does not have a detrimental impact on existing landscape and/or environmental values and/or nearby residential areas.

22.16-2

02/10/2008
C52

Objectives

The objectives of this policy are:

- To ensure that land use and development in industrial centres is compatible with the surrounding landscape and/or environmental qualities.
- To ensure that abutting residential neighbourhoods are protected from amenity impacts and the safety of local communities is protected.
- To ensure that use, development and/or redevelopment of sites within the industrial centres are for industrial uses.
- To promote lot sizes and layouts which are appropriate to the needs of industry.
- To ensure that development is site responsive and achieves a high standard of sustainable urban design.
- To ensure that land used for vehicle access and parking is properly designed, constructed and drained.
- To ensure that subdivisions are designed to:
 - Include appropriate allocation of car parking
 - Provide suitable access
 - Ensure adequate provision of services.

22.16-3

02/10/2008
C52

Policy

It is policy that:

Urban design

- Industrial development achieves a high standard of urban design and construction that promotes and improves:
 - site responsive design
 - visual appearance
 - accessibility
 - safety
 - sustainable development

- appropriate building heights, setbacks and form that are compatible with the surrounding development and character of the locality in which the development is situated.
- The use of materials and colours that blend in with surrounding landscape will be encouraged in the industrial centres of Bulleen and Templestowe.
- Plant and equipment be located in mechanical rooms completely within the building envelope. Surface mounted roof equipment should not be considered unless fully screened, low profile and integrated with the architectural design of the building.
- Unsightly areas and works (e.g. storage areas and waste bins) be screened from external view through the use of landscaping and/or fencing.

Use and development

- Proposed use and development maintains and enhances the overall amenity of the area, particularly the protection of adjoining residential properties and/or neighbourhoods from unreasonable:
 - overlooking and overshadowing
 - noise, odours or emissions
 - light spill from security lighting to adjoining properties
 - impacts related to traffic, loading bay provisions/access and parking associated with the use of the site
 - impacts associated with external storage, including storage of waste
 - visual bulk.
- Non-industrial uses are discouraged in industrial areas, with the exception of Doncaster Hill, where industrial uses are expected to be phased out over time.

Landscaping

- High quality landscape treatments are provided along road frontages.
- Edges of accessways are landscaped to soften the appearance of paved surfaces.
- A landscape buffer is provided to soften or screen views to development from adjacent land, particularly from residential properties and open space.

Car park and driveway construction

- Car parking areas and driveways contribute to the function, safety and appearance of development by:
 - Being designed for convenient access, having well-defined vehicle entry points, clearly separating vehicular and pedestrian circulation, and enabling vehicles to exit the site in a forward direction onto abutting roads
 - Being surfaced, drained, constructed and line-marked in accordance with good engineering practice and, where appropriate, be in accordance with an engineering construction plan submitted to and approved by the responsible authority.
 - Encouraging paved surfaces and other hard standing areas to be constructed with dark coloured concrete or bitumen, coloured patterned concrete or brick paving
 - Landscaping car-parking areas with appropriate canopy trees, where practical, and maintaining them in accordance with an approved landscape plan.
 - Providing a planting strip of a minimum width of 1.5 metres along the residential boundary where at-grade car parking areas and driveways abut residential properties, in order to screen the parking area

- Minimising the height of basement car parks above ground level.
- Incorporating undercroft parking where appropriate, visually integrating multi-deck car parks with adjoining streetscapes.
- Car parks, accessways and set down areas should provide for safe and efficient traffic movement.
- Adequate space should be provided for waste removal vehicles to safely manoeuvre on site, where appropriate.

Subdivision

- Applications for subdivision be accompanied by a site analysis of the site and surrounds showing:
 - 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.
 - 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.
- The width of road and driveway pavement is appropriate for the number of lots and is adequate to enable convenient movement by service, emergency and waste collection vehicles.
- Communal or visitor car parking is provided within common property.

22.16-4

02/10/2008
C52

Decision guidelines

Before deciding on an application the Responsible Authority will consider as appropriate:

- The extent to which the proposal meets the objectives and directions of this policy.

22.16-5

02/10/2008
C52

Policy references

Manningham City Council (2002) *Doncaster Hill Strategy*, Manningham City Council, Doncaster.
Manningham City Council (2003) *Manningham City Council 2003-2006 Economic Development Strategy*, Manningham City Council, Doncaster

22.1711/12/2014
C101**EASTERN GOLF COURSE KEY REDEVELOPMENT SITE POLICY**

This policy applies to the Eastern Golf Course Key Redevelopment Site, located at 463 – 535 Doncaster Road, Doncaster.

22.17-125/01/2012
C86**Policy basis**

This policy provides a strategic policy framework for any future redevelopment of the Eastern Golf Course site.

The Eastern Golf Course is a key redevelopment site within Manningham and metropolitan Melbourne. The site has an area of around 47 hectares with significant cultural and environmental values.

The site is strategically located on Doncaster Road and is well serviced by a comprehensive bus network and is in close proximity to the Eastern Freeway / Eastlink, the Doncaster Hill Principal Activity Centre (PAC) and in close proximity to a range of neighbourhood and local activity centres.

The vision for the site is to create a high quality and integrated environmentally sustainable development that supports a vibrant and diverse residential community comprising a range of dwelling densities and lifestyle opportunities. The site will be designed to protect and enhance the site's existing topographic, environmental and cultural features. A limited range of non-residential uses will be encouraged in appropriate locations that serve the local community.

The site will provide an open space network that will support an integrated pedestrian and cycling network that provides linkages to the surrounding activity centres, public transport networks and other community facilities.

Any future development of the site will need to respond to the site's strategic context and site characteristics and specifically address the following issues: flora and fauna, heritage, open space, built form, urban consolidation opportunities, access and circulation and ecologically sustainable development principles.

Clause 21.05 of the Municipal Strategic Statement (MSS) encourages the consolidation of established urban areas, whilst protecting landscape character, neighbourhood character and environmental values. Furthermore, the MSS promotes the need for housing choice to meet the needs of the local community and reflect demographic change.

22.17-225/01/2012
C86**Objectives**

The objectives of this policy are:

- To ensure that the redevelopment of this strategic site achieves a net community benefit, takes advantage of its excellent access to the Doncaster PAC and associated urban infrastructure and makes a significant contribution to local housing needs.
- To protect and conserve identified Manningham biosites as identified in 'Manningham Biosites Sites of (Biological) Significance Review', Manningham City Council (2004) and other areas of significant native vegetation and / or fauna habitats.
- To ensure that any future subdivision and development are situated in areas that will have limited adverse impact on existing environmental and cultural values.
- To promote a range of dwelling densities and housing types that meet the existing and future housing needs.
- To encourage a diversity of use and development focussed around walking, cycling and public transport as the preferred forms of access.
- To ensure that the road network provides for appropriate connections in the surrounding street network and minimises through traffic into the surrounding residential streets.

- To provide an interconnected public open space network that incorporates natural heritage and cultural features including large old indigenous trees, remnant vegetation, habitat values and important features such as dams and gullies.
- To provide open space areas which contribute to meeting the projected recreational needs of future residents of the site.
- To provide pedestrian and bicycle access within the site and between key destination points and nearby community facilities beyond the site.
- To provide well designed subdivision and development that incorporate high architectural standards, implement innovative ESD features, and demonstrate best practice in environmental management.
- To provide built form and landscape outcomes that provide a transition between the subject site and the abutting residential properties.
- To ensure that downstream properties are not detrimentally affected by increased run off from development of the land.

22.17-3

11/12/2014
C101

Policy

It is policy to:

Development Plan

- Require that a Development Plan be prepared for the site that responds to the site's strategic context and site characteristics that specifically addresses: flora and fauna, heritage, open space, built form, access and circulation and ecologically sustainable development principles.

Flora and Fauna

- Ensure that the future development be sited and designed to protect and enhance the significant vegetation identified in 'Manningham Biosites Sites of (Biological) Significance Review', Manningham City Council (2004), and Vegetation Patches outside Biosites and Old Scattered Trees (as shown in Figure 1: Eastern Golf Course Biosites and Native Vegetation).
- Protect and enhance areas of environmental significance, including habitats of flora and fauna, wetlands, and habitat corridors.
- Retain native vegetation within Core Conservation Areas (Biosites) as identified in the 'Manningham Biosites Sites of (Biological) Significance Review', Manningham City Council (2004). The removal of vegetation should only be permitted if:
 - It is demonstrably unavoidable;
 - It is the minimum amount required for the proposed land use; and
 - It can be adequately offset by the protection and / or recruitment of indigenous vegetation.

Heritage

- Protect the existing Club House 'Tullamore' and stables as identified in the Doncaster and Templestowe 'City of Doncaster and Templestowe Heritage Study' Context Pty Ltd, Peterson R, Stafford B (1991) Manningham City Council Heritage Study, Context.
- Have regard to the Statement of Significance, 'Eastern Golf Club – Tullamore, 463 Doncaster Road,, Doncaster.' Lovell Chen (2013 – revised 2014), in the consideration of applications.
- Encourage the retention of trees and groups of trees of heritage significance. Identified periods of significance are:
 - Pre-homestead indigenous trees
 - Mature, possibly self-sown indigenous trees

- Homestead plantings (c1885 – 1920 approx)
- Early golf course plantings (1920 to WW2 approx)
- Post WW2 plantings up to the 1970's with cultural landscape values.
- Retain and apply a Tree Protection Zone to trees numbers 4, 27 and 82 as identified in “Eastern Golf Course Conservation Analysis and Policy”, Meredith Gould Architects Pty Ltd (2011).
- Allocate open space and / or roads and / or allotment boundaries so that reasonable development is possible without intrusion into any Tree Protection Zone (TPZ).
- Locate open space, roads and allotment boundaries so that heritage buildings have an open landscape context and are visually prominent.
- Site open space and / or roads so that the house and the stables are visually connected.

Open Space and landscaping

- Encourage a minimum area of 20% of the site to be set aside for public open space to ensure the retention of significant vegetation, cultural values, and the protection of faunal corridors.
- Provide an open space network that provides for informal and formal recreational opportunities
- Ensure that the distribution of public open space supports the site's integration with the surrounding residential area and existing open space.

Access and Circulation

- Provide an integrated network of pedestrian and cycle paths within the site that provide linkages with the Koonung Trail and nearby open space, (including Lawford Street, Burgundy Drive, Studley Street and Somerville Street reserves), adjoining urban areas, Westfield Doncaster and nearby community facilities and public transport networks.
- Design a road network that encourages safe and efficient neighbourhood level traffic and which minimises through traffic.
- Ensure primary vehicle access is from Doncaster Road.
- Maximise and promote development to have access within 400 metres of a bus stop.

Ecologically Sustainable Development

- Incorporate ESD principles in the future planning and development of the site and minimise energy use through efficiently designed places and spaces.

Built Form

- Promote the creation of a mix of lot sizes and housing types to meet present and future community housing need.
- Encourage the built form that fronts Doncaster Road to form an appropriate transition between the building heights outlined in the Activity Centre Zone – Schedule 1, applying to properties the east of the site, and the building heights stipulated in the Design and Development Overlay – Schedule 8, applying to properties to the west of the site.

22.17-4

11/12/2014
C101

Decision guidelines

Before deciding on an application, including the approval of a development plan, the Responsible Authority will consider as appropriate:

- The extent to which the proposal meets the objectives and directions of this policy.

22.17-5

11/12/2014
C101

Policy references

Manningham City Council (2004) *Manningham Biosites: Sites of (Biological) Significance Review*, Manningham City Council, Doncaster.

Context Pty Ltd, Peterson R, Stafford B (1991) *City of Doncaster and Templestowe Heritage Study*, City of Doncaster and Templestowe, Doncaster.

John Patrick Pty Ltd Landscape Architects (2006) *Manningham Heritage Garden & Significant Tree Study – Stage 2*, Manningham City Council, Doncaster.

Lovell Chen (2013 – revised 2014) *Eastern Golf Club – Tullamore, 463 Doncaster Road, Doncaster*, Manningham City Council, Doncaster

Meredith Gould Architects Pty Ltd (February 2011) *Eastern Golf Course Conservation Analysis and Policy*, Melbourne, Victoria.

Figure 1: Eastern Golf Course Biosites and Native Vegetation



22.1823/07/2015
C108**GAMING**

This policy applies to all applications to install or use a gaming machine or use land for the purpose of gaming.

22.18-123/07/2015
C108**Policy basis**

This policy supports the objectives and strategies of the Municipal Strategic Statement in relation to economic development, activity centres, and community health and wellbeing.

Clause 52.28 requires that a planning permit be granted prior to the use or installation of gaming machines. This local policy will guide decision making by setting out criteria for the location, design and operation of gaming venues; and outlining the information required with a planning permit application.

Gaming machine gambling is a legal form of recreation for adult members of the community and needs to be planned for among other forms of entertainment available within Manningham. While gaming can bring social and economic benefits, problem gambling can also have negative impacts on some individuals, their families and the broader community. In response to these potential negative impacts, Manningham has adopted a policy based on the principle of harm minimisation.

22.18-223/07/2015
C108**Objectives**

- To ensure that the social and economic impacts of gaming are considered when determining applications for gaming venues and machines.
- To support the social and economic wellbeing of Manningham's communities.
- To locate gaming machines in a manner consistent with Manningham's activity centre hierarchy as part of the overall range of entertainment facilities and activities available in the municipality.
- To ensure that gaming venues and machines are located, designed and operated in a manner that minimises opportunities for convenience gaming.
- To discourage the location of gaming machines where they are readily accessible from or highly exposed to disadvantaged areas or gambling-sensitive uses.
- To ensure that gaming venues and machines are located, designed and operated so that the community has a choice of non-gaming entertainment and recreation facilities and activities within the gaming venue and in the local area.
- To protect the operation and amenity of existing uses surrounding gaming venues.

22.18-323/07/2015
C108**Policy**

It is policy that proposals for gaming venues and machines comply with the following criteria:

Appropriate areas

Gaming venues and machines should be located:

- In the Doncaster Hill Activity Centre, The Pines Activity Centre or Commercial Areas, as defined by Clause 21.09 Activity Centres and Commercial Areas.
- In areas where residents within a 5km radius of the proposed location of the gaming machines have a reasonable choice of alternative non-gaming entertainment and recreation facilities.
- Where they will make a positive contribution to the redistribution of gaming machines away from areas of relative socio-economic disadvantage as defined by the Socio Economic Indicators for Areas (SEIFA) index of Relative Disadvantage.

Gaming venues and machines should not be located:

- In or within 800 metres of areas of relative socio-economic disadvantage. This is defined as locations where any Australian Bureau of Statistics collection district is within the most disadvantaged 20 per cent of collection districts in Victoria, as established by the SEIFA Index of Relative Disadvantage. This does not apply to existing venues.
- In suburbs or townships where the density of gaming machines per 1,000 resident adults, including the proposed machines, is greater than the metropolitan Melbourne average. This does not apply to Doncaster Hill.

(The average gaming machine density for metropolitan Melbourne and indices of relative disadvantage will be based on the most recent statistical data for the Melbourne metropolitan region released by the Victorian Commission for Gambling Regulation, the Australian Bureau of Statistics or other government source).

Appropriate sites

Gaming venues and machines should be located:

- Within the Doncaster Hill Activity Centre or The Pines Activity Centre, outside of the main shopping, transport, community and civic functions of the centre. This does not apply to a sports or recreation club with a land holding of more than 2 hectares.
- At a sports or recreation club with a land holding of more than 2 hectares.

Gaming venues and machines should not be located:

- Where they are convenient to core retail areas, supermarkets, community facilities and services or bus interchanges where large numbers of pedestrians are likely to pass in the course of their daily activities, increasing the likelihood of spontaneous decisions to play gaming machines.
- Within 400 metres of:
 - Gambling-sensitive uses, such as social security offices, welfare agencies, and gambler support services;
 - A bus interchange;
 - Social (public and community) housing developments or clusters comprising 50 or more dwellings.
- On Council-owned land.

Appropriate venues

Gaming machines should be located in venues which:

- Provide a range of social, leisure and recreational activities other than gaming as the primary purpose of the venue. Alternative non-gaming social, leisure and recreational facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities.
- Operate alternative social and recreational activities at all times when gaming machines are available for use by patrons.
- Have a gaming floor area less than 25 per cent of the total floor area of the venue.
- Have access to natural light and allow patron surveillance of outdoor areas.
- Have clear directional signs from gaming areas to all non-gaming amenities, including toilets and dining areas, lounges, recreational facilities.
- Physically and visually separate the venue's non-gaming activities from gaming activities.
- Are designed so that amenities for the venue's non-gaming activities, including entrances and exits, toilets, meeting spaces and dining areas, can be accessed without entering the gaming area.
- Do not operate for more than 18 hours per day or beyond 2:00AM.

- Will not have a significant adverse amenity impact on the adjoining land uses as a result of operating hours, traffic, noise, car parking, safety and security.

22.18-4

23/07/2015
C108

Application requirements

All applications must include the following information to the satisfaction of the responsible authority:

- A Social and Economic Assessment prepared by a suitably qualified person that provides a robust assessment of the social and economic benefits and dis-benefits of the proposed gaming machines. The assessment should address the following:
 - An analysis of the demographic and socio-economic profile of the municipality and the venue's projected patron catchment and its potential vulnerability to problem gambling, with the inclusion of data from the SEIFA index of relative disadvantage.
 - Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community (community benefits derived from existing contractual agreements that the applicant is obliged to undertake are to be detailed separately).
 - Measures proposed to address problem gambling in the local community.
 - Details of the relative socio-economic disadvantage of the suburb or township and the broader 5km catchment of the venue in comparison to the metropolitan Melbourne average as defined in the SEIFA index of relative disadvantage.
 - Details of existing and proposed gaming and non-gambling related entertainment and recreation facilities within a 5km radius of the venue.
 - If it is proposed to move gaming machines from one part of the municipality to another, details of the relative social and economic differences between the two parts. An explanation as to why the gaming machines are being transferred is to be provided and the likely social and economic impact of the proposal on those communities and the local area.
- Details about the existing and proposed distribution and densities of gaming machines in the suburb and municipality.
- If the applicant contends that gaming expenditure is likely to be transferred from other venues, the applicant is to provide:
 - particulars as to how the level of transfer has been calculated (including, but not limited to, comparison per machine expenditure at the venue prior to and then after the additional machines, current usage levels of machines at the venue, projected usage level of machines at the venue after the additional machines);
 - the amount of transfer expenditure anticipated;
 - the resulting impact on revenue of the venue from where the expenditure is transferred; and
 - the resulting impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, impact on ability to provide services etc).
- Details of the design and layout of the premises, including all proposed and existing signage and evidence of compliance with any relevant gaming regulations concerning premises layout, design and operation of the gaming venue.
- Distances of the proposed gaming machines from shopping complexes, shopping strips, community facilities and services, public housing, gambling counselling services and public transport.
- Pedestrian counts outside the proposed venue on different days and at a variety of times.

- A venue management plan identifying strategies to manage patron behaviour and minimise problem gambling in relation to the design and management of the venue, including the applicant's responsible gaming practices.

22.18-5

23/07/2015
C108

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the application achieves the objectives of this policy.
- Whether the application satisfies the application requirements of this policy.
- Whether approval is likely to increase the social disadvantage or financial vulnerability of the local community.
- Whether the location of the gaming machines or gaming premises will facilitate or discourage convenience gaming.
- Whether the proposal will result in a redistribution of gaming machines away from areas of relatively high socio-economic disadvantage.
- Whether residents will have a choice between entertainment and recreation facilities and services with and without gaming in the suburb or township.
- The impact of the proposal on the amenity and character of the area and surrounding land uses.

22.18-6

23/07/2015
C108

Reference

Symplan (2014) City of Manningham Problem Gambling (Electronic Gaming Machines) Study: Part Three - Planning Policy Framework and Local Planning Policy.

22.19
20/09/2019
C117mann

OUTBUILDINGS IN THE LOW DENSITY RESIDENTIAL ZONE AND THE RURAL CONSERVATION ZONE

This policy applies to all land within the Low Density Residential Zone and the Rural Conservation Zone.

22.19-1
20/09/2019
C117mann

Policy basis

This policy builds on the Municipal Strategic Statement (MSS) objectives in clauses 21.06 and 21.07 to ensure that new outbuildings are designed and sited to reinforce and be respectful of the landscape and environmental characteristics of a site and its surroundings in the Low Density Residential Zone and the Rural Conservation Zone. Manningham's Green Wedge areas are predominantly zoned Rural Conservation Zone.

Manningham's Low Density Residential Zone and Rural Conservation Zone are characterised by undulating form with prominent ridgelines, dissected by creeks and drainage lines, and contain vegetation of landscape and environmental significance. In particular, Manningham's Rural Conservation Zone contains the majority of the municipality's Sites of Biological Significance (Biosites) and supporting buffer habitat.

Areas within these zones offer a unique lifestyle choice for people looking for a more spacious and attractive environmental and landscape setting and there is a need to ensure that outbuildings do not negatively impact on the character of the area.

22.19-2
20/09/2019
C117mann

Objectives

The objectives of this policy are:

- To ensure that land is developed in a way that is compatible with the use and character of the area, its landscape qualities, pattern of vegetation and environmental values.
- To minimise the extent of earthworks and to preserve and enhance natural drainage lines.
- To ensure the retention of existing vegetation, where appropriate, and that the design of outbuildings and any replacement landscaping complements the landscape and scenic value and character of the area.
- To protect and enhance landscape quality, viewlines and vistas.
- To ensure that the size, design and siting of outbuildings is acceptable, having regard to the character of the low density residential or rural character of the area.

22.19-3
20/09/2019
C117mann

Policy

It is policy that:

- In the Low Density Residential Zone, outbuildings should be used for purposes ancillary to the domestic use of the dwelling or the residential activities conducted on the property and are sited in close proximity to a dwelling.
- Numbers of outbuildings are minimised, to reduce the scattered visual impact of buildings on the landscape.
- Outbuildings utilise existing accessways provided for the dwelling unless it can be demonstrated that a second accessway to the outbuilding avoids or minimises earthworks and vegetation removal.
- Outbuildings other than a carport are not to be located within the primary street frontage.
- Outbuildings be located below the alignment of ridgelines to ensure silhouetting against the skyline does not occur and to allow buildings to blend into the natural landscape with the elevated ridgeline providing the appropriate backdrop.

- The siting of outbuildings on hill-tops/ridgelines will only be considered when it can be demonstrated that a building will be sited and designed so that it will be adequately screened from other properties and roads so as to not be prominent in the landscape.
- Outbuildings should not be located over any easements, without prior approval from Council or the relevant authority responsible that benefits from the easement.
- Outbuildings are sited to reinforce and be respectful of the landscape and environmental characteristics of the site and its surroundings.
- The amenity of adjoining and surrounding properties is protected by ensuring that outbuildings are set back or developed appropriately to minimise visual bulk.
- The removal of native vegetation and earthworks is minimised by ensuring that the outbuilding and associated access is appropriately sited.
- The environmental impacts from clearing of native vegetation, increased access requirements, siting, proposed earthworks or environmental degradation associated with an outbuilding, do not detract from the environmental significance of the area.
- The design, scale, external colour and finishes of outbuildings respects the character of the area, by addressing the following:
 - The use of reflective building materials such as zincalume is discouraged; and
 - The use of muted tones on external surfaces is encouraged.
- Appropriate mature screen planting is utilised to reduce the visual impact of the outbuilding from the adjoining and surrounding properties and from the road.
- Development of outbuildings that have a greater floor space or height than the existing dwelling, is not supported.

22.19-4

20/09/2019
C117mann

Application Requirements

An application for an outbuilding in the Low Density Residential Zone or the Rural Conservation Zone must be accompanied by the following information, as appropriate:

- A site analysis of the site and surrounding area including:
 - The location of the existing or proposed dwelling and associated outbuilding(s);
 - Existing land uses and buildings and works on the site and adjoining properties;
 - Demonstration of the impact on effluent disposal and location of septic systems;
 - Topography, existing vegetation and details of any proposed earthworks;
 - A floor plan to demonstrate how the outbuilding is to be used; and
 - Any other matters explaining the proposal and how it addresses this policy.

22.19-5

20/09/2019
C117mann

Decision guidelines

In assessing an application for the use and development of an outbuilding, the Responsible Authority will consider:

- The extent to which the application for an outbuilding meets the objectives and directions of this policy and the objectives and requirements of the Low Density Residential Zone, the Rural Conservation Zone and any other relevant State and Local planning provisions.

22.19-6

03/03/2016
C110

Policy references

Manningham City Council Development Guide: Outbuildings in the Low Density Residential Zone, October 2015.

22.20

20/09/2019
C117mann

USE AND DEVELOPMENT IN THE RURAL CONSERVATION ZONE

This policy applies to use and development in the Rural Conservation Zone (except a dwelling or dependent person's unit).

22.20-1

20/09/2019
C117mann

Policy basis

This policy builds on the Municipal Strategic Statement (MSS) objectives in Clause 21.03 Key Influences and Clause 21.07 Green Wedge and Yarra River Corridor, which recognise that Manningham's green wedge areas, which are predominantly within the Rural Conservation Zone, are a unique asset that must be protected from inappropriate uses that are incompatible with the environmental and landscape values that have been identified.

The environmental and landscape qualities of the green wedge are significant features of Manningham, with just over one-third (37.5 per cent) of the municipality supporting remnant indigenous vegetation.

Use and development has the potential to adversely impact on the landscape and environmental qualities of the area through increased levels of on-site activity, traffic generation, the emission of noise and light, visual clutter and the removal of native vegetation.

Opportunities exist to support discretionary use and development, including commercial and tourism related uses that respond to, enhance and reinforce the environmental and biodiversity values of the Rural Conservation Zone, and minimise the removal of native vegetation and other landscape impacts.

22.20-2

20/09/2019
C117mann

Objectives

To provide for use and development that protect the environmental, cultural and landscape values of the Rural Conservation Zone.

To facilitate use and development in the Rural Conservation Zone that is compatible with the surrounding area.

To minimise the loss of amenity and privacy to people living in the Rural Conservation Zone.

To ensure use and development in the Rural Conservation Zone is appropriately serviced.

22.20-3

20/09/2019
C117mann

Policy

It is policy to assess use and development in the Rural Conservation Zone against the following criteria, as relevant:

General:

- Provide for adequate waste collection and disposal.
- Require that utility services (including gas, electricity, potable water and reticulated sewerage) be available to the site.
- Ensure an adequate effluent disposal system is provided where reticulated sewerage is not available.

Environment:

- Replace canopy trees or native vegetation removed as part of the development.
- Respect the character and cultural heritage of the area.
- Integrate development into the surrounding landscape.
- Discourage buildings and works, including earthworks, that detrimentally impact waterways and drainage lines, habitat and wildlife corridors and, natural systems and landscapes.
- Locate infrastructure such as drainage, reticulated sewerage and utilities to minimise earthworks and vegetation removal.

Traffic, carparking and access:

- Avoid access road widenings that would result in the loss of significant roadside vegetation.
- Ensure the road network has sufficient capacity to carry the additional volumes of traffic generated by the proposal, including at peak times.
- Encourage only one vehicle entry point to limit the disruption of pedestrian movements and minimise earthworks.
- Encourage the retention of the existing entry point to provide access.
- Ensure car parking areas and accessways are sealed and drained.
- Design car parking areas and accessways for vehicles to exit the site in a forward direction, including waste collection, tourism and commercial vehicles.
- Design vehicle and pedestrian movements within the site and road network to be safe and convenient.
- Locate car parking areas and accessways to minimise visual impacts within the public realm and adjoining and nearby privately-owned properties.

Design and siting:

- Encourage development that is subordinate to the landscape.
- Encourage development that respond to the site's aspect, topography, soils, waterways, vegetation and view lines.
- Discourage buildings that break a horizon line to prevent silhouetting against the skyline.
- Minimise the bulk, massing and prominence of buildings and structures by:
 - Using articulated building design.
 - Minimising sheer walls exceeding two storeys in height.
 - Limiting retaining walls to a maximum height of 1.0 metre.
 - Limiting batter slopes to a maximum gradient of 1:3.
 - Minimising cut and fill by 'stepping' the finished levels of a development with the site's slope.
- Use materials and finishes that blend with the natural environment. Development should:
 - Avoid bright or contrasting colours in areas that are clearly visible from surrounding properties or roads.
 - Avoid reflective materials.
- Encourage development, including accessways and car parking areas, that minimise the removal, destruction or lopping of native vegetation.
- Ensure development, including accessways and car parking areas, are set back a sufficient distance from the site's boundaries to allow existing vegetation to be retained and generous landscaping to be planted.

Amenity and landscaping:

- Protect the amenity of nearby residents from adverse impacts by way of:
 - Noise, odour, loss of privacy, traffic, car parking, lighting, signage or visual appearance.
 - The location of waste disposal and storage facilities.
- Ensure uses should not adversely affect the amenity of nearby residents by disturbance associated with hours of operation, frequency of events and expected numbers of visitors.

- Promote an interface that respects adjoining properties by:
 - Providing appropriate noise attenuation measures that inhibit the transmission of noise from buildings, car parking areas and external plant equipment, including exhaust fans and air-conditioning units.
 - Maintaining the privacy of adjoining residential properties through the sensitive siting and design of car parking areas, windows, doors, services areas, outdoor waste and storage areas and the use of appropriate techniques including the treatment of windows, screening, and landscaping techniques.
 - Designing and siting lighting (including security lighting) to minimise light spill to adjoining properties.
- Use native and indigenous species to landscape development and avoid the use of exotic species.
- Promote a continuous corridor of landscaping and vegetation abutting road reserves.

22.20-4

20/09/2019
C117mann

Application requirements

In addition to the zone requirements, the following information is to be provided with an application to the satisfaction of the responsible authority as appropriate:

- A written statement with details about the proposed use including, but not limited to:
 - The number of staff, hours of operation, attendees, and number of car spaces provided.
 - Information regarding how the use will serve the needs of the local residential community.
 - A traffic and parking demand impact assessment.
- A site context assessment, outlining how the proposed development will respond to all the following:
 - Existing land uses and buildings on the site and adjoining properties.
 - Any existing effluent disposal or septic systems.
 - Topography detailing any proposed earthworks.
 - Vehicle access and entry points on the site.
 - Existing vegetation and trees on the site, giving a justification for removal of any vegetation.

22.20-5

20/09/2019
C117mann

Decision guidelines

In assessing an application for the use and development of a non-residential discretionary use, the responsible authority will consider the extent to which the application meets the objectives and direction of this policy.

22.20-6

20/09/2019
C117mann

Policy references

Manningham City Council (2011) Manningham Green Wedge Action Plan 2020, Manningham City Council, Doncaster.

OPERATION OF THE LOCAL PLANNING POLICY FRAMEWORK (TRANSITIONAL)

23.01

31/07/2018
VC148

RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.

23.02

31/07/2018
VC148

OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

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 planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.

23.03

31/07/2018
VC148

OPERATION OF THE LOCAL PLANNING POLICIES

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

A Local Planning Policy 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. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy 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 planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.

ZONES

This section sets out the zones which apply in this scheme.

31

31/07/2018
VC148

[NO CONTENT]

RESIDENTIAL ZONES

32.0331/07/2018
VC148**LOW DENSITY RESIDENTIAL ZONE**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

32.03-120/01/2022
VC205**Table of uses****Section 1 - Permit not required**

Use	Condition
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.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 32.03-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. Must meet the requirements of Clause 32.03-2.
Home based business	
Informal outdoor recreation	
Medical centre	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 Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
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 Community care accommodation, Dependent person's unit and Dwelling)	

MANNINGHAM PLANNING SCHEME

Use	Condition
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)	
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 Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Dependent person's unit – if the Section 1 condition is not met	Must meet the requirements of Clause 32.03-2.
Domestic animal boarding	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met	Must result in no more than two dwellings on the lot. Must meet the requirements of Clause 32.03-2.
Food and drink premises (other than Convenience restaurant)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)	
Plant nursery	
Service station	The site must either: <ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: <ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.

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.
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 production (other than Grazing animal production)
Brothel
Cinema based entertainment facility
Extractive industry
Industry (other than Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)
Saleyard
Transport terminal
Warehouse (other than Store)

32.03-2

01/07/2021
VC203

Use for one or two dwellings or a dependent person’s unit

A lot may be used for one or two dwellings provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.
- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

32.03-3

31/07/2018
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01

32.03-4
04/12/2020
VC180

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 32.03-1.
- An outbuilding which has dimensions greater than those specified in a schedule to this zone.

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works where: <ul style="list-style-type: none"> ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> - A10 Side and rear setbacks. 	Clause 59.04

Class of application	Information requirements and decision guidelines
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- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

32.03-5

01/07/2021
VC203

Application requirements

Subdivision

An application must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- Show for each lot:
 - A building envelope and driveway to the envelope.
 - Existing vegetation.
 - In the absence of reticulated sewerage, an effluent disposal area.
- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.
- If a staged subdivision, show how the balance of the land may be subdivided.

32.03-6

01/07/2021
VC203

Decision guidelines

General

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

- The Municipal Planning Strategy and the Planning Policy Framework.

Subdivision

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

- In the absence of reticulated sewerage:
 - The capability and suitability of the lot to treat and retain all wastewater as determined by a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed, or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
 - The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.
- The relevant standards of Clauses 56.07-1 to 56.07-4.

32.03-7

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ**.

1.0

27/05/2019
C126mann

Subdivision requirements

	Land	Area (hectares)
Minimum subdivision area (hectares)	All land	0.4ha

2.0

27/05/2019
C126mann

Outbuilding permit requirements

Dimensions above which a permit is required to construct an outbuilding (square metres)
80sqm

32.04

31/07/2018
VC148

MIXED USE ZONE

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

32.04-1

15/07/2013
VC100

Objectives

A schedule to this zone may contain objectives to be achieved for the area.

32.04-2

26/05/2020
VC175

Table of uses

Section 1 – Permit not required

Use	Condition
Art gallery	
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.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Food and drink premises	The leasable floor area must not exceed 150 square metres.
Home based business	
Informal outdoor recreation	
Medical centre	The gross floor area must not exceed 250 square metres.
Museum	
Office (other than Medical centre)	The leasable floor area must not exceed 250 square metres.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.

MANNINGHAM PLANNING SCHEME

Use	Condition
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop)	The leasable floor area must not exceed 150 square metres.
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 Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)	
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)	
Domestic animal boarding	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Grazing animal production	
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation)	
Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship)	
Retail premises (other than Food and drink premises and Shop)	
Utility installation (other than Minor utility installation and Telecommunications facility)	Must not be a purpose listed in the table to Clause 53.10.
Warehouse	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex product shop
Animal production (other than Grazing animal production)
Brothel

Use

Extractive industry

Materials recycling

Transfer station

32.04-3

31/07/2018
VC148

Use for industry, service station and warehouse

Amenity of the neighbourhood

The use of land for an industry, service station 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.

32.04-4

31/07/2018
VC148

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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01

Class of application	Information requirements and decision guidelines
----------------------	--

Subdivide land into lots each containing an existing building or car parking space where: Clause 59.02

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if: Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
 - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
 - Has started lawfully.
- The subdivision does not create a vacant lot.

32.04-5

31/07/2018
VC148

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 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.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
----------------------	--

Construct an outbuilding or extend a dwelling if the development: Clause 59.14

- Does not exceed a building height of 5 metres.
- Is not visible from the street (other than a lane) or a public park.

Class of application	Information requirements and decision guidelines
----------------------	--

- Meets the requirements in the following standards of Clause 54:
 - A10 Side and rear setbacks.
 - A11 Walls on boundaries.
 - A12 Daylight to existing windows.
 - A13 North-facing windows.
 - A14 Overshadowing open space.
 - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

32.04-6
20/12/2021
VC174

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.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

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

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
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.	Clause 59.03

32.04-7
15/07/2013
VC100

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.

32.04-8
26/10/2018
VC152

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.04-9
04/12/2020
VC180

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 32.04-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct a building or construct or carry out works where:</p> <ul style="list-style-type: none"> ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> - A10 Side and rear setbacks. - A11 Walls on boundaries. - A12 Daylight to existing windows. - A13 North-facing windows. - A14 Overshadowing open space. - A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.04</p>

32.04-10

26/10/2018
VC152

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

32.04-11

26/10/2018
VC152

Maximum building height requirement

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.04-12

01/07/2021
VC203

Application requirements

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

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 Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 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 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne 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).

Buildings and works associated with a Section 2 use

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

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
 - The layout of proposed buildings and works.
 - An elevation of the building design and height.
 - Setbacks to property boundaries.

- All proposed access and pedestrian areas.
- All proposed driveway, car parking and loading areas.
- Existing vegetation and proposed landscape areas.
- The location of easements and services.

32.04-13

26/10/2018
VC152

Exemption from notice and review

Subdivision

An application for subdivision 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.

Other applications

A 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.

32.04-14

24/01/2020
VC160

Decision guidelines

General

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- 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.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

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.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

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

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

32.04-15

26/10/2018
VC152

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ**.

MANNINGHAM MIXED USE AREAS

1.0

15/07/2013
VC100

Objectives

None specified.

2.0

15/07/2013
VC100

Clause 54 and Clause 55 requirements

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	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

3.0

15/07/2013
VC100

Maximum building height requirement

None specified.

4.0

15/07/2013
VC100

Exemption from notice and review

None specified.

5.0

15/07/2013
VC100

Application requirements

None specified.

6.0

15/07/2013
VC100

Decision guidelines

None specified.

7.0

27/05/2019
C126mann

Signs

None specified.

32.07
31/07/2018
VC148

RESIDENTIAL GROWTH ZONE

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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

To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.

To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.

To ensure residential development achieves design objectives specified in a schedule to this zone.

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

32.07-1

27/03/2017
VC110

Design objectives

A schedule to this zone must contain the design objectives to be achieved for the area.

32.07-2

20/01/2022
VC205

Table of uses

Section 1 - Permit not required

Use	Condition
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.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Home based business	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres.
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 Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	

MANNINGHAM PLANNING SCHEME

Use	Condition
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
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 Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
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 Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Office (other than Medical centre)	<p>The land must be located within 100 metres of a commercial zone.</p> <p>The land must have the same street frontage as the land in the commercial zone.</p> <p>The leasable floor area must not exceed 250 square metres.</p>

Use	Condition
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, 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 Transport Zone 2 or a Transport Zone 3. <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 Transport Zone 2 or a Transport Zone 3.
Shop (other than Adult sex product shop, Bottle shop and Convenience shop)	<p>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</p> <p>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</p>
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 Transport Zone 2 or a Transport Zone 3.</p>
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Adult sex product shop
Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Bottle shop
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry

Use
Industry (other than Car wash)
Motor racing track
Nightclub
Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)
Saleyard
Transport terminal
Warehouse (other than Store)

32.07-3

31/07/2018
VC148

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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. 	Clause 59.02

Class of application	Information requirements and decision guidelines
----------------------	--

- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if: Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
 - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
 - Has started lawfully.
- The subdivision does not create a vacant lot.

32.07-4

31/07/2018
VC148

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on a lot less than 300 square metres. A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
----------------------	--

Construct an outbuilding or extend a dwelling if the development: Clause 59.14

- Does not exceed a building height of 5 metres.
- Is not visible from the street (other than a lane) or a public park.
- Meets the requirements in the following standards of Clause 54:
 - A10 Side and rear setbacks.
 - A11 Walls on boundaries.
 - A12 Daylight to existing windows.

Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> ▪ A13 North-facing windows. ▪ A14 Overshadowing open space. ▪ A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	

32.07-5
20/12/2021
VC174

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.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
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.	Clause 59.03

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.07-6

27/03/2017
VC110

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

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

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

32.07-7

26/10/2018
VC152

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.07-8

04/12/2020
VC180

Buildings and works associated with a Section 2 use

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works where: <ul style="list-style-type: none"> ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or 	Clause 59.04

Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> - A10 Side and rear setbacks. - A11 Walls on boundaries. - A12 Daylight to existing windows. - A13 North-facing windows. - A14 Overshadowing open space. - A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	

32.07-9

26/10/2018
VC152

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

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

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.07-10

26/10/2018
VC152

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

32.07-11

26/10/2018
VC152

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 an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- 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.

32.07-12

26/10/2018
VC152

Exemption from notice and review

Subdivision

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

32.07-13

24/01/2020
VC160

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 Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.

- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Subdivision

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

Dwellings and residential buildings

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

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.

32.07-14

26/10/2018
VC152

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.

27/05/2019
C126mann**SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE**Shown on the planning scheme map as **RGZ1**.**EASTERN GOLF COURSE SITE 463 – 535 DONCASTER ROAD, DONCASTER****1.0**27/05/2019
C126mann**Design objectives**

None specified.

2.027/05/2019
C126mann**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	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

3.027/05/2019
C126mann**Maximum building height requirement for a dwelling or residential building**

A building used as a dwelling or a residential building must not exceed a height of 11 metres where land is further than 70 metres from the Doncaster Road boundary of the site.

4.027/05/2019
C126mann**Application requirements**

None specified.

5.027/05/2019
C126mann**Decision guidelines**

None specified.

27/05/2019
C126mann**SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE**Shown on the planning scheme map as **RGZ2**.**RESIDENTIAL AREAS ALONG MAIN ROADS****1.0**27/05/2019
C126mann**Design objectives**

None specified.

2.027/05/2019
C126mann**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	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

3.027/05/2019
C126mann**Maximum building height requirement for a dwelling or residential building**

None specified.

4.027/05/2019
C126mann**Application requirements**

None specified.

5.027/05/2019
C126mann**Decision guidelines**

None specified.

20/07/2017
C121**SCHEDULE 3 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE**

Shown on the planning scheme map as **RGZ3**.

RESIDENTIAL AREAS SURROUNDING PROMINENT INTERSECTIONS AND/OR INTERFACING COMMERCIAL AREAS**1.0**20/07/2017
C121**Design objectives**

To increase residential densities and provide a range of housing types around activity centres.

To support four storey, 'apartment style' developments on larger lots where ResCode standards can be met and which are located at prominent intersections and/or which interface commercial areas.

To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive when viewed from the public realm.

To provide built form and landscape outcomes that provide for an appropriate transition to surrounding development.

2.020/07/2017
C121**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	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

3.020/07/2017
C121**Maximum building height requirement for a dwelling or residential building**

A building used as a dwelling or a residential building must not exceed a height of 13.5 metres.

4.020/07/2017
C121**Application requirements**

None specified.

5.020/07/2017
C121**Decision guidelines**

None specified.

32.0831/07/2018
VC148**GENERAL RESIDENTIAL ZONE**

Shown on the planning scheme map as **GRZ, R1Z, R2Z or R3Z** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly 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.

32.08-127/03/2017
VC110**Neighbourhood character objectives**

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

32.08-220/01/2022
VC205**Table of uses****Section 1 - Permit not required**

Use	Condition
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.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Home based business	
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 Transport Zone 2 or a Transport Zone 3.
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 Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	

Use	Condition
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
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 Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house) Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
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 Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises) Grazing animal production Leisure and recreation (other than Informal outdoor recreation and Motor racing track) Market Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship) Plant nursery	
Service station	The site must either: <ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either:

Use	Condition
	<ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
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 Transport Zone 2 or a Transport Zone 3.
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 production (other than Grazing animal production)
Animal training
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
Saleyard
Transport terminal
Warehouse (other than Store)

32.08-3

31/07/2018
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

MANNINGHAM PLANNING SCHEME

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: 	Clause 59.02

Class of application**Information requirements and decision guidelines**

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.
- The subdivision does not create a vacant lot.

32.08-415/05/2018
VC143**Construction or extension of a dwelling or residential building****Minimum garden area requirement**

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
 - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
 - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

32.08-531/07/2018
VC148**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.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct an outbuilding or extend a dwelling if the development:</p> <p>Meets the minimum garden area requirement of Clause 32.08-4.</p> <ul style="list-style-type: none"> ▪ Does not exceed a building height of 5 metres. ▪ Is not visible from the street (other than a lane) or a public park. ▪ Meets the requirements in the following standards of Clause 54: <ul style="list-style-type: none"> - A10 Side and rear setbacks. - A11 Walls on boundaries. - A12 Daylight to existing windows. - A13 North-facing windows. - A14 Overshadowing open space. - A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.14</p>
<p>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</p>	<p>Clause 59.03</p>

32.08-6
20/12/2021
VC174

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.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
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.	Clause 59.03

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.08-7

27/03/2017
VC110

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.

32.08-8

26/10/2018
VC152

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.08-9

04/12/2020
VC180

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 32.08-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct a building or construct or carry out works where:</p> <ul style="list-style-type: none"> ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> - A10 Side and rear setbacks. - A11 Walls on boundaries. - A12 Daylight to existing windows. - A13 North-facing windows. - A14 Overshadowing open space. - A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.04</p>

32.08-10

26/10/2018
VC152

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.08-11

26/10/2018
VC152

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 an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- 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.

32.08-12

26/10/2018
VC152

Exemption from notice and review

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.

32.08-13

24/01/2020
VC160

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 Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township 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. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

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.

32.08-14

26/10/2018
VC152

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.

32.08-15

26/10/2018
VC152

Transitional provisions

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
 - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
 - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
 - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

27/05/2019
C126mann

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ1**.

RESIDENTIAL AREAS REMOVED FROM ACTIVITY CENTRES AND MAIN ROADS

1.0

27/05/2019
C126mann

Neighbourhood character objectives

None specified.

2.0

27/05/2019
C126mann

Construction or extension of a dwelling or residential building - minimum garden area requirement

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?

No

3.0

27/05/2019
C126mann

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

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

500 square metres

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

4.0

27/05/2019
C126mann

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	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	Private open space consisting of an area of 80 square metres or 20% of the area of the lot, whichever is the lesser but not less than 55 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 40 square metres and a minimum dimension of 5 metres at the side or rear of the dwelling with convenient access from a living room.
	B28	Private open space consisting of: <ul style="list-style-type: none"> An area of 55 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 40 square metres, a minimum dimension of 5 metres and convenient access from a living room.

	Standard	Requirement
Front fence height	A20 and B32	Other streets – 1.2 metres

5.0

27/05/2019
C126mann

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or 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 maximum building height must not exceed 10 metres.

6.0

27/05/2019
C126mann

Application requirements

None specified

7.0

27/05/2019
C126mann

Decision guidelines

None specified

8.0

27/05/2019
C126mann

Transitional provisions

Schedule 1 to Clause 32.08 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 Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 1 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 development.

27/05/2019
C126mann

SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ2**.

RESIDENTIAL AREAS SURROUNDING ACTIVITY CENTRES AND ALONG MAIN ROADS (SUBPRECINCTS A & B)

1.0

27/05/2019
C126mann

Neighbourhood character objectives

None specified.

2.0

27/05/2019
C126mann

Construction or extension of a dwelling or residential building - minimum garden area requirement

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?

No

3.0

27/05/2019
C126mann

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

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

500 square metres

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

4.0

27/05/2019
C126mann

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	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

5.0

27/05/2019
C126mann

Maximum building height requirement for a dwelling or residential building

None specified.

6.0

27/05/2019
C126mann

Application requirements

None specified.

7.0

27/05/2019
C126mann

Decision guidelines

None specified.

27/05/2019
C126mann

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

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

POST 1975 RESIDENTIAL AREAS

1.0

27/05/2019
C126mann

Neighbourhood character objectives

None specified.

2.0

27/05/2019
C126mann

Construction or extension of a dwelling or residential building - minimum garden area requirement

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?

No

3.0

27/05/2019
C126mann

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

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

500 square metres

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

4.0

27/05/2019
C126mann

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	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

5.0

27/05/2019
C126mann

Maximum building height requirement for a dwelling or residential building

None specified.

6.0

27/05/2019
C126mann

Application requirements

None specified.

7.0

27/05/2019
C126mann

Decision guidelines

None specified.

32.0931/07/2018
VC148**NEIGHBOURHOOD RESIDENTIAL ZONE**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas of predominantly single and double storey residential development.

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

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

32.09-127/03/2017
VC110**Neighbourhood character objectives**

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

32.09-220/01/2022
VC205**Table of uses****Section 1 - Permit not required**

Use	Condition
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.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Home based business	
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 Transport Zone 2 or a Transport Zone 3. Must not require a permit under Clause 52.06-3.
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 Transport Zone 2 or a Transport Zone 3. Must not require a permit under Clause 52.06-3.

MANNINGHAM PLANNING SCHEME

Use	Condition
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
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 Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
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 Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	The leasable floor area must not exceed 80 square metres.
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Service station	The site must either:

MANNINGHAM PLANNING SCHEME

Use	Condition
	<ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. <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 Transport Zone 2 or a Transport Zone 3.
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 Transport Zone 2 or a Transport Zone 3.
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 production (other than Grazing animal production)
Animal training
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than, Convenience shop, Food and drink premises, Market and Plant nursery)
Saleyard
Transport terminal
Warehouse (other than Store)

32.09-331/07/2018
VC148**Subdivision****Permit requirement**

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. 	Clause 59.02

Class of application	Information requirements and decision guidelines
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- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if: Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
 - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
 - Has started lawfully.
- The subdivision does not create a vacant lot.

32.09-4

15/05/2018
VC143

Construction or extension of a dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building on a lot if:
 - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
 - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

32.09-5

31/07/2018
VC148

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.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct an outbuilding or extend a dwelling if the development:</p> <ul style="list-style-type: none"> ▪ Meets the minimum garden area requirement of Clause 32.09-4. ▪ Does not exceed a building height of 5 metres. ▪ Is not visible from the street (other than a lane) or a public park. ▪ Meets the requirements in the following standards of Clause 54: <ul style="list-style-type: none"> - A10 Side and rear setbacks. - A11 Walls on boundaries. - A12 Daylight to existing windows. - A13 North-facing windows. - A14 Overshadowing open space. - A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.14</p>
<p>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</p>	<p>Clause 59.03</p>

32.09-620/12/2021
VC174**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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
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.	Clause 59.03

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.09-727/03/2017
VC110**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.

32.09-8

26/10/2018
VC152

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.09-9

04/12/2020
VC180

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 32.09-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct a building or construct or carry out works where:</p> <ul style="list-style-type: none"> ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> - A10 Side and rear setbacks. - A11 Walls on boundaries. - A12 Daylight to existing windows. - A13 North-facing windows. - A14 Overshadowing open space. - A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.04</p>

32.09-10

26/10/2018
VC152

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.09-11

26/10/2018
VC152

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.

32.09-12

26/10/2018
VC152

Exemption from notice and review

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.

32.09-13

24/01/2020
VC160

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 Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township 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.

32.09-14

26/10/2018
VC152

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.

32.09-15

26/10/2018
VC152

Transitional provisions

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
 - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
 - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
 - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

27/05/2019
C126mann**SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE**

Shown on the planning scheme map as NRZ1.

RESIDENTIAL AREAS WITH PREDOMINANT LANDSCAPE FEATURES OR LOWER HOUSING DENSITIES**1.0 Neighbourhood character objectives**21/12/2017
GC76

None specified.

2.0 Minimum subdivision area21/12/2017
GC76

None specified.

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot21/12/2017
GC76

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	500 square metres
Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot	None specified

4.0 Requirements of Clause 54 and Clause 5521/12/2017
GC76

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	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

5.0 Maximum building height requirement for a dwelling or residential building21/12/2017
GC76

None specified.

6.0 Application requirements19/06/2014
C105

None specified.

7.0 Decision guidelines19/06/2014
C105

None specified.

INDUSTRIAL ZONES

33.01

31/07/2018
VC148

INDUSTRIAL 1 ZONE

Shown on the planning scheme map as **IN1Z**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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

20/01/2022
VC205

Table of uses

Section 1 - Permit not required

Use	Condition
<p>Convenience shop</p> <p>Crop raising</p> <p>Grazing animal production</p> <p>Home based business</p>	
<p>Industry (other than Materials recycling and Transfer station)</p> <p>Informal outdoor recreation</p> <p>Mail centre</p> <p>Railway</p>	<p>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</p> <p>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</p> <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. <p>Must not:</p> <ul style="list-style-type: none"> ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. <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.

Use	Condition
<p>Service station</p>	<p>The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</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. <p>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</p>
<p>Shipping container storage</p>	<p>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</p> <p>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</p> <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 100 metres, for a purpose not listed in the table to Clause 53.10. <p>Must not:</p> <ul style="list-style-type: none"> ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. <p>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.</p> <p>Shipping containers must be setback at least 9 metres from a road in a Transport Zone 2 or a Transport Zone 3.</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, ash, dust, waste water, waste products, grit or oil.
<p>Take away food premises</p>	
<p>Tramway</p>	

MANNINGHAM PLANNING SCHEME

Use	Condition
Warehouse (other than Mail centre and Shipping container storage)	<p>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</p> <p>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</p> <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. <p>Must not:</p> <ul style="list-style-type: none"> ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under Dangerous Goods (HCDG) Regulations 2016. <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.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	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, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)	
Caretaker's house	
Education centre	Must not be a primary or secondary school.
Leisure and recreation (other than Informal outdoor recreation)	

MANNINGHAM PLANNING SCHEME

Use	Condition
Materials recycling	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Office	The leasable floor area must not exceed the amount specified in the schedule to this zone.
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus) Restricted retail premises Retail premises (other than Shop and Take away food premises)	
Transfer Station	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
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 an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
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 production
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)

33.01-201/07/2021
VC203**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 Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 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 2012 is exceeded.
- 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 Municipal Planning Strategy and the Planning Policy Framework.
- 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.

33.01-331/07/2018
VC148**Subdivision****Permit requirement**

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. ▪ The subdivision does not create a vacant lot. 	Clause 59.02

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 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 Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

33.01-4

24/01/2020
VC160

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.

- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
 - The rainwater tank is not located within the building's setback from a street (other than a lane).
 - The rainwater tank is no higher than the existing building on the site.
 - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
 - A waterway, wetland or designated flood plain.
 - A dwelling not in the same ownership.
 - A residential or urban growth zone.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$1,000,000 where the land is not: <ul style="list-style-type: none"> ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for a Brothel or Adult sex product shop. 	Clause 59.04

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 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 Municipal Planning Strategy and the Planning Policy Framework.
- 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

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 2.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

1.0

27/05/2019
C126mann

Maximum leasable floor area requirements

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

COMMERCIAL ZONES

34.0131/07/2018
VC148**COMMERCIAL 1 ZONE**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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).

34.01-126/05/2020
VC175**Table of uses****Section 1 - Permit not required**

Use	Condition
Accommodation (other than Community care accommodation, Corrective institution and Rooming house)	Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).
Art and craft centre	
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	
Community care accommodation	Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.22-2.
Education centre (other than Child care centre)	
Exhibition centre	
Home based business	
Informal outdoor recreation	
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	

MANNINGHAM PLANNING SCHEME

Use	Condition
Retail premises (other than Shop)	
Rooming house	Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop)	The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	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 Animal production and Apiculture)	
Grazing animal production	
Industry	Must not be a purpose listed in the table to Clause 53.10.
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, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)	
Utility installation (other than Minor utility installation and Telecommunications facility)	Must not be a purpose listed in the table to Clause 53.10.
Warehouse	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Animal production (other than Grazing animal production)
Corrective institution
Major sports and recreation facility

Use

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

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. ▪ The subdivision does not create a vacant lot. 	Clause 59.02

34.01-4

31/07/2018
VC148

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.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 where the land is not: <ul style="list-style-type: none"> ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for a Brothel or Adult sex product shop. 	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Maintenance

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

34.01-5
16/01/2018
VC142

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.

Clause 34.01-5 does not apply to an apartment development.

Satisfactory neighbourhood and site description before notice and decision

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

01/07/2021
VC203

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 Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
 - Whether a notification under the Occupational Health and Safety Regulations 2017 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 2012 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.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

34.01-7

31/07/2018
VC148

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

20/12/2021
VC174

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 Municipal Planning Strategy and the Planning Policy Framework.
- 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 impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use 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 an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

34.01-9

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

1.0

27/05/2019
C126mann

Maximum leasable floor area requirements

Land	Maximum leasable floor area for Office (square metres)	Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)
None specified	None specified	None specified

35

19/01/2006
VC37

RURAL ZONES

35.0631/07/2018
VC148**RURAL CONSERVATION ZONE**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve the values specified in a schedule to this zone.

To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

To protect and enhance natural resources and the biodiversity of the area.

To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.

To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

35.06-108/08/2019
VC159**Table of uses****Section 1 - Permit not required**

Use	Condition
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.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Home based business	
Informal outdoor recreation	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

MANNINGHAM PLANNING SCHEME

Section 2 - Permit required

Use	Condition
Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry, Rice growing and Timber production)	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must be no more than 10,000 chickens.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.06-2.
Domestic animal boarding	
Dwelling (other than Bed and breakfast)	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. Must meet the requirements of Clause 35.06-2.
Emergency services facility	
Freezing and cool storage	
Group accommodation	
Host farm	
Landscape gardening supplies	
Market	
Primary produce sales	
Primary school	
Racing dog husbandry - if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.
Recreational boat facility	
Renewable energy facility (other than Wind energy facility)	Must meet the requirements of Clause 53.13.
Residential hotel	
Restaurant	
Rural industry (other than Abattoir and Sawmill)	
Rural store	
Secondary school	
Timber production	Must meet the requirements of Clause 53.11.

Use	Condition
Utility installation (other than Minor utility installation and Telecommunications facility)	
Wind energy facility	Must meet the requirements of Clause 52.32.
Winery	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Abattoir
Accommodation (other than Bed and breakfast, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel)
Amusement parlour
Brothel
Education centre (other than Primary school and Secondary school)
Industry (other than Rural industry)
Intensive animal production
Office
Leisure and recreation (other than Informal outdoor recreation)
Place of assembly (other than Carnival and Circus)
Retail premises (other than Landscape gardening supplies, Market, Primary produce sales and Restaurant)
Rice growing
Sawmill
Transport terminal
Warehouse (other than Freezing and cool storage and Rural store)

35.06-2

01/07/2021
VC203

Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to reticulated sewerage if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person's unit.

35.06-3

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- 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.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ Each new lot is at least the area specified for the land in the zone or the schedule to the zone. ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.	Clause 59.12

35.06-4

05/09/2013
VC103

Long term lease or licence for accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the area specified as the minimum subdivision area for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

This provision only applies to land in Metropolitan Melbourne.

35.06-5

20/01/2022
VC205

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.06-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An out-building associated with an existing dwelling provided the floor area of the out-building does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
 - 100 metres from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road.
 - 40 metres from a Transport Zone 3 or land in a Public Acquisition Overlay for a road if the Head, Transport for Victoria is not the acquiring authority.
 - 20 metres from any other road.
 - 5 metres from any other boundary.
 - 100 metres from a dwelling not in the same ownership.
 - 100 metres from a waterway, wetlands or designated flood plain.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$250,000 where the land is not: <ul style="list-style-type: none"> ▪ Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry. ▪ Within 30 metres of land (not a road) which is in a residential zone. Any works must not be earthworks specified in the schedule to the zone.	Clause 59.13

35.06-6
31/07/2018
VC148

Decision guidelines

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, 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:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development conserves the values identified for the land in a schedule.

- Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

Rural issues

- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

Environmental issues

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

35.06-7

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.

27/05/2019
C126mann

SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ1**.

CONSERVATION VALUES

The conservation values sought for the land are:

- Use and development compatible with adjoining and nearby land in the Public Park and Recreation Zone and Public Conservation and Resource Zone.
- Adjoining parkland and its flora and fauna protected from drainage and effluent wastes.
- The existing character, landscape quality and other natural environmental characteristics of the area protected and enhanced in an equitable and sustainable manner.
- Native vegetation retained as wildlife habitat, a corridor for wildlife movement, a source of genetic diversity and a component of landscape quality contributing to the character of the area.
- Cleared areas revegetated with indigenous species.
- Land use and land management practices which protect and enhance soil, water and air quality, native flora and fauna and the visual quality of open space areas adjoining the Yarra River.
- Pest plants and pest animals controlled and eradicated.
- Use and development designed and sited in recognition of the natural environment, landscape quality, energy efficiency, local amenity considerations and bushfire protection.
- Landscape quality and the character and quality of viewlines and panoramas protected and enhanced.

1.0

27/05/2019
C126mann

Subdivision and other requirements

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	40 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

27/05/2019
C126mann

SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ2**.

CONSERVATION VALUES

The conservation values sought for the land are:

- The existing character, landscape quality, viewlines and other natural environmental characteristics of the area protected and enhanced in an equitable and sustainable manner.
- Native vegetation retained as wildlife habitat, a corridor for wildlife movement, a source of genetic diversity and a component of landscape quality contributing to the character of the area.
- Cleared areas revegetated with indigenous species.
- Pest plants and pest animals controlled and eradicated.
- Use and development designed and sited in recognition of the natural environment, landscape quality, energy efficiency, local amenity considerations and bushfire protection.
- Recognised farming practices in areas suitable for farming, subject to considerations of land stability, soil erosion and natural systems, which are maintained and improved.
- Good fire management practices.

1.0

27/05/2019
C126mann

Subdivision and other requirements

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	4 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

27/05/2019
C126mann

SCHEDULE 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ3**.

CONSERVATION VALUES

The conservation values sought for the land are:

- The existing character, landscape quality, viewlines and other natural environmental characteristics of the area protected and enhanced in an equitable and sustainable manner.
- Native vegetation retained as wildlife habitat, a corridor for wildlife movement, a source of genetic diversity and a component of landscape quality contributing to the character of the area.
- Cleared areas revegetated with indigenous species.
- Pest plants and pest animals controlled and eradicated.
- Use and development designed and sited in recognition of the natural environment, landscape quality, energy efficiency, local amenity considerations and bushfire protection.
- Recognised farming practices in areas suitable for farming, subject to considerations of land stability, soil erosion and natural systems, which are maintained and improved.
- Good fire management practices.

1.0

27/05/2019
C126mann

Subdivision and other requirements

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	8 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

27/05/2019
C126mann

SCHEDULE 4 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ4**.

CONSERVATION VALUES

The conservation values sought for the land are:

- The existing character, landscape quality, viewlines and other natural environmental characteristics of the area protected and enhanced in an equitable and sustainable manner.
- Native vegetation retained as wildlife habitat, a corridor for wildlife movement, a source of genetic diversity and a component of landscape quality contributing to the character of the area.
- Cleared areas revegetated with indigenous species.
- Pest plants and pest animals controlled and eradicated.
- Use and development designed and sited in recognition of the natural environment, landscape quality, energy efficiency, local amenity considerations and bushfire protection.
- Recognised farming practices in areas suitable for farming, subject to considerations of land stability, soil erosion and natural systems, which are maintained and improved.
- Good fire management practices.

1.0

27/05/2019
C126mann

Subdivision and other requirements

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	25 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

27/05/2019
C126mann

SCHEDULE 5 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ5**.

CONSERVATION VALUES

The conservation values sought for the land are:

- The existing character, landscape quality, viewlines and other natural environmental characteristics of the area protected and enhanced in an equitable and sustainable manner.
- Native vegetation retained as wildlife habitat, a corridor for wildlife movement, a source of genetic diversity and a component of landscape quality contributing to the character of the area.
- Cleared areas revegetated with indigenous species.
- Pest plants and pest animals controlled and eradicated.
- Use and development designed and sited in recognition of the natural environment, landscape quality, energy efficiency, local amenity considerations and bushfire protection.
- Recognised farming practices in areas suitable for farming, subject to considerations of land stability, soil erosion and natural systems, which are maintained and improved.
- Good fire management practices.

1.0

27/05/2019
C126mann

Subdivision and other requirements

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	40 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

PUBLIC LAND ZONES

36.01
31/07/2018
VC148

PUBLIC USE ZONE

Shown on the planning scheme map as **PUZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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
20/01/2022
VC205

Table of uses

Section 1 - Permit not required

Use	Condition
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any other use	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. The use must be carried out by or on behalf of the public land manager.

Section 2 - Permit required

Use	Condition

Section 3 - Prohibited

Use
Nil

36.01-2
19/01/2006
VC37

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
19/01/2006
VC37

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

31/07/2018
VC148

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 Municipal Planning Strategy and the Planning Policy Framework.
- 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

19/01/2006
VC37

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

20/01/2022
VC205

Table of public land use

Shown on the planning scheme map	Purpose of public land use
PUZ1	Service & Utility
PUZ2	Education
PUZ3	Health & Community
PUZ5	Cemetery/Crematorium
PUZ6	Local Government
PUZ7	Other public use

36.01-7

20/01/2022
VC205

Signs

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.

Where a Transport Zone 2 or a Transport Zone 3 is the nearest adjoining zone, a permit is required to display a sign.

27/05/2019
C126mann**SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE****1.0**27/05/2019
C126mann**Permit exemptions and conditions**

Public land	Use or development	Conditions
None specified	None specified	None specified

2.027/05/2019
C126mann**Sign requirements**

Land	Sign Category
Aquarena Aquatic & Leisure Centre, 139-153 Williamsons Road, Doncaster Lot 1 LP 72166 Vol 8618 Fol 891	Category 3
Park Orchards Reserve, 568-574 Park Road, Park Orchards Lot 504 LP11939 Lot 505 LP11939 Lot 490 LP11939 Lot 489 LP11939 Lot 488 LP11939 Lot 491 LP11939 Pt Lot 503 LP11939	Category 3
Manningham/Donvale Indoor Sports Centre (Manningham DISC), 360-380 Springvale Road, Donvale Lot 1 PS 410082K	Category 3
Manningham/Templestowe Leisure Centre – Outdoor Courts, 1-9 Anderson Street, Templestowe Pt CA 1SEC 1 PSH Bulleen	Category 3
Manningham Centre, 371 and 395 Manningham Road, Doncaster.	Category 3

36.0231/07/2018
VC148**PUBLIC PARK AND RECREATION ZONE**Shown on the planning scheme map as **PPRZ**.**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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.

36.02-106/09/2021
VC171**Table of uses****Section 1 - Permit not required**

Use	Condition
Informal outdoor recreation	
Open sports ground	Must be conducted by or on behalf of the public land manager. Must not be on coastal Crown land under the <i>Marine and Coastal Act 2018</i> . Must not be costeaning or bulk sampling.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Contractor's depot	Must be either of the following:
Heliport	A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 1989</i> , the <i>Reference Areas Act 1978</i> , the <i>National Parks Act 1975</i> , the <i>Fisheries Act 1995</i> , the <i>Wildlife Act 1975</i> , the <i>Forest Act 1958</i> , the <i>Water Industry Act 1994</i> , the <i>Water Act 1989</i> , the <i>Marine Act 1988</i> , the <i>Port of Melbourne Authority Act 1958</i> , or the <i>Crown Land (Reserves) Act 1978</i> .
Office	
Retail premises	
Store	
Any other use not in Section 3	
	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 centre

Funeral parlour

Industry

Saleyard

Transport terminal (other than Heliport)

Veterinary centre

Warehouse (other than Store)

36.02-230/04/2021
VC185**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, Parks Victoria or the Great Ocean Road Coast and Parks Authority, 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.

36.02-319/01/2006
VC37**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

31/07/2018
VC148

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

31/07/2018
VC148

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 Municipal Planning Strategy and the Planning Policy Framework.
- 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

19/01/2006
VC37

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

19/01/2006
VC37

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

31/07/2018
VC148

Signs

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.

27/05/2019
C126mann**SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE****1.0**27/05/2019
C126mann**Permit exemptions and conditions**

Public land	Use or development	Conditions
None specified	None specified	None specified

2.027/05/2019
C126mann**Sign requirements**

Land	Sign Category
Andersons Park, 133-139 Andersons Creek Road, Doncaster East CA 15 SEC B3 PSH Bulleen	Category 3
Boronia Grove Reserve, 105 Leeds Street, Doncaster East Pt CA B SEC 6 PSH Bulleen	Category 3
Buck Reserve, 284-312 Reynolds Road, Donvale Lot B LP 86834	Category 3
Bulleen Park, 175-189 Bulleen Road, Bulleen Lot 2 LP 67635 UCSS 1	Category 3
Burgundy Drive Reserve, 4A Burgundy Drive, Doncaster Lot 115 LP 68750	Category 3
Colman Park, 64-76 Croydon Road, Warrandyte South Pt CA 19E PSH Warrandyte	Category 3
Deep Creek Reserve, 65A Deep Creek Drive, Doncaster East LP 200190K	Category 3
Domeney Reserve, 24-52 Knees Road, Park Orchards Pt Lot 12 LP 5631 Pt Lot 13 LP 5631	Category 3
Doncaster Reserve, 918 Doncaster Road, Doncaster East Pt Crown Port A SEC 6 PSH Bulleen	Category 3
Doncaster Tennis Club, 802-804 Doncaster Road, Doncaster Lot 2 PS 429785S	Category 3
Donvale Reserve, 36-82 Mitcham Road, Donvale Pt Lot 2 LP 75065 Lot 1 LP 47517	Category 3
Hillcrest Reserve, 31-37 Lisbeth Avenue, Donvale LP 44141	Category 3
Husseys Lane Reserve, 86-96 Husseys Lane, Warrandyte South	Category 3

MANNINGHAM PLANNING SCHEME

Land	Sign Category
Lot 1 PS 310938G	
Koonung Park, 30-34 Furneaux Grove, Bulleen	Category 3
Lot 87 LP 13585	
Lot 103 LP 13585	
Lot 96 LP 13585	
Lot 100 LP 13585	
Mullum Mullum Reserve, 1-41 Springvale Road, Doncaster East	Category 3
Pt Lot 1 LP 137926	
Park Avenue Reserve, 17 Park Avenue, Bulleen	Category 3
LP 34562	
Petty's Reserve, 61-77 Reynolds Road, Templestowe	Category 3
Lot 1 PS 321819D	
Rieschiecks Reserve, 125-149 George Street, Doncaster	Category 3
CA 1 SEC 9 PSH Bulleen	
Serpells Community Reserve, 7 Trevinden Close, Templestowe	Category 3
Lot 2 LP 93950	
Sheahans Road Reserve, 27-37 Sheahans Road, Bulleen	Category 3
Pt Lot 4 LP 53691	
Pt Lot 5 LP 53691	
Stintons Reserve, 39-49 Stintons Road, Park Orchards	Category 3
Lot 2 LP 113381	
Swilk Street Reserve (Templestowe Bowling Club), 1 Swilk Street, Templestowe	Category 3
Pt Crown Port 9 SEC 14 PSH Bulleen	
Ted Ajani Reserve, 284-302 Thompsons Road, Lower Templestowe	Category 3
Lot 2 LP 50936	
Templestowe Reserve, 94-140 Porter Street, Templestowe	Category 3
Lot 33 LP 53011	
Pt CA 8 SEC 13 PSH Bulleen	
Timber Ridge Reserve, 2-4 Anthony Avenue, Doncaster	Category 3
Lot 55 LP 63166	
Warrandyte Reserve, 2 Taroona Street, Warrandyte	Category 3
Recreation Reserve PSH Warrandyte	
Wilsons Road Reserve, 95-107 Wilsons Road, Doncaster	Category 3
Lot 116 LP 82185	

Land	Sign Category
Wonga Park Reserve, 2-6 Old Yarra Road, Wonga Park Pt Lot 1 LP 4315	Category 3
Zerbes Reserve, 293 Blackburn Road, Doncaster East Pt Crown Port A SEC 9 PSH Bulleen	Category 3

3.0

27/05/2019
C126mann

Use and development of land specified in an Incorporated Plan

None specified.

36.0331/07/2018
VC148**PUBLIC CONSERVATION AND RESOURCE ZONE**

Shown on the planning scheme map as **PCRZ**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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.

36.03-130/04/2021
VC185**Table of uses****Section 1 - Permit not required**

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 2011.
Boat launching facility	Must be either of the following: <ul style="list-style-type: none"> ▪ A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 1989</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i>, the <i>Forests Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Act 1988</i>, the <i>Port of Melbourne Authority Act 1958</i> or the <i>Crown Land (Reserves) Act 1978</i>. ▪ Specified in an Incorporated plan in a schedule to this zone.
Camping and caravan park	
Caretaker's house	
Car park	
Informal outdoor recreation	
Interpretation centre	
Jetty	
Kiosk	
Marine dredging	
Mooring pole	
Open sports ground	
Pier	
Pontoon	
Road	
Utility installation (other than Telecommunications facility)	
Any use listed in Clause 62.01 (other than Apiculture)	
Any other use not in Section 2 or 3	<ul style="list-style-type: none"> ▪ Must be a use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 1989</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i>, the <i>Forests Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Act 1988</i>, the <i>Port of Melbourne Authority Act 1958</i> or the <i>Crown Land (Reserves) Act 1978</i>.

Section 2 - Permit required

Use	Condition
Emergency services facility	
Renewable energy facility (other than Wind energy facility)	Must not be located on land reserved under the <i>National Parks Act 1975</i> . Must meet the requirements of Clause 53.13.
Wind energy facility	Must not be located on land described in a schedule to the <i>National Parks Act 1975</i> . This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. 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

30/04/2021
VC185

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 shown in an Incorporated plan which applies to the land.
 - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or 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 *Forests 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*.
 - A building or works carried out by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, 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 *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Crown Land (Reserves) Act 1978*, or the *Road Management Act 2004*.
- Subdivide land.

36.03-3

19/09/2017
VC132

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.

Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

36.03-4

31/07/2018
VC148

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

18/06/2010
VC62

Referral of applications

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

36.03-6

31/07/2018
VC148

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 Municipal Planning Strategy and the Planning Policy Framework.
- 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.

36.03-7

18/06/2010
VC62

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.

36.03-8

18/06/2010
VC62

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.

36.03-9

31/07/2018
VC148

Signs

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.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

1.0

27/05/2019
C126mann

Permit exemptions and conditions

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0

27/05/2019
C126mann

Sign requirements

Land	Sign Category
None specified	None specified

3.0

27/05/2019
C126mann

Use and development of land specified in an Incorporated Plan

None specified.

36.04

20/01/2022
VC205

TRANSPORT ZONE

Shown on the planning scheme map as **TRZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for an integrated and sustainable transport system.

To identify transport land use and land required for transport services and facilities.

To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.

To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.

36.04-1

20/01/2022
VC205

Table of uses

Section 1 - Permit not required

Use	Condition
Railway	
Railway station	The combined leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 800 square metres.
Tramway	
Transport terminal (other than Railway station)	The use must be carried out by or on behalf of a relevant transport manager.
Utility installation (other than Minor utility installation)	The use must be carried out by or on behalf of a relevant transport manager.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any other use	The use must be for a transport purpose and carried out by or on behalf of a relevant transport manager.

Section 2 - Permit required

Use	Condition
-----	-----------

Section 3 - Prohibited

Use
Nil

36.04-2

20/01/2022
VC205

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1. This does not apply to navigational beacons and aids.
- Subdivide land.

36.04-3

20/01/2022
VC205

Application requirements

An application by a person other than a relevant transport manager on land shown on a planning scheme map as TRZ1 or TRZ2 must be accompanied by the written consent of the Head, Transport for Victoria, indicating that the Head, Transport for Victoria consents generally or conditionally to either:

- The application being made.
- The application being made and to the proposed use or development.

36.04-4

20/01/2022
VC205

Table of transport uses

Shown on the planning scheme map	Purpose of transport use
TRZ1	State transport infrastructure
TRZ2	Principal road network
TRZ3	Significant municipal road
TRZ4	Other transport use

36.04-5

20/01/2022
VC205

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the development, operation and safety of the transport system.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.04-6

20/01/2022
VC205

Signs

Sign requirements are at Clause 52.05.

A permit is required to construct or put up for display a sign over a road carriageway or over land within 600 millimetres of a carriageway.

For all other land in this zone, the sign category 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.

37

19/01/2006
VC37

SPECIAL PURPOSE ZONES

37.0131/07/2018
VC148**SPECIAL USE ZONE**

Shown on the planning scheme map as **SUZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

37.01-119/01/2006
VC37**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

37.01-231/07/2018
VC148**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 Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

37.01-331/07/2018
VC148**Subdivision****Permit requirement**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. ▪ The subdivision does not create a vacant lot. 	Clause 59.02

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 Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

37.01-420/12/2021
VC174**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.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not: <ul style="list-style-type: none"> ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. 	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clause 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

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.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

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 Municipal Planning Strategy and the Planning Policy Framework.

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

37.01-5

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

27/05/2019
C126mann**SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE**

Shown on the planning scheme map as **SUZ1** .

PRIVATE EDUCATION CENTRES, GOLF COURSES AND SPORTS GROUNDS**Purpose**

To provide for land in private ownership to be used and developed as an education centre, golf course or sports ground.

To ensure that the development of these facilities takes place in an orderly and proper manner and does not cause a loss of amenity to the surrounding neighbourhood.

1.027/05/2019
C126mann**Table of uses****Section 1 - Permit not required**

Use	Condition
Caretaker's house	
Education centre	
Home based business	
Leisure and recreation (other than Amusement park, Major sports and recreation facility, Motor racing track, Paintball games facility, and Zoo)	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Place of worship	
Railway	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Car park	Must be in association with an education centre, leisure and recreation facility or place of assembly.
Child care centre	Must be in association with an education centre, leisure and recreation facility or place of assembly.
Convenience shop	Must be in association with an education centre, leisure and recreation facility or place of assembly.
Dwelling (other than Caretaker's house)	Must be in association with an education centre, leisure and recreation facility or place of assembly.
Food and drink premises (other than Hotel and Tavern)	Must be in association with an education centre, leisure and recreation facility or place of assembly.

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Use	Condition
Major sports and recreation facility (other than Race course)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Office	Must be in association with an education centre, leisure and recreation facility or place of assembly. The leasable floor area must not exceed 500 square metres.
Place of assembly (other than Amusement parlour, Cinema, Carnival, Circus, Drive-in theatre, Nightclub, and Place of worship)	
Residential building	Must be in association with an education centre, leisure and recreation facility or place of assembly.
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 Dwelling and Residential building)
Agriculture (other than Apiculture)
Amusement parlour
Amusement park
Brothel
Cinema
Cinema based entertainment facility
Circus
Drive-in theatre
Extractive industry
Hotel
Industry
Motor racing track
Nightclub
Paintball games facility
Race course
Retail premises (other than Convenience shop and Food and drink premises)
Tavern
Warehouse

Use**Zoo****2.0**27/05/2019
C126mann**Use of land****Application requirements**

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

- 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, hours of operation and light spill.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect the proposed use may have on existing uses.
- The effect of additional traffic on the operation, convenience and efficiency of existing roads.

3.027/05/2019
C126mann**Subdivision**

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The interface with adjoining land, especially the relationship with residential areas.
- The effect the subdivision will have on the potential of the land to accommodate existing and potential future uses in accordance with the purpose of the zone.
- The drainage of the land.

4.027/05/2019
C126mann**Buildings and works****Application requirements**

An application to construct a building or construct or carry out works must be accompanied by a plan, drawn to scale, which shows:

- The boundaries and dimensions of the site.
- Relevant ground levels.
- Adjoining roads.
- The location, height and purpose of buildings and works on adjoining land.
- The layout and use of existing and proposed buildings and works, including driveways and car parking and loading areas.
- Elevation drawings indicating the colour and materials of all proposed buildings and works.
- Construction details of all drainage works, driveways and car parking and loading areas.
- Details of existing and proposed landscaping.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The interface with adjoining land, especially the relationship with residential areas.
- The location and type of access to the site.
- The provision for car parking.
- The appearance and bulk of buildings having regard to the adjoining land, especially the relationship with residential areas.
- The provision of land for landscaping and beautification.
- The movement of pedestrians and cyclists and vehicles providing for supplies, waste removal, emergency services and public transport.
- Loading and service areas.
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing and privacy.

5.0

27/05/2019
C126mann

Signs

None specified.

27/05/2019
C126mann**SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ2** .**TERMINAL STATION****Purpose**

To provide for land to be used for an electricity terminal station.

1.027/05/2019
C126mann**Table of uses****Section 1 - Permit not required**

Use	Condition
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Railway	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Agriculture (other than Apiculture and Intensive animal husbandry)	
Caretaker's house	
Industry (other than Materials recycling, Refuse disposal, and Transfer station)	Must not be a purpose listed in the table to Clause 53.10.
Landscape gardening supplies	
Manufacturing sales	
Materials recycling	
Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Place of assembly (other than Amusement parlour and Nightclub, Carnival and Circus)	
Refuse disposal	
Transfer station	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use

Accommodation (other than Caretaker's house)

Amusement parlour

Brothel

Cinema based entertainment facility

Intensive animal husbandry

Nightclub

Office

Retail premises (other than Landscape gardening supplies and Manufacturing sales)

Saleyard

Service station

Transport terminal

2.0

27/05/2019
C126mann

Use of land

None specified.

3.0

27/05/2019
C126mann

Subdivision

None specified.

4.0

27/05/2019
C126mann

Buildings and works

None specified.

5.0

27/05/2019
C126mann

Signs

None specified.

SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3**.

DONVALE CHRISTIAN COLLEGE**Purpose**

To provide for the continued use and development of land for an education centre.

To provide for the use and development of the land in accordance with the *Donvale Christian College Master Plan* (September 2013).

To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

To protect and enhance natural resources and the biodiversity of the site.

To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

1.0**Table of uses****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 6 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.
Child care centre	Must be generally in accordance with the <i>Donvale Christian College Master Plan</i> (September 2013). The number of children/students present at anytime on the site must not exceed 1,500.
Education centre	Must be generally in accordance with the <i>Donvale Christian College Master Plan</i> (September 2013). The number of children/students present at anytime on the site must not exceed 1,500.
Geothermal energy extraction	Must meet the requirements of Clause 52.08-4.
Home based business	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Railway	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	

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

Section 2 - Permit required

Use	Condition
Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, and Timber production)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 2.
Dwelling (other than Bed and breakfast)	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. Must meet the requirements of Clause 2.
Emergency services facility	
Freezing and cool storage	The goods stored must be agricultural produce, or products used in agriculture.
Group accommodation	Must be used in conjunction with Agriculture, Rural industry, or Winery. Must be no more than 6 dwellings. The lot on which the use is conducted must be at least 8 hectares.
Host farm	
Interpretation centre	
Market	
Mineral, stone or soil extraction (other than Mineral exploration, Geothermal energy extraction, Mining, and Search for stone)	
Plant nursery	
Primary produce sales	
Recreational boat facility	
Residential hotel	Must be used in conjunction with Agriculture, Rural industry, or Winery. The number of bedrooms must not exceed the number specified in a schedule to the zone or 80 bedrooms, whichever is the lesser.

Use	Condition
	The lot on which the use is conducted must be at least 8 hectares.
Restaurant	Must be used in conjunction with Agriculture, Rural industry, or Winery. The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least 8 hectares.
Rural industry (other than Abattoir and Sawmill) Rural store	
Timber production	Must meet the requirements of Clause 53.11.
Utility installation (other than Minor utility installation and Telecommunications facility) Wind energy facility Winery	

Section 3 – Prohibited

Use
Abattoir Accommodation (other than Dependent person’s unit, Dwelling, Group accommodation, Host farm, and Residential hotel) Animal boarding Child care centre – if the Section 1 condition is not met Education centre – if the Section 1 condition is not met Industry (other than Rural industry) Intensive animal husbandry Leisure and recreation (other than informal outdoor recreation) Retail premises (other than Market, Plant nursery, Primary produce sales, and Restaurant) Place of assembly (other than Carnival and Circus) Sawmill Warehouse (other than Freezing and cool storage, and Rural store) Any other use not in Section 1 or 2

2.0

27/05/2019
C126mann

Use of land

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person's unit.

3.0

22/02/2007
C46

Subdivision

Each lot must be at least 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- 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.

4.0

27/05/2019
C46

Long term lease or licence for Accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

5.0

27/05/2019
C126mann

Buildings and works

Permit requirement

Any building or works associated with a child care centre or education centre must be generally in accordance with the *Donvale Christian College Master Plan* (September 2013).

Application requirements

An application to construct a building or construct or carry out works must be accompanied by a plan, drawn to scale, which shows:

- The boundaries and dimensions of the site.
- Relevant ground levels.
- Adjoining roads.
- The location, height and purpose of buildings and works on adjoining land.
- The layout and use of existing and proposed buildings and works, including driveways and car parking and loading areas.
- Elevation drawings indicating the colour and materials of all proposed buildings and works.
- Construction details of all drainage works, driveways and car parking and loading areas.
- Details of existing and proposed landscaping.

Exemption from notice and review

An application to construct a building or construct or carry out works associated with a child care centre or education centre which is generally in accordance with the *Donvale Christian College Master Plan* (September 2013) 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.

6.0

27/05/2019
C126mann

Decision guidelines

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, 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:

General issues

- The *Donvale Christian College Master Plan* (September 2013).
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- Whether use or development protects and enhances the environmental and landscape qualities of the site and its surrounds.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

Rural issues

- The environmental capacity of the site to sustain the development.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

Environmental issues

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

MANNINGHAM PLANNING SCHEME

- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

37.0301/07/2021
VC203**URBAN FLOODWAY ZONE**

Shown on the planning scheme map as **UFZ**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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 by managing urban stormwater, protecting water supply catchment areas and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

37.03-121/09/2018
VC150**Table of uses****Section 1 - Permit not required**

Use	Condition
Informal outdoor recreation	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Animal production and Apiculture)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)	
Road	
Utility installation (other than Telecommunications facility)	
Any use listed in Clause 62.01 if any requirement is not met	

Section 3 - Prohibited

Use
Animal production (other than Grazing animal production)
Indoor recreation facility
Motor racing track
Any other use not in Section 1 or 2

37.03-214/05/2021
VC198**Buildings and works**

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

- A fence.

- Roadworks, if the water flowpath is redirected or obstructed.
- 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 to:

- Roadworks carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- 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

19/01/2006
VC37

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

31/07/2018
VC148

Application requirements

General

An application must be accompanied by any information specified in the schedule to this zone.

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 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 effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

37.03-5

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 in writing between the responsible authority and the floodplain management authority.

37.03-6

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

37.03-7

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.

27/05/2019
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SCHEDULE TO CLAUSE 37.03 URBAN FLOODWAY ZONE

1.0

27/05/2019
C126mann

Application requirements

None specified.

2.0

27/05/2019
C126mann

Decision guidelines

None specified.

3.0

27/05/2019
C126mann

Signs

Land	Sign Category
None specified	

37.08
31/07/2018
VC148

ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage a mixture of uses and the intensive development of the activity centre:

- As a focus for business, shopping, working, housing, leisure, transport and community facilities.
- To support sustainable urban outcomes that maximise the use of infrastructure and public transport.

To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

To facilitate use and development of land in accordance with the Development Framework for the activity centre.

37.08-1
17/09/2009
VC59

Operation

A schedule to this zone comprises the Development Framework for the activity centre.

A schedule to this zone must contain:

- A framework plan for the activity centre.
- A statement of the activity centre land use and development objectives to be achieved.

A schedule to this zone may contain:

- Centre-wide provisions.
- Precinct provisions.

37.08-2
17/09/2009
VC59

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.

Section 3 - Prohibited

Use
Any use in Section 3 of the schedule to this zone

37.08-3

17/09/2009
VC59

Use of land

Any requirement in the schedule to this zone must be met.

37.08-4

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. ▪ The subdivision does not create a vacant lot. 	Clause 59.02

37.08-5

31/07/2018
VC148

Buildings and works

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
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Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not:

- Within 30 metres of land (not a road) which is in a residential zone.
- Used for a purpose listed in the table to Clause 53.10.

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

37.08-6

17/09/2009
VC59

Design and development

A schedule to this zone may include requirements relating to:

- Building setbacks.
- Building height.
- Building materials.
- Access.
- Landscaping.
- Public realm.
- Any other requirements or guidelines 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 is not in accordance with any design and development requirement in the schedule to this zone unless the schedule to this zone specifies otherwise.

37.08-7

01/07/2021
VC203

Application requirements

Use

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

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- Plans drawn to scale and dimensioned which show:
 - The siting and use of buildings.
 - Areas not required for immediate use.
 - Adjacent buildings and uses.
- 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, glare, air-borne emissions and emissions to land and water.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.

- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- Any other information specified in the schedule to this zone.

Subdivision

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

- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The pattern of subdivision of the surrounding area.
 - Easements.
 - Location of drainage and other utilities.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Access points.
 - Any natural features.
- Any other information specified in the schedule to this zone.

Buildings and works

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

- Plans drawn to scale and dimensioned which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and use of buildings and works on adjoining land.
 - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
 - Any contaminated soils and filled areas, where known.
 - The layout of existing and proposed buildings and works.
 - The internal layout and use of the proposed development.
 - All access and pedestrian areas.
 - All driveway, car parking and loading areas.
 - Existing vegetation and proposed landscape areas.
 - All external storage and waste treatment areas.
 - The location of easements and services.
- Elevation plans drawn to scale and dimensioned which show:
 - The building form and scale.

- Setbacks to property boundaries.
- Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).
- Shadow diagrams based on the equinox shown for existing conditions and the proposed development.
- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.
- A written statement providing an assessment of the proposal against the relevant sections of the Planning Policy Framework, Activity Centre Zone and any relevant overlays.
- An assessment of the characteristics of the area including:
 - Any environmental features such as vegetation, topography and significant views.
 - Street design and landscape.
 - The pattern of development.
 - Building form, scale and rhythm.
 - Architectural style, building details and materials.
 - Connection to the public realm.
 - Any significant noise, odour, fume and vibration sources to and/or from the development.
- A landscape plan 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.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- An urban context report and design response as required in Clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
- Any other information specified in the schedule to this zone.

37.08-8

31/07/2018
VC148

Exemption from notice and review

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 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 schedule to this zone specifies otherwise.

A schedule to this zone may specify an application in respect of land in an Activity Centre Zone under any other specified provision of this scheme 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.

37.08-9

20/12/2021
VC174

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 Municipal Planning Strategy and the Planning Policy Framework.
- The development framework plan set out in the schedule to this zone.
- The land use and development objectives set out in the schedule to this zone.

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- The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
 - existing uses are not compromised by a new development, or
 - a new development is designed to address amenity impacts from existing uses.
- Any requirements set out in the schedule to this zone.
- Any other decision guidelines specified in the schedule to this zone.

Access

- Movements systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

Use

- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.

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.

Design and built form

- The design, scale, height, setback, appearance and material of the proposed buildings and works.
- The provision for solar access to the building and on the public realm.
- The design of the public realm.
- The relationship between the proposed building and the public realm.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of 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 interface with adjoining zones, especially the relationship with residential zones.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- The storage of rubbish and materials for recycling.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

37.08-10

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1 unless a schedule to this zone specifies a different category.

37.08-11

17/09/2009
VC59

Other provisions of the scheme

The schedule to this zone may specify that other provisions of the scheme do not apply.

27/05/2019
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SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

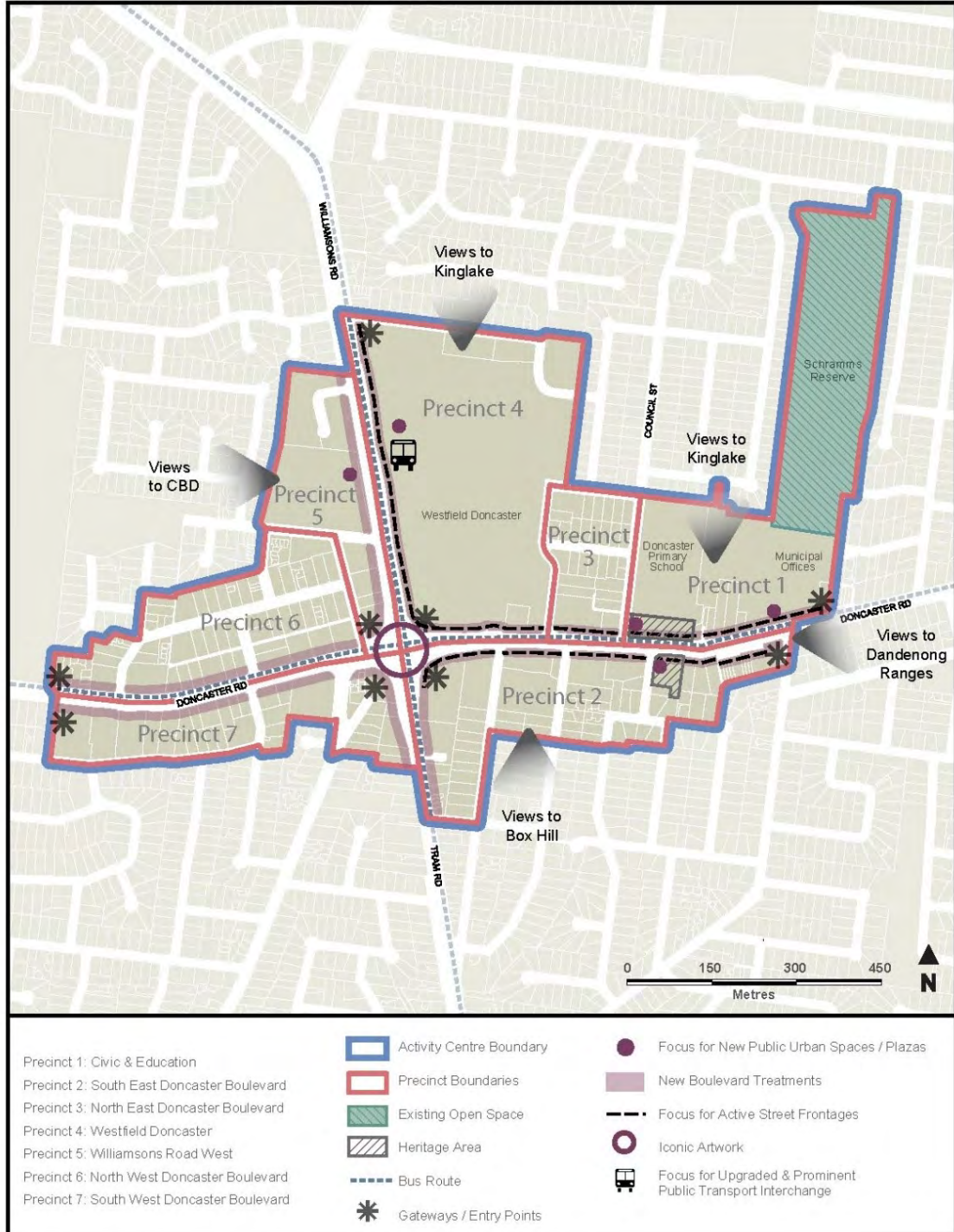
Shown on the planning scheme map as ACZ1.

DONCASTER HILL MAJOR ACTIVITY CENTRE

1.0

23/05/2019
C104

Doncaster Hill Framework Plan



2.0

23/05/2019
C104

Land use and development objectives to be achieved

- To advance Doncaster Hill as a sustainable and vibrant mixed-use activity centre with a strong sense of place and civic identity.

- To develop the centre as a focus for contemporary high density residential development incorporating a mix of complementary retail, social, commercial and entertainment uses.
- To ensure the activity centre enhances the social, environmental, economic and cultural elements of the municipality and region, advancing Doncaster Hill as a destination in Melbourne's East.

Land use

- To provide for a vibrant range of mixed uses that support the strategic role of the Doncaster Hill Major Activity Centre.
- To provide for a high level of activity that attracts people, provides a focal point for the community, creates an attractive and safe urban environment, increasing opportunities for social interaction.
- To ensure mixed use development comprises flexible floor spaces for a range of uses.
- To recognise the importance of the role that Westfield Doncaster plays as an anchor in the Doncaster Hill Activity Centre and as a major regional shopping centre.
- To substantially increase the provision, intensity and diversity of housing (especially affordable housing), that allows for all sectors of the community to live in the centre.
- To provide for high-density residential development on individual sites in conjunction with a diversity of other uses including a mix of retail, commercial, social, community and entertainment uses.
- To encourage commercial and small-scale retail uses at the lower level of buildings, with high-density apartment style residential development on upper levels.

Built form

- To create treed boulevards framed by podiums, consistent front setbacks and a high quality landscape along Doncaster, Williamsons and Tram Roads.
- To encourage innovative, contemporary architecture that provides a distinctive sense of identity for the Doncaster Hill Major Activity Centre.
- To emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.
- To ensure an appropriate transition in height both within the activity centre and to surrounding neighbourhoods.
- To encourage built form that capitalises on key views and vistas including to the middle-ground and distant features including Dandenongs, the Kinglake Ranges and the central Melbourne skyline.
- To encourage the provision of urban art within built form or in adjacent public areas.
- To encourage the built form at gateway locations identified in the Framework Plan to be designed to act as markers with distinguishing architectural or urban design treatments.

Environmental sustainability

- To ensure Australian Best Practice environmentally sustainable design is met in relation to building energy management, water sensitive urban design, construction materials, indoor environment quality, waste management and transport.

Public realm

- To encourage active street frontages and pedestrian generating activities to be located along main roads.
- To ensure public spaces are minimally impacted by overshadowing, including preserving solar access in mid-winter to the key boulevards of Doncaster Road and Williamsons Road.

- To facilitate the enjoyment of public urban spaces/plazas, streetscapes, pedestrian and bicycle paths by ensuring that these areas are not excessively overshadowed or affected by wind tunnelling.
- To encourage artwork in suitable locations to contribute to creating a distinctive sense of identity.

Open space and landscaping

- To achieve development that provides accessible, safe, attractive and functional private and public open space opportunities, which are well connected and integrated within a permeable urban environment.
- To create a healthy and consistently landscaped environment that is dominated by native and indigenous planting.
- To maximise opportunities for landscaping in the public and private realm.
- To ensure each precinct has ready access to well designed public open space.

Transport and access

- To achieve development of circulation networks that focus on providing strong linkages within the Doncaster Hill Major Activity Centre, and enhance public transport, pedestrian and bicycle users’ amenity.
- To provide for well-defined vehicular, bicycle and pedestrian access both within and external to all precincts, with strong pedestrian crossing points to be established between the north and south sides of Doncaster Road.
- To encourage the integration of car parking areas into buildings and the unique sloping landform, including providing under-croft and basement as opposed to open-lot parking.

Land configuration and ownership

- To encourage the reconfiguration and consolidation of land where necessary to create viable development sites and optimal development of the centre.
- To avoid the fragmentation of land through subdivision that does not achieve the outcomes of the Development Framework.

3.0

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Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Caretaker’s house, Corrective institution and Dwelling)	Must not be located at ground floor level, except for entry foyers. Must be in conjunction with one or more other uses in section 1 or 2.
Caretaker’s house	
Dry cleaner	Must be in Precincts 4 or 2A.
Dwelling	
Education centre	Must be in Precinct 1.
Food and drink premises (other than Hotel and Tavern)	Must be in Precincts 4 or 2A.

MANNINGHAM PLANNING SCHEME

Use	Condition
	<p>Must be in conjunction with one or more other uses in section 1 or 2, except for in Precinct 4A.</p> <p>Must be located at ground floor level, but is not limited to ground floor level, except for in Precinct 4A.</p>
Home based business	
Leisure and recreation (other than Open sports ground, Restricted recreation facility, Major sports and recreation facility and Motor racing track)	
Laundromat	Must be located in Precincts 4 or 2A.
Market	Must be located in Precinct 1.
Office	<p>Must not be in Precincts 2E-G, 3A or 6D-E.</p> <p>Must be in conjunction with one or more other uses in section 1 or 2.</p> <p>Any frontage at ground floor level must not exceed 2 metres, 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> <p>Within Precinct 3 on land bounded by Doncaster Road, Tower Street, Berkeley Street and Council Street, must have a floor area of at least 1,500 square metres.</p>
Open sports ground	Must be located in Precinct 1.
Postal agency	
Railway	
Restricted recreation facility	Must be located in Precinct 1.
Shop (other than Adult sex product shop)	Must be located in Precincts 4 or 2A.
Tramway	
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	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.

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Use	Condition
Commercial display area	
Food and drink premises (other than Hotel and Tavern) – if the Section 1 condition is not met	<p>Must be in conjunction with one or more other uses in section 1 or 2, except for in Precinct 4A.</p> <p>Must be located at ground floor level, but is not limited to ground floor level, except for in Precinct 4A,</p>
Hotel	Must be in conjunction with one or more other uses in section 1 or 2, except for in Precinct 4A.
Office – if the Section 1 condition is not met	<p>Must be in conjunction with one or more other uses in section 1 or 2.</p> <p>Within Precinct 3 on land bounded by Doncaster Road, Tower Street, Berkeley Street and Council Street, must have a floor area of at least 1,500 square metres.</p>
Place of assembly (other than Carnival, Circus and Drive-In theatre)	Must be in conjunction with one or more other uses in section 1 or 2.
Research centre	
Research and development centre	
Restricted recreation facility	
Retail premises (other than food and drink premises, market, primary produce sales, postal agency and shop)	<p>Must be in conjunction with one or more other uses in section 1 or 2, except for in Precinct 4A.</p> <p>Must be located at ground floor level, but is not limited to ground floor level, except for in Precinct 4A.</p>
Service industry (other than Dry cleaner and Laundromat)	
Shop (other than Adult sex product shop) – if the Section 1 condition is not met	<p>Must be in conjunction with one or more other uses in section 1 or 2. except for in Precincts 4 or 2A</p> <p>Must be located at ground floor level, but is not limited to ground floor level. except for in Precincts 4 or 2A.</p>
Tavern	Must be in conjunction with one or more other uses in section 1 or 2.
Transport terminal (other than Airport, Road freight terminal and Wharf)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use

- Agriculture (other than Apiculture)**
- Airport**
- Brothel**
- Camping and caravan park**
- Cemetery**
- Corrective institution**
- Drive-in theatre**
- Freeway service centre**
- Industry (other than Service industry and Research and development centre)**
- Major sports and recreation facility**
- Motor racing track**
- Primary produce sales**
- Road freight terminal**
- Saleyard**
- Timber production**
- Warehouse (other than a Commercial display area)**
- Winery**
- Wharf**

4.0

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Centre-wide provisions

4.1

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Use of land

A permit is not required to use land located in Precinct 1 for the purpose of Local Government or Education providing the use is carried out by, or on behalf of, the public land manager.

4.2

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Subdivision

Applications for subdivision of existing sites that are not associated with a development proposal that supports the objectives promoted by this Scheme for the Doncaster Hill Major Activity Centre are discouraged.

Consolidation of land to facilitate the creation of viable development sites is encouraged.

4.3

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Buildings and works

Dwellings

No permit is required to:

- Construct or extend one dwelling on a lot of more than 500 square metres. This exemption does not apply to:
 - Construction of a dwelling if there is at least one dwelling existing on the lot.
 - Extension of a dwelling if there are two or more dwellings on the lot.

- Construction or extension of a dwelling if it is on common property.
- Construction or extension of 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.
- The development of a Caretaker's house or a Bed and breakfast.
- 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.
- Construct one dependent person's unit on a lot.

4.4

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Design and development

Dwellings

On a lot of less than 500 square metres, a development must meet the requirements of Clause 54 if it proposes to:

- Construct or extend one dwelling; or
- Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.

A development must meet the requirements of Clause 55 if it proposes 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.
- 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.

This does not apply to a development of four or more storeys, excluding a basement.

Building height

New development must not exceed the Maximum Building Heights and Design Element Heights specified in the precinct provisions at Clause 5 of this Schedule.

A permit cannot be granted to vary the Maximum Building Heights or Design Element Heights specified in the precinct provisions at Clause 5 of this Schedule.

For the purposes of this Schedule, the Maximum Building Height and Design Element Height does not apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment;
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the Maximum Building Height as specified in the precinct provisions at Clause 5 of this Schedule; and

- The equipment is designed and screened to the satisfaction of the responsible authority.

For the purposes of this Schedule, a Design Element is a unique architectural or design feature that substantially contributes to the overall building form and appearance. Design Element Areas are identified for each precinct in the Precinct Provisions at Clause 5 of this Schedule.

Design Elements should:

- Substantially contribute to the overall built form and appearance by forming part of a distinctive architectural or ecologically sustainable design feature;
- Be based on contemporary architectural and innovative urban design techniques that incorporate ecologically sustainable design principles;
- Be located where built form will have the greatest impact and be able to make an architectural statement, including the highest areas on ridgelines, the area surrounding the intersection of Doncaster and Williamsons Road, and the entry points/gateways into Doncaster Hill Major Activity Centre;
- Not occupy greater than 15% of the overall roof area of the building.
- Not substantially increase the visual mass of the building; and
- Not cast additional overshadowing upon adjacent and nearby properties and public spaces at 12 noon on 22 June.

Building setbacks

A permit cannot be granted to vary the front setbacks, including the front podium and front tower setbacks, specified in the precinct provisions at Clause 5 of this Schedule for those properties abutting Doncaster Road, Williamsons Road or Tram Road.

A permit may be granted to vary the minimum side and rear setbacks specified in the precinct provisions at Clause 5 of this Schedule.

Minor buildings and works such as verandas, architectural features, balconies, sunshades, screens, artworks and street furniture may be constructed within the setback areas specified in the precinct provisions at Clause 5 of this Schedule provided they are designed and located to the satisfaction of the responsible authority.

Overshadowing

Development on the north side of Doncaster Road must not cast a shadow further than 1.2 metres south of the back of the kerb on the south side of Doncaster Road between 11:30am and 1:30pm on 22 June.

Development should be designed to avoid casting shadows on adjacent properties (including public open space areas) outside the activity centre between 11:00am and 2:00pm on 22 September.

Boulevard character

Development along Doncaster Road, Williamsons Road and Tram Road, except for land in Precinct 4A (Westfield Doncaster) along Williamsons Road, must provide:

- A podium of at least 12 metres along street frontages.
- A uniform 5 metre setback to a podium from the site frontage.
- A 3.6 metre wide paved promenade across the site frontage, replacing the existing footpath, to the satisfaction of the responsible authority.
- Two staggered avenues of large deciduous trees (minimum 3.5 metres height at time of planting) at 12 metre spacings, and the inside row being positioned at 3.5 metre offset from the building edge, with species being to the satisfaction of the responsible authority.

- A tree grille at each tree, to be bordered by a pavement header strip to the satisfaction of the responsible authority.
- A mix of hard and soft landscape treatments within the street frontage setback area located between the new paved promenade and the front wall of the building. Hard landscape treatments may include paving, street furniture and screens etc., which complement the boulevard landscape treatment. Soft landscape treatments may include grassed areas and planting that complements the boulevard landscape treatment to the satisfaction of the responsible authority.
- Artwork in a suitable location within the street frontage area, unless an artwork contribution has been made in some other form to the satisfaction of the responsible authority.
- For land in Precinct 4A (Westfield Doncaster), the boulevard character treatments along Williamsons Road will be detailed in a Development Plan prepared and approved pursuant to Schedule 4 of the Development Plan Overlay.

Landscape design

Landscape design must:

- Incorporate screen planting and landscape buffers of 1.5 metre minimum width as an interface to adjoining sites;
- Provide canopy trees and native indigenous plantings;
- Provide landscape treatments to the tops of podiums to provide visual interest and to soften the built form environment; and
- Create private and public open space areas that are accessible, safe, attractive and functional for all users.

Access and mobility

New development must:

- Comply with the Australian Standard AS1428 Part 2 provisions for access and mobility;
- Provide a high level of accessibility at the principal front entry for any residential development; and
- Provide for side or rear access to parking areas on sites along Doncaster Road, where appropriate.

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5.1

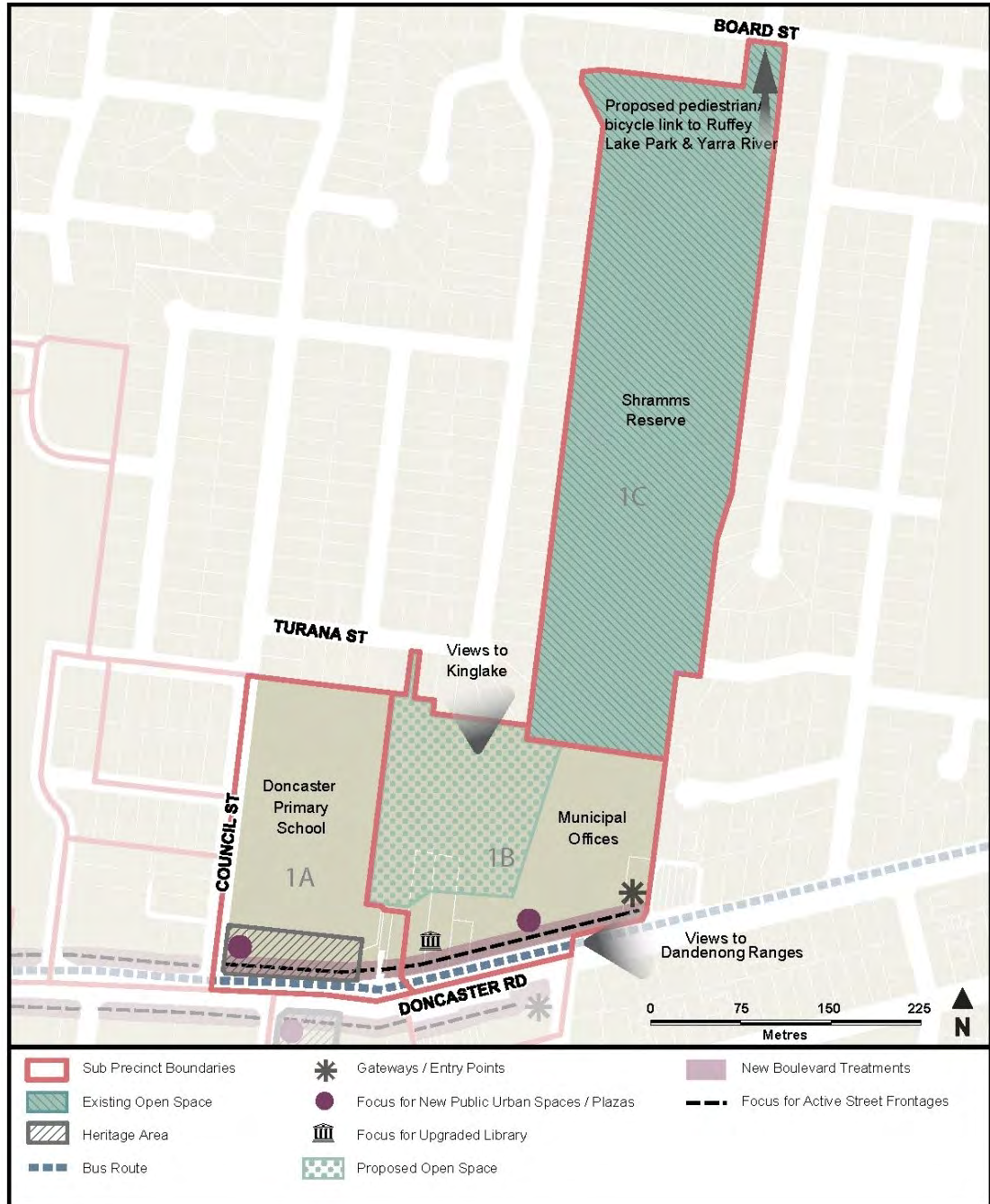
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5.1-1

Precinct provisions

Precinct 1: Civic and Education

Precinct map



5.1-2

Precinct objectives

- To develop Precinct 1 as a consolidated focus for civic, community, education and recreation facilities and associated activities.
- To create an enhanced historic and arts enclave focusing on the old shire offices and school building as integral features of the precinct, and develop a link with the heritage elements in Precinct 2.

- To consider mixed use commercial and residential opportunities within the precinct.
- To create a major public open space comprising an attractive green spine and outdoor events space, with extensive canopy tree planting.
- To create well designed urban spaces/plazas interfacing with the major civic open space, community, civic and education facilities and Doncaster Road, as part of future development proposals.
- To create an attractive green spine as an ‘outdoor events space’ which is visible from Doncaster Road, and with strong pedestrian links to key buildings and new facilities within the precinct.
- To create a landmark gateway building at the eastern end of the precinct.

5.1-3 Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
1A	None specified	None specified	5m from front boundary 4.5m from side boundaries 8m from rear boundaries
1B	29m	3.8m above maximum height	5m from front boundary 4.5m from side boundaries 8m from rear boundaries
1C	None specified	None specified	None specified

5.1-4 Precinct guidelines

- Buildings should be innovative and contemporary and respond to the character of the existing municipal offices building and to the unique topography of the site.
- Recreation/open space setting should be preserved.
- Any new development should be sympathetic to the scale of the surrounding residential neighbourhood.
- Building facades and public spaces should reflect the precinct’s functions.
- Pedestrian linkages should be created with the retail precincts / active street frontages of both Westfield Doncaster and Doncaster Road.
- Significant vistas to the northern ranges from Doncaster Road (in the vicinity of the Municipal Offices) and from Schramms Reserve should be retained.
- New boulevard treatments should allow for access to key views and be designed to highlight the entrance to community spaces and facilities provided.
- Extensively plant native and indigenous vegetation throughout the precinct.

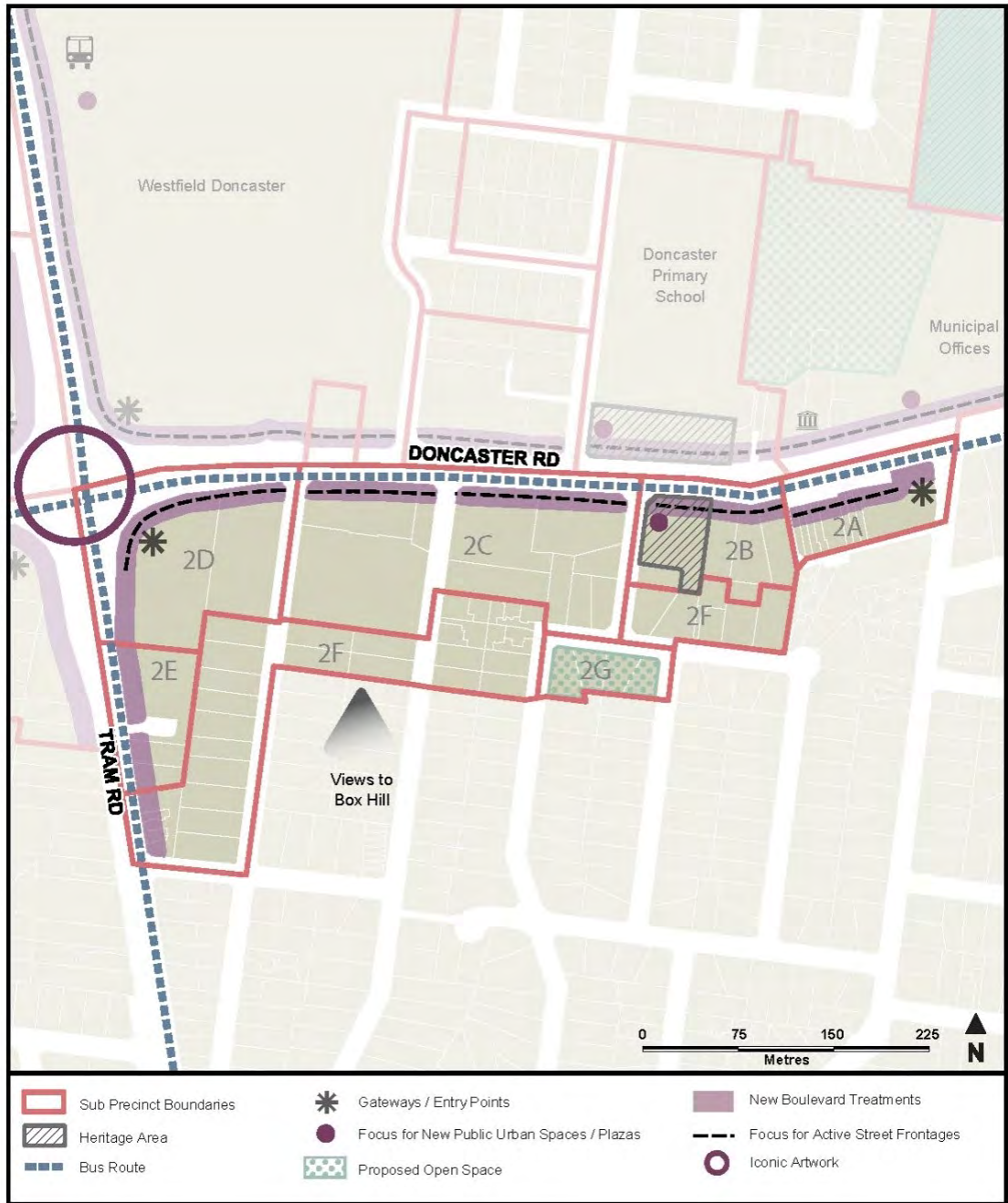
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Precinct 2: South East Doncaster Boulevard

5.2-1

Precinct map



5.2-2

Precinct objectives

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To encourage the greatest area of high-density development to locate along the Doncaster Road ridgeline.
- To encourage the provision of cafes, restaurants and outdoor eating within the precinct.
- To retain and enhance the historic elements within the precinct and develop a link with the historic and arts enclave in Precinct 1.

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- To support and connect with the pedestrian link proposed for the Doncaster Road, Williamsons and Tram Roads intersection at the western end of the precinct.
- To create a landmark gateway building at the eastern and western ends of the precinct.
- To create a public urban space/plaza with good solar access abutting the south side of Doncaster Road, with convenient access to the north side.
- To develop an area of open space as a passive green park, with urban play opportunities, and located in an area convenient to the precinct with well defined pedestrian links.

5.2-3

Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
2A	21.5m	4.3m above maximum height	5m to front podium edge from front boundary 9m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
2B	29m	5.8m above maximum height	5m to front podium edge from front boundary 9m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
2C	40m	8.0m above maximum height	5m to front podium edge from front boundary 11m to front tower edge from front boundary 4.5m from the side boundaries 5m from rear boundary
2D	36m	7.2m above maximum height	5m to front podium boundary 13m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
2E	21.5m	None specified	5m to front podium edge from front boundary 9m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
2F	14.5m	None specified	5m from front boundary 4.5m from side boundaries 4.5m from rear boundary
2G	11m	None specified	3m from front boundary 4.1m from side boundaries 4.5m from rear boundary

5.2-4

Precinct guidelines

- Development should recognise heritage elements within the precinct.
- Built form should achieve a general stepping of the building in a southerly direction from the ridgeline, down Tram Road, and towards the residential area to the east.

5.3

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Precinct 3: North East Doncaster Boulevard

5.3-1

Precinct map



5.3-2

Precinct objectives

- To encourage a greater mix of uses including residential and commercial uses in the precinct.
- To encourage an enhanced pedestrian environment within the precinct.
- To ensure development steps down the hill to maximise the northerly aspect and commanding views to the northern ranges.
- To encourage the provision of a pedestrian and bicycle network to Westfield Doncaster and the civic and education precinct.

5.3-3 Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
3A	12.5m	None specified	5m from front boundary 4.1m from side boundaries 4.5m from rear boundary
3B	14.5m	None specified	5m from front boundary 4.5m from side boundaries 4.5m from rear boundary
3C	29m	5.8m above maximum height	5m to front podium edge from front boundary 15m to front tower edge from front boundary 4.5m from side boundaries 4.5m from rear boundary

5.3-4 Precinct guidelines

- Development should address rear lane-scapes providing alternate residential frontage to the north in addition to commercial and retail frontages along Doncaster Road.
- Developments should maximise opportunities afforded by being positioned between Westfield Doncaster and the civic and education precinct.

5.3-5 Any other requirements

In the area between Doncaster Road, Tower Street, Berkeley Street and Council Street, development must not occur on land with an area of less than 2,500 square metres.

In the area between Berkeley Street, Tower Street, Goodson Street and Council Street, development must not occur on land with an area of less than 2,000 square metres.

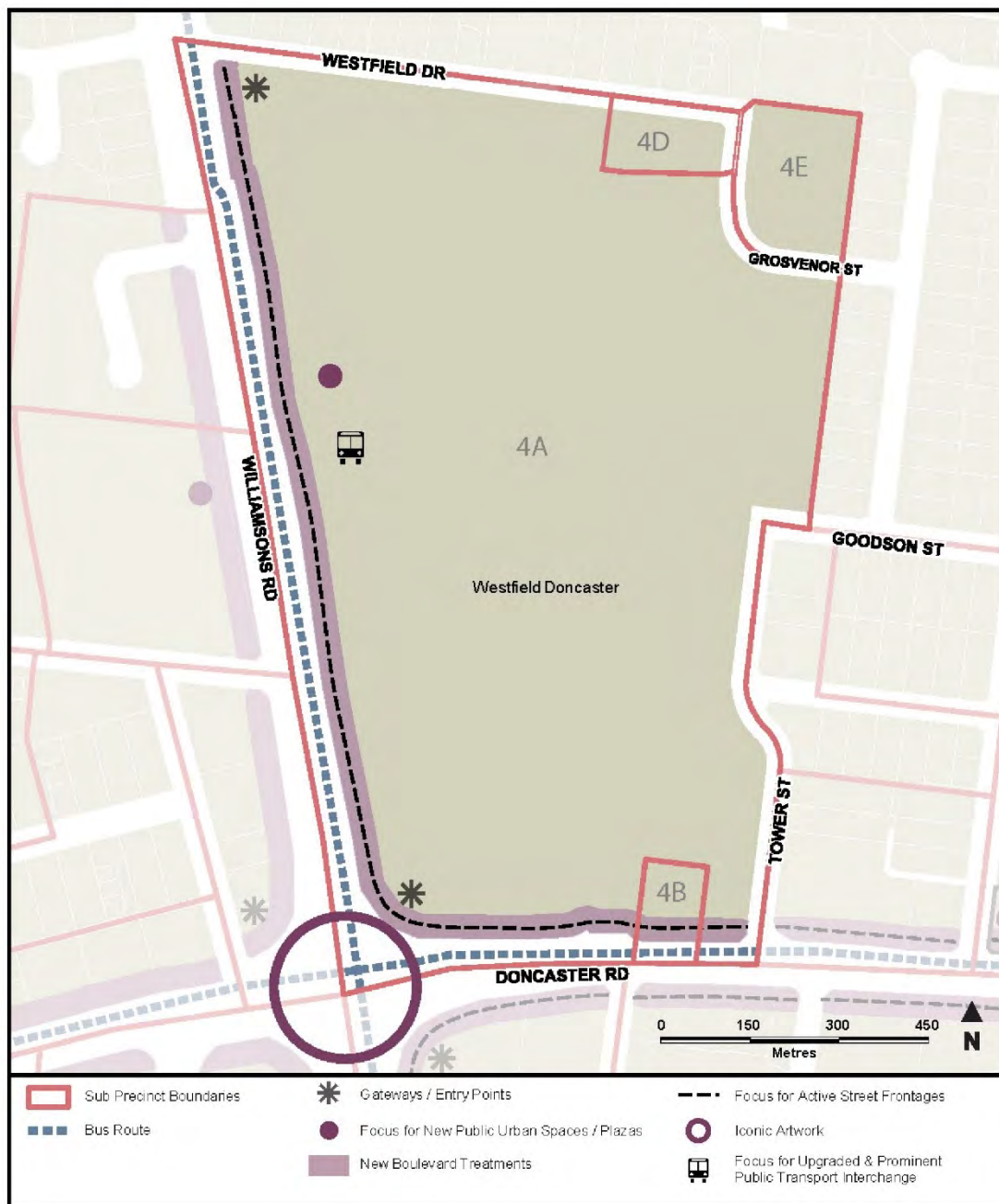
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Precinct 4: Westfield Doncaster

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5.4-1

Precinct map



5.4-2

Precinct objectives

- To further improve existing active street frontages.
- Encourage an enhanced pedestrian environment within the precinct.
- To maintain and improve the positive engagement of the precinct with the main intersection of Doncaster Road and Williamsons Road.
- To provide opportunities for a range of residential and commercial uses to develop within the precinct along with the existing retail development.
- To create a number of significant externalised public urban spaces/plazas, which are well connected to the public transport interchange and boulevard along Doncaster Road.

- To support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Roads intersection at the western end of the precinct.
- To provide a high quality design outcome, improved streetscapes and appropriate interfaces with residential areas.
- To provide flexibility to respond to retail and employment trends.

5.4-3 Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
4A	None specified	None specified	None specified
4B	21.5m	4.3m above maximum height	5m to front podium edge from front boundary 13m to front tower edge from the front boundary 4.5m from the side boundaries 4.5m from the rear boundary
4D	11m	None specified	5m from front site boundary 4.5m from side boundaries
4E	None specified	None specified	None specified

5.4-4 Precinct guidelines

- Maintain a landmark building at the Doncaster Road and Williamsons Road intersection.
- Architectural design of any built form at the north west corner to Westfield Doncaster to be appropriate to its gateway location.
- To provide for a landmark building in the vicinity of the entrance forecourt to Williamsons Road.
- Maintain and enhance an integrated public transport interchange to support both Westfield Doncaster and the greater Doncaster Hill area in a prominent and easily accessible location.
- Create a pedestrian friendly interface between Westfield Doncaster, Doncaster Road, Williamsons Road and Tower Street.
- Establish strong pedestrian entries and linkages from Westfield Doncaster to all other precincts within Doncaster Hill.
- Future building form is to maximise the north-east aspect and views, and vistas to the CBD.
- External spaces should directly link to Williamsons Road and Doncaster Road where appropriate.

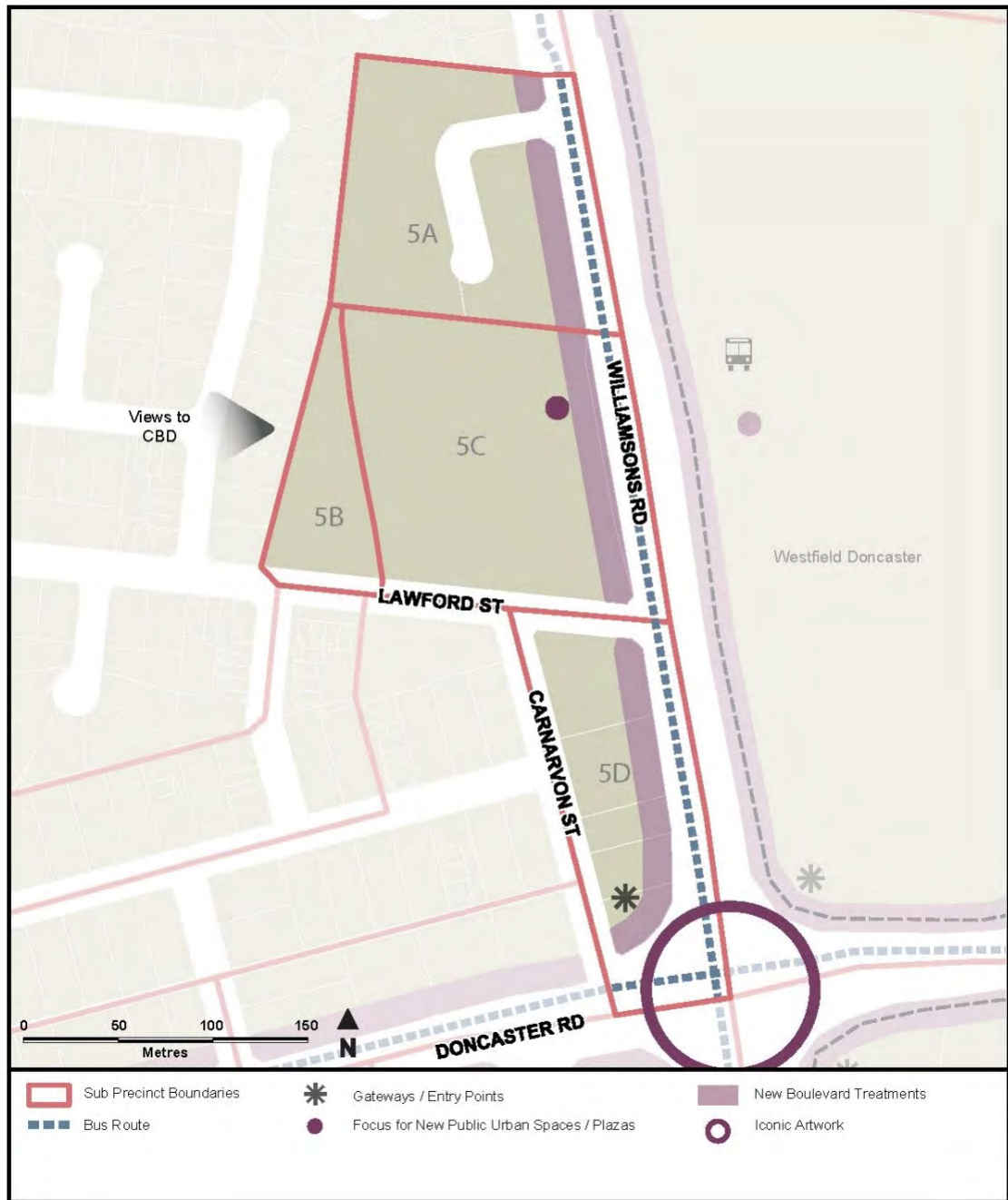
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Precinct 5: Williamsons Road West

5.5-1

Precinct map



5.5-2

Precinct objectives

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To encourage high density development along the Williamsons Road ridgeline, with less dense development progressively stepping down the hill towards the west.
- To capitalise on broad views and vistas obtained from strategic points along the Williamsons Road ridgeline, including from public urban spaces/plazas .
- To provide for an improved pedestrian network with stronger links to Westfield Doncaster, public transport interchanges, and nearby open space.

- To create a significant area of public urban space/plaza both within and convenient to the precinct to help cater for the proposed high-density development in the surrounding precincts.
- To create a landmark gateway building at the southern end of the precinct.
- To provide a pedestrian network that will provide positive linkages to the adjacent precincts in particular the Westfield Doncaster site, the public transport interchanges and Lawford Reserve.
- To encourage the inclusion of public open space abutting Williamsons Road that accommodates vistas to the city and has convenient links to Westfield Doncaster.

5.5-3 Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
5A	29m	None specified	5m from side boundaries 8m from rear boundary
5B	14.5m	None specified	5m from side boundaries 8m from rear boundary
5C	36m	7.2m above maximum height	5m to front podium edge from front boundary 9m to front tower edge from front boundary 5m from side boundaries
5D	29m	5.8m above maximum height	5m to front podium edge from front boundary 9m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary

5.5-4 Precinct guidelines

- Support and connect with the pedestrian link proposed for the Doncaster Road, Williamsons and Tram Roads intersection at the southern end of the precinct.
- Retain strategic view corridors towards the city from Williamsons Road within future development from specially created public urban spaces/plazas between buildings. A long continuous wall of building is discouraged.

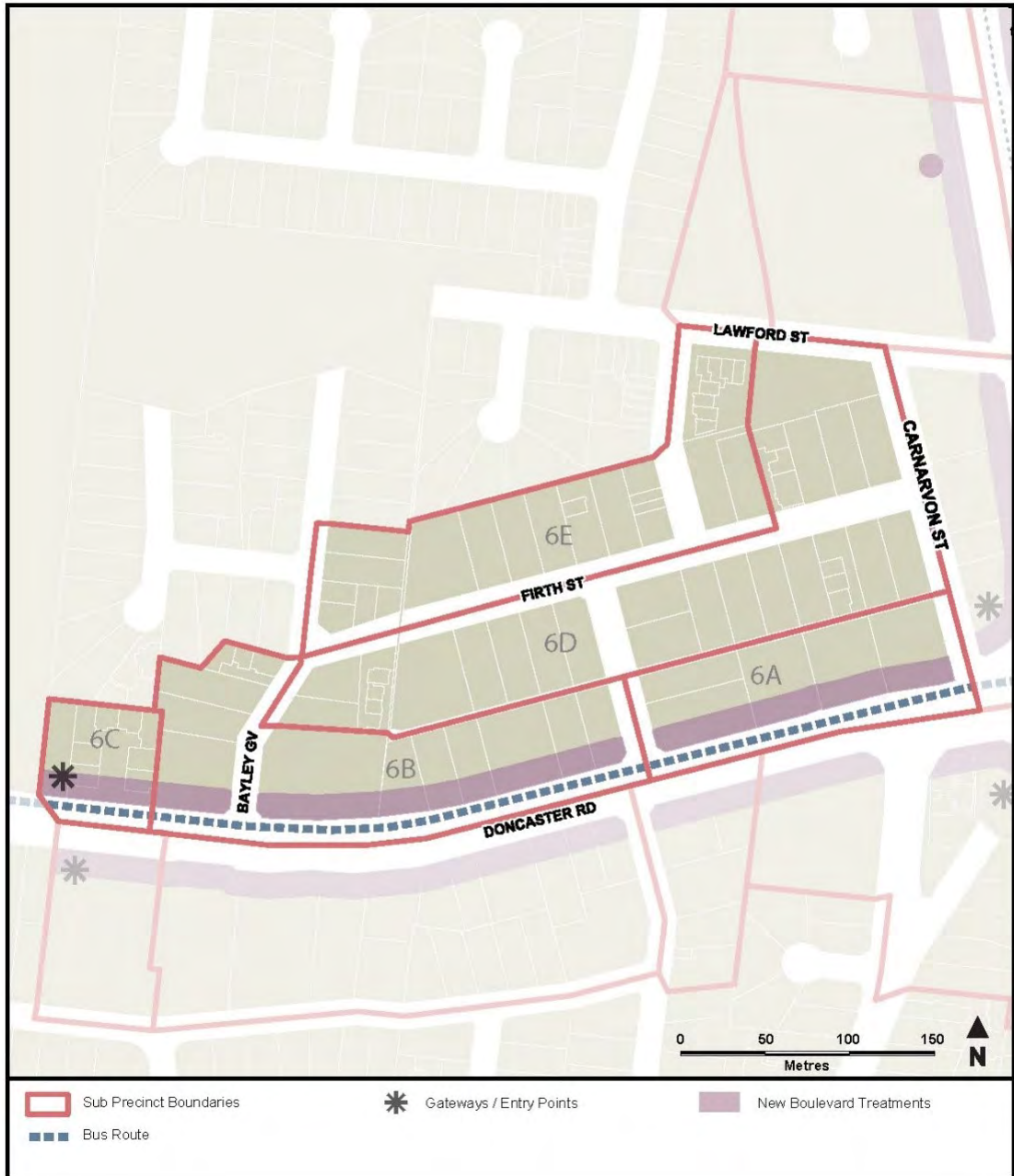
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Precinct 6: North West Doncaster Boulevard

5.6-1

Precinct map



5.6-2

Precinct objectives

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To create a vibrant and commercially viable mix of uses at a lower scale and generally on smaller scale allotments than is proposed for precincts located further east in Doncaster Hill.
- To encourage the provision of pedestrian and cycling links to connect with Lawford Reserve and the Doncaster Road, Williamsons and Tram Roads intersection at the eastern end of the precinct.
- To create a landmark gateway building at the western end of the precinct.
- To strengthen pedestrian and bicycle linkages between the precinct and Lawford Street Reserve.

5.6-3 Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
6A	21.5m	None specified	5m to front podium edge from front boundary 11m to front tower edge from front boundary. 4.5m from side boundaries 5m from rear boundary
6B	21.5m	None specified	5m to front podium edge from front boundary 11m to front tower edge to front boundary 4.5m from side boundaries 5m from rear boundary
6C	18m	3.6m above maximum height	5m to podium edge from front boundary 11m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
6D	14.5m	None specified	5m from site boundary 4.5m from side boundaries 4.5m from rear boundary
6E	11m	None specified	2m from front boundary 4.1m from side boundaries 5m from rear boundary

5.6-4 Precinct guidelines

- Support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Roads intersection at the southern end of the precinct.

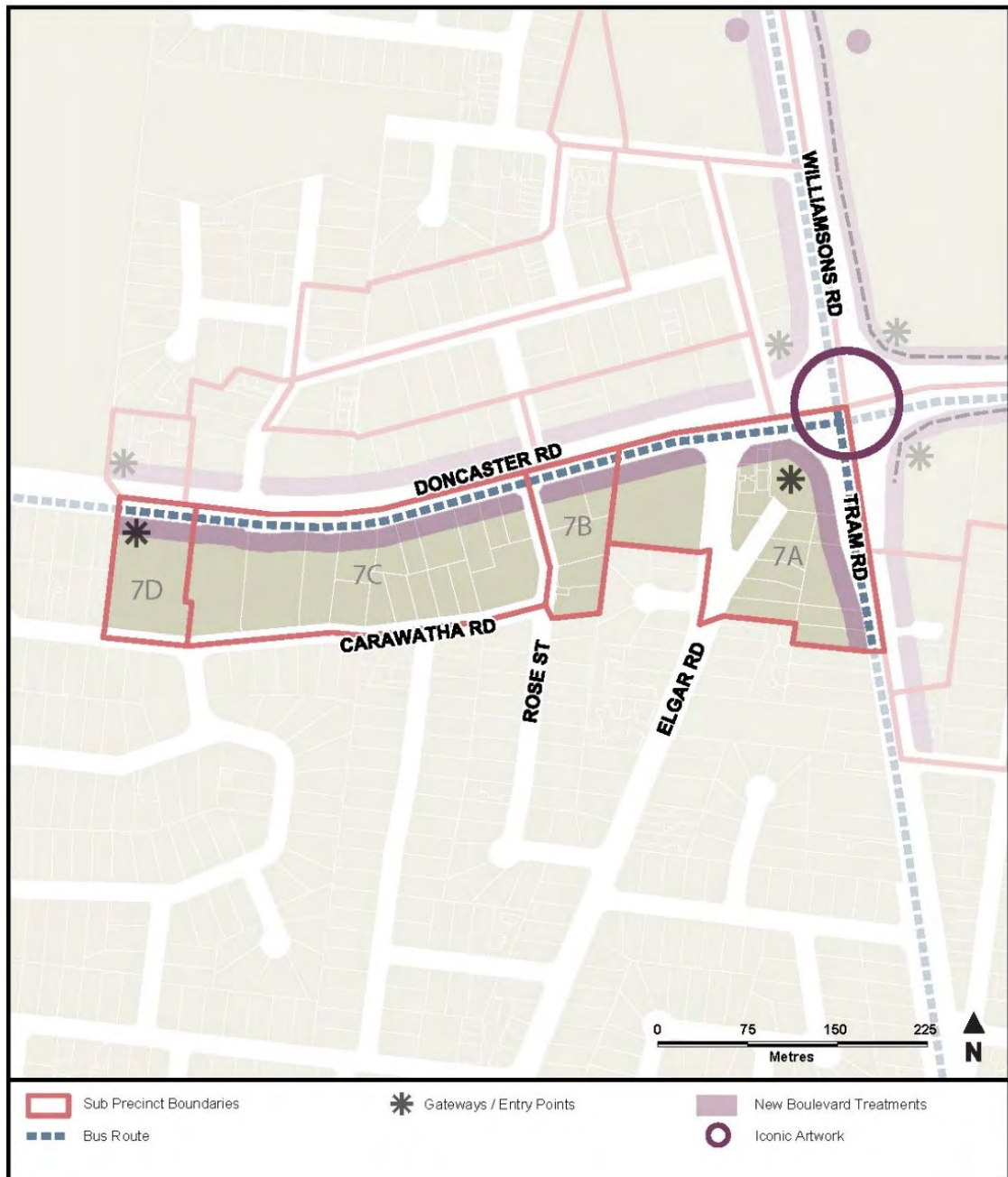
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Precinct 7: South West Doncaster Boulevard

5.7-1

Precinct map



5.7-2

Precinct objectives

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To create a vibrant and commercially viable mix of uses, generally on smaller allotments than is proposed for precincts located further east in Doncaster Hill.
- To ensure that the precinct has ready access to well designed public open space.
- To improve pedestrian access through this precinct to Doncaster Road from the residential land to the south.
- To create a landmark gateway building at the eastern and western ends of the precinct.

5.7-3 Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
7A	32.5m	6.5m above maximum height	5m to podium edge from front boundary 9m to tower edge from front boundary 4.5m from side boundaries 4.5m from rear boundary
7B	29m	4.3m above maximum height	5-10m to front podium edge from front boundary 6m to front tower edge from podium edge 4.5m from side boundaries 5m from rear boundary
7C	21.5m	None specified	5-10 to front podium edge from front boundary 8m to tower edge from podium edge 4.5m from side boundaries 5m from rear boundary
7D	18m	3.6m above maximum height	10m to podium edge from front boundary 8m to front tower edge from podium edge 4.5m from side boundaries 5m from rear boundary

5.7-4 Precinct guidelines

- Strengthen links between the precinct and existing nearby areas of open space.
- Significant vistas to the CBD skyline from Doncaster Road should be retained.
- Provide open space which offers well designed play opportunities to the south of the precinct.
- Support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Roads intersection at the eastern end of the precinct.

6.0 Application requirements

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In addition to the application requirements set out at Clause 37.08-7, an application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority. For the land in Precinct 4A (Westfield Doncaster), the application requirements set out below are to be read in conjunction with those in the Development Plan Overlay (Schedule 4), as appropriate:

- Sections of the proposed building at appropriate intervals.
- Sight-lines from balcony edges.
- A three-dimensional coloured artist’s impression showing the proposed development in the context of surrounding development.
- A traffic and car parking assessment that includes existing traffic details, parking allocation, traffic generation and distribution, impact of generated traffic on the existing road network, parking generation rates and traffic management from the development construction phase onwards.
- A Sustainability Management Plan (SMP).

- In Precinct 1, 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.

Sustainability Management Plan

A Sustainability Management Plan (SMP) must achieve the following to the satisfaction of the responsible authority:

- Address matters of building energy management, water sensitive urban design, construction materials, indoor environment quality, waste management, and transport.
- Demonstrate the application of Australian best practice rating tools and design principles, use of emerging technology, and a commitment to 'beyond compliance' throughout the construction period and subsequent operation of the development.
- Identify statutory obligations and documented sustainability performance standards from Government and other authorities.
- Specify key performance indicators, to an agreed level, to measure the achievement of objectives and initiatives identified in the Plan.
- Identify responsibilities and a schedule for both implementing and monitoring the Plan over time.

The individual components of the SMP should address:

- **Building Energy Management:**
 - The design of the building for energy efficiency (thermal envelope).
 - The use of energy saving technologies to further reduce demand.
 - The use of alternative energy sources, whether provided on-site or through the purchase of 'green energy'.
- **Water Sensitive Urban Design:**
 - An integrated water management plan that identifies opportunities for:
 - A reduction in demand for potable water through use of water conservation features and alternative sources of supply such as wastewater and stormwater.
 - A reduction in the volume of wastewater through water conservation and reuse.
 - An improvement in stormwater quality runoff and a reduction in peak flows through appropriate treatment and stormwater reuse.
- **Construction Materials:**
 - The use of building materials that minimise ecological or health impacts and greenhouse gases based on the type and volume of raw materials, water and energy consumed in their production.
 - The use of materials that can be expected to endure for the life of the development with minimal maintenance and can be recycled at the end of their useful life.
 - The reuse of recycled materials and the use of materials with recycled components.
 - The use of materials produced in Victoria or Australia.
 - The use of pre-fabricated, pre-cut and standardised components to reduce waste.

- Indoor Environment Quality:
 - The provision of airflow, fresh air intake, cross-ventilation, daylight, appropriate levels of lighting, views and direct access to outdoor areas.
 - The use of materials with low levels of toxic chemicals, minimal off-gassing and production of allergens and other internal air pollutants.
 - The exclusion of external pollutants (including odours) and the safe disposal of internally generated pollutants
 - The measures to reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
 - The use of flexible internal controls for these systems.
 - The measures to minimise noise levels and noise transfer within and between buildings and associated external areas.
 - The provision of an independent acoustics report detailing measures to minimise adverse impacts of noise levels and noise transfer within and between buildings.
- Waste Management:
 - An integrated plan for:
 - A reduction in the amount of waste delivered.
 - A reduction in the amount of waste to landfill.
 - Maximising recycling and composting opportunities.
 - Appropriately dealing with hazardous materials.
 - The provision of adequate private/communal space(s) for the collection of recyclable materials and waste.
- Quality of Public and Private Realm:
 - Design and development that conforms to the Australian Standard AS1428 Part 2 provisions for access and mobility.
 - Design and development that provides a high level of accessibility at the principal front entry for any residential development.
 - The provision of an independent access audit report detailing measures to conform with the Australian Standard AS1428 Part 2 provisions for access and mobility.
 - The provision of shared spaces that can accommodate varying functions and flexibility for future uses.
- Transport:
 - The provision of easily located 'after trip' facilities for bicycle users, joggers, etc.
 - Car parking that reduces energy consumption due to lighting and ventilation.
- Demolition and Construction
 - The protection of vegetation and other features to be retained and public assets.
 - Testing for and development of a management plan for contaminated or potentially contaminated sites.
 - The prevention of the unintended movement of building waste and hazardous materials and other pollutants on or off the site, whether by air, water or other means.

- The measures to minimise the amount of waste delivered; the recycling of demolition and waste materials; and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling).
- The measures to minimise noise and other amenity impacts from mechanical equipment and demolition/construction activities, especially outside of daytime hours.
- The measures to minimise interference with normal circulation and parking arrangements and any continuing use of outdoor areas.
- The measures for ensuring worker and public safety.
- A means for communicating construction arrangements to occupants of affected properties.
- The provision of adequate environmental awareness training for all on-site contractors and sub-contractors.

7.0

17/09/2009
VC59

Notice and review

An application to construct a building or construct or carry out works is not 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 in accordance with Clause 37.08-8 of the Activity Centre Zone.

8.0

27/05/2019
C126mann

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08-9, the responsible authority must consider, as appropriate:

Use

- Whether the proposal achieves an appropriate mix of uses within the site to complement and support the strategic role of Doncaster Hill Major Activity Centre.
- Whether the proposal provides for flexible non-residential floor spaces that can be adapted in the future to a variety of alternative non-residential uses.
- The contribution that the proposal made towards the achievement of residential population targets as set out in the *Doncaster Hill Strategy* (October 2002, Revised 2004) and as envisaged by this scheme.
- Whether the proposal will create a mix of active uses and pedestrian generating activities, particularly at street level, that contribute to a vibrant public realm.
- The contribution made towards the achievement of employment targets, including commercial and retail floor space forecasts as set out in the *Doncaster Hill Strategy* (October 2002, Revised 2004).
- Whether the proposal provides for an appropriate scale of development in order to accommodate the mix and intensity of uses envisaged for each precinct.

Design and built form

Whether the proposed development:

- Creates a strong visual interest by providing unique building types based on innovative, contemporary architecture, urban design and ecologically sustainable development principles.
- Is site responsive and achieves an appropriate scale with a stepping down in built form that responds to Doncaster Hill's natural topography.
- Incorporates side and rear setbacks to enhance pedestrian safety and amenity, and assists in the retention of view lines, penetration of sunlight and creation of landscape buffers.

- Ensures that any environmental wind effects to the adjoining and surrounding neighbourhood is minimised to the satisfaction of the responsible authority.
- Provides overhead weather protection features adjoining key pedestrian walkways and nodal points.
- Ensures dwelling balconies have an open space area of at least 8 square metres, and a minimum dimension of 1.6 metres.
- Complements, where relevant, the form, scale, materials, colour and lighting of a heritage place on the same or adjoining site.
- The objectives, standards and decision guidelines of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.
- Whether the design and siting of any sign/s satisfies the following design principles:
 - Signs should be integrated into the design of the building façade, preferably within the first 3 levels of the podium;
 - Signs should be of a size and height that is complementary to the built form of the building and surrounding landscape treatments;
 - Signs should be limited in number and incorporate limited detail other than is necessary to identify the building name and key tenants;
 - Signs should be consolidated in mixed use and commercial developments to avoid the visual clutter of signage and displays (eg. vehicles, products, promotional material and free standing signs).

Subdivision

- Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Schedule and does not result in the fragmentation of sites.

Access

Whether the proposed development:

- Incorporates provisions for pedestrians, cyclists and people with a disability demonstrating how access needs are accommodated.
- Integrates car parking requirements into the design of buildings and landform by encouraging the use of under-croft or basement parking and minimises the use of open lot/half basement/ground floor car parks at street frontage.
- Provides vehicular access to buildings fronting key boulevards off side streets or via rear access.
- Limits the number of vehicle crossings to each development.

9.0

23/05/2019
C104

Signs

Signs requiring a permit under Clause 52.05 must not be located within the 5 metre setback from the street frontage along Doncaster Road, Williamsons Road and Tram Road, except for the land in Precinct 4A (Westfield Doncaster) along Williamsons Road. For land in Precinct 4A (Westfield Doncaster) along Williamsons Road, guidance for the location and display of advertising signs will be detailed in a Development Plan prepared and approved pursuant to Schedule 4 of the Development Plan Overlay.

10.0

23/05/2019
C104

Other provisions of the scheme

None specified.

11.0

23/05/2019
C104

Background documents

*Doncaster Hill Strategy (Manningham City Council, October 2002, Revised 2004); and
Doncaster Hill Sustainability Guidelines (Manningham City Council, June 2004).*

40

19/01/2006
VC37

OVERLAYS

This section sets out the overlays which apply in this scheme.

41

31/07/2018
VC148

[NO CONTENT]

ENVIRONMENTAL AND LANDSCAPE OVERLAYS

42.01

31/07/2018
VC148

ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

42.01-1

31/07/2018
VC148

Environmental significance and objectives

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

42.01-2

31/07/2018
VC148

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.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
 - If a schedule to this overlay specifically states that a permit is not required.
 - If the table to Clause 42.01-3 specifically states that a permit is not required.
 - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. 	Clause 59.02

Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	
Subdivide land into 2 lots if:	Clause 59.02
<ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. ▪ The subdivision does not create a vacant lot. 	
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree.	Clause 59.06
Construct a building or construct or carry out works for:	Clause 59.05
<ul style="list-style-type: none"> ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. <p>The buildings and works must be associated with a dwelling.</p>	

42.01-3

24/01/2020
VC160

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: <ul style="list-style-type: none"> ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: <ul style="list-style-type: none"> ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either:

MANNINGHAM PLANNING SCHEME

The requirement to obtain a permit does not apply to:

	<ul style="list-style-type: none"> - Section 65 of the <i>Forests Act 1958</i>; or - Section 41 of the <i>Country Fire Authority Act 1958</i>. <ul style="list-style-type: none"> ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and mining	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>:</p> <ul style="list-style-type: none"> ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p> <p>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.</p>
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:

The requirement to obtain a permit does not apply to:	
	<ul style="list-style-type: none"> ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	<p>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p> <ul style="list-style-type: none"> ▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).

42.01-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.01-5

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.

27/05/2019
C126mann**SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO2.

SITES OF BIOLOGICAL SIGNIFICANCE**1.0**27/05/2019
C126mann**Statement of environmental significance**

The sites covered by this schedule have been assessed as being the most intact and significant areas of indigenous vegetation, within Manningham. They are classified into 35 Sites of Biological Significance (Biosites) and are identified as being of national, state or regional biological significance according to the background document *Manningham City Council Sites of (Biological) Significance Review* (2004). The Biosites support a diverse range of indigenous flora, fauna and ecological vegetation communities, many of which are rare or threatened.

The Biosites support the majority of Manningham's biodiversity and are known as Manningham's 'Core Conservation Areas'. Outside the Urban Growth Boundary (in the Green Wedge) Core Conservation Areas include those areas of land within 50m of major waterways that are known to act as important habitat corridors for the movement of fauna across the landscape and the pollination and propagation of plants. Areas of vegetation of the highest quality within the Core Conservation Areas have been identified, and are referred to as 'Critical Conservation Areas' (for their location refer to Map 1 within this schedule).

While at a State level some of the Ecological Vegetation Classes (EVCs) in the Core and Critical Conservation Areas may be adequately represented, in Manningham they are less secure and are threatened by a range of processes. These include vegetation clearance, fragmentation of bushland areas, overgrazing by stock, pest plant and animal invasion, changes in burning regimes, soil erosion and hydrological changes.

Appropriate management is required to conserve and enhance Manningham's biodiversity and these areas therefore require the highest level of protection. Built form is subordinate to the landscape and these areas need to be properly managed to ensure that they are protected and where possible enhanced.

Background documents

Manningham City Council Sites of (Biological) Significance Review (2004).

Development Guide for Areas of Environmental and Landscape Significance (2011).

Wildlife Movement and Habitat Needs in Manningham (2009).

Locally Threatened Plants in Manningham (2010).

2.027/05/2019
C126mann**Environmental objective to be achieved**

To protect and enhance the ecological values of Critical and Core Conservation Areas.

To discourage development, particularly vegetation removal, within Critical Conservation Areas.

To encourage the location of development within those areas that are the most degraded and devoid of Victorian native vegetation.

To encourage development that is compatible with the conservation and protection of the ecological values of the area.

To encourage development that is in keeping with the bushland character of the area and is sympathetic to the existing built form.

To ensure that development responds to the area's environmental and landscape characteristics, including topography and waterways.

To minimise earthworks.

To ensure that the subdivision of land does not have a detrimental impact on the ecological integrity of Critical and Core Conservation Areas.

To achieve an improvement in the extent and quality of Victorian native vegetation, consistent with the goal of Net Gain as set out in the background document *Victoria's Native Vegetation Management – A Framework for Action* (Department of Natural Resources and Environment, 2002) by:

- Avoiding the removal of Victorian native vegetation.
- Minimising the removal of Victorian native vegetation, if the removal of the Victorian native vegetation cannot be avoided, through appropriate planning and design.
- Appropriately offsetting the loss of Victorian native vegetation.

To conserve and where possible enhance habitat for flora and fauna species recognised as threatened at the municipal, regional, state or federal level.

To retain Victorian native vegetation and ensure the long term, sustainable management of land.

To protect natural resources, waterways, ecological processes, genetic diversity and ecosystem services.

To protect and enhance habitat corridors and ecological stepping-stones.

3.0

21/02/2013
C54

Permit requirement

Buildings and works

A permit is required to construct a building or construct or carry out works specified in Clause 62.02-2 of this scheme. A permit is not required for:

- A fence, provided that it is one of the following:
 - Post and wire construction less than 1.2 metres in height.
 - A rabbit control fence less than 1.2 metres in height to the satisfaction of the responsible authority.
- 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.
- Domestic services normal to a dwelling provided that:
 - Works are not carried out within the dripline of any vegetation requiring a permit for removal.
 - No fill is imported onto the land.
 - The earth is returned to natural ground level at the completion of the works.
 - Any excavated material not used for backfilling is removed from the land at the completion of the works.
- Domestic rainwater tanks with a total capacity of not more than 25000 litres provided that:
 - Works are not carried out within the dripline of any vegetation requiring a permit for its removal.
 - The tank is non-reflective.
 - Any earthworks associated with the construction of a tank are no more than 1 metre in height or depth.
 - No fill is imported onto the land.

- Any excavated material not used for backfilling is removed from the land at the completion of the works.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.

A permit is not required for the minimum extent of earthworks necessary to remove warrens for the purpose of vermin control provided the works area is reinstated back to natural ground level and no vegetation requiring a permit for its removal is removed or destroyed.

Vegetation

A permit is only required to remove, destroy or lop:

- Victorian native vegetation.
- A dead eucalypt tree that is both:
 - More than 20 metres from a building (excluding fences) to the base of the trunk.
 - More than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation except for dead eucalypt trees as specified above.
- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian Native vegetation means '*Plants that are indigenous to Victoria , including trees, shrubs, herbs and grasses*'.

4.0

27/05/2019
C126mann

Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

All applications

All applications for properties greater than 0.4 hectare in area must be accompanied by a land management plan, to the satisfaction of the responsible authority, unless in the opinion of the responsible authority the proposed buildings and works are minor and will not impact on the environmental values of the site. The land management plan must be prepared in accordance with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011) and include a schedule of works for the timing and implementation of the plan.

Buildings and works

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

- A site analysis as described in the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011) with a written statement as to how the proposal responds to the site analysis.
- A site plan (drawn to scale) including:
 - Dimensions of any existing building envelope with setbacks to all boundaries.
 - The setbacks of buildings and works to all boundaries.
 - The location, extent and type of vegetation on the site.

MANNINGHAM PLANNING SCHEME

- Accurate and detailed existing and proposed finished site levels.
- The location, proposed gradient and finished level at the top and toe of all batters.
- Cross sections to illustrate the extent of cut and fill.
- Details of retaining walls including height, materials and if required drainage.
- The location, gradient and camber of driveways and any associated earthworks.
- The location, type and size of any effluent disposal system including any effluent envelope.
- The location of any easements.
- The location, depth and width of proposed underground services and trenches.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plans including finished floor levels.
- The proposed external building finishes and colours.
- Demonstration that adverse environmental impacts will be avoided, or where they cannot be avoided, minimised, so that the biological integrity of the area is conserved and protected. This includes avoiding or minimising the likely impact of any proposed subdivision and possible future development of the lots, including:
 - Removal of Victorian native vegetation.
 - Earthworks.
 - Changes to the hydrology and drainage pattern.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Subdivision

An application to subdivide land must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis.
- A site plan (drawn to scale) including:
 - Contours of the land.
 - A dimensioned building envelope with setbacks to all boundaries.
 - A dimensioned effluent envelope, as appropriate, with setbacks to all boundaries.
 - The setbacks of existing buildings to all boundaries.
 - The location, extent and type of Victorian native vegetation on the site.
 - The location, gradient and camber of any existing or proposed driveways and any associated earthworks.
 - The location of any existing or proposed easements.
 - The location, depth and width of proposed underground services and trenches.

- Demonstration that adverse environmental impacts will be avoided, or where they cannot be avoided, minimised, so that the biological integrity of the area is conserved and protected. This includes avoiding or minimising the likely impact of the proposed subdivision and possible future development of the lots, including impacts resulting from:
 - Removal of vegetation.
 - Earthworks.
 - Changes to the hydrology and drainage pattern.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation and vegetation protection measures, as appropriate.

Vegetation

An application to remove, destroy or lop Victorian native vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority, including:

A net gain assessment including:

- A site plan (drawn to scale) showing:
 - The boundaries of the site.
 - The location and extent of vegetation.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
 - The location of any buildings and any other structures on the site.
- A description of the vegetation to be removed, including:
 - The reason for the vegetation removal.
 - The species of Victorian native vegetation.
 - The species, number and size of trees over 10cm DBH. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - The Ecological Vegetation Class (EVC) and conservation status of the vegetation.
- A written explanation of the steps that have been taken to avoid, minimise and offset the loss of Victorian native vegetation.
- An offset plan including implementation details and long-term management and protection measures.
- A description of any fauna species that are rare or threatened at the local, regional, state or national level, that have been recorded within 1.5 kilometres of the site or which are known to be or likely to be present at the site including:
 - The conservation status of each species.
 - An assessment of the likelihood that the site provides habitat for each species and the impact of the proposal on the habitat of each species.
 - Actions to avoid and minimise adverse impacts.

A fauna survey including active searching is required where either of the following apply:

- Vegetation removal or destruction exceeds an area of 1000 square metres.
- Species that are rare or threatened at the local, regional, state or national level are known or likely to be present at the site.

An arborist’s assessment of any trees which are proposed to be removed for safety reasons.

5.0

21/02/2013
C54

Referral of applications

An application to subdivide land or remove, destroy or lop Victorian native vegetation must be referred to the referral authority specified in Clause 66.04 or a schedule to that Clause 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 referral authority.

6.0

27/05/2019
C126mann

Decision guidelines

Before deciding on an application to subdivide land, construct a building, construct or carry out works, or remove, destroy or lop vegetation, the responsible authority must consider as appropriate:

- Whether the removal of Victorian native vegetation has been avoided, or where this is not possible, whether adverse impacts have been minimised.
- Whether the loss of Victorian native vegetation will be offset and whether long term protection will be provided for the offsets.
- Whether the proposed development has been located to avoid impacts on:
 - Critical Conservation Areas.
 - Areas where offsets for previous development have been provided.
- The type, extent, quality and conservation significance of any Victorian native vegetation and the results of any flora and fauna survey.
- The likely impact of the proposal on species of flora or fauna which are threatened at the municipal, regional, state or federal level and the extent to which provisions are made to negate, minimise or manage those impacts.
- Whether the design and siting of buildings or other development minimises the environmental impacts on:
 - Native fauna.
 - Waterway health, wetland condition and water quality.
 - Site run-off and soil erosion.
 - Habitat corridors or ecological stepping-stones.
 - Any adjacent public open space.
- The extent to which the application complies with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Whether building design and siting is in keeping with the bushland character of the area and whether external building finishes and colours are non-reflective and blend with the natural environment.

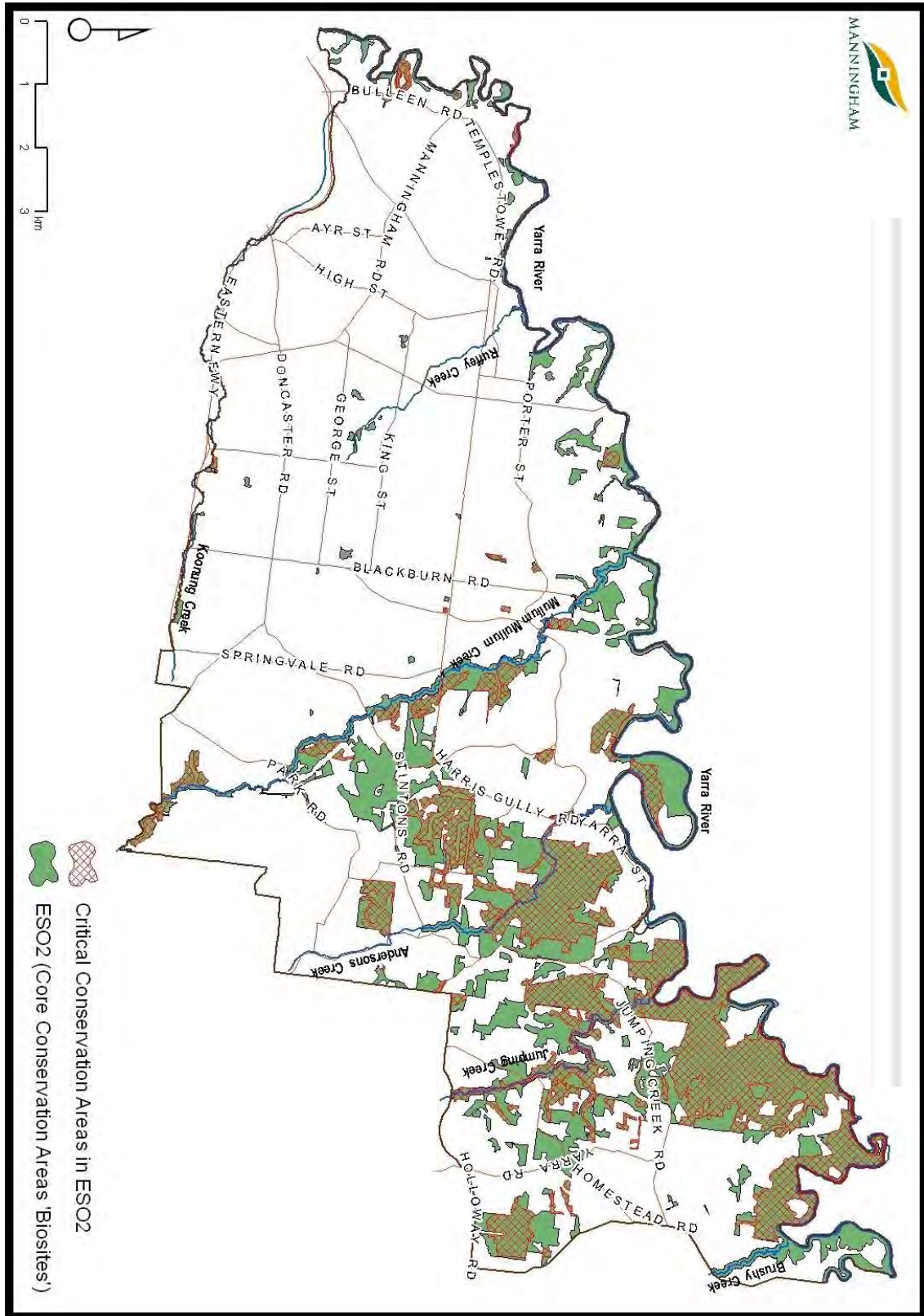
TABLE TO SCHEDULE 2: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation

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Common name	Species	Status
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

Map 1 to Schedule 2 to Clause 42.01



27/05/2019
C126mann**SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO3.

BUFFER CONSERVATION AREAS SUPPORTING SITES OF BIOLOGICAL SIGNIFICANCE**1.0**27/05/2019
C126mann**Statement of environmental significance**

The sites covered by this schedule have been assessed as being either Buffer Habitat (background document *Manningham City Council Sites of (Biological) Significance Review* (2004)) or other land with environmental and/or landscape values that supports Core Conservation and Buffer Habitat areas. These areas are known as Buffer Conservation Areas.

Core Conservation Areas (Biosites) are the most intact and significant areas of indigenous vegetation, within Manningham and contain the majority of Manningham's biodiversity assets. Buffer Conservation Areas whilst usually more modified from their presumed 'natural' condition than Core Conservation Areas, nevertheless have environmental values in their own right, as well as providing additional (usually adjacent) habitat that supports the ecological integrity and function of Core Conservation Areas. In Buffer Conservation Areas, indigenous vegetation provides the best habitat for indigenous flora and fauna, however large planted trees that are native to Australia also play a supporting role.

The values of Buffer Conservation (and Core Conservation) Areas are under threat due to a number of factors including vegetation clearance, fragmentation of bushland areas, overgrazing by stock, pest plant and animal invasion, changes in burning regimes, soil erosion and hydrological changes.

Without continued conservation and enhancement, the environmental values of Buffer Conservation Areas will continue to decline and the ecological values of adjacent or nearby Core Conservation Areas may be threatened. Appropriate management is required to ensure ecological values are protected and improved.

Development should be located in those areas that are the least intact or devoid of vegetation to minimise detrimental impacts on identified environmental values. Built form is subordinate to the landscape and these areas need to be properly managed to ensure that the distinctive features are protected and enhanced.

Background documents

Manningham City Council Sites of (Biological) Significance Review (2004).

Development Guide for Areas of Environmental and Landscape Significance (2011).

Wildlife Movement and Habitat Needs in Manningham (2009).

Locally Threatened Plants in Manningham (2010).

2.027/05/2019
C126mann**Environmental objective to be achieved**

To protect and enhance the ecological values of Buffer Conservation Areas.

To protect the ecological values of Critical and Core Conservation Areas.

To encourage the location of development within those areas that are the most degraded and devoid of native vegetation.

To encourage development that is in keeping with the semi-rural character of the area and is sympathetic to the existing built form.

To ensure that development responds to the area's environmental and landscape characteristics, including topography and waterways.

To minimise earthworks.

To ensure subdivision of land does not lead to a decline in the ecological integrity and environmental values of Buffer Conservation Areas and the adjacent Critical and Core Conservation Areas.

To achieve an improvement in the extent and quality of Victorian native vegetation, consistent with the goal of Net Gain as set out in the background document *Victoria's Native Vegetation Management – A Framework for Action* (Department of Natural Resources and Environment, 2002) by:

- Avoiding the removal of Victorian native vegetation.
- Minimising the removal of Victorian native vegetation, if the removal of the Victorian native vegetation cannot be avoided, through appropriate planning and design.
- Appropriately offsetting the loss of Victorian native vegetation.

To conserve and where possible enhance habitat for flora and fauna species recognised as threatened at the municipal, regional, state or federal level.

To retain Australian native trees for their habitat value and landscape contribution.

To protect natural resources, ecological processes, genetic diversity and ecosystem services.

To protect and enhance habitat corridors and ecological stepping-stones.

3.0

21/02/2013
C54

Permit requirement

Buildings and works

A permit is required to construct a building or construct or carry out works specified in Clause 62.02-2 of this scheme. A permit is not required for:

- A fence, provided that it is one of the following:
 - Post and wire construction less than 1.2 metres in height.
 - A rabbit control fence less than 1.2 metres in height to the satisfaction of the responsible authority.
- Construction of a dwelling provided that no part of the building is more than 8 metres above the natural surface level of the ground directly below that part and;
 - it is an upper level extension or alteration to an existing dwelling, that does not increase the building footprint.
 - the gross floor area of an extension or alteration to an existing dwelling (other than the erection of an outbuilding normal to a dwelling) which increases the building footprint but does not exceed 50 square metres, and the extension or alteration is more than 2 metres from the dripline of any vegetation requiring a permit for its removal.
 - the gross floor area of the erection of an outbuilding normal to a dwelling is less than 50 square metres and is situated more than 2 metres from the dripline of any vegetation requiring a permit for its removal.
- The gross floor area of the erection of a shed associated with a rural use is less than 50 square metres and is situated more than 2 metres from the dripline of any native vegetation.
- 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.
- Domestic services normal to a dwelling provided that:
 - Works are not carried out within the dripline of any vegetation requiring a permit for its removal.
 - No fill is imported onto the land.
 - The earth is returned to natural ground level at the completion of the works.

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- Any excavated material not used for backfilling is removed from the land at the completion of the works.
- Domestic rainwater tank(s) with a total capacity of not more than 25000 litres provided that works are not carried out within the dripline of any vegetation requiring a permit for its removal and the tank(s) is (are) non-reflective.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- Any earthworks where all of the following apply:
 - the cut is less than 1 metre in depth.
 - works are undertaken at a distance more than 2 metres from the dripline of any vegetation requiring a permit for its removal.
 - works are undertaken at a distance of more than 30 metres from a waterway or drainage line.
 - no fill is imported onto the land.
 - the amount of soil removed is less than 50 cubic metres.
 - the works do not exceed 100 square metres in area.
 - the site where excavation works are occurring has a slope of less than 20 per cent.

A permit is not required for the minimum extent of earthworks necessary to remove warrens for the purpose of vermin control provided the works area is reinstated back to natural ground level and no vegetation requiring a permit for its removal is removed or destroyed.

Vegetation

A permit is only required to remove, destroy or lop:

- Victorian native vegetation.
- An Australian native tree that has either:
 - A trunk circumference of more than 0.35 metre measured at a height of 1.3 metres above natural ground level.
 - A height of more than 6 metres.
- A dead eucalypt tree that is both:
 - More than 20 metres from a building (excluding fences) to the base of the trunk.
 - Greater than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation except for dead eucalypt trees as specified above.
- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian native vegetation means '*Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses*'.

The term Australian native tree(s) means '*Tree(s) that are indigenous to Australia (other than Victorian Native Vegetation)*'.

4.027/05/2019
C126mann**Application requirements**

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

All applications

All applications for properties greater than 0.4 hectare in area must be accompanied by a land management plan, to the satisfaction of the responsible authority, unless in the opinion of the responsible authority the proposed buildings and works are minor and will not impact on the environmental values of the site. The land management plan must be prepared in accordance with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011) and include a schedule of works for the timing and implementation of the plan.

Buildings and works

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

- A site analysis as described in the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011) with a written statement as to how the proposal responds to the site analysis.
- A site plan (drawn to scale) including:
 - Dimensions of any existing building envelope with setbacks to all boundaries.
 - The setbacks of buildings and works to all boundaries.
 - The location, extent and type of vegetation on the site.
 - Accurate and detailed existing and proposed finished site levels.
 - The location, proposed gradient and finished level at the top and toe of all batters.
 - Cross sections to illustrate the extent of cut and fill.
 - Details of retaining walls including height, materials and if required, drainage.
 - The location, gradient and camber of driveways and any associated earthworks.
 - The location, type and size of any effluent disposal system including any effluent envelope.
 - The location of any easements.
 - The location, depth and width of proposed underground services and trenches.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plan including finished floor levels.
- The proposed external building finishes and colours.
- Demonstration that adverse environmental impacts will be avoided, or where they cannot be avoided, minimised, so that the biological integrity of the area is conserved and protected. This includes avoiding or minimising the likely impact of any proposed subdivision and possible future development of the lots, including:
 - Removal of vegetation.
 - Earthworks.
 - Changes to the hydrology and drainage pattern.

- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Subdivision

An application to subdivide land must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis.
- A site plan (drawn to scale) including:
 - Contours of the land.
 - A dimensioned building envelope with setbacks to all boundaries.
 - A dimensioned effluent envelope, as appropriate, with setbacks to all boundaries.
 - The setbacks of existing buildings to all boundaries.
 - The location, extent and type of vegetation on the site.
 - The location, gradient and camber of any existing or proposed driveways and any associated earthworks.
 - The location of any existing or proposed easements.
 - The location, depth and width of proposed underground services and trenches.
- Demonstration that adverse environmental impacts will be avoided, or where they cannot be avoided, minimised, so that the biological integrity of the area is conserved and protected. This includes avoiding or minimising the likely impact of the proposed subdivision and possible future development of the lots, including impacts resulting from:
 - Removal of vegetation.
 - Earthworks.
 - Changes to the hydrology and drainage pattern.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation and vegetation protection measures, as appropriate.

Vegetation

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority including:

For Victorian native vegetation, a Net Gain assessment including:

- A site plan (drawn to scale) showing:
 - The boundaries of the site.
 - The location and extent of vegetation.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
 - The location of any buildings and any other structures on the site.
- A description of the vegetation to be removed, including:
 - The reason for the vegetation removal.
 - The species of vegetation.

- The species, number and size of trees over 10cm DBH. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
- The Ecological Vegetation Class (EVC) and conservation status of the vegetation.
- A written explanation of the steps that have been taken to avoid, minimise and offset the loss of Victorian native vegetation.
- An offset plan including implementation details and long-term management and protection measures.
- A description of any fauna species that are rare or threatened at the local, regional, state or national level, that have been recorded within 1.5 kilometres of the site or which are known to be or likely to be present at the site including:
 - The conservation status of each species.
 - An assessment of the likelihood that the site provides habitat for each species and the impact of the proposal on the habitat of each species.
 - Actions to avoid and minimise adverse impacts.

A fauna survey including active searching is required where either of the following apply:

- Victorian Native Vegetation removal or destruction exceeds an area of 1000 square metres.
- Species that are rare or threatened at the local, regional, state or national level are known or likely to be present at the site.

An arborist's assessment of any trees which are proposed to be removed for safety reasons.

For Australian native trees (other than Victorian native vegetation):

- A site plan (drawn to scale) showing:
 - The location and species of the tree(s).
 - The boundaries of the site.
 - Topographic information, including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
- A description of the tree(s) to be removed, including:
 - The reason for the tree removal.
 - The species, number and size of the tree(s), provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - Any proposed replanting.
- An arborist's assessment of any trees which are proposed to be removed for safety reasons.

5.0

27/05/2019
C126mann

Decision guidelines

Before deciding on an application to subdivide land, construct a building, construct or carry out works, or remove, destroy or lop vegetation, the responsible authority must consider as appropriate:

- Whether the removal of Victorian native vegetation has been avoided, or where this is not possible, whether adverse impacts have been minimised.
- Whether the loss of Victorian native vegetation will be offset and whether long term protection will be provided for the offsets.
- The extent to which the proposal will impact on the ecological values and function of Buffer Conservation Areas.

MANNINGHAM PLANNING SCHEME

- The extent to which the proposal will impact on the ecological values and function of any nearby or adjacent Biosites.
- Whether the proposed development has been located to avoid impacts on areas where offsets for previous development have been provided.
- The extent to which the removal of vegetation will contribute to the fragmentation and isolation of existing flora and fauna habitat.
- The likely impact of the proposal on species of flora or fauna which are threatened at the municipal, regional, state or federal level and the extent to which provisions are made to negate, minimise or manage those impacts.
- The role of Australian native trees in providing habitat and landscape value.
- Whether replacement planting with indigenous vegetation is proposed for the removal of any Australian native trees (other than Victorian native vegetation).
- Whether the design and siting of buildings or other development minimises the environmental impacts on:
 - Native fauna.
 - Waterway health, wetland condition and water quality.
 - Site run-off and soil erosion.
 - Habitat corridors or ecological stepping-stones.
 - Any adjacent public open space.
- The extent to which the application complies with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Whether building design and siting is in keeping with the bushland character of the area and whether external building finishes and colours are non-reflective and blend with the natural environment.

TABLE TO SCHEDULE 3: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree

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Common name	Species	Status
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

27/05/2019
C126mann**SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO4.

SITES OF BIOLOGICAL SIGNIFICANCE AND BUFFER CONSERVATION AREAS IN LOW DENSITY RESIDENTIAL AREAS**1.0**27/05/2019
C126mann**Statement of environmental significance**

The sites covered by this schedule comprise those Core and Buffer Conservation Areas that are located within the Low Density Residential Zone. The background document *Manningham City Council Sites of (Biological) Significance Review (2004)* assessed vegetation throughout Manningham and identified areas of 'Core Habitat' (known as 'Biosites' or 'Core Conservation Areas') and areas of 'Buffer Habitat' (known as Buffer Conservation Areas).

Core Conservation Areas (Biosites) are the most intact and significant areas of indigenous vegetation within Manningham and contain the majority of Manningham's biodiversity assets. They have been assessed as being of national, state or regional biological significance. Buffer Conservation Areas whilst usually more modified from their presumed 'natural' condition than Core Conservation Areas, nevertheless have environmental values in their own right, as well as providing additional (usually adjacent) habitat that supports the ecological integrity and function of Core Conservation Areas.

Whilst the indigenous vegetation in Core and Buffer Conservation Areas provides the best habitat for indigenous flora and fauna, large planted trees that are native to Australia can also play a supporting role and contribute to landscape amenity. Large exotic trees also provide landscape value and contribute to a 'sense of place'.

These areas are diverse in terms of topography, vegetation cover, road treatment, built form and site layout. The topography ranges from gently undulating land to steep slopes, prominent ridgelines and deep gullies. Key elements include the natural character, indigenous vegetation and tree cover, panoramic views and watercourses.

The values of these areas are under threat due to a number of factors including vegetation loss, fragmentation of bushland areas, smaller size lots resulting in denser development, pest plant and animal invasion, soil erosion and hydrological changes. Some development has been unsympathetic to these issues, the result being vegetation loss, extensive earthworks and subdivision layouts that do not retain vegetation or follow natural contours.

The environmental and landscape values of these areas need to be properly managed to ensure that their distinctive features are protected and enhanced. Built form should seek to be subordinate to the landscape and avoid the loss of canopy trees and other significant vegetation.

Background documents

Manningham City Council Sites of (Biological) Significance Review (2004).

Development Guide for Areas of Environmental and Landscape Significance (2011).

Wildlife Movement and Habitat Needs in Manningham (2009).

Locally Threatened Plants in Manningham (2010).

2.027/05/2019
C126mann**Environmental objective to be achieved**

To protect and enhance the ecological values of Core and Buffer Conservation Areas.

To encourage the location of development within those areas that are the most degraded and devoid of Victorian native vegetation.

To encourage development that is in keeping with the vegetated character of the area and is sympathetic to the existing built form.

To ensure that development responds to the area's environmental and landscape characteristics, including topography and waterways.

To minimise the visual impact of development.

To minimise earthworks.

To minimise site run-off and soil erosion to maintain water quality.

To ensure subdivision of land does not have a detrimental impact on the ecological integrity of Core Conservation Areas and Buffer Conservation Areas.

To achieve an improvement in the extent and quality of Victorian native vegetation, consistent with the goal of Net Gain as set out in the background document *Victoria's Native Vegetation Management – A Framework for Action* (Department of Natural Resources and Environment, 2002) by:

- Avoiding the removal of Victorian native vegetation.
- Minimising the removal of Victorian native vegetation, if the removal of the Victorian native vegetation cannot be avoided, through appropriate planning and design.
- Appropriately offsetting the loss of Victorian native vegetation.

To conserve and where possible enhance habitat for flora and fauna species recognised as threatened at the municipal, regional, state or federal level.

To protect natural resources, ecological processes, genetic diversity and ecosystem services.

To protect and enhance habitat corridors and ecological stepping-stones.

To ensure screening shrubs and large canopy trees are provided along the boundaries of any development.

To maintain the treed character of residential areas.

To retain Australian native trees for their habitat value and landscape contribution.

3.0

21/02/2013
C54

Permit requirement

Buildings and works

A permit is not required to construct a dwelling provided:

- The site coverage of the building does not exceed 15 percent when combined with the area of any existing buildings on the land.
- No part of the building is more than 8 metres in height above the natural surface level of the ground directly below that part.
- No part of the building is closer than 5 metres to a side or rear boundary not abutting a road.
- No part of the building is closer than 10 metres to any boundary abutting a road.
- The external building finishes and colours are non-reflective and blend with the natural landscape to the satisfaction of the responsible authority.
- Any outbuilding has an area of less than 50 square metres.
- A permit is not required for a domestic rainwater tank(s) with a total capacity of not more than 10,000 litres provided that works are not carried out within the dripline of any vegetation requiring a permit for its removal and the tank(s) is (are) non-reflective.
- A permit is not required to construct or carry out works associated with the construction of a dwelling provided:
 - The works do not exceed 1 metre in height or depth above or below natural ground level.

- That no works are carried out within the dripline of any vegetation requiring a permit for its removal.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

A permit is not required for the minimum extent of earthworks necessary to remove warrens for the purpose of vermin control provided the works area is reinstated back to natural ground level and no vegetation requiring a permit for its removal is removed or destroyed.

Vegetation

A permit is only required to remove, destroy or lop:

- Victorian native vegetation.
- An Exotic or Australian native tree that has either:
 - A trunk circumference of more than 0.35 metre measured at a height of 1.3 metres above natural ground level.
 - A height of more than 6 metres.
- A dead eucalypt tree that is both:
 - More than 20 metres from a building (excluding fences) to the base of the trunk.
 - Greater than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation except for dead eucalypt trees as specified above.
- The pruning of an Exotic or Australian native tree for regeneration or ornamental shaping.
- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian native vegetation means ‘Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses’.

The term Australian native tree(s) means ‘Tree(s) that are indigenous to Australia (other than Victorian Native Vegetation)’.

The term Exotic tree(s) means ‘Tree(s) that are not indigenous to Australia’.

4.0

27/05/2019
C126mann

Application Requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

All applications

All applications for properties greater than 0.4 hectare in area must be accompanied by a land management plan, to the satisfaction of the responsible authority, unless in the opinion of the responsible authority the proposed buildings and works are minor and will not impact on the environmental values of the site. The land management plan must be prepared in accordance with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011) and include a schedule of works for the timing and implementation of the plan.

Buildings and works

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

- A site analysis as described in the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011) with a written statement as to how the proposal responds to the site analysis.
- A site plan (drawn to scale) including:
 - Dimensions of any existing building envelope with setbacks to all boundaries.
 - The setbacks of buildings and works to all boundaries.
 - The location, extent and type of vegetation on the site.
 - Accurate and detailed existing and proposed finished site levels.
 - The location, proposed gradient and finished level at the top and toe of all batters.
 - Cross sections to illustrate the extent of cut and fill.
 - Details of retaining walls including height, materials and if required, drainage.
 - The location, gradient and camber of driveways and any associated earthworks.
 - The location, type and size of any effluent disposal system including any effluent envelope.
 - The location of any easements.
 - The location, depth and width of proposed underground services and trenches.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plan including finished floor levels.
- The proposed external building finishes and colours.
- Demonstration that adverse environmental impacts will be avoided, or where they cannot be avoided, minimised, so that the ecological integrity of the area is conserved and protected. This includes avoiding or minimising the likely impact of any proposed subdivision and possible future development of the lots, including:
 - Removal of vegetation.
 - Earthworks.
 - Changes to the hydrology and drainage pattern.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Subdivision

An application to subdivide land must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis.
- A site plan (drawn to scale) including:
 - Contours of the land.
 - A dimensioned building envelope with setbacks to all boundaries.

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- A dimensioned effluent envelope, as appropriate, with setbacks to all boundaries.
- The setbacks of existing buildings to all boundaries.
- The location, extent and type of vegetation on the site.
- The location, gradient and camber of any existing or proposed driveways and any associated earthworks.
- The location of any existing or proposed easements.
- The location, depth and width of proposed underground services and trenches.
- Demonstration that adverse environmental impacts will be avoided, or where they cannot be avoided, minimised, so that the ecological integrity of the area is conserved and protected. This includes avoiding or minimising the likely impact of the proposed subdivision and possible future development of the lots, including impacts resulting from:
 - Removal of vegetation.
 - Earthworks.
 - Changes to the hydrology and drainage pattern.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation and vegetation protection measures, as appropriate.

Vegetation

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority, including:

For Victorian native vegetation, a Net Gain assessment, including:

- A site plan (drawn to scale) showing:
 - The boundaries of the site.
 - The location, extent and type of all vegetation.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
 - The location of any buildings and any other structures on the site.
- A description of the vegetation to be removed, including:
 - The reason for the vegetation removal.
 - The species of vegetation.
 - The species, number and size of trees over 10cm DBH. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - The Ecological Vegetation Class (EVC) and conservation status of the vegetation.
- A written explanation of the steps that have been taken to avoid, minimise and offset the loss of Victorian native vegetation.
- An offset plan including implementation details and long-term management and protection measures.
- A description of any fauna species that are rare or threatened at the local, regional, state or national level, that have been recorded within 1.5 kilometres of the site or which are known to be or likely to be present at the site including:

- The conservation status of each species.
- An assessment of the likelihood that the site provides habitat for each species and the impact of the proposal on the habitat of each species.
- Actions to avoid and minimise adverse impacts.

A fauna survey including active searching is required where either of the following apply:

- Vegetation removal or destruction exceeds an area of 1000 square metres.
- Species that are rare or threatened at the local, regional, state or national level are known or likely to be present at the site.

An arborist's assessment of any trees which are proposed to be removed for safety reasons.

For exotic trees and Australian native trees (other than Victorian native vegetation):

- A site plan (drawn to scale) showing:
 - The location and species of the trees.
 - The boundaries of the site.
 - Topographic information including ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas and areas of existing erosion.
- A description of the trees to be removed, including:
 - The reason for the tree removal.
 - The species, number and size of the trees, provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - Any proposed replanting.
- An arborist's assessment of any trees which are proposed to be removed for safety reasons.

5.0

27/05/2019
C126mann

Decision guidelines

- Before deciding on an application to subdivide land, construct a building, construct or carry out works, or remove, destroy or lop vegetation, the responsible authority must consider as appropriate:
- Whether the removal of Victorian native vegetation has been avoided, or where this is not possible, whether adverse impacts have been minimised.
- Whether the loss of Victorian native vegetation has been offset and whether long term protection will be provided for offsets.
- Whether the proposed development has been located to avoid impacts on areas where offsets for previous development have been provided.
- The likely impact of the proposal on species of flora or fauna which are threatened at the municipal, regional, state or federal level and the extent to which provisions are made to negate, minimise or manage those impacts.
- The extent to which the removal of Victorian native vegetation will contribute to the fragmentation and isolation of existing flora and fauna habitat.
- The role of Australian native and exotic trees in providing habitat and landscape value.
- Whether replacement planting is proposed for the removal of any trees that are not Victorian native vegetation.
- Whether the design and siting of buildings or other development minimises environmental impacts on:

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- Native fauna.
 - Waterway health, wetland condition and water quality.
 - Site run-off and soil erosion.
 - Habitat corridors or ecological stepping-stones.
 - Any adjacent public open space.
- The extent to which the application complies with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011).
 - Whether building setbacks are adequate to maintain and enhance landscaping.
 - Whether exterior building finishes and colours are non-reflective and blend with the natural environment.

TABLE TO SCHEDULE 4: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Box Elder	<i>Acer negundo</i>	Exotic Tree
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cherry Laurel	<i>Prunus laurocerasus</i>	Exotic Tree
Cherry Plum	<i>Prunus cerasifera</i>	Exotic Tree
Cluster Pine or Maritime Pine	<i>Pinus pinaster</i>	Exotic Pine Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Cotoneasters	<i>Cotoneaster species</i>	Exotic Tree
Desert Ash	<i>Fraxinus angustifolia subsp. angustifolia</i>	Exotic Tree
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Hawthorn	<i>Crataegus monogyna</i>	Exotic Tree
Holly	<i>Ilex aquifolium</i>	Exotic Tree
Irish Strawberry Tree	<i>Arbutus unedo</i>	Exotic Tree
Large-leafed (or Tree) Privet	<i>Ligustrum lucidum (Ligustrum japonicum)</i>	Exotic Tree
Laurustinus	<i>Viburnum tinus</i>	Exotic Tree
Loquat	<i>Eriobotrya japonica</i>	Exotic Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Radiata Pine or Monterey Pine	<i>Pinus radiata</i>	Exotic Pine Tree
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation

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Common name	Species	Status
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
Sycamore Maple	<i>Acer pseudoplatanus</i>	Exotic Tree
Tagasaste or Tree Lucerne	<i>Chamaecytisus/(Cytisus) palmensis</i>	Exotic Tree
Tobacco-bush or Wild Tobacco Tree	<i>Solanum mauritianum</i>	Exotic Tree
Tree Locust	<i>Robinia pseudoacacia</i>	Exotic Tree
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree
Willows and Sallows	<i>Salix species</i>	Exotic Tree
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

27/05/2019
C126mann**SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO5.

ENVIRONMENTALLY SIGNIFICANT URBAN AREAS**1.0**27/05/2019
C126mann**Statement of environmental significance**

The properties covered by this schedule comprise those Core and Buffer Conservation Areas that are located within Residential zones. These sites have been identified as either ‘Core Habitat’ (known as ‘Biosites’ or ‘Core Conservation Areas’) or ‘Buffer Habitat’ (known as Buffer Conservation Areas), in the background document *Manningham City Council Sites of (Biological) Significance Review* (2004). Core Conservation Areas are the least disturbed and usually best quality areas of remnant indigenous vegetation and support the majority of Manningham’s biodiversity. Buffer Conservation Areas generally have higher levels of disturbance, but still provide important habitat for native flora and fauna and support and enhance the function of the Core Conservation Areas.

This vegetation, whilst somewhat isolated from other bushland areas, provides important flora and fauna habitat and comprises threatened Ecological Vegetation Classes.

The vegetation is a valuable biodiversity asset, providing ecosystem services and landscape amenity and is worthy of protection. All Victorian native vegetation, even individual trees has environmental and landscape value, such as provision of habitat and retention of a distinct visual character, often softening the visual impact of development.

Protection of Victorian native vegetation needs to be managed with the competing objectives of development in urban areas. Built form should seek to be subordinate to the landscape and avoid and minimise the loss of native vegetation.

Background documents

Manningham City Council Sites of (Biological) Significance Review (2004).

Development Guide for Areas of Environmental and Landscape Significance (2011).

Wildlife Movement and habitat Needs in Manningham (2009).

Locally Threatened Plants in Manningham (2010).

2.027/05/2019
C126mann**Environmental objectives to be achieved**

To protect and conserve Core and Buffer Conservation Areas.

To maintain and enhance the natural landscape character of environmental urban areas.

To minimise the extent of earthworks within the canopy dripline of trees.

To achieve an improvement in the extent and quality of Victorian native vegetation, consistent with the goal of Net Gain as set out in the background document *Victoria’s Native Vegetation Management – A Framework for Action* (Department of Natural Resources and Environment, 2002) by:

- Avoiding the removal of Victorian native vegetation.
- Minimising the removal of Victorian native vegetation, if the removal of the Victorian native vegetation cannot be avoided, through appropriate planning and design.
- Appropriately offsetting the loss of Victorian native vegetation.

To protect and conserve habitat corridors and ecological stepping-stones.

To conserve and where possible enhance habitat for flora and fauna species recognised as threatened at the municipal, regional, state or federal level.

To ensure that development responds to the area's environmental and landscape characteristics, including topography and waterways.

To minimise the visual impacts of development on the Yarra River, its banks and nearby parkland.

To maintain the treed character of residential areas.

3.0

27/05/2019
C126mann

Permit requirement

Buildings and works

A permit is not required to construct a building or construct or carry out works.

This does not apply to:

- The construction of a building or the construction or carrying out of works within the canopy dripline of any vegetation that requires a permit for its removal.
- The construction or carrying out of works associated with a tennis court where:
 - The works exceed 1 metre in height or depth above or below the natural ground level.
 - The works are carried out within the dripline of any vegetation requiring a permit for its removal.
 - The import or export of excavated material to or from the land exceeds 50 cubic metres.
 - The area of the works exceeds 100 square metres.
 - The works are carried out over an easement.

Vegetation

A permit is only required to remove, destroy or lop:

- Victorian native vegetation.
- A permit is not required for:
 - Dead vegetation.
 - The pruning of a tree for regeneration or ornamental shaping.
 - A tree with its trunk within two metres of the roof (including eaves) of an existing building (excluding a fence).
 - Any species listed as exempt from a permit requirement in the Table to this Schedule.
 - Any trees listed to be 'removed' as identified in Appendix 2.4 of *Flora and Fauna Assessment and Biodiversity Offset Analysis, 463 – 535 Doncaster Road, Doncaster, Victoria* (Ecology and Heritage Partners Pty Ltd, April 2014).

The term Victorian native vegetation means '*Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses*'.

4.0

27/05/2019
C126mann

Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works

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

- A site plan (drawn to scale) including:

- The boundaries of the site.
 - Details of the proposed works.
 - The location of all buildings, fences and other structures on the site.
 - The location, extent and type of vegetation on the site.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Vegetation

An application to remove, destroy or lop Victorian native vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority, including:

A Net Gain assessment, including:

- A site plan (drawn to scale) showing:
 - The boundaries of the site.
 - The location and extent of vegetation.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
- The location of any buildings and any other structures on the site.
- A description of the vegetation to be removed, including:
 - The reason for the vegetation removal.
 - The species of vegetation.
 - The number and size of trees. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - The Ecological Vegetation Class (EVC) and conservation status of the vegetation.
- An explanation of the steps that have been taken to avoid, minimise and offset the loss of Victorian native vegetation.
- An offset plan including implementation details and long term management and protection measures.
- A description of any fauna species that are rare or threatened at the local, regional, state or national level, that have been recorded within 1.5 kilometres of the site or which are known to be or likely to be present at the site including:
 - The conservation status of each species.
 - An assessment of the likelihood that the site provides habitat for each species and the impact of the proposal on the habitat of each species.
 - Actions to avoid and minimise adverse impacts.

A fauna survey including active searching is required where either of the following apply:

- Vegetation removal or destruction exceeds an area of 1000 square metres.
- Species that are rare or threatened at the local, regional, state or national level are known or likely to be present at the site.

An arborist's assessment of any trees which are proposed to be removed for safety reasons.

5.027/05/2019
C126mann**Decision guidelines**

Before deciding on an application to construct a building, construct or carry out works, or remove, destroy or lop vegetation, the responsible authority must consider as appropriate:

- Whether the removal of vegetation has been avoided, or where this is not possible, whether adverse impacts have been minimised.
- Whether the loss of vegetation has been offset and whether long term protection will be provided for offsets.
- The extent to which the removal of the vegetation will contribute to the fragmentation and isolation of existing flora and fauna habitat.
- The likely impact of the proposal on species of flora or fauna which are threatened at the municipal, regional, state or federal level and the extent to which provisions are made to negate, minimise or manage those impacts.
- Whether the design and siting of buildings or other development minimises the environmental impacts on:
 - Native fauna.
 - Waterway health, wetland condition and water quality.
 - Site run-off and soil erosion.
 - Habitat corridors or ecological stepping-stones.
 - Any adjacent public open space.
- The extent to which the application complies with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011).

Table to Schedule 5: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

6.027/05/2019
C126mann**Background documents**

Flora and Fauna Assessment and Biodiversity Offset Analysis, 463 – 535 Doncaster Road, Doncaster, Victoria (Ecology and Heritage Partners Pty Ltd, April 2014).

42.02

31/07/2018
VC148

VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas of significant vegetation.

To ensure that development minimises loss of vegetation.

To preserve existing trees and other vegetation.

To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.

To maintain and enhance habitat and habitat corridors for indigenous fauna.

To encourage the regeneration of native vegetation.

42.02-1

31/07/2018
VC148

Vegetation significance and objectives

A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

42.02-2

31/07/2018
VC148

Permit requirement

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Remove, destroy or lop one tree.	Clause 59.06

42.02-3

09/04/2020
VC178

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: <ul style="list-style-type: none"> ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.

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The requirement to obtain a permit does not apply to:

Fire protection	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> - Section 65 of the <i>Forests Act 1958</i>; or - Section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management and directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>:</p> <ul style="list-style-type: none"> ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.

The requirement to obtain a permit does not apply to:	
	In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	<p>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</p> <ul style="list-style-type: none"> ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	<p>Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	<p>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p> <ul style="list-style-type: none"> ▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).

42.02-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.02-5

31/07/2018
VC148

Decision guidelines

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

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- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
 - Where ground slopes exceed 20 percent.
 - Within 30 metres of a waterway or wetland.
 - On land where the soil or subsoil may become unstable if cleared.
 - On land subject to or which may contribute to soil erosion, slippage or salinisation.
 - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
 - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.

27/05/2019
C126mann**SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO2.

TEMPLESTOWE VEGETATION PROTECTION AREA**1.0**21/02/2013
C54**Statement of nature and significance of vegetation to be protected**

This area contains a mixture of Victorian native vegetation and Australian and Exotic trees which create a distinctive treed environment in an urban setting. The attractive treed environment has habitat values for native fauna as well as visual appeal and landscape amenity value.

2.021/02/2013
C54**Vegetation protection objectives to be achieved**

To conserve the existing pattern of vegetation and landscape quality.

To conserve, protect and manage trees and shrubs of local landscape and environmental value.

To ensure that trees and shrubs are maintained as a landscape feature of the Templestowe environment.

To promote the retention and establishment of vegetation.

To avoid, minimise and offset the removal of Victorian native vegetation.

To maintain the treed character of the low density residential areas.

3.021/02/2013
C54**Permit requirement**

A permit is required to remove, destroy or lop:

- Victorian native vegetation.
- An Exotic or Australian native tree that has either:
 - A trunk circumference of more than 0.35 metre measured at a height of 1.3 metres above natural ground level.
 - A height of more than 6 metres.
- A dead eucalypt tree that is both:
 - More than 20 metres from a building (excluding fences) to the base of the trunk.
 - Greater than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation, other than a dead eucalypt tree as specified above.
- The pruning of an Exotic or Australian native tree for regeneration or ornamental shaping.
- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian native vegetation means '*Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses*'.

The term Australian native tree(s) means '*Tree(s) that are indigenous to Australia (other than Victorian native vegetation)*'.

The term Exotic tree(s) means '*Tree(s) that are not indigenous to Australia*'.

4.027/05/2019
C126mann**Application requirements**

None specified.

5.027/05/2019
C126mann**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the removal of vegetation has been avoided, or where this is not possible, whether removal has been minimised and offset by replacement planting.
- Whether the vegetation removal will be detrimental to the landscape or environmental character of the area.
- Whether adequate provision for landscaping and replacement planting is proposed, consistent with the landscape character of the area.

TABLE TO SCHEDULE 1: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Box Elder	<i>Acer negundo</i>	Exotic Tree
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cherry Laurel	<i>Prunus laurocerasus</i>	Exotic Tree
Cherry Plum	<i>Prunus cerasifera</i>	Exotic Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Cotoneasters	<i>Cotoneaster species</i>	Exotic Tree
Desert Ash	<i>Fraxinus angustifolia subsp. angustifolia</i>	Exotic Tree
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Hawthorn	<i>Crataegus monogyna</i>	Exotic Tree
Holly	<i>Ilex aquifolium</i>	Exotic Tree
Irish Strawberry Tree	<i>Arbutus unedo</i>	Exotic Tree
Large-leafed (or Tree) Privet	<i>Ligustrum lucidum (Ligustrum japonicum)</i>	Exotic Tree
Laurustinus	<i>Viburnum tinus</i>	Exotic Tree
Loquat	<i>Eriobotrya japonica</i>	Exotic Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation

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Common name	Species	Status
Sycamore Maple	<i>Acer pseudoplatanus</i>	Exotic Tree
Tagasaste or Tree Lucerne	<i>Chamaecytisus/(Cytisus) palmensis</i>	Exotic Tree
Tobacco-bush or Wild Tobacco Tree	<i>Solanum mauritianum</i>	Exotic Tree
Tree Locust	<i>Robinia pseudoacacia</i>	Exotic Tree
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree
Willows and Sallows	<i>Salix species</i>	Exotic Tree
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

27/05/2019
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SCHEDULE 3 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO3**.

131 HIGH STREET, DONCASTER

1.0

27/05/2019
C126mann

Statement of nature and significance of vegetation to be protected

The garden at this property is one of the largest and best surviving examples of a geometrical, box-hedge front garden dating back to the late nineteenth century. It remains comparatively intact, in good condition and creates a strong and dramatic pattern.

It is identified by the National Trust as being of State significance. Together with the house, the garden provides a link with the orchardist past and large German community of the Doncaster area, and is significant for its survival in an otherwise modern residential area.

Background documents

A Report on the Significance of the Layout of the Front Garden and of the Box Hedges: 131 High Street, Doncaster (B Stafford, 1991).

2.0

27/05/2019
C126mann

Vegetation protection objectives to be achieved

To conserve and protect the box-hedge front garden that creates a strong and dramatic pattern, providing a link to the area's orchardist past and large German community of the Doncaster area.

3.0

19/01/2006
VC37

Permit requirement

A permit is required to remove, destroy or lop any vegetation.

4.0

27/05/2019
C126mann

Application requirements

None specified.

5.0

27/05/2019
C126mann

Decision guidelines

Before deciding on an application to remove, destroy or lop vegetation, the responsible authority must consider:

- Any impacts on the structure and layout of the garden.

27/05/2019
C126mann**SCHEDULE 5 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO5.

SIGNIFICANT EXOTIC, NATIVE AND INDIGENOUS VEGETATION**1.0**27/05/2019
C126mann**Statement of nature and significance of vegetation to be protected**

The background document *Manningham Heritage Garden & Significant Tree Study – Stage 2* (April 2006), has identified a range of gardens and exotic, Australian native and indigenous trees on private and public land within the municipality which are significant for their cultural, heritage, aesthetic or landscape contribution.

The background document *Manningham Heritage Garden & Significant Tree Study – Stage 2* (April 2006) recognises that these gardens and trees form an integral part of the City of Manningham's cultural, heritage and environmental landscape.

Their presence provides a reflection of the development of the City, from early settlement to the discovery of gold and the development of orcharding as an important local industry.

A number of species assessed are exceptional examples or are very rare, either because they are an uncommon cultivar, are uncommon to the area, or are one of the first to be planted or connected to Manningham's orcharding history.

The vegetation has been identified as being of either local, regional or in some cases, state significance.

Background documents

Manningham Heritage Garden & Significant Tree Study – Stage 2 (John Patrick Pty Ltd Landscape Architects, April 2006)

2.014/06/2007
C61**Vegetation protection objectives to be achieved**

To ensure the proposals for replacement planting have regard to both environmental and cultural, heritage or landscape values.

To encourage strategic replanting programs, using suitable species, to provide for the long-term maintenance of landscape values.

To ensure that Pine and Cypress windbreaks are maintained intact to minimise loss of the cultural, heritage or landscape significance occurring through fragmentation.

3.027/05/2019
C126mann**Permit requirement**

A permit is required to remove, destroy or lop vegetation identified in the background document *City of Manningham - Statements of Tree & Garden Significance* (2006).

4.027/05/2019
C126mann**Application requirements**

None specified.

5.027/05/2019
C126mann**Decision guidelines**

Before deciding on an application to remove, destroy or lop vegetation, the responsible authority must consider, as appropriate:

- The species of vegetation and its significance, age, health and growth characteristics.
- The need for a report, by a qualified arborist, on the vegetation to be removed. The report should state the reason for removing the vegetation and the practicality of alternative options which do not require the removal of vegetation.

MANNINGHAM PLANNING SCHEME

- Whether any proposed lopping will adversely affect the significance, appearance, health or structure of the tree.
- The impact of a tree(s) on the structural integrity of existing buildings and foundations, and other structures including swimming pools, tennis courts and paved areas.
- The impact the vegetation removal will have on the cultural, heritage, aesthetic, landscape or other special significance of the land and surrounding area.
- The need for replacement vegetation to be of an appropriate species, having regard to the link between the species and the cultural and heritage significance of the vegetation.

42.03

31/07/2018
VC148

SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

42.03-1

31/07/2018
VC148

Landscape character and objectives

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

42.03-2

31/07/2018
VC148

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 conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.
- Construct a fence if specified in the schedule to this overlay.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
 - If the table to Clause 42.03-3 specifically states that a permit is not required.
 - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree.	Clause 59.06
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. The buildings and works must be associated with a dwelling.	Clause 59.05

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	<p>Vegetation that is to be removed, destroyed or lopped:</p> <ul style="list-style-type: none"> ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</p>
Fire protection	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> ▪ fire fighting; ▪ planned burning; ▪ making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> – Section 65 of the <i>Forests Act 1958</i>; or – Section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
Geothermal energy exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the <i>Geothermal Energy Resources Act 2005</i>.</p>
Greenhouse gas sequestration and exploration	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i>.</p>
Land management or directions notice	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i>.</p>
Land use conditions	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i>.</p>
Mineral exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</p>

MANNINGHAM PLANNING SCHEME

The requirement to obtain a permit does not apply to:	
	<ul style="list-style-type: none"> ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is <ul style="list-style-type: none"> ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: <ul style="list-style-type: none"> ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

42.03-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.03-5

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.

27/05/2019
C126mann**SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO1.

SIGNIFICANT LOW DENSITY RESIDENTIAL LANDSCAPE AREAS**1.0**21/02/2013
C54**Statement of nature and key elements of landscape**

These low density residential areas have visual, landscape and environmental values. They are diverse in terms of topography, site layout, vegetation cover, road treatment and built form. The topography ranges from undulating land to steep slopes, prominent ridgelines and deep gullies. Key elements of the landscape include the natural character, native and exotic vegetation, panoramic views and watercourses that contribute to the 'sense of place'.

These areas form an attractive backdrop against surrounding urban land, and generally the visual impacts of housing and development are softened by vegetation cover. The landscape and environmental charm of these areas offers choice for people who are seeking a more spacious and attractive lifestyle setting.

Within these low density residential areas Victorian native vegetation and larger planted trees that are native to Australia are important for their habitat value in addition to their contribution to the landscape character of the area. Large exotic trees also provide landscape value and contribute to a 'sense of place.'

Built form should seek to be subordinate to the landscape and avoid the loss of canopy trees. The landscape characteristics need to be properly managed to ensure that the distinctive features of these areas are protected and enhanced.

2.021/02/2013
C54**Landscape character objectives to be achieved**

To encourage development that is in keeping with the vegetated character of the area and is sympathetic to the existing built form.

To ensure that development responds to the area's landscape and environmental characteristics, including topography, vegetation and waterways.

To ensure that the visual impact of development is minimised.

To minimise the visual impact of earthworks on the landscape.

To minimise the impacts of site run-off and soil erosion on the landscape.

To promote the retention and establishment of vegetation.

To avoid, minimise and offset the removal of Victorian native vegetation.

To maintain the treed character of the low density residential areas.

To ensure that adequate setbacks are provided to enable the retention and planting of screen shrubs and large canopy trees as part of any development.

3.021/02/2013
C54**Permit requirement****Buildings and works**

A permit is not required to construct a dwelling provided:

- The site coverage of the building does not exceed 15 per cent when combined with the area of any existing buildings on the land.
- No part of the building is more than 8 metres in height above the natural surface level of the ground directly below that part.
- No part of the building is closer than 5 metres to a side or rear boundary not abutting a road.
- No part of the building is closer than 10 metres to any boundary abutting a road.

- The external building finishes and colours are non-reflective and blend with the natural landscape to the satisfaction of the responsible authority.
- Any outbuilding has an area of less than 50 square metres.

A permit is not required for a domestic rainwater tank(s) with a total capacity of not more than 10,000 litres provided that works are not carried out within the dripline of any vegetation requiring a permit for its removal and the tank(s) is (are) non-reflective.

A permit is not required to construct or carry out works associated with the construction of a dwelling provided:

- The works do not exceed 1 metre in height or depth above or below natural ground level.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- That no works are carried out within the dripline of any vegetation requiring a permit for removal.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

A permit is not required for the minimum extent of earthworks necessary to remove warrens for the purpose of vermin control provided the works area is reinstated back to natural ground level and no vegetation requiring a permit for its removal is removed or destroyed.

Vegetation

A permit is required to remove, destroy or lop:

- Victorian native vegetation.
- An Exotic or Australian native tree that has either:
 - A trunk circumference of more than 0.35 metre measured at a height of 1.3 metres above natural ground level.
 - A height of more than 6 metres.
- A dead eucalypt tree that is both:
 - More than 20 metres from a building (excluding fences) to the base of the trunk.
 - Greater than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation, other than a dead eucalypt tree as specified above.
- The pruning of an Exotic or Australian native tree for regeneration or ornamental shaping.
- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian native vegetation means ‘Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses’.

The term Australian native tree(s) means ‘Tree(s) that are indigenous to Australia (other than Victorian native vegetation)’.

The term Exotic tree(s) means ‘Tree(s) that are not indigenous to Australia’.

4.027/05/2019
C126mann**Application requirements**

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works

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

- A site analysis as described in the background document Development Guide for Areas of Environmental and Landscape Significance (2011) with a written statement as to how the proposal responds to the site analysis.
- A site plan (drawn to scale) including:
 - Dimensions of any existing building envelope with setbacks to all boundaries.
 - The setbacks of buildings and works to all boundaries.
 - The location, extent and type of vegetation on the site.
 - Accurate and detailed existing and proposed finished site levels.
 - The location, proposed gradient and finished level at the top and toe of all batters.
 - Cross sections to illustrate the extent of cut and fill.
 - Details of retaining walls including height, materials and if required, drainage.
 - The location, gradient and camber of driveways and any associated earthworks.
 - The location, depth and width of proposed underground services and trenches.
 - The location, type and size of any effluent disposal system including any effluent envelope.
 - The location of any easements.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plan including finished floor levels.
- The proposed external building finishes and colours.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Vegetation

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority, including:

For Victorian native vegetation, a Net Gain assessment including:

- A site plan (drawn to scale) showing:
 - The boundaries of the site.
 - The location and extent of vegetation.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
 - The location of any buildings and any other structures on the site.
- A description of the vegetation to be removed, including:

- The reason for the vegetation removal.
 - The species of vegetation.
 - The number and size of trees. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - The Ecological Vegetation Class (EVC) and conservation status of the vegetation.
- An explanation of the steps that have been taken to avoid, minimise and offset the loss of Victorian native vegetation.
 - An offset plan including implementation details and long term management and protection measures.

An arborist's assessment of any trees which are proposed to be removed for safety reasons.

For exotic trees and Australian native trees (other than Victorian native vegetation):

- A site plan (drawn to scale) showing:
 - The location and species.
 - The boundaries of the site.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
- A description of the trees to be removed, including:
 - The reason for the tree removal.
 - The number and size, provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - Any proposed replanting.
- An arborist's assessment of any trees which are proposed to be removed for safety reasons.

5.0

27/05/2019
C126mann

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether building design and siting is in keeping with the character of the area. This includes:
 - Keeping the height of all buildings below the prevailing canopy height of trees.
 - Minimising the extent of earthworks.
- The extent to which the application complies with the background document Development Guide for Areas of Environmental and Landscape Significance (2011).
- Whether external building finishes and colours are non-reflective and blend with the natural landscape.
- Whether the removal of Victorian native vegetation has been avoided, or where this is not possible, whether adverse impacts have been minimised and offset.
- Whether the removal of large exotic and Australian native trees has been avoided.
- Whether the development or vegetation removal will be detrimental to the landscape or environmental character of the area.
- The impact of the proposed development on natural ground levels, drainage patterns, health and viability of vegetation, fauna or waterways, whether on or off site.

MANNINGHAM PLANNING SCHEME

- Whether building setbacks are adequate to maintain and enhance landscaping.
- Whether adequate provision has been made for landscaping and replacement planting consistent with the landscape character.

TABLE TO SCHEDULE 1: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Box Elder	<i>Acer negundo</i>	Exotic Tree
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cherry Laurel	<i>Prunus laurocerasus</i>	Exotic Tree
Cherry Plum	<i>Prunus cerasifera</i>	Exotic Tree
Cluster Pine or Maritime Pine	<i>Pinus pinaster</i>	Exotic Pine Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Cotoneasters	<i>Cotoneaster species</i>	Exotic Tree
Desert Ash	<i>Fraxinus angustifolia subsp. angustifolia</i>	Exotic Tree
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Hawthorn	<i>Crataegus monogyna</i>	Exotic Tree
Holly	<i>Ilex aquifolium</i>	Exotic Tree
Irish Strawberry Tree	<i>Arbutus unedo</i>	Exotic Tree
Large-leafed (or Tree) Privet	<i>Ligustrum lucidum (Ligustrum japonicum)</i>	Exotic Tree
Laurustinus	<i>Viburnum tinus</i>	Exotic Tree
Loquat	<i>Eriobotrya japonica</i>	Exotic Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Radiata Pine or Monterey Pine	<i>Pinus radiata</i>	Exotic Pine Tree
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
Sycamore Maple	<i>Acer pseudoplatanus</i>	Exotic Tree
Tagasaste or Tree Lucerne	<i>Chamaecytisus/(Cytisus) palmensis</i>	Exotic Tree
Tobacco-bush or Wild Tobacco Tree	<i>Solanum mauritanium</i>	Exotic Tree
Tree Locust	<i>Robinia pseudoacacia</i>	Exotic Tree
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree

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Common name	Species	Status
Willows and Sallows	<i>Salix species</i>	Exotic Tree
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

27/05/2019
C126mann**SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO2.

YARRA (BIRRARUNG) RIVER CORRIDOR ENVIRONS**1.0**20/04/2021
VC197**Statement of nature and key elements of landscape**

The Yarra River has metropolitan significance as an environmental, aesthetic, cultural, recreation and tourism asset. The river corridor links parklands and reserves into a near-continuous vegetated landscape experience that provides a highly valued, secluded natural environment, enjoyed by local and metropolitan communities.

The Yarra River corridor contains some of the most valued flora, fauna, geological and geomorphological assets in metropolitan Melbourne. Indigenous vegetation and remnant riparian vegetation provide habitat and contribute to the protection of water quality and flow regimes.

This segment of the Yarra River flows through the traditional land of the Wurundjeri Woi Wurrung people. The waterway, its natural landscape and key features have social, cultural and spiritual significance, with areas such as the river flats and billabongs being important gathering spots.

2.020/04/2021
VC197**Landscape character objectives to be achieved**

To retain vegetation that contributes to landscape character, heritage values or neighbourhood character.

To maintain and protect linear public open space and provide for secluded areas of public open space with access to the river where appropriate.

To encourage the co-location or clustering of buildings, jetties and mooring facilities on public land.

To encourage bicycle and shared paths that are safe, well located and require minimal earthworks and vegetation removal.

To ensure fencing within close proximity to the Yarra River is low in scale, visually permeable and does not contrast with the natural landscape character.

3.020/04/2021
VC197**Permit requirement**

A permit is required to:

- Remove, destroy or lop vegetation. This does not apply to:
 - Non-native vegetation that is less than 6 metres in height, has a trunk circumference of less than 0.35 metre measured at 1.4 metres above ground level and a branch spread of less than 4 metres.
 - Pruning of dead or broken branches, or branches less than 50 millimetres in diameter at the point of contact with the larger branches or trunk, provided no more than 1/3 of the foliage of each individual plant is removed. This does not apply to the trunk of a tree.
 - Vegetation maintenance carried out by, or on behalf of, a municipal council or public authority or public land manager.
 - Non-native vegetation in preparation for revegetation works carried out by, or on behalf of, a municipal council, public authority or public land manager.
 - Vegetation that could adversely affect stream flow carried out by, or on behalf of, a municipal council, public authority or public land manager.
 - Vegetation species listed at Table 1 of this schedule.

MANNINGHAM PLANNING SCHEME

- Construct a fence within 30 metres of the banks of the Yarra River or abutting public open space. This does not apply to a fence that:
 - does not exceed the maximum height of 1.4 metres at any point above ground level; and
 - is of timber post and rail, timber post and wire, or metal post and wire construction.

A permit is not required to construct a building or construct or carry out works:

- With a height not exceeding 6 metres above natural ground level.
- Carried out by, or on behalf of, a public land manager, municipal council or public authority to:
 - maintain the quality, form, health or stability of a stream bed or bank, or restored or revegetated area.
 - control the flow of water in a watercourse;
 - mitigate flooding; or
 - establish new stream habitat.

Table 1: Species exempt from permit requirements

Common Name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Box Elder	<i>Acer negundo</i>	Exotic Tree
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cherry Laurel	<i>Prunus laurocerasus</i>	Exotic Tree
Cherry Plum	<i>Prunus cerasifera</i>	Exotic Tree
Cluster Pine or Maritime Pine	<i>Pinus pinaster</i>	Exotic Pine Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Cotoneasters	<i>Cotoneaster species</i>	Exotic Tree
Desert Ash	<i>Fraxinus angustifolia subsp. angustifolia</i>	Exotic Tree
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Hawthorn	<i>Crataegus monogyna</i>	Exotic Tree
Holly	<i>Ilex aquifolium</i>	Exotic Tree
Irish Strawberry Tree	<i>Arbutus unedo</i>	Exotic Tree
Large-leafed (or Tree) Privet	<i>Ligustrum lucidum (Ligustrum japonicum)</i>	Exotic Tree
Laurustinus	<i>Viburnum tinus</i>	Exotic Tree

Common Name	Species	Status
Loquat	<i>Eriobotrya japonica</i>	Exotic Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Radiata Pine or Monterey Pine	<i>Pinus radiata</i>	Exotic Pine Tree
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
Sycamore Maple	<i>Acer pseudoplatanus</i>	Exotic Tree
Tagasaste or Tree Lucerne	<i>Chamaecytisus/(Cytisus) palmensis</i>	Exotic Tree
Tobacco-bush or Wild Tobacco Tree	<i>Solanum mauritianum</i>	Exotic Tree
Tree Locust	<i>Robinia pseudoacacia</i>	Exotic Tree
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree
Willows and Sallows	<i>Salix species</i>	Exotic Tree
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

4.0

20/04/2021
VC197

Application requirements

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

- A written assessment demonstrating how the proposal is consistent with the Yarra River Protection regional Policy in the Planning Policy Framework (PPF) and meets the landscape character objectives of this schedule.
- A site survey plan, certified by a qualified surveyor, showing the location of all buildings and works and their distances from the banks of the Yarra River.
- A site plan showing all elevations and proposed building heights using Australian Height Datum (AHD) measured from ground level and including any proposed areas of cut and fill.
- A schedule of external materials and finishes.
- Diagrams showing the extent of shadow cast by buildings and works on:
 - The banks and water of the Yarra River between 11:00am and 2:00pm on 22 June.
 - Public open space between 11:00am and 2:00pm on 22 September.
- A visual impact assessment of buildings and works from the Yarra River itself, public open space, pedestrian and bicycle paths and other public viewing points as determined by the responsible authority.
- A landscaping plan, which includes:
 - The location and site area percentage of all existing and proposed hard or impermeable surfaces.

- The type, location, quantity, height at maturity and botanical names of all proposed plants and details of any tree protection zones.
- A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of the Yarra River.
- How natural landforms will be protected, including approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
- How erosion will be managed and stability maintained or improved using soft landscaping and other techniques.
- How the rate and quantity of stormwater leaving a property will be controlled and pollutants filtered using soft landscaping techniques.

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate:

- A written explanation justifying the removal of the vegetation supported by a suitably qualified arborist.
- A site plan and description of the:
 - position, height, quantity, trunk circumference, branch spread, slope of land and species of vegetation to be removed; and
 - location of proposed replanting.

5.0

20/04/2021
VC197

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

For applications to remove, destroy or lop vegetation

- The reasons for removing vegetation and whether there are alternative options.
- The effect of the removal of vegetation on the natural landscape character, habitat protection, wildlife movement and long-term viability of remnant and revegetated areas.
- Whether sufficient vegetation and canopy trees of appropriate species are to be planted to replace the removal of the existing vegetation and mature canopy trees.
- Whether mature, dead and dying native vegetation should be maintained as habitat for native fauna or removed to avoid a risk or safety hazard.

For applications to construct a building or construct or carry out works

- Whether the location and extent of the buildings or works encroaches into the tree protection zone of mature canopy trees.
- The ability for proposed vegetation species to be matched to the local plant communities.
- Whether any proposed earthworks and changes in the topography of the river corridor will detrimentally impact its local natural landscape character and environmental values.
- Whether the proposed fencing allows for the free movement of wildlife, minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- Whether buildings and works are sufficiently set back from the banks of the Yarra River to ensure that:
 - The river's natural flood and water course characteristics are not impacted.
 - The topography of the river and its banks are maintained as the dominant feature in the public views of the river corridor.

MANNINGHAM PLANNING SCHEME

- The existing riparian vegetation is protected and enhanced.
- That views of development from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings are minimised.
- The need for litter or gross pollutant traps at entry points to drains that serve large developments known to generate litter and sediment.
- Whether the design and location of boating infrastructure is consistent with the background document *Melbourne Water's Guidelines for Approval of Jetties* (Melbourne Water, 2011) and with any requirements, plans or guidelines prepared by Parks Victoria or other public land managers.
- Whether the design and location of shared pathways is consistent with *Shared Pathway Guidelines* (Melbourne Water, 2009) and with any requirements, plans or guidelines prepared by Parks Victoria or other public land managers.
- Whether private development results in the loss of, or creates inappropriate access to, the Yarra River and its parklands.
- Whether opportunities exist to co-locate new buildings with existing buildings on public land, particularly at the banks of the Yarra River.
- Whether buildings will protrude above the predominant tree canopy within a given area.
- The impact of any overshadowing by development:
 - on the banks and waterway of the Yarra River between 11:00am and 2:00pm on 22 June; and
 - on any public open space between 11:00am and 2:00pm on 22 September.
- Whether the scale, form, siting and design of new buildings, including materials, colours and finishes, are sensitively integrated with the natural landscape setting of the river corridor.
- Whether the spacing between buildings allows for the planting of appropriate vegetation and canopy trees to filter views of the development.
- Whether the existing and proposed vegetation fronting the Yarra River will filter the majority of views of the proposed development.

27/05/2019
C126mann**SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO3.

THE DOMAIN SIGNIFICANT LANDSCAPE AREA**1.0**21/02/2013
C54**Statement of nature and key elements of landscape**

The Domain subdivision, Templestowe is a residential area consisting of 48 allotments in a unique natural setting. It provides an opportunity to live in an area characterised by native vegetation and wildlife including platypus, echidnas, kangaroos and significant birdlife.

The subdivision is surrounded by a Victorian Biosite of *National* significance and is adjacent to the Mullum Mullum Creek, a major habitat corridor for indigenous flora and fauna. Developments within the subdivision have the potential to impact on these natural values.

Whilst much of the original indigenous vegetation has been removed, the area has a strong natural character and environmental values that should be conserved and maintained.

2.021/02/2013
C54**Landscape character objectives to be achieved**

To encourage development that is in keeping with the area and is sympathetic to the existing built form.

To ensure that development responds to the area's landscape and environmental characteristics, including topography, vegetation and waterways.

To ensure the visual impact of development is minimised.

To minimise the visual impacts of earthworks on the landscape.

To minimise the impacts of site run-off and soil erosion on the landscape.

To encourage the retention and establishment of vegetation.

To avoid, minimise and offset the removal of Victorian native vegetation.

To maintain and enhance the treed character of the Domain area.

To ensure that adequate setbacks are provided to enable the retention and planting of screen shrubs and planting of large canopy trees as part of any development.

3.021/02/2013
C54**Permit requirement****Buildings and works**

A permit is not required to construct a dwelling provided:

- The site coverage of the building does not exceed 25 percent when combined with the area of any existing buildings on the land.
- No part of the building is more than 8 metres in height above the natural surface level of the ground directly below that part.
- No part of the building is set back equal to or further from the frontage than any part of a building on an adjoining lot with frontage to the same road.
- No part of the building is closer than 1.8 metres from the side or rear boundary if the building is not higher than 3.6 metres or closer than 1.8 metres plus 100 millimetres for every 300 millimetres or part that the building exceeds 3.6 metres.
- At least 50 percent of the site is a garden, lawn or other pervious open space. It must not contain a building, domestic swimming pool or spa and associated mechanical and safety equipment, pavement or other impervious surface.

A permit is not required to construct or carry out works associated with the construction of a dwelling provided:

- The works do not exceed 1 metre in height or depth above or below natural ground level.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- That no works are carried out within the dripline of any vegetation requiring a permit for its removal.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

Vegetation

A permit is required to remove, destroy or lop:

- Victorian native vegetation.

A permit is not required for:

- A Victorian native tree that has either:
 - A trunk circumference of less than 0.35 metre measured at a height of 1.3 metres above natural ground level.
 - A height of less than 6 metres.
- Dead vegetation.
- The pruning of a tree for regeneration or ornamental shaping.
- A tree with its trunk within two metres of the roof (including eaves) of an existing building (excluding a fence).
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian native vegetation means '*Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses*'.

4.0

27/05/2019
C126mann

Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme:

Buildings and works

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

- A site plan (drawn to scale) including:
 - Dimensions of any existing building envelope with setbacks to all boundaries.
 - The setbacks of buildings and works to all boundaries.
 - The location, extent and type of vegetation on the site.
 - Accurate and detailed existing and proposed finished site levels.
 - The location, proposed gradient and finished level at the top and toe of all batters.
 - Cross sections to illustrate the extent of cut and fill.
 - Details of retaining walls including height, materials and if required, drainage.
 - The location, gradient and camber of driveways and any associated earthworks.
 - The location, depth and width of proposed underground services and trenches.

- The location of any easements.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plans including finished floor levels.
- The proposed external building finishes and colours.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Vegetation

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority, including:

For Victorian native vegetation, a Net Gain assessment including:

- A site plan (drawn to scale) showing:
 - The boundaries of the site.
 - The location and extent of vegetation.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
 - The location of any buildings and any other structures on the site.
- A description of the vegetation to be removed, including:
 - The reason for the vegetation removal.
 - The species of vegetation.
 - The number and size of trees. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
- An explanation of the steps that have been taken to avoid, minimise and offset the loss of native vegetation.

An arborist's assessment of any trees which are proposed to be removed for safety reasons.

5.0

27/05/2019
C126mann

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether building design and siting is in keeping with the character of the area. This includes:
 - Keeping the height of all buildings below the prevailing canopy height of trees.
 - Minimising the extent of earthworks.
- Whether external building finishes and colours are non-reflective and blend with the natural landscape.
- Whether the removal of Victorian native vegetation has been avoided, or where this is not possible, whether adverse impacts have been minimised and offset.
- Whether the development or vegetation removal will be detrimental to the landscape or environmental character of the area.
- The impact of the proposed development on natural ground levels, drainage patterns, health and viability of native vegetation, fauna or waterways, whether on or off site.

MANNINGHAM PLANNING SCHEME

- Whether building setbacks are adequate to maintain and enhance landscaping.
- Whether adequate provision has been made for landscaping and replacement planting which is consistent with the landscape character.

TABLE TO SCHEDULE 3: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

27/05/2019
C126mann**SCHEDULE 5 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO5.

WATERCOURSE AREAS**1.0**19/01/2006
VC37**Statement of nature and key elements of landscape**

The rivers and creeks of Manningham are of visual, landscape, environmental, heritage and recreational significance. All watercourses contribute to visual significance. Viewsheds of our rivers and creeks, in particular the Yarra River and Mullum Mullum Creek, are significant, representing the heart of a 'green' network of open space in Melbourne. Water courses are important natural assets, creating a sense of remoteness and a wildlife habitat all combining to provide a visually diverse landscape.

The uniqueness and prominence of watercourse areas relates to landscape qualities which are generally regarded as special, enjoyable by the community and providing a 'sense of place'. Visually, watercourse areas are significant because of topography, site layout, vegetation cover, botanical significance, natural character, panoramic views, relief from the 'urban' environment, cultural or heritage significance and the desirability of the character of watercourse areas.

The visual and environmental qualities of watercourse areas are being degraded in some parts. This degradation is increased by inappropriate design, construction and siting of buildings and works and the removal of indigenous or culturally significant vegetation.

2.019/01/2006
VC37**Landscape character objectives to be achieved**

To ensure that the visual impact of development is minimised.

To protect areas along watercourses from visual intrusion caused by the inappropriate siting or appearance of buildings and works.

To encourage development in keeping with the character and appearance of the area.

To protect and enhance the vista from watercourses.

To control the construction of buildings and works to ensure the natural floodway is not impeded and to give access for maintenance purposes.

3.023/07/2009
C74**Permit requirement**

A permit is required to construct or carry out a building or works specified in Clause 62.02-2 of this scheme.

An application to construct or carry out a building or works must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

4.027/05/2019
C126mann**Application requirements**

None specified.

5.027/05/2019
C126mann**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The desirability of locating buildings and works on slopes of less than 20 per cent.
- The need for exterior building colours and materials to be non-reflective and blend with the natural environment.

MANNINGHAM PLANNING SCHEME

- Whether appropriate management practices are proposed, including the prevention of soil erosion and revegetation of degraded areas with indigenous plant species.
- The need to prevent or reduce the concentration or diversion of floodwater or storm water.
- Whether the proposed development could be located on land outside the watercourse area.
- The effect on water quality, watercourse capacity and the flow of floodwaters.

27/05/2019
C126mann**SCHEDULE 6 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLO6**.

LOW DENSITY RESIDENTIAL SIGNIFICANT PINE AND CYPRESS TREE THEME AREAS**1.0**27/05/2019
C126mann**Statement of nature and key elements of landscape**

Concentrations of pine and cypress tree plantings can be found in some low density residential parts of Park Orchards, Templestowe, and Donvale.

Monterey pine and cypress trees were historically planted as windbreaks around orchards and homesteads throughout Manningham and have become visual landmarks due to their size and location on prominent ridgelines and hilltops. The pine and cypress windbreaks and plantations contribute to the distinctive landscape character of these areas, and the removal of these trees will have a significant impact on the landscape and the structural integrity of the windbreaks.

Other large, mature pine and cypress trees occur either individually or as small clusters of trees, also contributing to the landscape character of the area. Removal of any of these trees needs to have regard to the impact on that landscape character.

The dominant visual element of the landscape in these areas is the mix of large canopy trees, comprising pine, other exotic and native species. Development in these areas must seek to retain the mix of canopy species, replacing pine or cypress trees when removed, with appropriate similar species.

Development in these areas should also be integrated with surrounding landscape features. Built form should seek to be subordinate to the landscape, avoid the loss of canopy trees and respond to the topography of the land.

The unique landscape characteristics of these areas need to be properly managed to ensure that their distinctive visual values are conserved and protected.

Background documents

Manningham Monterey Pine and Cypress Tree Assessment (2003)

2.021/02/2013
C54**Landscape character objectives to be achieved**

To encourage development that is in keeping with the area and is sympathetic to the existing built form and any identified heritage values or other features.

To ensure that development responds to the area's landscape and environmental characteristics, including topography, vegetation and waterways.

To ensure the visual impact of development is minimised.

To minimise visual impacts of earthworks on the landscape.

To minimise the impacts of site run-off and soil erosion on the landscape.

To encourage the retention and establishment of vegetation, particularly large pine and cypress trees.

To maintain and enhance large pine trees and cypress trees and associated windbreaks and pine plantations.

To maintain the treed character of these areas.

To ensure that where any removal of pine or cypress trees is proposed, replacement planting is with suitable species.

To ensure that adequate setbacks are provided to enable the retention and planting of screening shrubs and planting of large canopy trees as part of any development.

3.021/02/2013
C54**Permit requirement****Buildings and works**

A permit is not required to construct a dwelling provided:

- The site coverage of the building does not exceed 15 percent when combined with the area of any existing buildings on the land.
- No part of the building is more than 8 metres in height above the natural surface level of the ground directly below that part.
- No part of the building is closer than 5 metres to a side or rear boundary not abutting a road.
- No part of the building is closer than 10 metres to any boundary abutting a road.
- The external colour scheme and materials of any building are non-reflective and blend with the natural landscape to the satisfaction of the responsible authority.
- An outbuilding has an area of less than 50 square metres.
- A permit is not required for a domestic rainwater tank(s) with a total capacity of not more than 10,000 litres provided that works are not carried out within the dripline of any vegetation requiring a permit for its removal and the tank(s) is (are) non-reflective.

A permit is not required to construct or carry out works associated with the construction of a dwelling provided:

- The works do not exceed 1 metre in height or depth above or below natural ground level.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- That no works are carried out within the dripline of any vegetation requiring a permit for removal.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

A permit is not required for the minimum extent of earthworks necessary to remove warrens for the purpose of vermin control provided the works area is reinstated back to natural ground level and no vegetation requiring a permit for its removal is removed or destroyed.

Vegetation

A permit is required to remove, destroy or lop:

- Victorian native vegetation.
- An Exotic or Australian native tree that has either:
 - A trunk circumference of more than 0.35 metre measured at a height of 1.3 metres above natural ground level.
 - A height of more than 6 metres.
- A dead eucalypt tree that is both:
 - More than 20 metres from a building (excluding fences) to the base of the trunk.
 - Greater than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation, other than a dead eucalypt tree as specified above.
- The pruning of an Exotic or Australian native tree for regeneration or ornamental shaping.

- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian native vegetation means *'Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'*.

The term Australian native tree(s) means *'Tree(s) that are indigenous to Australia (other than Victorian native vegetation)'*.

The term Exotic tree(s) means *'Tree(s) that are not indigenous to Australia'*.

4.0

27/05/2019
C126mann

Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme:

Buildings and works

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

- A site analysis as described in the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011) with a written statement as to how the proposal responds to the site analysis.
- A site plan (drawn to scale) including:
 - Dimensions of any existing building envelope with setbacks to all boundaries.
 - The setbacks of buildings and works to all boundaries.
 - The location, extent and type of vegetation on the site.
 - Accurate and detailed existing and proposed finished site levels.
 - The location, proposed gradient and finished level at the top and toe of all batters.
 - Cross sections to illustrate the extent of cut and fill.
 - Details of retaining walls including height, materials and if required, drainage.
 - The location, gradient and camber of driveways and any associated works.
 - The location, depth and width of proposed underground services and trenches.
 - The location, type and size of any effluent disposal system including any effluent envelope.
 - The location of any easements.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plans including finished floor levels.
- The proposed external building colours and materials.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Vegetation

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site plan (drawn to scale) showing:

- The location and species.
- The boundaries of the site.
- Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
- A description of the vegetation to be removed, including:
 - The reason for the vegetation removal.
 - The species of vegetation.
 - The number and size of trees. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - Any proposed replanting.
- An explanation of the steps that have been taken to avoid or minimise the removal of vegetation.
- A landscape plan including any proposed replanting.
- An arborist’s assessment of any trees which are proposed to be removed for safety reasons.

5.0

27/05/2019
C126mann

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether building design and siting is in keeping with the character of the area. This includes:
 - Keeping the height of all buildings below the prevailing canopy height of trees.
 - Minimising the extent of earthworks.
- The extent to which the application complies with the background document *Development Guide for Areas of Environmental and Landscape Significance* (2011).
- Whether external building finishes and colours are non-reflective and blend with the natural landscape.
- Whether a reasonable proportion of each lot is free of buildings to provide for lawn or other pervious area.
- Whether the removal of trees has been avoided and minimised.
- Whether pine or cypress trees to be removed will be replaced with a suitable species having regard to the size, shape, growth habitat, foliage, water and soil needs, and commercial availability.
- Whether adequate provision has been made for landscaping and replacement planting of canopy trees to maintain the strong vegetation character of the area.
- The impact of the proposed development on natural ground levels, drainage patterns.
- The role of vegetation in providing habitat.
- Whether building setbacks are adequate to maintain and enhance landscape surrounds.

TABLE TO SCHEDULE 6: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Box Elder	<i>Acer negundo</i>	Exotic Tree

MANNINGHAM PLANNING SCHEME

Common name	Species	Status
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cherry Laurel	<i>Prunus laurocerasus</i>	Exotic Tree
Cherry Plum	<i>Prunus cerasifera</i>	Exotic Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Cotoneasters	<i>Cotoneaster species</i>	Exotic Tree
Desert Ash	<i>Fraxinus angustifolia subsp. angustifolia</i>	Exotic Tree
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Hawthorn	<i>Crataegus monogyna</i>	Exotic Tree
Holly	<i>Ilex aquifolium</i>	Exotic Tree
Irish Strawberry Tree	<i>Arbutus unedo</i>	Exotic Tree
Large-leafed (or Tree) Privet	<i>Ligustrum lucidum (Ligustrum japonicum)</i>	Exotic Tree
Laurustinus	<i>Viburnum tinus</i>	Exotic Tree
Loquat	<i>Eriobotrya japonica</i>	Exotic Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
Sycamore Maple	<i>Acer pseudoplatanus</i>	Exotic Tree
Tagasaste or Tree Lucerne	<i>Chamaecytisus/(Cytisus) palmensis</i>	Exotic Tree
Tobacco-bush or Wild Tobacco Tree	<i>Solanum mauritianum</i>	Exotic Tree
Tree Locust	<i>Robinia pseudoacacia</i>	Exotic Tree
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree
Willows and Sallows	<i>Salix species</i>	Exotic Tree
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

27/05/2019
C126mann**SCHEDULE 7 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO7.

DONVALE/DONCASTER EAST, RUFFEY LAKE PARK AND ZERBES RESERVE PINE AND CYPRESS TREE AREAS**1.0**27/05/2019
C126mann**Statement of nature and key elements of landscape**

Significant pine and cypress tree plantings can be found in parts of Donvale/Doncaster East, Ruffey Lake Park and Zerbes Reserve.

Monterey pine and cypress trees were historically planted as windbreaks around orchards and homesteads throughout Manningham and have become visual landmarks due to their size and location on prominent ridgelines and hilltops. The pine and cypress windbreaks and plantations contribute to the distinctive landscape character of these areas, and the removal of these trees will have a significant impact on the landscape and the structural integrity of the windbreaks.

Other large, mature pine and cypress trees occur either individually or as small clusters of trees, also contributing to the landscape character of the area. Removal of any of these trees needs to have regard to the impact on that landscape character.

The dominant visual element of the landscape in these areas is the mix of large canopy trees, comprising pine, other exotic and native species. Development in these areas must seek to retain the mix of canopy species, replacing pine or cypress trees when removed, with appropriate similar species.

Development in these areas should also be integrated with surrounding landscape features. Built form should seek to be subordinate to the landscape, avoid the loss of canopy trees and respond to the topography of the land.

The unique landscape characteristics of these areas need to be properly managed to ensure that their distinctive visual values are conserved and protected.

Background documents

Manningham Monterey Pine and Cypress Tree Assessment (2003)

2.021/02/2013
C54**Landscape character objectives to be achieved**

To encourage development that is in keeping with the area and is sympathetic to the existing built form and any identified heritage values or other features.

To ensure that development responds to the area's landscape and environmental characteristics, including topography, vegetation and waterways.

To ensure the visual impact of development is minimised.

To minimise the visual impacts of earthworks on the landscape.

To minimise the impacts of site run-off and soil erosion on the landscape.

To encourage the retention and establishment of vegetation, particularly large pine and cypress trees.

To maintain and enhance large pine trees and cypress trees and associated windbreaks and pine plantations.

To maintain the treed character of these areas.

To ensure that where any removal of pine or cypress trees is proposed, replacement planting is with suitable species.

To ensure that adequate setbacks are provided to enable the retention and planting of screening shrubs and planting of large canopy trees as part of any development.

3.021/02/2013
C54**Permit requirement****Buildings and works**

A permit is not required to construct or carry out works associated with the construction of a dwelling provided:

- The works do not exceed 1 metre in height or depth above or below natural ground level.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- That no works are carried out within the dripline of any vegetation requiring a permit for its removal.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

A permit is not required for the minimum extent of earthworks necessary to remove warrens for the purpose of vermin control provided the works area is reinstated back to natural ground level and no vegetation requiring a permit for its removal is removed or destroyed.

A permit is not required for a domestic rainwater tank(s) with a total capacity of not more than 10,000 litres provided that works are not carried out within the dripline of any vegetation requiring a permit for its removal and the tank(s) is (are) non-reflective.

Vegetation

A permit is required to remove, destroy or lop:

- Victorian native vegetation.
- An Exotic or Australian native tree that has either:
 - A trunk circumference of more than 0.35 metre measured at a height of 1.3 metres above natural ground level.
 - A height of more than 6 metres.
- A dead eucalypt tree that is both:
 - More than 20 metres from a building (excluding fences) to the base of the trunk.
 - Greater than 1 metre in circumference, measured at a height of 1.3 metres above natural ground level.

A permit is not required for:

- Dead vegetation, other than a dead eucalypt tree as specified above.
- The pruning of an Exotic or Australian native tree for regeneration or ornamental shaping.
- A tree with its trunk within two metres of the roof (including eaves) of an existing building used for accommodation.
- Any species listed as exempt from a permit requirement in the Table to this Schedule.

The term Victorian Native vegetation means *'Plants that are indigenous to Victoria , including trees, shrubs, herbs and grasses'*.

The term Australian Native Tree(s) means *'Tree(s) that are indigenous to Australia (other than Victorian native vegetation)'*.

The term Exotic Tree(s) means *'Tree(s) that are not indigenous to Australia '*.

4.027/05/2019
C126mann**Application requirements**

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme:

Buildings and works

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

- A site plan (drawn to scale) including:
 - The boundaries of the site.
 - The setbacks of buildings and works to all boundaries.
 - Details of the proposed works.
 - The location of all buildings, fences and other structures on the site.
 - The location, extent and type of vegetation on the site.
 - Accurate and detailed existing and proposed finished site levels.
 - The location, proposed gradient and finished level at the top and toe of all batters.
 - Cross sections to illustrate the extent of cut and fill.
 - Details of retaining walls including height, materials and if required, drainage.
 - The location, gradient and camber of driveways and any associated works.
 - The location, depth and width of proposed underground services and trenches.
 - The location of any easements.
- Full building elevations detailing wall height above natural ground level and overall height above natural ground level.
- Floor plans including finished floor levels.
- Measures to be undertaken to minimise environmental impacts during the construction period, including soil conservation, waterway and vegetation protection measures.

Vegetation

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site plan (drawn to scale) showing:
 - The location and species.
 - The boundaries of the site.
 - Topographic information including ridges, crests and hilltops, streams and waterways, drainage lines, slopes of more than 20 percent, low lying areas and areas of existing erosion.
- A description of the vegetation to be removed, including:
 - The reason for the vegetation removal.
 - The species of vegetation.
 - The number and size of trees. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
 - Any proposed replanting.
- An explanation of the steps that have been taken to avoid or minimise the removal of vegetation.
- A landscape plan including any proposed replanting.
- An arborist's assessment of any trees which are proposed to be removed for safety reasons.

5.0

27/05/2019
C126mann**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether building design and siting is in keeping with the character of the area. This includes:
 - Keeping the height of all buildings below the prevailing canopy height of trees.
 - Minimising the extent of earthworks.
- Whether external building finishes and colours are non-reflective and blend with the natural landscape.
- Whether a reasonable proportion of each lot is free of buildings to provide for lawn or other pervious area.
- Whether the removal of large trees has been avoided and minimised.
- Whether pine or cypress trees to be removed will be replaced with a suitable species having regard to the size, shape, growth habitat, foliage, water and soil needs, and commercial availability.
- Whether adequate provision has been made for landscaping and replacement planting of canopy trees to maintain the strong vegetation character of the area.
- The impact of the proposed development on natural ground levels, drainage patterns.
- The role of vegetation in providing habitat.
- Whether building setbacks are adequate to maintain and enhance landscape surrounds.

TABLE TO SCHEDULE 7: Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Box Elder	<i>Acer negundo</i>	Exotic Tree
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cherry Laurel	<i>Prunus laurocerasus</i>	Exotic Tree
Cherry Plum	<i>Prunus cerasifera</i>	Exotic Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Cotoneasters	<i>Cotoneaster species</i>	Exotic Tree
Desert Ash	<i>Fraxinus angustifolia subsp. angustifolia</i>	Exotic Tree
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Hawthorn	<i>Crataegus monogyna</i>	Exotic Tree
Holly	<i>Ilex aquifolium</i>	Exotic Tree
Irish Strawberry Tree	<i>Arbutus unedo</i>	Exotic Tree
Large-leafed (or Tree) Privet	<i>Ligustrum lucidum (Ligustrum japonicum)</i>	Exotic Tree

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Common name	Species	Status
Laurustinus	<i>Viburnum tinus</i>	Exotic Tree
Loquat	<i>Eriobotrya japonica</i>	Exotic Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
Sycamore Maple	<i>Acer pseudoplatanus</i>	Exotic Tree
Tagasaste or Tree Lucerne	<i>Chamaecytisus/(Cytisus) palmensis</i>	Exotic Tree
Tobacco-bush or Wild Tobacco Tree	<i>Solanum mauritianum</i>	Exotic Tree
Tree Locust	<i>Robinia pseudoacacia</i>	Exotic Tree
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree
Willows and Sallows	<i>Salix species</i>	Exotic Tree
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

27/05/2019
C126mann**SCHEDULE 8 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLO8**.

MULLUM VALLEY ESTATE**1.0**03/05/2012
C83**Statement of nature and key elements of landscape**

The Mullum Valley Estate is bounded by the Mullum Mullum Creek to the east, Old Warrandyte Road to the north, Berrima Road and Yileen Court to the south and Illawong Drive to the west.

Exotic species such as garden plantings and remnant orchard plantings remain on the site along with Victorian and Australian native vegetation. Vegetation on the site is visually significant, giving the Estate a distinct landscape character.

The topography is undulating and contains steep slopes in the north west and south east. This presents a challenge for future development in responding to the slope.

The Mullum Mullum Creek which retains significant native vegetation along its banks and represents an important habitat corridor for the municipality and region as a whole. The Estate adjoins a large area of public open space known as the Mullum Mullum Creek Linear Park.

Future development needs to respond to and enhance the landscape and environmental values.

2.027/05/2019
C126mann**Landscape character objectives to be achieved**

To respond to the area's landscape and environmental characteristics, including topography, vegetation and waterways.

To avoid and minimise the removal of vegetation and provide for appropriate replanting.

To respect the interface between private land and the Mullum Mullum Creek environs.

To promote establishment of vegetation, particularly that which is indigenous to the area.

To minimise site run-off and soil erosion to maintain water quality.

3.003/05/2012
C83**Permit requirement**

A permit is not required to construct a building or construct or carry out works.

A permit is required to remove, destroy or lop:

- Victorian native vegetation.
- An Exotic or Australian native tree that has either:
 - A trunk circumference of more than 0.35 metre measured at a height of 1.3 metres above natural ground level.
 - A height of more than 6 metres.

This does not apply to:

- Dead vegetation.
- The pruning of an Exotic or Australian native tree for regeneration or ornamental shaping.
- A tree with its trunk within two (2) metres of the roof (including eaves) of an existing building (excluding a fence).
- Any species listed as exempt from a permit requirement in the Table to this schedule.

The term Victorian native vegetation means 'Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'.

The term Australian native tree(s) means 'Tree(s) that are indigenous to Australia (other than Victorian Native Vegetation)'.

The term Exotic tree(s) means ‘Tree(s) that are not indigenous to Australia’.

4.0

27/05/2019
C126mann

Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site plan (drawn to scale) including:
 - The boundaries of the site.
 - The location and extent of existing vegetation and vegetation to be removed.
 - The location of any buildings and any other structures on the site.
 - Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, and areas of existing erosion, where relevant.
- A description of the vegetation to be removed, including”
 - The reason for the vegetation removal.
 - The species of vegetation.
 - The number and size of trees. The size must be provided as Diameter at Breast Height (DBH), that is, the trunk diameter (in centimetres) at 1.3 metres above natural ground level.
- An arborist’s assessment of any trees proposed to be removed for safety reasons.
- A landscape plan showing any proposed replanting.

5.0

27/05/2019
C126mann

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the vegetation removal will be detrimental to the landscape character of the area.
- Whether the vegetation to be removed is indigenous to the local area.
- Whether adequate provision has been made for landscaping and replacement landscape planting with indigenous vegetation.

TABLE TO SCHEDULE 8 – Species exempt from permit requirements

Common name	Species	Status
Balm Mint Bush	<i>Prostanthera melissifolia</i>	Victorian Native Vegetation
Box Elder	<i>Acer negundo</i>	Exotic Tree
Cedar Wattle	<i>Acacia elata</i>	Australian Native Tree
Cherry Laurel	<i>Prunus laurocerasus</i>	Exotic Tree
Cherry Plum	<i>Prunus cerasifera</i>	Exotic Tree
Cluster Pine or Maritime Pine	<i>Pinus pinaster</i>	Exotic Pine Tree
Cootamundra Wattle	<i>Acacia baileyana</i>	Australian Native Tree
Cotoneasters	<i>Cotoneaster species</i>	Exotic Tree
Desert Ash	<i>Fraxinus angustifolia subsp. angustifolia</i>	Exotic Tree

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Common name	Species	Status
Early Black-wattle	<i>Acacia decurrens</i>	Australian Native Tree
Giant Honey-myrtle	<i>Melaleuca armillaris</i>	Victorian Native Vegetation
Golden Wreath Wattle	<i>Acacia saligna</i>	Australian Native Tree
Gosford Wattle	<i>Acacia prominens</i>	Australian Native Tree
Hawthorn	<i>Crataegus monogyna</i>	Exotic Tree
Holly	<i>Ilex aquifolium</i>	Exotic Tree
Irish Strawberry Tree	<i>Arbutus unedo</i>	Exotic Tree
Large-leafed (or Tree) Privet	<i>Ligustrum lucidum (Ligustrum japonicum)</i>	Exotic Tree
Laurustinus	<i>Viburnum tinus</i>	Exotic Tree
Loquat	<i>Eriobotrya japonica</i>	Exotic Tree
Morning Flag	<i>Orthrosanthus multiflorus</i>	Victorian Native Vegetation
Ovens Wattle	<i>Acacia pravissima</i>	Victorian Native Vegetation
Radiata Pine or Monterey Pine	<i>Pinus radiata</i>	Exotic Pine Tree
Sallow Wattle	<i>Acacia longifolia</i>	Victorian Native Vegetation
Sticky Wattle	<i>Acacia howittii</i>	Victorian Native Vegetation
Sweet Pittosporum	<i>Pittosporum undulatum</i>	Victorian Native Vegetation
Sycamore Maple	<i>Acer pseudoplatanus</i>	Exotic Tree
Tagasaste or Tree Lucerne	<i>Chamaecytisus/(Cytisus) palmensis</i>	Exotic Tree
Tobacco-bush or Wild Tobacco Tree	<i>Solanum mauritianum</i>	Exotic Tree
Tree Locust	<i>Robinia pseudoacacia</i>	Exotic Tree
White Sallow-wattle	<i>Acacia floribunda</i>	Victorian Native Vegetation
Willow-leaf Hakea	<i>Hakea salicifolia</i>	Australian Native Tree
Willows and Sallows	<i>Salix species</i>	Exotic Tree
Wirilda	<i>Acacia retinodes</i>	Victorian Native Vegetation

43

19/01/2006
VC37

HERITAGE AND BUILT FORM OVERLAYS

43.0131/07/2018
VC148**HERITAGE OVERLAY**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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 specified 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.

43.01-124/01/2020
VC160**Permit requirement**

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
 - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
 - A solar energy system attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
 - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
 - A fence, if the fence is visible from a street (other than a lane) or public park.
 - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
 - Street furniture other than:
 - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
 - speed humps, pedestrian refuges and splitter islands.
 - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
 - 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, if the deck is visible from a street (other than a lane) or public park
 - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.

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- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.
- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies 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 specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies 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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> ▪ Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change. ▪ Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. ▪ Subdivide land into 2 lots if: <ul style="list-style-type: none"> - The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired. 	<p>Clause 59.07</p>

Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> - The construction or carrying out of the approved building or works on the land has started lawfully. - The subdivision does not create a vacant lot. ▪ Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay. ▪ Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay. ▪ Externally alter a non-contributory building. ▪ External painting. ▪ Construct a fence. ▪ Construct a carport, garage, pergola, verandah, deck, shed or similar structure. ▪ Construct and install domestic services normal to a dwelling. ▪ Construct and install a non-domestic disabled access ramp. ▪ Construct a vehicle cross-over. ▪ Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing. ▪ Construct a rainwater tank. ▪ Construct or display a sign. ▪ Lop a tree. ▪ Construct or install a solar energy system attached to a dwelling. ▪ Construct and install an electric vehicle charging station. ▪ Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar. 	

43.01-2
21/11/2017
VC141

Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.

43.01-321/11/2017
VC141**No permit required**

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

43.01-431/07/2018
VC148**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, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

43.01-524/01/2020
VC160**Statements of significance**

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.
- A heritage place included in the schedule to this overlay on an interim basis.

43.01-631/07/2018
VC148**Heritage design guidelines**

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

43.01-731/07/2018
VC148**Application requirements**

An application must be accompanied by any information specified in the schedule to this overlay.

43.01-824/01/2020
VC160**Decision guidelines**

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- 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 will adversely affect the significance of the heritage place.
- Whether the proposed subdivision 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 lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.

43.01-9

31/07/2018
VC148

Use of a heritage place

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies 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 the effect of the use on the amenity of the area.

43.01-10

31/07/2018
VC148

Aboriginal heritage places

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0

Application requirements

16/05/2019
C122

None specified.

2.0

Heritage places

27/05/2019
C126mann

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1	Archaeological sites - Alexander Road, Warrandyte	No	No	Yes	No	No	No	Yes
HO2	"Nilja" - Alexander Road, Warrandyte	No	No	Yes	Yes - garage	No	No	No
HO3	House "Glenfern" - 10 Amberley Court, Bulleen	No	No	Yes	No	No	No	No
HO4	Templestowe Primary School No. 1395 (former) - 1-9 Anderson Street, Templestowe	Yes	No	No	No	No	No	No
HO5	Templestowe Memorial Hall – 11-13 Anderson Street, Templestowe	Yes	Yes	Yes	No	No	No	No
HO6	East Doncaster Hall - Andersons Creek Road, Doncaster East	Yes	No	Yes	No	No	No	No
HO7	Milgate Park Estate - Andersons Creek Road, Doncaster East	No	No	Yes	No	No	No	No
HO8	Coolibah - 13 Arunga Drive, Wonga Park	No	No	Yes	Yes - outbuildings, windmill/bore	No	No	No
HO203	Menlo – 17-25 Atkinson Street, Templestowe	-	-	-	-	Yes - Ref. No. H2294	Yes	No

MANNINGHAM PLANNING SCHEME

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HO10	Templestowe Uniting Church (fmr. Presbyterian) - 104 Atkinson Street, Templestowe	Yes	Yes	Yes – Golden Ash only	Yes - timber church building, early post and wire fence	No	No	No
HO11	House (Smith House or Sunnyside Farm) - 134-136 Atkinson Street, Templestowe	No	No	No	No	No	No	No
HO205	River Red Gum on corner Balwyn Road & Doyle Street, Bulleen	No	No	Yes	No	No	No	No
HO12	House – 2-4 Batskos Drive, Warrandyte	No	No	Yes	No	No	No	No
HO13	Ben Nevis - 21-25 Ben Nevis Grove, Bulleen	No	No	Yes	No	No	No	No
HO14	Ross & Monica Larmer House - 42 Berrima Road, Donvale	No	No	No	No	No	No	No
HO15	Robert & Elizabeth Ley House - 58 Berrima Road, Donvale	Yes	No	Yes	No	No	No	No
HO17	Merchant Builders Former Display Houses Heritage Precinct - 4–12 Beverley Hills Drive & 408–418 Porter Street, Templestowe	Yes	No	Yes – English Oak at 4 Beverly Hills Drive only	No	No	No	No
HO18	Pontville – 16-20 Websters Road, Templestowe	-	-	-	-	Yes – Ref. No. H1395	Yes	Yes
HO20	Warrandyte Primary School No. 12 – 42-52 Brackenbury Street, Warrandyte	Yes	No	No	Yes - shelter shed	No	No	No
HO21	House – 151 Brackenbury Street, Warrandyte	Yes	No	No	No	No	No	No
HO24	River Red Gum – Bridge Street Cnr. Manningham Road, Bulleen	No	No	Yes	No	No	No	No

MANNINGHAM PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO25	Bridge Street Pine & Cypress Plantings - Bridge Street, Bulleen	No	No	Yes	No	No	No	No
HO26	"Journeys End" - 22-40 Bridge Street, Bulleen	No	No	Yes	Yes - entry gate	No	No	No
HO27	South Warrandyte Fire Station - 12 Brumbys Road, South Warrandyte	Yes	No	No	No	No	No	No
HO28	House - 138-140 Brysons Road, Warranwood	Yes	Yes	No	No	No	No	No
HO93	Couper's Orchard – 139-141 Brysons Road, Wonga Park Incorporated plan: Plan No. 1 Incorporated under Clause 43.01-2 of the Manningham Planning Scheme, April 2008	Yes	No	Yes	No	No	No	No
HO29	House - 81 Brushy Park Road, Wonga Park	No	No	No	Yes - outbuilding	No	No	No
HO30	Bolin Swamp - Bulleen Road, Bulleen	No	No	Yes	No	No	No	Yes
HO214	House – 5 Buller Terrace, Lower Templestowe	No	No	No	No	No	No	No
HO31	"Worrall" - 2-4 Cat Jump Road, Donvale	Yes	No	Yes	No	No	No	No
HO34	Holy Trinity Anglican Church, Vicarage and Hall - 106 Church Road, Doncaster	Yes	No	Yes	No	No	No	No
HO35	Clifford Park - Clifford Drive, Wonga Park	No	No	Yes	Yes – within Clifford Park: levelled camp sites, footings of stage, large boomerang bases, flagpole,	No	No	No

MANNINGHAM PLANNING SCHEME

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					tower, chapel c1989; within State Park: toilet block & storage building, Rowallan Hall, four 'tables', swimming hole, pump house, camp fire circle, concrete cesspit/grease trap site, shower block base and camp			
HO36	G. Stafford House - 37-39 Curry Road, Park Orchards	No	No	Yes	No	No	No	No
HO37	R. S. Hadley House - 41-43 Curry Road, Park Orchards	No	No	Yes	No	No	No	No
HO38	River Red Gum – Manningham Park Primary School, sth of David Road – 223-229 Manningham Road, Lower Templestowe	No	No	Yes	No	No	No	No
HO39	Yarra Brae Cottage - 8 Davis Road Cnr. Clifford Drive, Wonga Park	No	No	Yes	Yes - HV McKay gate	No	No	No
HO40	House (Clay House) - 10 Dehnert Street, Doncaster East	No	No	Yes	No	No	No	No
HO41	House - 1 Dellas Avenue cnr. McLachlan Street, Templestowe	Yes	No	Yes	No	No	No	No
HO42	English Oak - Doncaster Road (near Hender St corner), Doncaster	No	No	Yes	No	No	No	No

MANNINGHAM PLANNING SCHEME

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HO43	Former Eastern Golf Club "Tullamore" and stables - 463 Doncaster Road, Doncaster, and trees	Yes	No	Yes Tree numbers 4, 27 and 82 as identified in the "Conservation Analysis and Policy" Meredith Gould Architects Pty Ltd (2011).	Yes - stables	No	No	No
HO44	Shire Offices (fmr) - 673 Doncaster Road, Doncaster	Yes	No	No	No	No	No	No
HO45	Doncaster Primary School No. 197 - 675-683 Doncaster Road, Doncaster	Yes	No	Yes – Algerian Oaks only	No	No	No	No
HO46	Church of Christ - 680 Doncaster Road, Doncaster	Yes	Yes	No	No	No	No	No
HO47	Clarke Hopkins & Clarke Office (former) - 684 Doncaster Road, Doncaster	Yes	No	Yes	No	No	No	No
HO215	House – 724 Doncaster Road, Doncaster	Yes	No	No	No	No	No	No
HO49	House - 783 Doncaster Road, Doncaster	Yes	No	No	Yes - timber outbuilding	No	No	No
HO50	"Plassey" - 891-893 Doncaster Road, Doncaster East	Yes	No	No	Yes - basework of conservatory	No	No	No
HO51	Inge & Grahame King House - 18 Drysdale Road, Warrandyte	-	-	-	-	Yes - Ref. No. H1313	Yes	No

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HO52	Wonga Park Primary School No. 3241, Residence & Algerian Oak - 41 Dudley Rd, Wonga Park	No	No	Yes	No	No	No	No
HO53	Red Box tree - 4 Dudley Road, Wonga Park	No	No	Yes	No	No	No	No
HO55	Allen Property - 42 Dudley Road, Wonga Park	No	No	Yes	No	No	No	No
HO56	House – 61A (59) Dudley Road, Wonga Park	No	No	No	No	No	No	No
HO57	House - 9 Dundas Court, East Doncaster	No	Yes	No	No	No	No	No
HO58	Tiffany Heights - 9-11 Edgar Avenue, Wonga Park	No	No	Yes	No	No	No	No
HO216	House – 29 Edwin Road, Templestowe	No	No	No	No	No	No	No
HO208	Canary Island Pines & Dutch Elms at Egan Drive, Bulleen	No	No	Yes	No	No	No	No
HO112	St Clements Church – 9 – 21 Egan Drive, Bulleen	Yes	No	No	No	No	No	No
HO59	“Carawatha” - 10-12 Enfield Avenue, Park Orchards	Yes	No	Yes	No	No	No	No
HO60	Carey Baptist Grammar School - 9 Era Court, Donvale	Yes	No	No	No	No	No	No
HO61	Merchant Builders Former Display Houses Heritage Precinct - 1, 2 & 3 Exford Close, Donvale	Yes	No	No	No	No	No	No
HO62	Westerfolds Manor & Park - Fitzsimons Lane, Templestowe	Yes	No	Yes	Yes - garage	No	No	Yes
HO63	River Red Gums - Fitzsimons Lane & Porter Street (north-east corner), Templestowe	No	No	Yes	No	No	No	No

MANNINGHAM PLANNING SCHEME

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HO217	Templestowe War Memorial at 43-45 Foote Street, Templestowe	No	No	No	No	No	No	No
HO64	Kellybrook Winery and oak tree - 1-3 Fulford Road, Wonga Park	No	No	Yes	No	No	No	No
HO65	Avonleigh - 16 Fulford Road, Wonga Park	No	No	Yes	No	No	No	No
HO67	Colella Orchards - 14 Gatters Road, Wonga Park Incorporated plan: Plan No. 1 Incorporated under Clause 43.01-2 of the Manningham Planning Scheme, April 2008	No	No	Yes	No	No	No	No
HO68	House - 88-90 George Street, Doncaster	No	No	Yes	Yes - outbuilding	No	No	No
HO69	"Heimat" - 125 George Street, Doncaster	Yes	No	Yes	No	No	No	No
HO209	Golden Elm at 174 George Street, Doncaster	No	No	Yes	No	No	No	No
HO70	"Fromhold" - 176 George Street, Doncaster	Yes	No	Yes – Golden Elm only	No	No	No	No
HO210	Monterey Pines at 137 – 139 Glenvale Road, Donvale	No	No	Yes	No	No	No	No
HO71	Mines - "Sailor's Reef" - 42-56 Gold Memorial Road, Warrandyte	No	No	No	No	No	No	No
HO72	Archaeological site Bulleen Drive-In (fmr) – 49 Greenaway Street, Bulleen	No	No	Yes	No	No	No	Yes
HO73	Meg Henderson Houses Precinct - 232 Greenslopes Drive and 1 Fran Court, Lower Templestowe	Yes	No	Yes	No	No	No	No

MANNINGHAM PLANNING SCHEME

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HO219	Warrandyte South Primary School No. 3476 (former) at 58-64 Hall Road, Warrandyte South.	No	No	No	No	No	No	No
HO74	South Warrandyte Hall - 66-68 Hall Road, South Warrandyte	No	No	No	No	No	Yes	No
HO75	Tod Park & Parkinson property - 18-20 Hartley Road and 114-116 Jumping Creek Road, Wonga Park	No	No	Yes	Yes – tea rooms, cottage and office	No	No	No
HO76	Wyndover - 26 Hartley Road (Cnr. Moser Road), Wonga Park	No	No	Yes	Yes - fence remnant	No	No	No
HO77	Hartley Cottage - 30 Hartley Road, Wonga Park	No	No	Yes	Yes - fence remnant	No	No	No
HO78	Pavilion - 72 Hartley Road, Wonga Park	No	No	No	No	No	No	No
HO79	Warrandyte High School - 241 Heidelberg-Warrandyte Road, Warrandyte	Yes	No	No	No	No	No	No
HO80	House – 298 Heidelberg-Warrandyte Road, Warrandyte	No	No	No	No	No	No	No
HO81	Jenkins Homestead - 23 Hemingway Ave., Templestowe	Yes	No	No	No	No	No	No
HO211	Monterey Pines at 126, 128, 130, 132 & 138 High Street, Doncaster.	No	No	Yes	No	No	No	No
HO82	House – 131 High Street, Doncaster	Yes	No	Yes	No	No	No	No
HO83	Winter Park Cluster Housing –137-149 High Street & 6-17 Timber Ridge, Doncaster	-	-	-	-	Yes – Ref. No H1345	Yes	No
HO212	Monterey Cypresses at 333, 339, 344 & 360 High Street, Templestowe Lower	No	No	Yes	No	No	No	No

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HO84	Mines - 'Great Southern' 27-41 Hodson Road, Warrandyte	No	No	No	No	No	No	No
HO85	Windrush - Homestead Road, Templestowe	Yes	No	No	No	No	No	No
HO86	Newman Grave Sites - Homestead Road & 9 Watties Lane, Templestowe	No	No	Yes	No	No	No	No
HO87	Homestead Boarding Kennels and Cattery - 12 Homestead Road, Wonga Park	No	No	Yes	No	No	No	No
HO88	House - 97-99 Homestead Road, Wonga Park	Yes	No	No	No	No	No	No
HO89	Cottage - 1 Hooper Road, Wonga Park	No	No	No	No	No	No	No
HO90	Hooper Cottage - 19 Hooper Road, Wonga Park	No	No	Yes	No	No	No	No
HO91	Former Naughton House and Factory - part 7-11 and part 13-15 Hutchinson Avenue, Warrandyte	-	-	-	-	Yes - Ref. No. H1314	Yes	No
HO204	House – 103 James Street, Templestowe	No	No	No	No	No	No	No
HO92	Motor Garage (Motor Body Works) - 133 James Street, Templestowe	Yes	No	No	No	No	No	No
HO94	Marshall's Post Office (former) - 76-78 Jumping Creek Road, Wonga Park	No	No	No	No	No	No	No
HO95	Irwin House (former) - 177-179 Jumping Creek Road, Wonga Park	No	No	No	No	No	No	No
HO96	House - 181 Jumping Creek Road, Wonga Park	Yes	No	No	No	No	No	No
HO97	Potters Cottage - 321-327 Jumping Creek Road, Warrandyte	No	Yes	Yes	No	No	No	No
HO98	St Anne's Chapel - 54-62 Knees Road, Park Orchards	No	No	No	No	No	No	No

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HO99	Wonga Park Hall & Reserve - Launderers Avenue, Wonga Park	No	No	Yes	No	No	No	No
HO100	Oak Trees - 10 Launderers Avenue, Wonga Park	No	No	Yes	No	No	No	No
HO101	House - 75 Leeds Street, Doncaster	No	No	Yes	No	No	No	No
HO102	House - 88 Leeds Street, Doncaster	No	No	Yes	No	No	No	No
HO103	Mt Lofty Landscape - Lower Homestead Road, Wonga Park	No	No	Yes	No	No	No	No
HO104	Former stables - Wonga Park homestead - 5 Lower Homestead Road, Wonga Park	No	No	No	No	No	No	No
HO105	McDonald Avenue - McDonald Avenue, Templestowe	No	No	Yes	No	No	No	No
HO201	Cottage – 125 - 127 McGowans Road, Donvale	No	No	Yes	No	No	No	No
HO106	Adit Gold Mine – Part Reserve PS414269V and part 1A McIntyres Road, Park Orchards	No	No	No	No	No	No	No
HO107	Archaeological site - 69-129 McIntyres Road, Park Orchards	No	No	Yes	No	No	No	Yes
HO109	John & Val Reid House - 72 Macedon Road, Lower Templestowe	No	No	Yes	No	No	No	No
HO110	Alwyn Seir House - 74 Macedon Rd., Lwr. Templestowe	No	No	Yes	No	No	No	No
HO111	House - 12 Mahoneys Court, Warrandyte	No	No	No	No	No	No	No
HO113	A. H. Snelleman House (former) - 42 Melbourne Hill Road, Warrandyte	No	No	No	Yes - carport	No	No	No

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HO114	Petty & Austins Orchards - Monckton & Homestead Roads, Templestowe Incorporated plan: Plan No. 1 Incorporated under Clause 43.01-2 of the Manningham Planning Scheme, April 2008	No	No	Yes	Yes - packing shed	No	No	No
HO115	"Caringa" - 1 Monckton Road, Templestowe	No	No	Yes	Yes - front fence, gate	No	No	No
HO116	Pontville & Monckton Gateposts - 6 Monckton Road, Templestowe	Yes	No	No	No	No	No	No
HO117	Timber Packing Shed - 20 Monckton Road, Templestowe	No	No	No	No	No	No	No
HO118	House - 123 Mitcham Road, Donvale	No	No	Yes	No	No	No	No
HO119	Archaeological site Reserve - Mullum Drive, Donvale (7922-555)	No	No	Yes	No	No	No	Yes
HO120	Laminex House (fmr) - 1 Oakland Drive, Warrandyte	No	Yes	No	No	No	No	No
HO121	House (fmr "Hilldene") – 32-34 Octantis Street, Doncaster East	No	No	Yes	Yes - pergola	No	No	No
HO122	Old Warrandyte Road Heritage Precinct – 1-29 and 12-26 Old Warrandyte & 1-8 Cat Jump Roads, Donvale	No	No	Yes	No	No	No	No
HO123	Ian H. Grabowsky House - 15 Old Warrandyte Road, Donvale	No	No	Yes	Yes-fence	No	No	No
HO124	'Sunningdale' - 16 Old Warrandyte Road, Donvale	Yes	No	Yes	No	No	No	No

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HO125	Joseph Alexander House (former) - 21 Old Warrandyte Road, Donvale	No	No	No	No	No	No	No
HO206	<i>Cornwall House</i> – 103 Old Warrandyte Road, Donvale	No	No	Yes – Golden Cypress & Windmill Palm only	No	No	No	No
HO126	Wonga Park Community Cottage - Old Yarra Road, Wonga Park	No	No	No	No	No	No	No
HO220	Merchant Builders Olympus Drive Display Houses (former) at 20 & 22 Olympus Drive, Lower Templestowe	No	No	No	No	No	No	No
HO128	“Whitefriars” Carmelite Monastery (now Whitefriars Park) - 88-130 Park Road, NE Cnr. Heads Road, Donvale	Yes	Yes	Yes	Yes - fence, gate	No	No	No
HO129	Park Orchards Chalet - 579 Park Road, Park Orchards	No	No	No	No	No	No	No
HO130	Templestowe Hotel - 23-29 Parker Street, Templestowe	No	No	Yes	No	No	No	No
HO132	Collyer House - 10 Paynters Road, Wonga Park	No	No	No	No	No	No	No
HO133	Avanti - 30 Paynters Road, Wonga Park	Yes	No	No	No	No	No	No
HO134	House - 33 Paynters Road, Wonga Park	Yes	No	No	No	No	No	No
HO135	Doonaree - 35 Paynters Road, Wonga Park	No	No	No	No	No	No	No
HO136	Former Wonga Park Store (train carriage) - 38 Paynters Road, Wonga Park	No	No	No	No	No	No	No
HO137	Muller House - 39 Paynters Road, Wonga Park	No	Yes	No	No	No	No	No

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HO138	C. & P. Mylins House (fmr) - 9-11 Pine Ave., Park Orchards	Yes	No	Yes	No	No	No	No
HO139	River Red Gums - Porter St., Templestowe	No	No	Yes	No	No	No	No
HO140	St. Haralambous -190-200 Porter Street, Templestowe	No	No	Yes	No	No	No	No
HO141	Pound Bend Gold Diversion Tunnel - Pound Bend Road, Warrandyte	-	-	-	-	Yes - Ref. No. H1260	Yes	No
HO142	P. & J. McQuie House - 7 Ranleigh Rise, Lwr. Templestowe	Yes	No	Yes	No	No	No	No
HO143	(D & R Bates) - 14 (Lot 1) Reserve Road, Wonga Park	Yes	No	No	No	No	No	No
HO144	House - 34-36 Reserve Road, Wonga Park	Yes	No	No	No	No	No	No
HO145	Currawong Bush Park, Rangers Office, accommodation, conference room and shelter - 277-285 Reynolds Road, Donvale (7922-268-271)	No	No	Yes	Yes - outbuildings	No	No	Yes
HO221	Wood Street Footbridge at 1-13 Riverwood Lane, Lower Templestowe	No	No	Yes	No	No	No	No
HO146	Moreton Bay Fig - 1 Robb Close, Bulleen	No	No	Yes	No	No	No	No
HO147	"Clarendon Eyre" orig. "Springbank" - 6 Robb Close, Bulleen	No	No	Yes	No	No	No	No
HO148	Rosco Drive Heritage Precinct – 9, 28, 30 & 34 Rosco Drive, Templestowe	Yes	No	No	No	No	No	No
HO149	Solar House - 32 Rosco Drive, Templestowe	-	-	-	-	Yes - Ref. No H1312	Yes	No

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HO150	House - 8 Russell Road, Warrandyte	No	No	No	No	No	No	No
HO151	Topping House - 3 St Denys Crescent, Wonga Park	No	No	No	Yes - well	No	No	No
HO152	Carter House - 2-4 St Georges Ave., Templestowe	No	No	No	No	No	No	No
HO153	House & Hedge - 52-54 Serpells Rd., Templestowe	Yes	No	Yes	No	No	No	No
HO154	Morialta - 81-83 Serpells Rd., Templestowe	No	No	No	No	No	No	No
HO155	House -49 Smiths Road, Templestowe	No	No	Yes	Yes - outbuildings	No	No	No
HO156	Stane Brae - 5 Stane Brae Court, Wonga Park	No	No	Yes	Yes - remains of concrete ammunition store & rifle range	No	No	No
HO157	St Stephens Anglican Church - 5-7 Stiggant Street, Warrandyte	Yes	No	No	Yes - fence, gate, flagpole	No	No	No
HO54	Ironbark - 6 Styles Court, Wonga Park	No	No	Yes	No	No	No	No
HO158	House - 18 Summit Drive, Bulleen	Yes	No	No	No	No	No	No
HO159	Warrandyte Uniting Church - 1-3 Taroona Ave., Warrandyte	Yes	Yes	Yes	No	No	No	No
HO160	Heide I - 5 Templestowe Road, Bulleen	-	-	-	-	Yes - Ref. No. H687	Yes	No
HO161	Heide II - 7 Templestowe Road, Bulleen	-	-	-	-	Yes - Ref. No. H1494	Yes	Yes

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HO162	River Red Gums - Templestowe Road, Lower Templestowe	No	No	Yes	No	No	No	No
HO163	Black Flat Mining Area Heritage Precinct - Tills Drive and Nelson Drive, Warrandyte	No	No	No	No	No	No	No
HO164	"Kembla" - 36-48 Tills Drive, Warrandyte	No	No	Yes	Yes - outdoor pool, entry gate, stonework terracing	No	No	No
HO165	"The Stone House" – 1-21 Tills Drive Cnr. 323 Warrandyte–Ringwood Road, Warrandyte	Yes	No	No	No	No	No	No
HO166	Violet Hawkes' Cottage - Tills Drive, Warrandyte	Yes	No	No	No	No	No	No
HO167	House - 243-245 Tindals Road, Warrandyte	No	No	Yes	Yes - outbuildings, fence, gate	No	No	No
HO222	House & Garden at 18-20 Unwin Street, Templestowe	No	No	Yes	No	No	No	No
HO169	Schramms Cottage Heritage Precinct - 62-78 Victoria Street, Doncaster	No	No	No	No	No	No	No
HO170	Black Achan Pear & Bunya Bunya Pine at - Municipal Gardens, Victoria Street, Doncaster	No	No	Yes	No	No	No	No
HO171	Trinity Lutheran Church & Canary Island Palm at - 51-53 Victoria Street, Doncaster	Yes	Yes	Yes	No	No	No	No
HO172	Trinity Lutheran Church Manse & English Oak at - 51-53 Victoria Street, Doncaster	Yes	Yes	Yes – English Oak only	No	No		No
HO173	Schramms Cottage - 62-78 Victoria Street, Doncaster	Yes	Yes	Yes	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO174	Lutheran Cemetery (fmr) - 80-90 Victoria Street, Doncaster	Yes	No	Yes	No	No	No	No
HO175	"Friedensruh" - 10 Waldau Court, Doncaster	-	-	-	-	Yes - Ref. No. H376	Yes	No
HO179	Timber Reserve inc. Pigtail Mine - Warrandyte State Park, Webb St & Pigtail Rd, Warrandyte	No	No	Yes	No	No	No	No
HO180	Fourth Hill and Whipstick Gully inc. Quarries (Warrandyte State Park) - Webb Street & Gold Memorial Road, Warrandyte	No	No	No	No	No	No	No
HO181	Archaeological site (Ref. VAS 7922/202) - Wetherby Road eastern Cnr Eastern Freeway, Doncaster East	No	No	Yes	No	No	No	Yes
HO182	House - 108 Whittens Lane, Doncaster	No	No	No	No	No	No	No
HO183	Yarra Brae House & Yarra Brae Farm – 7-9 Yarra Brae Close, Wonga Park	Yes	No	Yes	Yes - complex of outbuildings and structures	No	No	No
HO184	The Hedge - 52-78 (9087) Yarra Road, Wonga Park	No	No	Yes	Yes - outbuilding, well	No	No	No
HO185	Elder House - 277-279 Yarra Road, Wonga Park	No	No	Yes	No	No	No	No
HO186	Milpara Catholic Centre - 280 (9086) Yarra Road, Wonga Park	No	No	Yes	No	No	No	No
HO187	Seddon Hill - 372 (9061) Yarra Road, Wonga Park	No	No	Yes	No	No	No	No
HO188	White Lodge - 391 (9046) Yarra Road, Wonga Park	No	No	Yes	No	No	No	No

MANNINGHAM PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO189	Read Orchard complex (former) - 404 Yarra Road & 6 Toppings Road, Wonga Park	No	No	Yes	Yes - outbuilding, fence	No	No	No
HO190	St Marks Anglican Church - 406 Yarra Road, Wonga Park	No	No	No	No	No	No	No
HO191	Warrandyte Township Heritage Precinct - Yarra & Brackenbury Streets, Russell and Mullens Roads, Warrandyte	No	No	Yes – English Oak at 77 Yarra Street & Pepper Tree at 111 Yarra Street only	Yes - Blacksmith Hut 111 Yarra Street Warrandyte	No	Yes – applies to 95, 103 – 109, 163, 165, 167, 183 – 187, 189, 193 – 197 & 207 Yarra St only	No
HO192	“Yarra Lodge” (fmr. Hemsworth House) - 18 Yarra Street, Warrandyte	No	No	No	Yes - outbuildings	No	No	No
HO193	Shop & Residence - 36-38 Yarra Street, Warrandyte	No	No	No	No	No	No	No
HO194	Warrandyte Police Station (fmr) - 71 Yarra St., Warrandyte	Yes	No	No	No	No	No	No
HO195	Grand Hotel - 112 Yarra Street, Warrandyte	Yes	Yes	No	No	No	No	No
HO196	Diary Tree - 141 Yarra Street, Warrandyte	No	No	Yes	No	No	No	No
HO197	Warrandyte Mechanics Institute - 180-186 Yarra St., Warrandyte	No	Yes	No	No	No	No	No
HO198	Warrandyte Fire Station (fmr) – Cnr. Yarra Street & Mitchell Ave, Warrandyte	Yes	No	No	Yes - steel tower	No	No	No

MANNINGHAM PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO199	Former Warrandyte Wine Hall - 232-236 Yarra St., Warrandyte	-	-	-	-	Yes - Ref. No. H1150	Yes	No
HO200	Alexa Goyder's House - 300 Yarra Street, Warrandyte	Yes	No	Yes	No	No	No	No
HO22	House – 314 Yarra Street (161 Brackenbury Street), Warrandyte	Yes	No	No	No	No	No	No
HO23	House – 318 Yarra Street, Warrandyte	Yes	No	No	No	No	No	No

43.02

31/07/2018
VC148

DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are affected by specific requirements relating to the design and built form of new development.

43.02-1

19/01/2006
VC37

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

31/07/2018
VC148

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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ An outdoor swimming pool. The buildings and works must be associated with a dwelling.	Clause 59.05

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$1,000,000 where the land is in an industrial zone.	Clause 59.05
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.	Clause 59.05

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

31/07/2018
VC148

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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: 	Clause 59.02

Class of application**Information requirements and decision guidelines**

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.
- The subdivision does not create a vacant lot.

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

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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.

27/05/2019
C126mann

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1.

DONCASTER ROAD STRATEGY AREA

1.0

27/05/2019
C126mann

Design objectives

To achieve good design outcomes.

To improve the attractiveness of Doncaster Road and to ensure that new development enhances the visual amenity and role of Doncaster Road as a viewing corridor.

To enhance the viability and vitality of commercial activities along Doncaster Road.

To ensure that signs are compatible with the style of the built form and do not create visual clutter.

To enhance the residential environment and improve facilities for public transport, pedestrians and cyclists.

To promote safe pedestrian and bicycle access.

To improve traffic efficiency and safety.

To protect and enhance the amenity and liveability of residential areas.

2.0

19/01/2006
VC37

Buildings and works

New development must:

- Recognise the importance of Doncaster Road as a main viewing corridor.
- Be set back 5 metres from the Doncaster Road frontage or have a sufficient setback from the Doncaster Road frontage to create a consistent built edge and incorporate tree planting and landscaping to achieve a boulevard character (This does not apply to dwellings).
- Create distinctive identities for gateways.
- Ensure that car parking areas are kept to the rear of buildings if possible.
- Allow vehicles to exit the site in a forward direction.
- Protect the capacity of the road and promote public safety by minimising the number of access points to Doncaster Road.
- Create visual interest and be compatible with the neighbourhood character by providing:
 - Articulated building facades and highlighted building entries.
 - Façade materials that do not exceed 70 per cent glazing.
 - Building heights that are responsive to the heights of adjoining buildings and do not cause a significant loss of amenity to adjoining properties.

The landscape design must integrate development with adjoining properties and provide an attractive environment and buffer to these properties.

Planting within the building setback area must include a row of avenue trees.

3.0

27/05/2019
C126mann

Subdivision

None specified.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

None specified.

6.0

27/05/2019
C126mann

Decision guidelines

None specified.

20/04/2021
VC197**SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO2**.

YARRA (BIRRARUNG) RIVER CORRIDOR**1.0**20/04/2021
VC197**Design objectives**

To ensure new buildings, tennis courts, swimming pools and other structures are appropriately set back from the banks of the Yarra River and adjacent public open space.

To ensure buildings are presented at a variety of heights, avoid visual bulk, are stepped back from the frontage of the Yarra River and adjacent public open space and use colours and finishes which do not contrast with the natural landscape setting.

To avoid additional light spill and overshadowing from buildings on the banks and water of the Yarra River, its adjacent public open space, pedestrian and bicycle paths. To ensure sufficient space is provided between buildings to maintain views to the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.

To minimise impervious surfaces to allow for the filtration of water and retention and establishment of vegetation and canopy trees.

2.020/04/2021
VC197**Buildings and works**

A permit is required to construct a fence that:

- is set back less than the minimum setback distance specified in the applicable table to this schedule; or
- abuts public open space.

This does not apply to a fence that:

- does not exceed a maximum height of 1.4 metres at any point above ground level; and
- is of timber post and rail, timber post and wire, or metal post and wire construction.

A permit is required to construct a swimming pool or tennis court associated with a dwelling which is not in accordance with the requirements of this schedule.

Requirements that cannot be varied by a planning permit

The following requirements must be met:

- Buildings and works must not cast any additional shadow across the Setback Reference Line (the closest parallel property boundary aligned to the banks of the waterway) between 11:00am and 2:00pm on 22 June.
- New buildings must not exceed the maximum building height specified in the applicable table to this schedule. A building may exceed the maximum building height by up to 1 metre if the slope of the ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.
- New buildings (including basements and projections) must be set back from the Setback Reference Line (the closest parallel property boundary aligned to the banks of the waterway) the minimum distance specified in the applicable table to this schedule.
- The complete or partial replacement of an existing building within the minimum setback distance specified in the applicable table to this schedule (as measured from the Setback Reference Line, being the closest parallel property boundary aligned to the banks of the waterway) must not:
 - Exceed the maximum building height specified in the applicable table to this schedule.
 - Reduce the existing setback of the building from the Yarra River and public open space.

MANNINGHAM PLANNING SCHEME

- Increase the existing gross floor area of the existing building.

Requirements that can be varied by a planning permit

The following requirements should be met:

- Buildings and works should not cast any additional shadow across any public open space between 11:00am and 2:00pm on 22 September.
- Buildings should not exceed the discretionary maximum building height specified in the applicable table to this schedule, except for sloping sites where a building may exceed the maximum building height by up to 1 metre if the slope of the ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.
- Fencing within the minimum setback specified in the applicable table to this schedule (as measured from the Setback Reference Line, being the closest parallel property boundary aligned to the banks of the waterway), should not:
 - Impede the flow of flood waters.
 - Exceed a height of 1.4 metres above ground level.
 - Be less than 25 per cent visually permeable.
 - Use reflective colours and finishes.
- The site area covered by buildings, tennis courts, swimming pools and other impervious surfaces within a Residential Zone or on land used for accommodation should not exceed 40 per cent of the lot area.
- Tennis courts, swimming pools and other outbuildings associated with a dwelling should be set back from the Setback Reference Line (the closest parallel property boundary aligned to the banks of the waterway) the minimum distance specified in the applicable table to this schedule.
- Building materials should utilise non-reflective colours and finishes that blend with the natural landscape.

Table 1

DD02	Location	Minimum Setback	Maximum Height
Map Ref			
A	Bulleen Road, Bulleen	70 metres	8 metres
B	Greenaway Street Precinct, Bulleen Road, Bulleen:		
	Land within UFZ	the property boundary as indicated at Map Reference Area B of this schedule	8 metres
	Land within RGZ2	-	13.5 metres
	Land within GRZ1	-	9 metres
	Land within INZ1	-	12 metres
	Land within RCZ1	-	8 metres
C	Templestowe Road (West), Bulleen		
	Land within SUZ1	the 18 metre contour (measured to Australian Height Datum)	8 metres
	Land within UFZ	the 18 metre contour (measured to Australian Height Datum)	8 metres

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DD02	Location	Minimum Setback	Maximum Height
Map Ref			
	Land within INZ1	-	8 metres
	Land within RCZ1	the 18 metre contour (measured to Australian Height Datum)	8 metres
D	Templestowe Road (East), Bulleen		
	199-219 Templestowe Road	100 metres	8 metres
	249 Templestowe Road	40 metres	8 metres
E	Dellas Avenue, Templestowe	30 metres	8 metres
F	Homestead & Alexander Roads, Warrandyte	100 metres	8 metres
G	Naughton Avenue, Warrandyte		
	Land within NRZ1	100 metres	8 metres
	Land within RCZ1	80 metres	8 metres
H	Pound Bend Road, Warrandyte	100 metres	8 metres
I	Yarra Street, Warrandyte	30 metres	8 metres
J	Tills Drive, Warrandyte	100 metres	8 metres
K	Nelson Drive, Warrandyte	100 metres	8 metres

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DDO2 Setback Map Reference Area A - Bulleen Road, Bulleen



LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area B - Greenway Street Precinct, Bulleen Road, Bulleen



LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

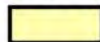


* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Map Reference Area C - Templestowe Road (West), Bulleen



LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area D
 - Templestowe Road (East), Templestowe Lower



LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

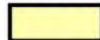


* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area E - Dellas Avenue, Templestowe



LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line




* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area F - Alexander Road, Warrandyte



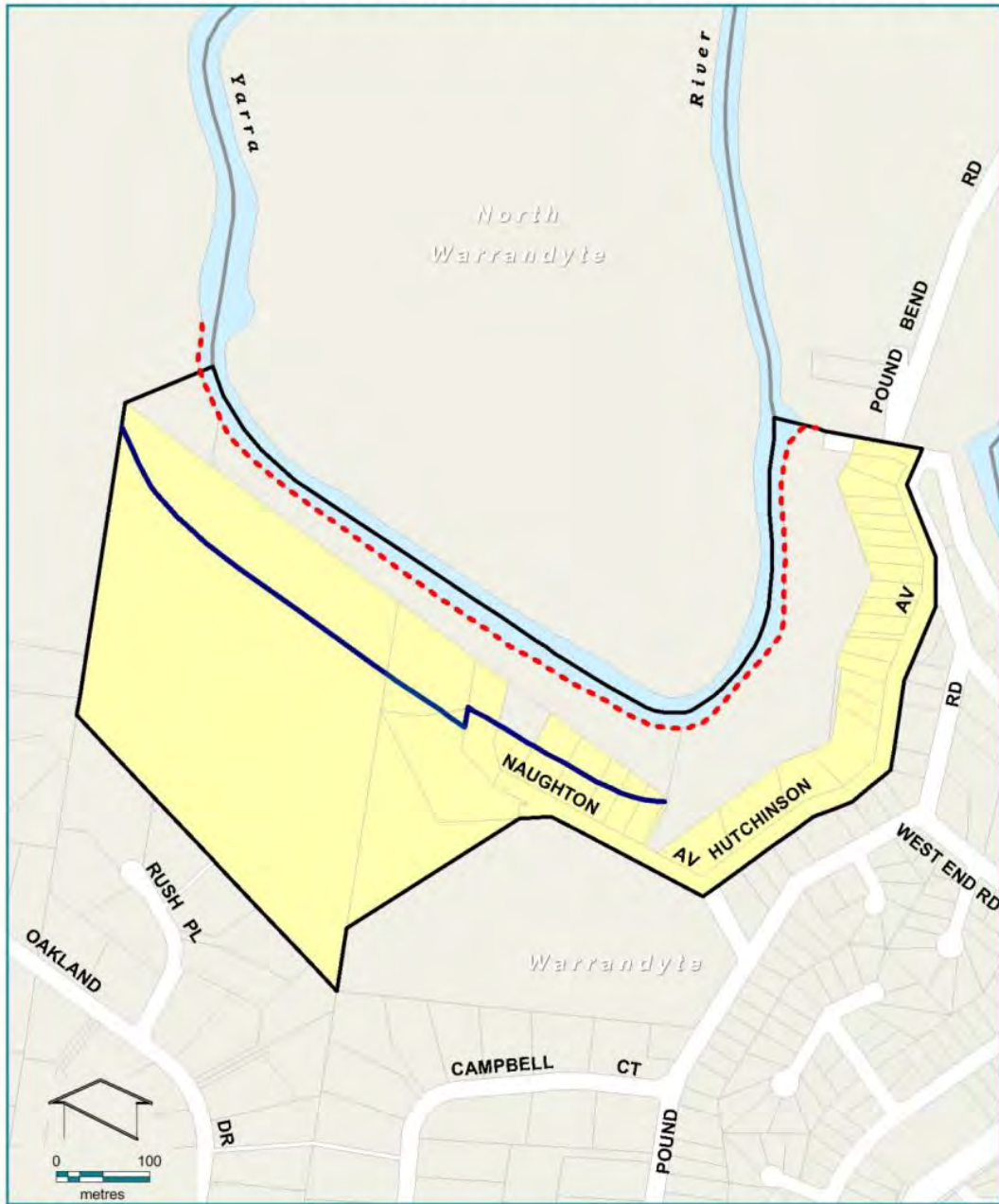
LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line




* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area G - Naughton Avenue, Warrandyte



LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line




* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area H - Pound Bend Road, Warrandyte



LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line




* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area I - Yarra Street, Warrandyte



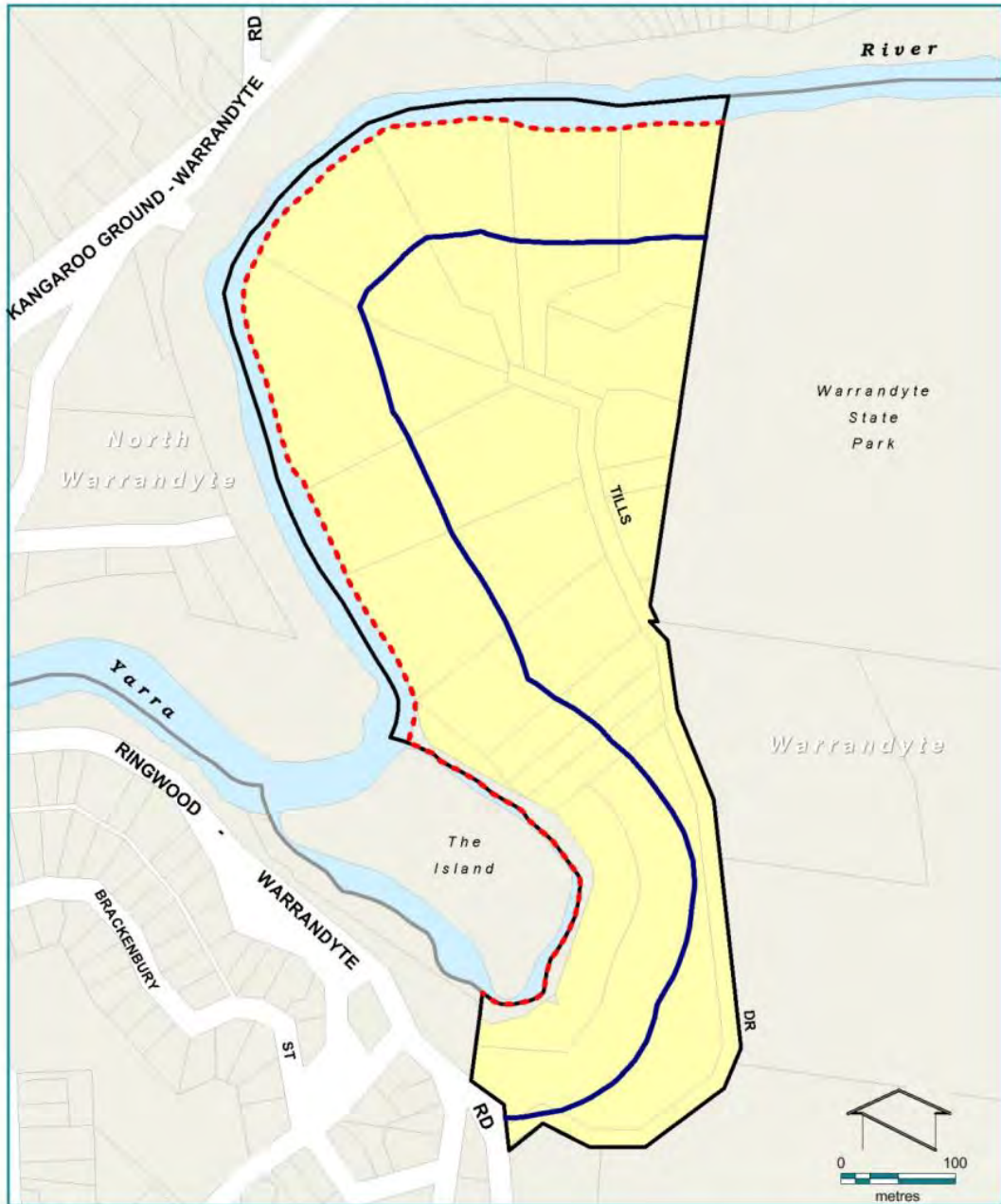
LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line

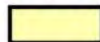


* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area J - Tills Drive, Warrandyte



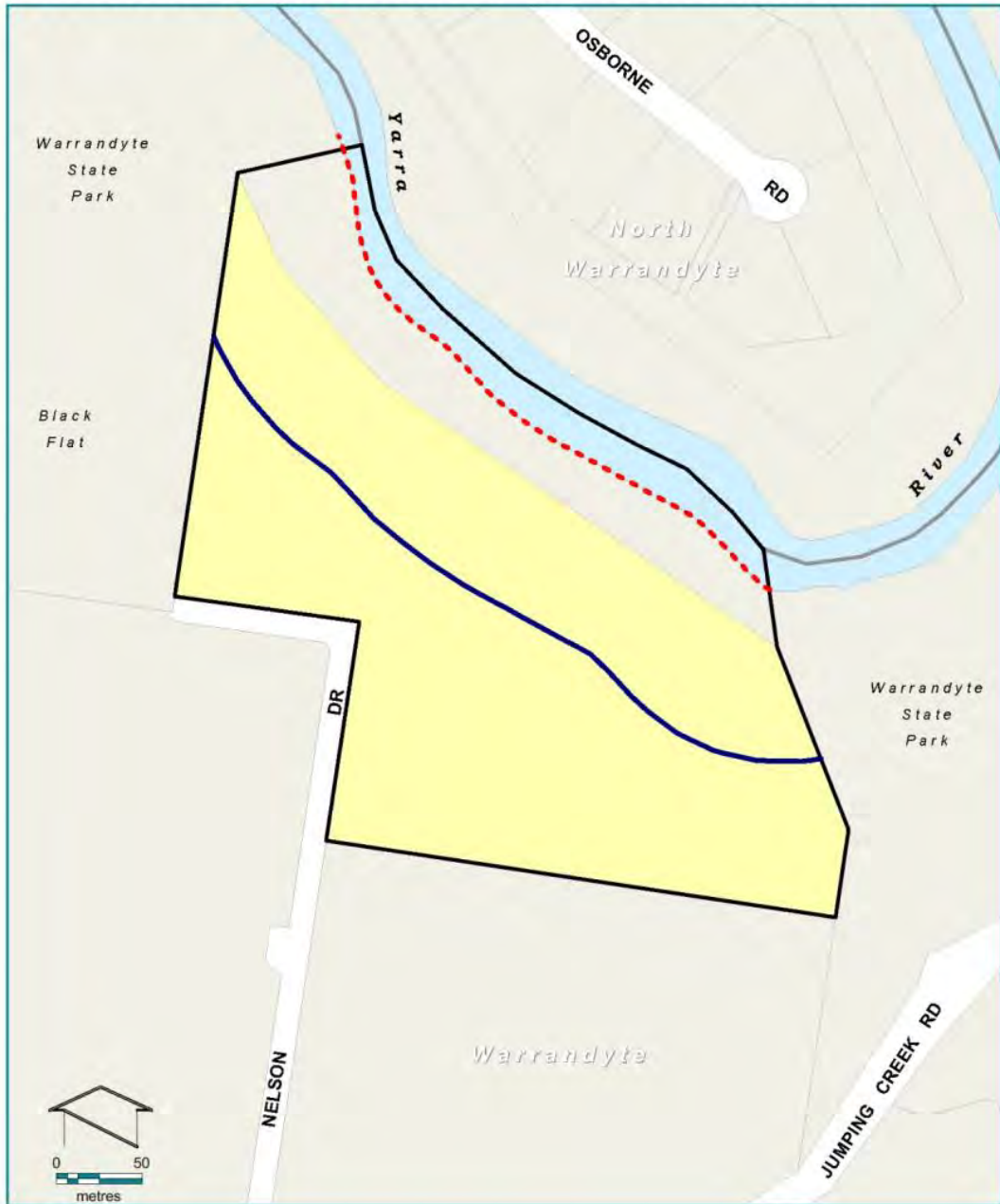
LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line




* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

MANNINGHAM PLANNING SCHEME

DDO2 Setback Map Reference Area K - Nelson Drive, Warrandyte



LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

3.0

27/05/2019
C126mann

Subdivision

None specified.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

20/04/2021
VC197

Application requirements

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

- A written assessment demonstrating how the proposal meets the objectives and requirements of this overlay.
- A site survey plan, certified by a qualified surveyor, showing:
 - all existing and proposed buildings and works.
 - The location of the Setback Reference Line, being the closest parallel property boundary aligned to the banks of the waterway.
 - The location of the minimum setback specified in the applicable table to this schedule, as measured from the Setback Reference Line away from the waterway.
- A site plan and elevations showing proposed building heights and the maximum building heights specified in the applicable table to this schedule using the Australian Height Datum (AHD) measured from ground level and including any proposed areas of cut and fill.
- A schedule of proposed materials and finishes.
- Shadow diagrams demonstrating how the proposed buildings and works meet the overshadowing requirements of this schedule.
- A visual impact assessment of proposed buildings and works from public viewing points within the Yarra River corridor as determined by the responsible authority .
- The percentage of the site occupied by buildings, tennis courts, swimming pools and other existing or proposed impermeable surfaces.
- A landscaping plan, including a written explanation, which shows:
 - The type, location, quantity, height at maturity and botanical names of all proposed plants and details of any proposed tree protection zones.
 - How natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
 - How erosion will be managed and stability maintained or improved using soft landscaping techniques.
 - How the rate and quantity of stormwater leaving a property will be controlled and pollutants filtered, during and post construction.
- Where the complete or partial replacement of an existing building does not meet the minimum setback specified in the applicable table to this schedule, the application must be accompanied by a report which:
 - Provides a calculation of the existing and proposed gross floor area of all buildings.
 - Explains why the proposed building or works cannot be set back at least the minimum distance specified in applicable table.
 - Identifies any impacts on existing vegetation, the land, the flow of floodwaters or other environmental matters.

- Explains how any environmental impacts will be mitigated.

6.0

20/04/2021
VC197

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The views of Melbourne Water as a recommending referral authority in accordance with section 55 of the Act for all applications within 100 metres of the Yarra River, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and Melbourne Water.

Before deciding on an application, the responsible authority must consider as appropriate:

Landscape protection

- The visibility of any proposed buildings and works when viewed from the Yarra River and adjacent public open space, pedestrian and bicycle paths and bridge crossings.
- Whether sufficient space is provided between buildings to maintain views of the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.
- Whether the siting of buildings and works avoids the removal of existing riparian vegetation. Whether any earthworks will affect public views of the river corridor.
- The need for additional landscaping or new vegetation screening to filter views of proposed buildings and works.

Siting and design

- Whether any additional overshadowing of public open space can be avoided by redesigning or relocating a proposed building or parts of it.
- Whether siting of proposed buildings impacts the river's natural flood and watercourse characteristics.
- Whether any proposed garages and outbuildings ancillary to a dwelling are integrated into the overall design to minimise the appearance of built form impacting public views of the river corridor.
- Whether the location, bulk, outline and appearance of any proposed building or works are in keeping with or enhance the natural landscape character and appearance of the Yarra River.
- The appropriateness of proposed materials and finishes for any proposed buildings and works in reducing contrast.

Site coverage and permeability

- The need to minimise impervious surfaces to allow for filtration of water and retention and establishment of indigenous vegetation and canopy trees.
- The need to limit areas, (including tennis courts and swimming pools) and other impervious surfaces within the minimum setback distance specified in a table to this schedule to allow for replanting and vegetation growth.
- Whether adequate spacing is provided between buildings to maintain and create views to the Yarra River and its corridor.

27/05/2019
C126mann

SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3**.

WARRANTYTE ENVIRONMENTAL RESIDENTIAL AREA

1.0

21/02/2013
C54

Design objectives

To maintain and enhance the special bushland and low-density character of the Warrandyte township.

To ensure that development responds to the area's environmental characteristics, including topography, soils and vegetation, and is sympathetic to the existing built form and style.

To maintain the vegetation dominated vistas and bushland character.

To protect and enhance the pattern of vegetation, landscape quality and ecosystems.

To ensure that development recognises the existing infrastructure capacities and does not generate demand for extensive upgrades of infrastructure, including the standard of roads and drainage.

To maintain consistency, where present, of current front setbacks.

To ensure that development does not protrude above the prevailing height of the tree canopy.

To retain the predominance of single detached housing and discourage other forms of development.

To minimise earthworks.

To ensure that land retains areas of pervious surfaces and a low site coverage to enable the retention and establishment of vegetation, particularly that which is indigenous to the area.

To reinforce the open streetscape character by having no, or low fencing allowing the continuity of landscape and views to front gardens.

2.0

21/02/2013
C54

Buildings and works

Permit requirement

A permit is required to construct or carry out works for an outdoor domestic swimming pool or spa and associated mechanical and safety equipment associated with a dwelling.

A permit is required to construct a front fence.

Dwellings and Outdoor Swimming Pool

Each lot must not be developed with more than one dwelling. A permit cannot be granted to vary this requirement.

A permit is not required to construct a dwelling or a domestic swimming pool or spa and associated mechanical and safety equipment, provided:

- The dwelling is set back equal to or further from the frontage than any part of a dwelling on an adjoining lot with frontage to the same road.
- The dwelling is set back at least 1.8 metres from the side or rear boundary if the dwelling is not higher than 3.6 metres or at least 1.8 metres plus 100 millimetres for every 300 millimetres or part that the building exceeds 3.6 metres.
- The dwelling has an overall height of no greater than 8 metres above the natural surface level of the ground directly below that part.
- The site coverage of the dwelling does not exceed 25 percent when combined with the area of any existing buildings on the land.

- At least 50 percent of the site is a garden, lawn or other pervious open space. It must not contain a building, domestic swimming pool or spa and associated mechanical and safety equipment, pavement or other impervious surface.
- The external colour scheme and materials of the dwelling are non-reflective and are in muted tones.

A permit is not required to construct or carry out works associated with the construction of a dwelling or a domestic swimming pool or spa and associated mechanical and safety equipment provided:

- The works (excluding the actual cavity of a domestic swimming pool or spa) do not exceed 1 metre in height or depth above or below natural ground level.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

Fences

A permit is not required to construct a front fence provided:

- the fence is a maximum of 1.2 metres in height; and
- the fence is at least 50 per cent transparent.

3.0

19/01/2006
VC37

Subdivision

Unless the averaging option is applied, each lot must be at least 1,000 square metres.

Averaging option

A permit may be granted to create lots of less than 1,000 square metres provided:

- The average area of all lots shown on the plan of subdivision is at least 1,000 square metres.
- Each lot is at least 750 square metres.
- No lot is more than 1,250 square metres.
- It can be demonstrated that a better environmental outcome will be achieved through the use of the averaging option than would have been achieved through the use of the 1,000 square metre minimum lot size.
- An overall development plan is prepared to the satisfaction of the responsible authority showing building envelopes, access, common property and subdivision details.
- The land does not contain a lot on a plan of subdivision approved by the Registrar of Titles created under an averaging option.
- The lot size and location of dwellings on abutting properties is considered.
- The use of space for access roads and driveways is minimised to maintain the unique character of the area and preserve as much vegetation as possible.
- The lots are connected to a reticulated sewerage system.
- An agreement under Section 173 of the Act is entered into which prohibits the further subdivision of lots created under this averaging option.

A permit cannot be granted to subdivide land which is not in accordance with the 1,000 square metre minimum lot size or averaging option requirements.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

Buildings and works

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

- A site plan (drawn to scale) including:
 - A dimensioned building envelope with setbacks to all boundaries.
 - The setbacks of buildings and works to all boundaries.
 - The location, extent and species of vegetation on the site.
 - Accurate and detailed existing and proposed finished site levels.
 - The location, proposed gradient and finished level at the top and toe of all batters.
 - Cross sections to illustrate the extent of cut and fill.
 - Details of retaining walls including height, materials and if required, drainage.
 - The location, gradient and camber of driveways and any associated earthworks.
 - The location of any easements.
 - The location, depth and width of proposed underground services and trenches.

6.0

27/05/2019
C126mann

Decision guidelines

None specified.

14/06/2019
GC140**SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO4**.

TEMPLESTOWE ENVIRONMENTAL RESIDENTIAL AREA**1.0**14/06/2019
GC140**Design objectives**

To maintain and enhance the special bushland and low-density character of the Templestowe environmental residential area.

To ensure that development responds to the area's environmental characteristics, including topography, soils and vegetation, and is sympathetic to the existing built form and style.

To maintain the vegetation dominated vistas and bushland character.

To protect and enhance the pattern of vegetation, landscape quality and ecosystems.

To ensure that development recognises the existing infrastructure capacities and does not generate demand for extensive upgrades of infrastructure, including the standard of roads and drainage.

To maintain consistency, where present, of current front setbacks.

To ensure that development does not protrude above the prevailing height of the tree canopy.

To retain the predominance of single detached housing and discourage other forms of development.

To minimise earthworks.

To retain backyards and perimeter areas of the sites as an opportunity for planting canopy trees.

To ensure that land retains areas of pervious surfaces and a low site coverage to enable the retention and establishment of vegetation, particularly that which is indigenous to the area.

To reinforce the open streetscape character by having no, or low fencing allowing the continuity of landscape and views to front gardens.

2.021/02/2013
C54**Buildings and works****Permit requirement**

A permit is required to construct or carry out works for an outdoor domestic swimming pool or spa and associated mechanical and safety equipment associated with a dwelling.

A permit is required to construct a front fence.

Dwellings

Each lot must not be developed with more than one dwelling. A permit cannot be granted to vary this requirement.

A permit is not required to construct a dwelling or construct or carry out works associated with a dwelling or a domestic swimming pool or spa and associated mechanical and safety equipment provided the following conditions are met:

Siting

- The dwelling is setback equal to or further from the frontage than any part of a building on an adjoining lot with frontage to the same road.
- The dwelling is set back at least 1.8 metres from the side boundary if the dwelling is not higher than 3.6 metres or at least 100 millimetres for every 300 millimetres or part that the building exceeds 3.6 metres.
- The dwelling is setback at least 5 metres from the rear boundary, to enable the provision of canopy trees within the setback zone so that an appropriate landscaped transitional edge can be created.

- The site coverage of the dwelling does not exceed 35 percent when combined with the area of any existing buildings on the land.
- At least 50 percent of the site is a garden, lawn or other pervious surface. It must not contain a building, domestic swimming pool or spa and associated mechanical and safety equipment or other impervious surface.

Form

- The dwelling has an overall height no greater than 8 metres above the natural surface level of the ground directly below that part.
- The floor area of any second storey element of a dwelling (including balconies) does not exceed 75 percent of the ground floor area (including verandahs and balconies).
- Porticos and other design features are to be integrated with the overall design of the building and not include imposing design features such as double storey porticos.
- The external colour scheme and materials of the dwelling are non-reflective and are in muted tones.

Car Parking and access

- Ensure that where garages and carports are located in the street elevation, they are setback a minimum of 1.0 metre from the front setback of a dwelling.
- Include only one vehicular crossover, except in circumstances where it is a corner site, or where the frontage exceeds 18 metres.

Earthworks

- The works (excluding the actual cavity of the domestic swimming pool or spa) do not exceed 1 metre in height or depth above or below natural ground level.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

Fences

A permit is not required to construct a front fence provided:

- the fence is a maximum height of 1.2 metres; and
- the fence is at least 50 percent transparent.

3.0

21/02/2013
C54

Subdivision

Each lot must be at least 650 square metres.

This requirement does not apply to the subdivision of land containing more than one dwelling as at the approval date of this scheme or for which a planning permit for more than one dwelling has been issued prior to the approval date.

A permit cannot be granted to subdivide land which is not in accordance with any of these requirements.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

None specified.

6.0

27/05/2019
C126mann

Decision guidelines

None specified.

14/06/2019
GC140**SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO5**.

DONVALE/DONCASTER EAST PINE TREE THEME AREA**1.0**14/06/2019
GC140**Design objectives**

To maintain and enhance the special pine-tree and low-density character of the Donvale/Doncaster East pine tree theme area.

To ensure that development responds to the area's characteristics, including topography and vegetation, and is sympathetic to the existing built form and style.

To protect and enhance the pattern of vegetation and landscape quality.

To ensure that development recognises the existing infrastructure capacities and does not generate demand for extensive upgrades of infrastructure, including the standard of roads and drainage.

To maintain consistency, where present, of current front setbacks.

To ensure that development does not protrude above the prevailing height of the tree canopy.

To retain the predominance of single detached housing and discourage other forms of development.

To minimise earthworks.

To retain backyards and perimeter areas of the sites as an opportunity for planting canopy trees.

To ensure that land retains areas of pervious surfaces and a low site coverage to enable the retention and establishment of vegetation, particularly pine and cypress trees.

To reinforce the open streetscape character by having no, or low fencing allowing the continuity of landscape and views to front gardens.

2.021/02/2013
C54**Buildings and works****Permit requirement**

A permit is required to construct or carry out works for an outdoor domestic swimming pool or spa and associated mechanical and safety equipment associated with a dwelling.

A permit is required to construct a front fence.

Dwellings

Each lot must not be developed with more than one dwelling. A permit cannot be granted to vary this requirement.

A permit is not required to construct a dwelling or construct or carry out works associated with a dwelling or a domestic swimming pool or spa and associated mechanical and safety equipment provided the following conditions are met:

Siting

- The dwelling is setback equal to or further from the frontage than any part of a building on an adjoining lot with frontage to the same road.
- The dwelling is set back at least 1.8 metres from the side boundary if the dwelling is not higher than 3.6 metres or at least 100 millimetres for every 300 millimetres or part that the building exceeds 3.6 metres.
- The dwelling is setback at least 5 metres from the rear boundary, to enable the provision of canopy trees within the setback zone so that an appropriate landscaped transitional edge can be created.

- The site coverage of the dwelling does not exceed 25 percent when combined with the area of any existing buildings on the land.
- At least 50 percent of the site is a garden, lawn or other pervious surface. It must not contain a building, domestic swimming pool or spa and associated mechanical and safety equipment or other impervious surface.

Form

- The dwelling has an overall height no greater than 8 metres above the natural surface level of the ground directly below that part.
- The floor area of any second storey element of a dwelling (including balconies) does not exceed 75 percent of the ground floor area (including verandahs and balconies).
- Porticos and other design features are to be integrated with the overall design of the building and not include imposing design features such as double storey porticos.
- Any outbuilding has an area less than 50 square metres.
- The external colour scheme and materials of the dwelling are non-reflective and are in muted tones.

Car Parking and access

- Ensure that where garages and carports are located in the street elevation, they are setback a minimum of 1.0 metre from the front setback of a dwelling.
- Include only one vehicular crossover, except in circumstances where it is a corner site, or where the frontage exceeds 18 metres.

Fences

A permit is not required to construct a front fence provided:

- the fence is a maximum height of 1.2 metres; and
- the fence is at least 50 percent transparent.

Subdivision

Unless the averaging option is applied, each lot must be at least 2,000 square metres.

Averaging option

A permit may be granted to create lots of less than 2,000 square metres provided:

- The average area of all lots shown on the plan of subdivision is at least 2,000 square metres.
- Each lot is at least 1,500 square metres.
- No lot is more than 2,500 square metres.
- It can be demonstrated that a better environmental outcome will be achieved through the use of the averaging option than would have been achieved through the use of the 2,000 square metre minimum lot size.
- An overall development plan is prepared to the satisfaction of the responsible authority showing building envelopes, access, common property and subdivision details.
- The land does not contain a lot on a plan of subdivision approved by the Registrar of Titles created under an averaging option.
- The lot size and location of dwellings on abutting properties is considered.
- The use of space for access roads and driveways is minimised to maintain the unique character of the area and preserve as much vegetation as possible.

3.0

19/01/2006
VC37

- The lots are connected to a reticulated sewerage system.
- An agreement under section 173 of the Act is entered into which prohibits the further subdivision of lots created under this averaging option.

A permit cannot be granted to subdivide land which is not in accordance with the 2,000 square metre minimum lot size or averaging option requirements.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

None specified.

6.0

27/05/2019
C126mann

Decision guidelines

None specified.

27/05/2019
C126mann**SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO8**.

RESIDENTIAL AREAS SURROUNDING ACTIVITY CENTRES AND ALONG MAIN ROADS**1.0**13/02/2014
C96**Design objectives**

- To increase residential densities and provide a range of housing types around activity centres and along main roads.
- To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.
- To support three storey, 'apartment style', developments within the Main Road sub-precinct and in sub-precinct A, where the minimum land size can be achieved.
- To support two storey townhouse style dwellings with a higher yield within sub-precinct B and sub-precinct A, where the minimum land size cannot be achieved.
- To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.
- To encourage spacing between developments to minimise a continuous building line when viewed from a street.
- To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.
- To ensure developments of two or more storeys are sufficiently stepped down at the perimeter of the Main Road sub-precinct to provide an appropriate and attractive interface to sub-precinct A or B, or other adjoining zone.
- Higher developments on the perimeter of sub-precinct A must be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B or other adjoining zone.
- To ensure overlooking into adjoining properties is minimised.
- To ensure the design of carports and garages complement the design of the building.
- To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.
- To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.
- To encourage landscaping around buildings to enhance separation between buildings and soften built form.

2.013/02/2014
C96**Buildings and works****Permit requirement**

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.

A permit is not required to construct or extend one dwelling on a lot more than 500 square metres.

Building Height & Setbacks

Any building or works must comply with the requirements set out in Table 1 and 2 of this Schedule.

A permit cannot be granted to vary the condition regarding the minimum land size and configuration specified in Table 2 to this Schedule.

MANNINGHAM PLANNING SCHEME

A permit cannot be granted to vary the Maximum Building Height specified in Table 2 to this Schedule. This does not apply to:

- 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 of the introduction of this provision.

For the purposes of this Schedule, the Maximum Building Height does not include building services, lift over-runs and roof mounted equipment, including screening devices.

For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the Street Setback by a maximum of 2.0m, but must not extend along the width of the building.

Table 1 to Schedule 8

Sub-Precinct	Maximum Building Height	Condition regarding minimum land size.	Street Setback
DDO8-1 (Main Road) Sub-precinct	11 metres provided the condition regarding minimum land size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.	1,800 square metres must be all in the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage.	<p>For one dwelling on a lot:</p> <ul style="list-style-type: none"> ▪ Minimum front street setback is the distance specified in Clause 54.03-1 or 6 metres, whichever is the lesser. ▪ Minimum side street setback is the distance specified in Clause 54.03-1. <p>For two or more dwellings on a lot or a residential building:</p> <ul style="list-style-type: none"> ▪ Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. ▪ Minimum side street setback is the distance specified in Clause 55.03-1.

Table 2 to Schedule 8

Sub-Precinct	Maximum Building Height	Condition regarding minimum land size.	Street Setback
DDO8-2 (Sub-precinct A)	11 metres provided the condition regarding minimum land size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.	1,800 square metres must be all in the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage.	<p>For one dwelling on a lot:</p> <ul style="list-style-type: none"> ▪ Minimum front street setback is the distance specified in Clause 54.03-1 or 6 metres, whichever is the lesser ▪ Minimum side street setback is the distance specified in Clause 54.03-1 <p>For two or more dwellings on a lot or a residential building:</p> <ul style="list-style-type: none"> ▪ Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser ▪ Minimum side street setback is the distance specified in Clause 55.03-1

Sub-Precinct	Maximum Building Height	Condition regarding minimum land size.	Street Setback
DDO8-3 (Sub-precinct B)	9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.		<p>For one dwelling on a lot:</p> <ul style="list-style-type: none"> ▪ Minimum front street setback is the distance specified in Clause 54.03-1 or 6 metres, whichever is the lesser. ▪ Minimum side street setback is the distance specified in Clause 54.03-1. <p>For two or more dwellings on a lot or a residential building:</p> <ul style="list-style-type: none"> ▪ Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. ▪ Minimum side street setback is the distance specified in Clause 55.03-1.

Form

Development must:

- Ensure that the site area covered by buildings does not exceed 60 percent.
- Provide visual interest through articulation, glazing and variation in materials and textures.
- Minimise buildings on boundaries to create spacing between developments.
- Where appropriate, ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area.
- Where appropriate, ensure that buildings are designed to step with the slope of the land.
- Avoid reliance on below ground light courts for any habitable rooms.
- Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.
- Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.
- Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos.
- Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. Be designed to minimise overlooking and avoid the excessive application of screen devices.
- Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities.
- Ensure the projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties.
- Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site.

MANNINGHAM PLANNING SCHEME

- Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking.
- Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established.
- Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces.
- Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces.

Car parking and Access

Development must:

- Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.
- Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary.
- Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling
- Ensure that access gradients of basements car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements.

Landscaping

Development must:

- On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity.
- On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity.
- Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form.

Fencing

A front fence must be at least 50 per cent transparent.

On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must:

- not exceed a maximum height of 1.8m
- be setback a minimum of 1.0m from the front title boundary

and a continuous landscaping treatment within the 1.0m setback must be provided.

3.0

27/05/2019
C126mann

Subdivision

None specified.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

None specified.

6.0

27/05/2019
C126mann

Decision guidelines

None specified.

27/05/2019
C126mann**SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO9**.

RESIDENTIAL AREAS WITHIN THE PINES ACTIVITY CENTRE**1.0**27/05/2019
C126mann**Design objectives**

- To increase residential densities and provide a range of housing types around The Pines Activity Centre.
- To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.
- To encourage apartment style developments on larger lots which address the street frontage.
- To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive.
- To implement the building form of *The Pines Activity Centre Structure Plan (2011)*.
- To encourage spacing between developments to minimise a continuous building line when viewed from a street.
- To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.
- To ensure overlooking into adjoining properties is minimised.
- To ensure the design of carports and garages complement the design of the associated building.
- To ensure the design of basement car parks complement the design of the building, minimises unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.
- To provide built form and landscape outcomes that provide for a transition between the subject site and abutting residential properties.

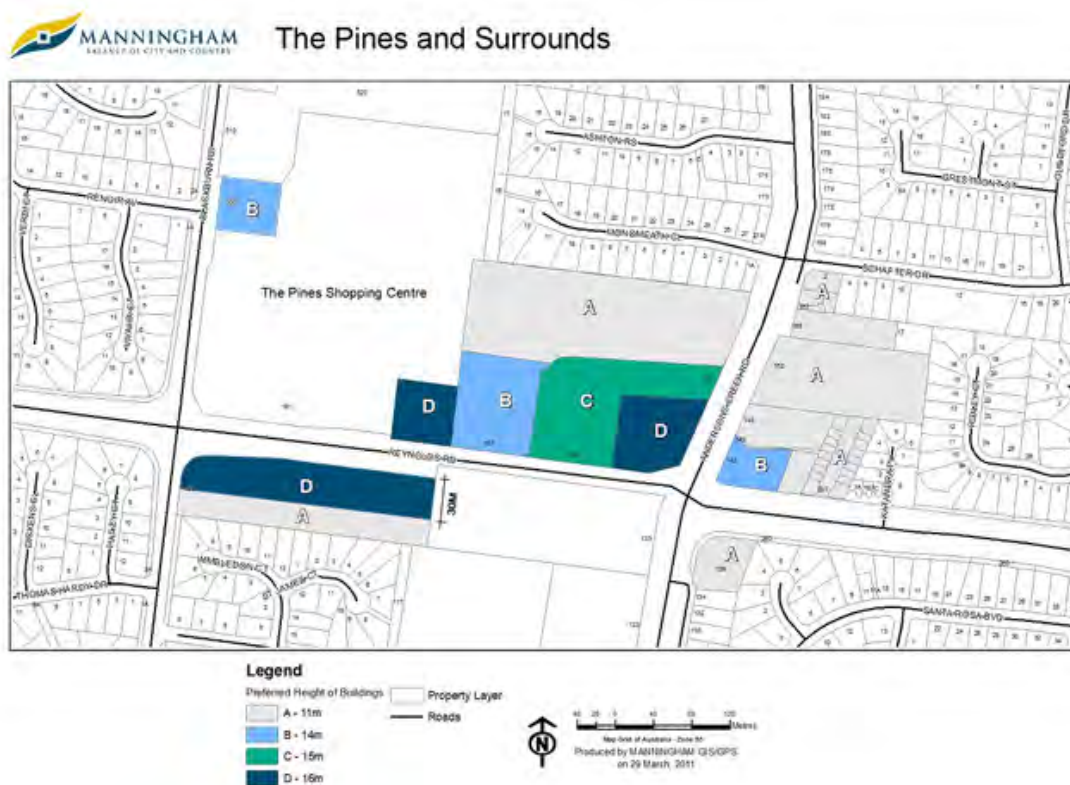
2.024/05/2012
C92**Buildings and works****Permit requirement**

A permit is not required to construct or extend one dwelling on a lot more than 500 square metres.

Building Height

Development should comply with the preferred heights identified in Map 1.

Map 1 to Schedule 9 to Clause 43.02 – The Pines Activity Centre Design and Development Sub-Precincts



Form

Development must:

- Provide visual interest through articulation, glazing and variation in materials and textures.
- Minimise buildings on boundaries to create spacing between developments.
- Where appropriate, ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area.
- Ensure that upper levels of a building provide adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.
- Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos.
- Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation.
- Be designed to minimise overlooking and avoid the excessive application of screen devices.
- Seek design solutions which respect the principal of equitable access at the main entry of any building for people of all mobilities.
- Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties.
- Ensure basement car parks are not visually obtrusive when viewed from the front of the site.
- Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable effective screen planting, including canopy trees, in larger spaces.

Car parking and Access

Development must:

- Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to minimise the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.
- Ensure the setback of the basement car park does not extend beyond the built form of the upper levels of the building in the front and rear setback.
- Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling.
- Ensure that access gradients of basement carparks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements.

Landscaping

Development must:

- On sites where a three or more storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity.
- On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity.
- Provide opportunities for planting along side boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form.

Fencing

A front fence must be at least 50 per cent transparent.

On sites that front Blackburn Road, Andersons Creek Road and Reynolds Road, a fence must:

- not exceed a maximum height of 1.8m
- be setback a minimum of 1.0m from the front title boundary

and a continuous landscaping treatment within the 1.0m setback must be provided.

3.0

27/05/2019
C126mann

Subdivision

None specified.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

None specified.

6.0

27/05/2019
C126mann

Decision guidelines

None specified.

27/05/2019
C126mann**SCHEDULE 10 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO10**.

DONVALE ENVIRONMENTAL RESIDENTIAL AREA**1.0**21/02/2013
C54**Design objectives**

To ensure that the trees, shrubs and vegetation communities and topography of the Hillcrest area, Donvale remain the prevailing elements of the existing neighbourhood character.

To design dwellings that are subservient to the landscape character of the area.

To retain a low site coverage, and generous areas of pervious surfaces to enable the retention of vegetation and the planting of additional vegetation.

To retain backyards and perimeter areas as an opportunity for retaining or planting additional canopy trees.

To ensure that development does not protrude above the prevailing height of the tree canopy.

To provide spacing between dwellings to reinforce the pattern of development of the street.

To retain the predominance of single detached housing and discourage other forms of development.

To minimise earthworks.

To reinforce the open streetscape character by having no, or low fencing allowing the continuity of landscape and views to front gardens.

2.021/02/2013
C54**Buildings and works****Permit requirement**

A permit is required to construct or carry out works for an outdoor domestic swimming pool or spa and associated mechanical and safety equipment associated with a dwelling.

A permit is required to construct a front fence.

Dwellings

Each lot must not be developed with more than one dwelling. A permit cannot be granted to vary this requirement.

A permit is not required to construct a dwelling or construct or carry out works associated with a dwelling or a domestic swimming pool or spa and associated mechanical and safety equipment provided the following conditions are met.

Siting

- The dwelling is setback 12 metres, or equal to the setback of buildings on adjoining properties, whichever is greater.
- The dwelling is setback from a side boundary a minimum of 1.2 metres.
- The dwelling is setback at least of 5 metres from the rear boundary, for sites that back onto public open space, to enable the provision of canopy trees within the setback area.
- The site coverage of the dwelling does not exceed 35 percent when combined with the area of any existing buildings on the land.
- At least 50 percent of the site is a garden, lawn or other pervious surface. It must not contain a building, domestic swimming pool or spa and associated mechanical and safety equipment or other impervious surface.

Form

- The dwelling has an overall height of no greater than 8 metres above the natural surface level of the ground directly below that part.
- The floor area of any second storey element of a dwelling (including balconies) does not exceed 75 percent of the ground floor area (including verandahs and balconies).
- Porticos and other design features are to be integrated with the overall design of the building and not include imposing design features such as double storey porticos.
- The external colour scheme and materials of the dwelling are non-reflective and are in muted tones.

Car Parking and access

- Ensure that where garages and carports are located in the street elevation, they are setback a minimum of 1.0 metre from the front setback of the dwelling.
- Include only one vehicular crossover, except in circumstances where it is a corner site, or where the frontage exceeds 18 metres.

Earthworks

- The works (excluding the actual cavity of the domestic swimming pool or spa) do not exceed 1 metre in height or depth above or below natural ground level.
- The import or export of excavated material to or from the land does not exceed 50 cubic metres.
- The area of the works does not exceed 100 square metres.
- No works are carried out over an easement.

Fences

A permit is not required to construct a front fence provided:

- the fence is a maximum height of 1.2 metres; and
- the fence is at least 50 percent transparent.

3.0

21/02/2013
C54

Subdivision

Each lot must be at least 650 square metres.

This requirement does not apply to the subdivision of land containing more than one dwelling as at the approval date of this scheme or for which a planning permit for more than one dwelling has been issued prior to the approval date. Arrangements for water supply, sewerage and drainage must be to the satisfaction of the relevant authority.

A permit cannot be granted to subdivide land which is not in accordance with any of these requirements.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

None specified.

6.0

27/05/2019
C126mann

Decision guidelines

None specified.

27/05/2019
C126mann**SCHEDULE 11 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO11**.

MULLUM VALLEY ESTATE**1.0**03/05/2012
C83**Design objectives**

To establish and maintain an environmental residential character which acknowledges and responds to the landscape, topographic and environmental characteristics of the area.

To promote single detached housing in the area and discourage other forms of development.

To minimise the visual impact of development through the selection of appropriate finishes and colours to complement the landscape character.

To ensure that land retains areas of pervious surfaces and low site coverage to enable retention and establishment of vegetation, particularly that which is indigenous to the area.

To ensure that lots are large enough to accommodate development, while retaining natural or established vegetation cover and providing substantial areas for planting and revegetation to occur.

To minimise the visual and environmental impacts of earthworks.

To ensure that the development of the land appropriately addresses the Mullum Mullum Creek Corridor and adjacent open space areas and maintains the values of the creek environs.

To ensure that the development of land is based on ecologically sustainable design principles.

2.003/05/2012
C83**Buildings and works****Permit requirement**

A permit is required to construct a dwelling.

A permit is required to construct or carry out works for an outdoor swimming pool associated with a dwelling.

A permit is required to construct a front fence unless:

- the fence is a maximum height of 1.2 metres; and
- the fence is at least 50 per cent transparent.

A permit is required to construct any other fence unless:

- the fence is a maximum height of 1.8 metres; and
- the fence is at least 50 per cent transparent
- the fence abutting public open space is constructed of post and wire, wire mesh or other similar rural style fencing

Earthworks

- A permit is required for:
 - Works that exceed one metre in height or depth above or below natural ground level.
 - Works over an easement.

Dwellings

- Each lot must not be developed with more than one dwelling. A permit cannot be granted to vary this requirement.
- A minimum of 5000 litre rainwater storage tank must be provided for each dwelling.

Siting

- A dwelling must be setback at least 9 metres from the frontage.
- A dwelling must be setback at least 3 metres from the side boundary if the building is not higher than 3.6 metres or at least 3 metres plus 100 millimetres for every 300 millimetres or part that the building exceeds 3.6 metres.
- A dwelling must be setback at least 6 metres from the rear boundary if the building is not higher than 3.6 metres or at least 6 metres plus 100 millimetres for every 300 millimetres or part that the building exceeds 3.6 metres.
- No part of a dwelling may be closer than 5 metres to any boundary abutting a road.
- The site coverage of a dwelling must not exceed 35 percent when combined with the area of any existing buildings on the land.

Height

- The dwelling must have an overall height of no greater than 8 metres above the natural surface level of the ground directly below that part.

Car parking and access

- Where a garage or carport is located in the street elevation, it must be setback a minimum of 1.0m from the front setback of a dwelling.
- There must be no more than one vehicular crossing per lot except where the frontage exceeds 18 metres or is a corner site. In any case there must be no more than two crossings per lot.

3.0

27/05/2019
C126mann

Subdivision

The following requirements cannot be varied with a permit:

- Each lot must be at least 1,000 square metres.
- The total number of lots must not exceed 56.
- All lots must be connected to reticulated sewerage.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

A site analysis plan as described in the background document *Development Guidelines for Areas of Environmental and Landscape Significance* (2011)

An application for a permit for a dwelling must be accompanied by a landscape plan to the satisfaction of the responsible authority.

6.0

27/05/2019
C126mann

Decision guidelines

In addition to Clause 65, before deciding on an application, the responsible authority must consider, as appropriate:

Dwellings

Before deciding on an application, the responsible authority must consider, as appropriate:

MANNINGHAM PLANNING SCHEME

- Whether a substantial area of the site is set aside for impervious surfaces.
- The extent of the floor area above the ground floor area to reduce visual bulk.
- Whether the external colour scheme and materials for the dwelling are non-reflective and are in muted tones to blend with the natural environment.
- The background document *Development Guidelines for Areas of Environmental and Landscape Significance* (2011).
- Whether building setbacks are adequate to maintain and enhance landscaping.

Fences

- Whether fencing is required to screen private open space areas.
- Ability to provide passive surveillance of public open space areas.

Earthworks

- Whether the import or export of excavated material to or from the land has been minimised.
- Whether any works are to be carried out within the dripline of any vegetation requiring a permit for removal.
- Whether the area of the earthworks has been minimised.
- Whether earthworks over easements have been avoided.

Landscaping

- Whether additional canopy tree planting has been provided.
- Whether large trees have been retained on site where practicable.
- Whether adequate provision has been made for landscaping and replacement planting which is consistent with the landscape character.

Subdivision

- Whether the subdivision and development of the land appropriately addresses the Mullum Mullum Creek corridor, provides useable and accessible public open space adjacent to the creek and maintains the values of the creek environs.
- The impact of the development's detailed design and form on adjoining public open spaces.
- Whether private and public open space areas/links to established public open space areas within the surrounding area are accessible, safe, attractive and functional for all users.

27/05/2019
C126mann**SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO12**.

FORMER LAMANNA NURSERY AREA**1.0**13/12/2012
C78**Design objectives**

To ensure that development responds to the area's characteristics, including topography and vegetation, and is sympathetic to the existing built form and style.

To protect and enhance the pattern of vegetation and landscape quality.

To ensure that development does not protrude above the prevailing height of the tree canopy.

To retain the predominance of single detached housing and discourage other forms of development.

To ensure that land retains areas of pervious surfaces and a low site coverage to enable the retention and establishment of vegetation, particularly indigenous vegetation.

To reinforce the open streetscape character by having no, or low, fencing allowing the continuity of landscape and views to front gardens.

2.013/12/2012
C78**Buildings and works****Dwellings and outdoor swimming pools**

Each lot must not be developed with more than one dwelling. A permit cannot be granted to vary this requirement.

A permit is required to construct a dwelling or to construct or carry out works for an outdoor swimming pool associated with a dwelling unless the following conditions are met:

Siting

- The dwelling is setback at least 9 m from Ruby Street.
- The site coverage of the dwelling does not exceed 25 percent .
- At least 50 % of the site is a garden, lawn or other pervious surface.

Form

- The dwelling has an overall height no greater than 8 metres above the natural surface level of the ground directly below that part.
- The floor area of any second storey element of a dwelling (including balconies) does not exceed 75 percent of the ground floor area (including verandahs and balconies).
- Any outbuilding has an area less than 50 square metres.
- The external colour scheme and materials of the dwelling are non-reflective and are in muted tones.

Car Parking and access

- Garages and carports located in the Ruby Street elevation are setback a minimum of 1.0 metre from the front setback of a dwelling.
- There is only one vehicular crossover.

Fences

A permit is required to construct a fence along the Ruby Street frontage unless the following conditions are met:

- the fence is a maximum height of 1.2 metres;

- the fence is at least 50 percent transparent.

3.0

13/12/2012
C78

Subdivision

Each lot must be at least 2,000 square metres.

A permit cannot be granted to vary this requirement.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

None specified.

6.0

27/05/2019
C126mann

Decision guidelines

None specified.

27/05/2019
C126mann

SCHEDULE 13 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO13**.

RESIDENTIAL AREAS SURROUNDING PROMINENT INTERSECTIONS AND/OR INTERFACING COMMERCIAL AREAS

1.0

29/09/2016
C102

Design objectives

To increase residential densities and provide a range of housing types around activity centres.

To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and facade treatments.

To support four storey, 'apartment style', developments on larger lots where ResCode standards can be met and which are located at prominent intersections and/or which interface commercial areas.

To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive when viewed from the public realm.

To encourage spacing between developments to minimise a continuous building line when viewed from a street.

To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.

To ensure overlooking into adjoining properties is minimised.

To provide built form and landscape outcomes that provide for an appropriate transition to surrounding development.

To encourage landscaping around buildings to enhance separation between buildings and soften built form.

To ensure development is designed and sited to maximise opportunities for public surveillance of the public realm and provide safe, accessible environments by integrating to adjoining or nearby commercial areas.

To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.

To ensure the design of basement and undercroft car parking complement the design of the building, minimises unsightly projections of basement walls above natural ground level and are sited to provide effective screen planting

To ensure that on-site car parking is designed and located having regard to local traffic conditions.

2.0

29/09/2016
C102

Buildings and works

Building height

The maximum height of a building and works must not exceed 13.5m.

A permit cannot be granted to vary this requirement.

For the purposes of this Schedule, the maximum building height does not include building services, lift over-runs and roof mounted equipment, including screening devices.

Form

Development must:

- Ensure that the site area covered by buildings does not exceed 60 percent.
- Preferably be on a lot with a minimum area of 1800sqm and comply with the setback requirements in ResCode Clause 55.04-1.

- Be set back 6m from the front boundary, unless a reduced setback provides transition to adjacent buildings or is located at the prominent intersection of two main roads. For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the front setback by a maximum of 2.0m, but must not extend along the width of the building.
- Provide visual interest through articulation, glazing and variation in materials and textures.
- Minimise buildings on side and rear boundaries to create spacing between developments.
- Where appropriate, ensure that buildings are stepped down to provide a transition to the scale of the adjacent residential development.
- Where appropriate, ensure that buildings are designed to step with the slope of the land.
- Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation.
- Avoid reliance on below ground light courts for any habitable rooms.
- Ensure that the upper level of a four storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.
- Integrate porticos and other design features within the overall design of the building and not include imposing design features such as double storey porticos.
- Be designed to minimise overlooking and avoid the excessive application of screen devices.
- Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities.
- Ensure basement, basement entries and/or undercroft car parks are not visually obtrusive when viewed from the public realm.
- Integrate car parking requirements into the design of buildings.
- Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary, where adjacent to a dwelling in a General Residential Zone 1, to enable effective landscaping to be established.
- Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces.
- Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces.
- Ensure that where development incorporates non-residential uses, that transparent glazed windows or doors are provided along ground floor frontages onto a street.

Car parking and access

Development must:

- Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.
- Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary.

- Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling.
- Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements.

Landscaping

Development must:

- Include canopy tree/s within the front setback, which have a spreading crown, and is capable of growing to a height of 8.0m or more at maturity.
- Provide opportunities for planting along side and rear boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form.

Fencing

A front fence must be at least 50 per cent transparent.

On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must:

- not exceed a maximum height of 1.8m;
- be set back a minimum of 1.0m from the front title boundary;

and a continuous landscaping treatment within the 1.0m setback must be provided.

3.0

29/09/2016
C102

Subdivision

A permit is not required to subdivide land under this control.

4.0

27/05/2019
C126mann

Signs

None specified.

5.0

27/05/2019
C126mann

Application requirements

None specified.

6.0

27/05/2019
C126mann

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the design objectives and design requirements of this schedule have been satisfied.

SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO14**.

NORTH EAST LINK PROJECT - TUNNEL PROTECTION AREA 1**1.0****Design objectives**

To avoid direct contact with and to provide a safe working clearance around the North East Link Infrastructure.

To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Project or North East Link Infrastructure.

To avoid Loading onto North East Link Infrastructure, or excavations or other unloading of the ground, that could lead to structural damage or impact, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of North East Link Infrastructure to the detriment of freeway operations.

To prevent development and construction methods that could generate unacceptable levels of vibration in North East Link Infrastructure.

To ensure that development of land does not rely upon direct structural support from North East Link Infrastructure unless specifically envisaged in the North East Link design.

To ensure that the potential effects of future developments (including cumulative effects) on the North East Link Infrastructure, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

In this schedule:

- **Project** means the use and development of land the subject of the *North East Link Project Incorporated Document, December 2019*.
- **North East Link Infrastructure** includes the tunnels to be developed as part of the Project together with associated infrastructure and equipment.
- **Loading** (and unloading) means the increase (or decrease) in force and/or stress to a structure or asset.
- **Surface Level** means the level of the land at any point to Australian Height Datum (AHD) on 3 January 2020 as supplied by the relevant referral authority.

2.0**Buildings and works**

A permit is not required for:

- A new building (or extension to an existing building) five or less storeys in height without a basement provided any footing is founded no more than 2.5 metres below Surface Level.
- A temporary structure of no more than five storeys.
- Excavation works (including for swimming pools) where the depth of excavation is not more than 2.5 metres below Surface Level.
- A pole, sign or retaining wall provided any footing is founded no more than 2.5 metres below Surface Level.
- An underground utility provided any trench is no more than 2.5 metres below Surface Level.
- Fill or earthworks that do not build up the ground level by more than three metres above Surface Level.
- Buildings and works associated with the construction, operation, maintenance or repair of North East Link Infrastructure.

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.

Note An application must be referred under section 55 of the Act to the person or body specified as the referral authority in the Schedule to Clause 66.04.

3.0

03/01/2020
GC98

Subdivision

A permit is not required to subdivide land.

4.0

03/01/2020
GC98

Signs

None specified.

5.0

03/01/2020
GC98

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Site and layout plans drawn to scale which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads and infrastructure (including underground services and utilities) to the extent this information is available within the public domain.
 - Relevant ground levels and Surface Levels to AHD.
 - The layout and dimensions of existing and proposed buildings and works, including foundation details, loadings/unloadings and proposed levels of excavation or filling.
 - The location and use of all existing and proposed buildings.
- Sections and elevations drawn to scale which show:
 - The boundaries and dimensions of the site.
 - The depth of any existing or proposed basements.
 - The proposed foundations, including their form, founding levels and loads.
 - The details of any proposed drainage system, including any discharge outlet.
- Details relating to the staging of development and the likely timing of each stage, including an assessment of cumulative unloading/loading effects at each stage of the development.
- Either of the following:
 - Details of any consultation undertaken with the person or body specified as the referral authority in the Schedule to Clause 66.04 prior to the date the application is lodged with the responsible authority; or
 - The written approval of the person or body specified as the referral authority in the Schedule to Clause 66.04 dated no more than three months prior to the date the application is lodged with the responsible authority.

6.0

03/01/2020
GC98

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the relevant referral authority.

MANNINGHAM PLANNING SCHEME

- Any technical guidelines prepared by the relevant referral authority.
- The design objectives of this schedule.

03/01/2020
GC98**SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO15**.

NORTH EAST LINK PROJECT - TUNNEL PROTECTION AREA 2**1.0**03/01/2020
GC98**Design objectives**

To avoid direct contact with and to provide a safe working clearance around the North East Link Infrastructure.

To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Project or North East Link Infrastructure.

To avoid Loading onto North East Link Infrastructure, or excavations or other unloading of the ground, that could lead to structural damage or impact, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of North East Link Infrastructure to the detriment of freeway operations.

To prevent development and construction methods that could generate unacceptable levels of vibration in North East Link Infrastructure.

To ensure that development of land does not rely upon direct structural support from North East Link Infrastructure unless specifically envisaged in the North East Link design.

To ensure that the potential effects of future developments (including cumulative effects) on the North East Link Infrastructure, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

In this schedule:

- **Project** means the use and development of land the subject of the *North East Link Project Incorporated Document, December 2019*.
- **North East Link Infrastructure** includes the tunnels to be developed as part of the Project together with associated infrastructure and equipment.
- **Loading** (and unloading) means the increase (or decrease) in force and/or stress to a structure or asset.
- **Surface Level** means the level of the land at any point to Australian Height Datum (AHD) on 3 January 2020 as supplied by the relevant referral authority.

2.003/01/2020
GC98**Buildings and works**

A permit is not required for buildings and work associated with the construction, operation, maintenance or repair of North East Link Infrastructure.

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.

Note An application must be referred under section 55 of the Act to the person or body specified as the referral authority in the Schedule to Clause 66.04.

3.003/01/2020
GC98**Subdivision**

A permit is not required to subdivide land.

4.003/01/2020
GC98**Signs**

None specified.

5.003/01/2020
GC98**Application requirements**

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Site and layout plans drawn to scale which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads and infrastructure (including underground services and utilities) to the extent this information is available within the public domain.
 - Relevant ground levels and Surface Levels to AHD.
 - The layout and dimensions of existing and proposed buildings and works, including foundation details, loadings/unloadings and proposed levels of excavation or filling.
 - The location and use of all existing and proposed buildings.
- Sections and elevations drawn to scale which show:
 - The boundaries and dimensions of the site.
 - The depth of any existing or proposed basements.
 - The proposed foundations, including their form, founding levels and loads.
 - The details of any proposed drainage system, including any discharge outlet.
- Details relating to the staging of development and the likely timing of each stage, including an assessment of cumulative unloading/loading effects at each stage of the development.
- Either of the following:
 - Details of any consultation undertaken with the person or body specified as the referral authority in the Schedule to Clause 66.04 prior to the date the application is lodged with the responsible authority; or
 - The written approval of the person or body specified as the referral authority in the Schedule to Clause 66.04 dated no more than three months prior to the date the application is lodged with the responsible authority.

6.003/01/2020
GC98**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the relevant referral authority.
- Any technical guidelines prepared by the relevant referral authority.
- The design objectives of this schedule.

43.04

31/07/2018
VC148

DEVELOPMENT PLAN OVERLAY

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

43.04-1

31/07/2018
VC148

Objectives

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

43.04-2

31/07/2018
VC148

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

43.04-3

31/07/2018
VC148

Exemption from notice and review

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme 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.

43.04-4

31/07/2018
VC148

Preparation of the development plan

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.

27/05/2019
C126mann

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

LARGE POTENTIAL REDEVELOPMENT SITES

1.0

27/05/2019
C126mann

Objectives

None specified.

2.0

27/05/2019
C126mann

Requirement before a permit is granted

None specified.

3.0

27/05/2019
C126mann

Conditions and requirements for permits

None specified.

4.0

20/01/2022
VC205

Requirements for development plan

A development plan must include the following requirements:

- Integration of the existing and proposed road network, and pedestrian and bicycle linkages.
- The location of existing and proposed open space, including open space linkages.
- The location of any existing or proposed community facilities.
- How potential amenity impacts at the interface with abutting or adjoining residential properties will be minimised.
- As appropriate, how the streetscape along land within a Transport Zone 2 or a Transport Zone 3 will be enhanced.
- The overall pattern of development for the site.

27/05/2019
C126mann

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**.

VENETO CLUB

1.0

27/05/2019
C126mann

Objectives

None specified.

2.0

27/05/2019
C126mann

Requirement before a permit is granted

None specified.

3.0

27/05/2019
C126mann

Conditions and requirements for permits

None specified.

4.0

27/05/2019
C126mann

Requirements for development plan

The development plan must show future use and development for the Veneto Club and include the following:

- No further development outside existing building footprints.
- Improvements to the appearance of existing buildings when viewed from the Yarra River.
- A landscape plan in accordance with *The Middle Yarra Concept Plan - Burke Road to Watsons Creek, December 1993*.

The development plan must be prepared in consultation with and to the satisfaction of Melbourne Water and Melbourne Parks and Waterways.

27/05/2019
C126mann**SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO3**.

EASTERN GOLF COURSE KEY REDEVELOPMENT SITE**1.0**27/05/2019
C126mann**Objectives**

None specified.

2.027/05/2019
C126mann**Requirement before a permit is granted**

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- Any buildings and works and on-going maintenance as required for the operation of the existing golf course
- Minor buildings and works.
- A display suite.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in the manner contemplated in the Outline Development Plan forming part of this Schedule.

3.027/05/2019
C126mann**Conditions and requirements for permits**

Any application for a permit to subdivide, use or develop land should include, where relevant, the following information:

- Details of fencing between private properties and public open space to provide allotment privacy and security, whilst respecting the landscape setting offered by open space areas – this may incorporate the use of semi-transparent (or similar) fencing, and limited-height retaining walls within the private property.
- Details regarding the management and staging of the development.

Any permit to subdivide, use or develop land should include, where relevant, conditions requiring the following:

- The submission and then compliance with a Construction Management Plan prepared to the satisfaction of the Responsible Authority
- The preparation of a Sustainable Design Statement (SDS) or similar to the satisfaction of the Responsible Authority for any higher density development component of the Outline Development Plan in Map 1 to this Schedule.

4.027/05/2019
C126mann**Requirements for development plan**

A development plan must be generally in accordance with the Outline Development Plan forming part of this Schedule. The development plan should preferably apply to the whole of the land but the responsible authority may approve a development plan for part of the land.

The development plan (including the component plans set out below) may be prepared and amended in stages. If a development plan is prepared for part of the land or for a stage of the development, the responsible authority must be satisfied that its approval will not prejudice the ability for the future use or development of the land to achieve the vision for the site.

An approved development plan may be amended at any time to the satisfaction of the responsible authority in consultation with VicRoads, where appropriate.

A. The development plan must include all of the following:

Site analysis

A site analysis plan or plans that show existing conditions, boundaries and dimensions of the site or precinct, any existing features to be retained, topography, adjoining road network, details of adjacent residential interface and surrounding urban context, and the location of any existing services, easements or encumbrances on the land.

Use and development

Plans and information that provide an overview and details about site usage and include the following indicative details:

- The location of subdivision stages and residential densities.
- The proposed use and development of each part of the land.
- The open space network, including identified bio-sites, and other relevant areas incorporated as open space.
- The location of internal road, cycle and pedestrian path networks.
- All ingress and egress points to the site for vehicles and pedestrians.

Built Form

Built form guidance that:

- Promote the creation of a mix of lot sizes and housing types to meet present and future community housing demand.
- Encourage an appropriate built form, scale and landscape treatment to address the boulevard character of Doncaster Road.
- Provide guidance on the siting and setback of dwellings on residential allotments located along the boundary of the site adjacent to existing residential properties.
- Provide guidance on interface treatment of dwellings addressing public open space, including appropriate fencing treatments.
- Provide guidance on options to appropriately deal with level changes between allotments and between allotments and the public realm.
- Provide guidance on acceptable variations from the standards of Clauses 54 and 55.
- Provide rear setbacks to allotments abutting the General Residential Zone – Schedule 1 of not less than 5 metres at ground level, and 8 metres for levels 1 and 2.

B. The development plan should provide for or demonstrate the following:

Native vegetation and biodiversity

- The protection and enhancement of the significant vegetation identified in background document *Manningham Biosites Sites of (Biological) Significance Review* (Manningham City Council, 2004), and Vegetation Patches outside Biosites and Old Scattered Trees (as shown in Figure 1: Eastern Golf Course Biosites and Native Vegetation).
- The protection and enhancement of areas of environmental significance including habitats of flora and fauna, wetlands, and habitat corridors.
- The retention of native vegetation where possible within Core Conservation Areas as identified in the background document *Manningham Biosites Sites of (Biological) Significance Review* (Manningham City Council, 2004).
- An indicative vegetation retention and removal plan

Heritage

- Appropriate protection of the existing Club House ‘Tullamore’ and stables as identified in the background document *City of Doncaster and Templestowe Heritage Study* (Context Pty Ltd, Peterson R, & Stafford B, 1991), and the sections ‘Manningham City Council Heritage Study’, ‘Context’, and the ‘Statement of Significance’ in the background document *Eastern Golf Club-Tullamore, 463 Doncaster Road, Doncaster*, Lovell Chen (2013 – revised 2014).
- Retention of identified heritage trees numbers 4, 27 and 82 as identified in “*Conservation Analysis and Policy*”, Meredith Gould Architects Pty Ltd (2011) and identification of appropriate tree protection zones.
- Siting of open space and/or roads so that the ‘Tullamore’ and the stables have an appropriate landscape context and are visually connected

Open space and landscape

- Retention of significant vegetation and protection of faunal corridors.
- Support of the site’s integration with existing abutting streets and open space through:
 - The distribution of public open space.
 - Planned connection points with existing abutting streets and open space.
 - Provision of appropriate interface landscaping treatments (including any proposed major level changes) to adjoining open space linkages.
- Provision of formal and informal recreation opportunities.
- The provision of approximately 20% of the total site area as public open space to be transferred to and maintained by Council. This land may be encumbered by easements, reservations, heritage, native vegetation or other conditions.

Traffic and Access

- Appropriate vehicle, pedestrian and bicycle networks into and through the subject site.
- An integrated network of pedestrian and cycle paths within the site that provide linkages with the Koonung Trail and nearby public open space, (including Lawford Street, Burgundy Drive, Studley Street and Somerville Street reserves), adjoining urban areas, Westfield Doncaster and nearby community facilities and public transport networks.
- Road network design that encourages safe and efficient neighbourhood level traffic and which minimises thorough traffic.
- Primary vehicle access to the site from Doncaster Road.
- A signalized intersection to the satisfaction of Vic Roads at the intersection of the internal road and Doncaster Road.
- Direct vehicular access to Doncaster Road from any allotment is not permitted.
- Any vehicle access to the westernmost high density block along Doncaster Road is not allowed to traverse the link between the stables and ‘Tullamore’.

Site servicing, drainage / hydrology

- Confirmation of the provision of reticulated services.
- Appropriate water and drainage treatment through the site.

Ecologically Sustainable Development

- Ecologically Sustainable Development options to be incorporated into the future development and permits for the land, particularly in the areas of energy and water efficiency, passive solar design, stormwater reduction and management.

C. An application for approval of a development plan must be accompanied by

- A site servicing assessment demonstrating that the site can be supplied with all necessary reticulated services.
- A drainage / hydrology assessment demonstrating appropriate water and drainage treatment through the site.
- A detailed flora and fauna survey which identifies existing vegetation and faunal habitats to be protected and enhanced, those proposed to be removed and any potential Tree Protection Zones (TPZ).
- A response to the 'no net loss' guidelines relative to the proposed vegetation removal, retention, and protection.
- A heritage assessment.
- A Traffic Management Plan that includes an assessment of the likely traffic impacts generated by the proposal on the arterial and local road network to the satisfaction of VicRoads.

Map 1 to Schedule 3 to Clause 43.04 – Outline Development Plan



23/05/2019
C104**SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO4**.

WESTFIELD DONCASTER DEVELOPMENT PLAN**1.0**23/05/2019
C104**Objectives**

To provide for use and development of land in accordance with the Doncaster Hill Strategy.

To provide an economically viable and sustainable precinct with retail, commercial, community and entertainment uses that meet local and regional needs.

To provide a distinctive scale and form to signify the regional significance of the centre, and to provide a high-quality urban design outcome and improved streetscapes and interfaces with residential areas.

To improve the pedestrian, cyclist and public transport accessibility into the centre, including an upgrade to the existing bus interchange, as a means of promoting environmental sustainability and walkable neighbourhoods.

To provide for safe and efficient traffic movements within and around the centre, and sufficient car parking for staff and customers.

2.023/05/2019
C104**Requirement before a permit is granted**

A planning permit may be granted before a Development Plan has been prepared to the satisfaction of the Responsible Authority for the following:

- Any matter required by the Planning Scheme for that part of the centre shown as “Existing Development” on the Concept Plan forming part of this Schedule.
- Advertising signs
- Changes of use to existing tenancies, including associated car parking waivers and licensing of premises
- Minor buildings and works
- Amendments to existing planning permits and endorsed plans
- Removal of vegetation
- Subdivision of land

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land as contemplated by this Overlay.

3.023/05/2019
C104**Conditions and requirements for permits**

The following conditions and or requirements apply to permits.

An application to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority:

- A Town Planning Report that includes an assessment of how the planning permit application is generally in accordance with the approved Development Plan.
- A Landscape Plan, detailing existing vegetation; proposed retention and removal of vegetation; new planting / landscape works; and any fencing or acoustic treatments required within the landscape areas of the site.
- An Arborist Report, detailing the safe useful life expectancy for trees to be retained or removed, and impacts arising from the proposed development, including management arrangements.

- A Transport Impact Assessment Report, detailing the existing and proposed transport arrangements taking into account the Integrated Transport Plan component of the Development Plan, clauses 45.09s1, 52.06, 52.29 and 52.34 of the scheme, the Doncaster Hill Strategy and other relevant provisions of the scheme.
- A Sustainability Management Plan.
- An Acoustic Report, detailing the proposed noise mitigation measures for the development.
- A Waste Management Plan.
- A Green Travel Plan.

A planning permit for the use or development of land must include the following conditions, as appropriate, to the satisfaction of the Responsible Authority:

- Construction Management Plan (including a construction noise and vibration management plan).
- Drainage Management Plan.
- Green Travel Plan and / or Active Travel Plan.
- Traffic and Car Parking Management Plan.
- An Accessibility / Access and Equity Audit report.
- Conditions which provide for the delivery of the road and intersection works and other infrastructure items as set out in the approved Development Plan and relevant to the approved stage of works.
- A condition that requires the land owner to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* which provides for the following matters:
 - the transfer or lease to the Manningham City Council or its designated service provider of part of the building comprising an area of not less than 100sqm at ground floor level, near the bus interchange (**facility**);
 - the facility is to be finished to the extent ready for internal fit out by Council at its own cost;
 - the facility is to have all utilities available and connected;
 - the facility is to be used for community purposes;
 - the transfer or lease must be at no ongoing cost to Council other than a nominal consideration or nominal rent as the case may be;
 - no outgoings are to be charged to the facility save for the utilities;
 - any planning permits required for the use of the facility are the responsibility of Council to obtain;
 - signage is the responsibility of Council but must adhere to centre requirements; and
 - any other matters which the parties agree to.

4.0

23/05/2019
C104

Requirements for development plan

The Development Plan must be generally in accordance with the Concept Plan of this Overlay.

A Development Plan must address the following vision and objectives for the future use and development of the site to the satisfaction of the Responsible Authority:

- To provide for future use and development of the land in accordance with the Doncaster Hill Strategy, the Activity Centre Zone, and the State and Local Planning Policy Frameworks.
- To recognise the key role that the site plays in the Doncaster Hill activity centre.

- To provide opportunities for a range of residential, commercial, community and entertainment uses to develop within the precinct along with the existing retail development.
- To maintain and improve the positive engagement of the precinct with the main intersection of Doncaster Road and Williamsons Road.
- To provide flexibility to respond to retail and employment trends.
- To provide a high-quality urban design outcome and improved streetscapes and interfaces with residential areas.
- To manage off-site amenity impacts associated with future development, particularly in respect of noise impact and light spill.
- To encourage the architectural design of any built form at the north west corner to Westfield Doncaster to be appropriate to its gateway location.
- To provide for a landmark building in the vicinity of the entrance forecourt to Williamsons Road.
- To improve the pedestrian, cyclist and public transport accessibility into the centre and end-of-trip facilities, as a means of promoting environmental sustainability and walkable neighbourhoods.
- To upgrade the bus interchange to improve access, capacity, the visual presentation, integration and functionality of the facility.
- To provide sufficient car parking for staff and customers.
- To provide for safe and efficient traffic movements within and around the centre.

A Development Plan must include the following requirements to the satisfaction of the Responsible Authority:

Site Analysis Plan

A site analysis plan or plans that show existing conditions, boundaries and dimensions of the site or precinct, any existing features to be retained, topography, adjoining road network, details of adjacent residential interface and surrounding urban context, and the location of any existing services, easements or encumbrances on the land.

Built Form and Envelope Plans

Envelope Plans which identify the following:

- The existing built form profile of the centre.
- A Westfield Doncaster framework plan for intended future expansion of the centre.
- The definition of key building entries and active/ passive edges.
- Proposed floorspace estimates.
- Nomination of proposed setback and transition zones and the proposed indicative heights range of new buildings and works (excluding architectural features and building services).

Design Criteria

Design Criteria that establish a sound framework within which future planning permit applications can be assessed and which address the following matters:

- The scale of new development across the site.
- Architectural design of any built form at the north west corner of Westfield Doncaster to be appropriate to its gateway location.
- A landmark building in the vicinity of the entrance forecourt to Williamsons Road.

- The northern interface and visual presentation of the centre to the residential properties in Westfield Drive.
- The visual presentation of the centre to the adjoining road network, including to Westfield Drive and Williamsons Road.
- The visual presentation of the centre to properties in Roseville Avenue to the east.
- Location and design of traffic, bicycle and pedestrian access into the centre.
- Streetscape and public realm presentation and improvements.
- The establishment of a publicly accessible forecourt on Williamsons Road and the indicative solar access and wind impacts for this space.
- The integration of an upgraded bus interchange facility preferably close to the publicly accessible forecourt on Williamsons Road to the satisfaction of the Responsible Authority and Referral Authorities.
- Indicative materials and finishes.
- Integration of acoustic treatments and management of loading bays and service areas.
- Designated locations and precincts for landscape treatments.

Landscape and Public Realm Concept Plan

The Landscape and Public Realm Concept Plan should address the following:

- The identification of existing vegetation to be retained and / or removed.
- The identification of landscape zones.
- Streetscape improvement works, including new street tree planting and general public realm improvements.
- Inclusion of indicative streetscape cross-sections.
- Preferred planting lists prepared having regard to Council's landscaping guidelines.

Integrated Transport Plan

The Integrated Transport Plan should address the following:

- In relation to public transport:
 - An overall concept plan for the upgraded bus interchange.
 - Details of existing and proposed access routes for public transport and how these are integrated with the centre design.
 - Methods by which public transport use can be integrated and encouraged within the future redevelopment of the site; including access to the interchange for the local community.
- In relation to bicycle access:
 - An overall concept plan showing existing and proposed bicycle linkages to, within and from the centre and to/ from bus stops on the surrounding road network to the centre.
 - End-of-trip facilities.
- In relation to walkability:
 - An overall concept plan showing existing and proposed walking linkages to, within and from the centre.
 - Wayfinding initiatives.
- In relation to vehicle access:

- Identification of any upgrade work required on the arterial and local road networks, including the staging of any works.
- Preparation of indicative / conceptual traffic access plans, showing all proposed new or upgraded intersections, including cross-sections and indicative pedestrian crossing locations.
- In relation to car parking:
 - Establishment of preferred car parking rates for possible land uses within the centre, recognising the multi-purpose trip generation achieved with the site.
 - Details of the location and quantum of proposed additional car parking.
 - Details of management arrangements for the car parking, including drop off provisions.
 - Details of taxi parking location/s servicing the bus interchange and the broader centre.

Prior to approving the Integrated Transport Plan, the Responsible Authority may seek the views of the relevant authorities, as appropriate.

Staging Plan

Identification of the staging of the proposed Development Plan components

Infrastructure

Details of the proposed infrastructure works.

Town Planning Report:

Assessment of the suitability of the proposed Development Plan, having regard to the provisions of the Manningham Planning Scheme.

Urban Design Report:

Assessment of the suitability of the proposed Built Form and Envelope Plans, having regard to the following:

- The Design Criteria.
- The objectives, policies and strategies set out in the State and Local Planning Policy Frameworks of the Manningham Planning Scheme.
- The Doncaster Hill Strategy.
- The purpose, objectives and guidelines of the Activity Centre Zone.

Traffic and Transport Assessment Report:

Detailed traffic surveys, modelling and analysis of the existing and proposed future road network conditions, incorporating Friday AM Peak, Friday PM Peak and Saturday Lunchtime Peak conditions.

Identification of any upgrade work required on the arterial and local road networks, including the staging of any works.

Detailed car parking surveys and analysis.

Details of the location and quantum of proposed additional car parking.

Sustainability Management Plan

Sustainability outcomes sought for the proposed development, and sustainability initiatives proposed including:

- Sustainability outcomes sought by the Manningham Planning Scheme and initiatives / measures to deliver these outcomes.

- Identification of sustainability policies and guidelines which are relevant to the future development of the land, including Indoor Environment Quality (IEQ); energy and greenhouse gas emissions; transport; water; waste; materials; and emissions and how the Development Plan addresses these.
- Incorporation of Australian ‘best-practice’ sustainable design, construction and operation.
- Identification of benchmark outcomes, strategies and initiatives for consideration as part of future planning permit applications.

Details of the implementation of sustainability outcomes and initiatives including, but not limited to, a commitment to a third-party certified assessment such as the Green Star Design and as-Built v1.2 Rating tool, or subsequent version, for a minimum 4-star outcome for the expansion area and new ‘gateway building’ (and not for the existing centre).

Any actions and recommendations from the Sustainability Management Plan must be incorporated into the approved Development Plan.

Acoustic Engineering Report

Assessment of the proposed acoustic impacts of the proposed development, including:

- Identification of existing noise sources, noise levels and noise attenuation mechanisms.
- Identification of possible sensitive land uses / noise receptors surrounding the development site.
- Identification of possible future proposed noise sources and impacts.
- Identification of parameters for future acoustic mitigation works, including any relevant State Environment Protection Policies or guidelines which should or must be met.
- Identification of noise management frameworks.

Any recommendations from the Acoustic Engineering Report must be incorporated into the approved Development Plan.

Services / Infrastructure Report (Utilities)

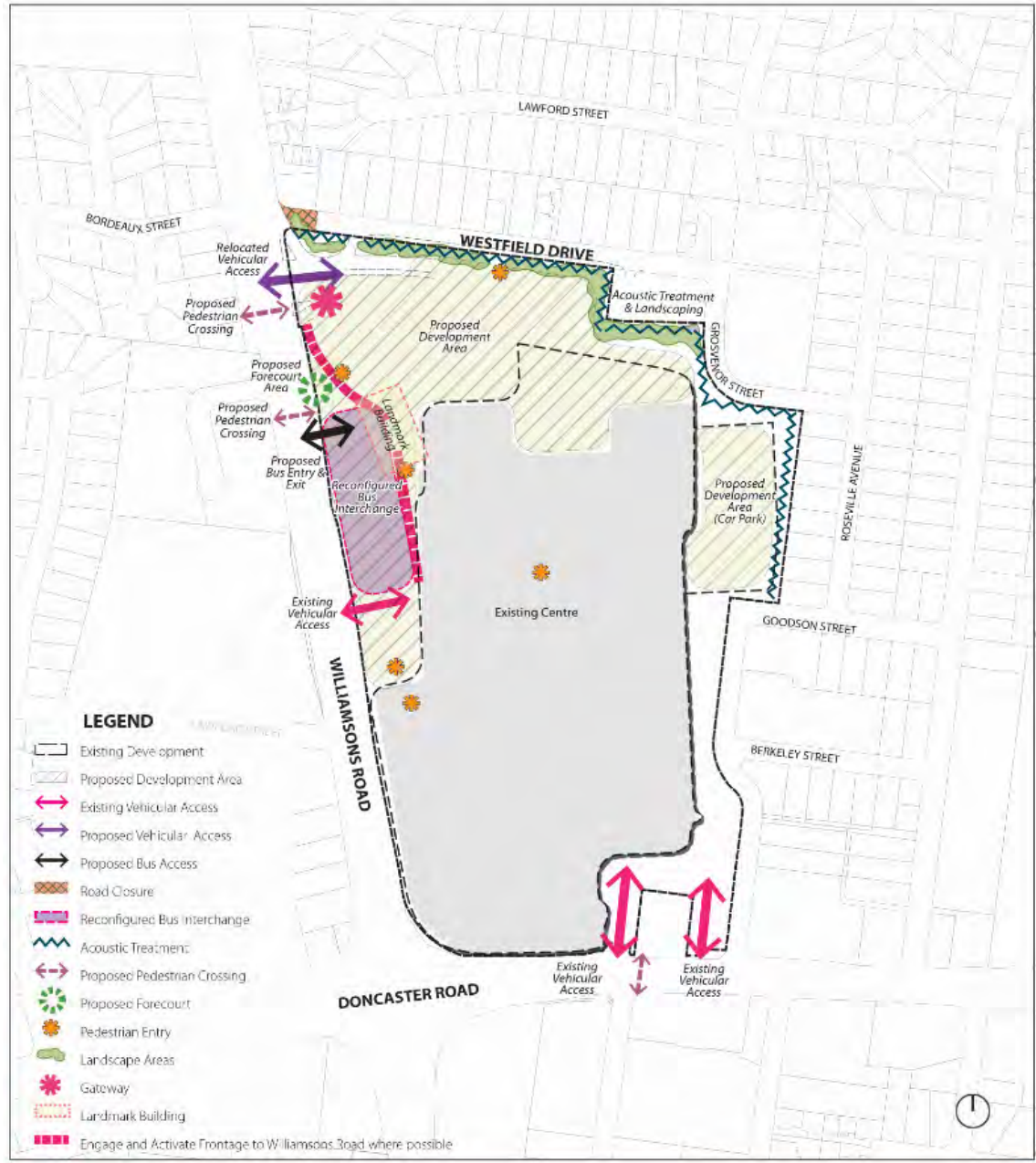
Provide details of the existing infrastructure services and any upgrade or replacement required to accommodate the proposed redevelopment.

Social Impact Report

An assessment of the likely social impacts of the development of Westfield Doncaster foreshadowed by the Development Plan including:

- A review of State, local and other relevant policies and guidelines relevant to the social impacts.
- An assessment of the positive and / or negative social impacts of the proposal.
- Recommendations for mitigation measures in relation to impacts.

Concept Plan



LAND MANAGEMENT OVERLAYS

44.01

06/09/2021
VC171

EROSION MANAGEMENT OVERLAY

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

44.01-1

31/07/2018
VC148

Erosion management objectives and statement of risk

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

44.01-2

06/09/2021
VC171

Buildings and works

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

- Roadworks.
- Buildings and works associated with a dependent person’s unit.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Any other matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05
<ul style="list-style-type: none"> ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. 	
The buildings and works must be associated with a dwelling.	

44.01-3

31/07/2018
VC148

Vegetation removal

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	<p>Vegetation that is to be removed, destroyed or lopped:</p> <ul style="list-style-type: none"> ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</p>
Fire protection	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> – Section 65 of the <i>Forests Act 1958</i>; or – Section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
Geothermal energy exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i>.</p>
Greenhouse gas sequestration and exploration	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i>.</p>
Land management or directions notice	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i>.</p>
Land use conditions	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i>.</p>
Mineral exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</p>

MANNINGHAM PLANNING SCHEME

The requirement to obtain a permit does not apply to:	
	<ul style="list-style-type: none"> ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: <ul style="list-style-type: none"> ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: <ul style="list-style-type: none"> ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

44.01-5

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

44.01-6

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

44.01-7

31/07/2018
VC148

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of sSection 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.

44.01-8

01/07/2021
VC203

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- Civil construction, building and demolition guide (Publication 1834, Environment Protection Authority, November 2020).
- Control of Erosion on Construction Sites, Soil Conservation Authority.
- Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources.
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.
- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
- Whether buildings or works are likely to cause erosion or landslip.

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- Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
- Land Capability Report (if prepared) as developed by the Department of Environment, Land, Water and Planning.
- The need to remove, destroy or lop vegetation to a create defensible space to reduce the risk of bushfire to life and property.
- Any technical information or reports required to be provided by a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as **EMO**.

1.0

27/05/2019
C126mann

Erosion management objectives to be achieved

None specified.

2.0

27/05/2019
C126mann

Statement of risk

None specified.

3.0

27/05/2019
C126mann

Permit requirement

None specified.

4.0

27/05/2019
C126mann

Application requirements

None specified.

5.0

27/05/2019
C126mann

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The *Development in Areas of Possible Slope Instability Resident Information Guide* (Shire of Lilydale, November 1993).

44.0406/09/2021
VC171**LAND SUBJECT TO INUNDATION OVERLAY**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) 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, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

44.04-124/01/2020
VC160**Land subject to inundation objectives and statement of risk**

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

44.04-206/09/2021
VC171**Buildings and works**

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

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- 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.
- Rainwater tank with a capacity of not more than 10,000 litres.
- 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 disabled access ramp.
- A dependent person's unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.

- 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.

44.04-3

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

44.04-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

44.04-5

31/07/2018
VC148

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.

44.04-6

31/07/2018
VC148

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.

44.04-7

31/07/2018
VC148

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.

44.04-8

06/09/2021
VC171

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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.
- Alternative design or flood proofing responses.
- 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:

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- The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
- The flood warning time available.
- Tidal patterns.
- Coastal inundation and erosion.
- 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 river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.
- Any other matters specified in a schedule to this overlay.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO**.

1.0

27/05/2019
C126mann

Land subject to inundation objectives to be achieved

None specified.

2.0

27/05/2019
C126mann

Statement of risk

None specified.

3.0

27/05/2019
C126mann

Permit requirement

None specified.

4.0

27/05/2019
C126mann

Application requirements

None specified.

5.0

27/05/2019
C126mann

Decision guidelines

None specified.

44.0501/07/2021
VC203**SPECIAL BUILDING OVERLAY**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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 and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

44.05-131/07/2018
VC148**Flooding management objectives and statement of risk**

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

44.05-206/09/2021
VC171**Buildings and works**

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

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- 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 rainwater tank with a capacity of not more than 10,000 litres.
- 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 disabled access ramp.
- A dependent person's unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- 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:

MANNINGHAM PLANNING SCHEME

- 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 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 signs on posts or attached to buildings.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works.	Clause 59.08

44.05-3

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Any of the following classes of subdivision:</p> <ul style="list-style-type: none"> ▪ Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change. ▪ Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. ▪ Subdivide land into 2 lots if: <ul style="list-style-type: none"> - The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired. - The construction or carrying out of the approved building or works on the land has started lawfully. - The subdivision does not create a vacant lot. 	<p>Clause 59.08</p>

44.05-4

31/07/2018
VC148

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.
- Any other application requirements specified in a schedule to this overlay.

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.

44.05-5

31/07/2018
VC148

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.

44.05-6

31/07/2018
VC148

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.

44.05-7

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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.
- Any other matters specified in a schedule to this overlay.

10/10/2019
C109Pt1mann

SCHEDULE 1 TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as **SBO1**.

MELBOURNE WATER MAIN DRAINS

1.0

27/05/2019
C126mann

Flooding management objectives to be achieved

None specified.

2.0

27/05/2019
C126mann

Statement of risk

None specified.

3.0

27/05/2019
C126mann

Permit requirement

None specified.

4.0

27/05/2019
C126mann

Application requirements

None specified.

5.0

27/05/2019
C126mann

Decision guidelines

None specified.

44.06

31/07/2018
VC148

BUSHFIRE MANAGEMENT OVERLAY

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

44.06-1

19/09/2017
VC132

Bushfire management objectives and application of schedules

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

44.06-2

08/08/2019
VC159

Permit requirement

Subdivision

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.

Buildings and works

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a Dependent person's unit)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a dependent person's unit that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person's unit) that is less than 10 percent of the gross floor area of the existing building.

- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

44.06-3

11/04/2019
VC156

Application requirements

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

44.06-4

31/07/2018
VC148

Requirements of Clause 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

44.06-5

31/07/2018
VC148

Mandatory condition

Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

“Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.*
- *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

Buildings and works

A permit to construct a building or construct or carry out works must include the following condition:

“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

“Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- *A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:*
 - *Constructed on the same land as the dwelling.*
 - *Available for use by the occupants of the dwelling at all times.*
 - *Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

44.06-6

19/09/2017
VC132

Referral of applications

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

44.06-7

31/07/2018
VC148

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, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

44.06-8

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any other matters specified in a schedule to this overlay.

44.06-9

19/09/2017
VC132

Transitional arrangements

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and
- a static water supply of:
 - 2500 litres on lots of 500 square metres or less
 - 5000 litres on lots of more than 500 square metres,
is provided to the satisfaction of the responsible authority.
- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.

27/05/2019
C126mann

SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO1**.

WARRANTYTE, WONGA PARK BAL-12.5 AREAS

1.0

03/10/2017
GC13

Statement of the bushfire management objectives to be achieved

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0

27/05/2019
C126mann

Application

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

3.0

27/05/2019
C126mann

Permit requirement

None specified.

4.0

27/05/2019
C126mann

Application requirements

An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

5.0

27/05/2019
C126mann

Requirements to be met

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
 - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0

27/05/2019
C126mann

Substitute approved measures for Clause 53.02

None specified.

7.0

27/05/2019
C126mann

Additional alternative measures for Clause 53.02

None specified.

8.0

27/05/2019
C126mann

Mandatory Condition

An application must include the mandatory conditions as specified in Clause 44.06-5.

9.0

27/05/2019
C126mann

Referral of application not required

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

10.0

27/05/2019
C126mann

Notice and review

None specified.

11.0

27/05/2019
C126mann

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.

27/05/2019
C126mann

SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO2**.

WARRANTYTE, WONGA PARK BAL-29 AREAS

1.0

03/10/2017
GC13

Statement of the bushfire management objectives to be achieved

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0

27/05/2019
C126mann

Application

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

3.0

27/05/2019
C126mann

Permit requirement

None specified.

4.0

27/05/2019
C126mann

Application requirements

An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

5.0

27/05/2019
C126mann

Requirements to be met

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-29
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
 - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0

27/05/2019
C126mann

Substitute approved measures for Clause 53.02

None specified.

7.0

27/05/2019
C126mann

Additional alternative measures for Clause 53.02

None specified.

8.0

27/05/2019
C126mann

Mandatory Condition

An application must include the mandatory conditions as specified in Clause 44.06-5.

9.0

27/05/2019
C126mann

Referral of application not required

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

10.0

27/05/2019
C126mann

Notice and review

None specified.

11.0

27/05/2019
C126mann

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.

45

19/01/2006
VC37

OTHER OVERLAYS

45.01

31/07/2018
VC148

PUBLIC ACQUISITION OVERLAY

Shown on the planning scheme map as **PAO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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.

45.01-2

31/07/2018
VC148

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

28/10/2013
VC102

Referral of applications

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

45.01-4

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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

19/01/2006
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.

45.01-6

19/01/2006
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.

45.01-7

28/10/2013
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.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY**1.0**

27/05/2019
C126mann

Public acquisition

PS map ref	Acquiring Authority	Purpose of acquisition
PA01	Manningham City Council	Open space
PA02	Melbourne Parks and Waterways	Open space
PA03	Melbourne Water	Drainage
PA04	Roads Corporation	Road widening
PA05	Department of Natural Resources and Environment	Open space
PA06	Manningham City Council	Drainage
PA07	Manningham City Council	Road

45.0301/07/2021
VC203**ENVIRONMENTAL AUDIT OVERLAY**

Shown on the planning scheme map as **EAO**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Application

This provision applies to land in an Environmental Audit Overlay and applies whether or not a permit is required.

45.03-101/07/2021
VC203**Requirement**

Before a sensitive use (residential use, child care centre, pre-school centre, primary school, secondary school or children's playground) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences:

- A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use.

Exemption from requirement

The requirement for a preliminary risk screen assessment statement or an environmental audit statement in this provision does not apply to the construction or carrying out of buildings and works if:

- The buildings and works are associated with an existing sensitive use, secondary school or children's playground, in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;
- The buildings and works are required by the Environment Protection Authority or an environmental auditor appointed under the *Environment Protection Act 2017* to make the site suitable for use; or
- The buildings and works are reasonably required by environmental auditor appointed under the *Environment Protection Act 2017* to undertake a preliminary risk screen assessment or environmental audit.

45.04

31/07/2018
VC148

ROAD CLOSURE OVERLAY

Shown on the planning scheme map as **RXO**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify a road that is closed by an amendment to this planning scheme.

45.04-1

19/01/2006
VC37

Road closure

A road included in this overlay is closed on the date notice of approval of the amendment is published in the Government Gazette.

45.04-2

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- That the road is closed.

45.06

31/07/2018
VC148

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

45.06-1

19/01/2006
VC37

Development contributions plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

45.06-2

19/01/2006
VC37

Preparation of a development contributions plan

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.

27/05/2019
C126mann

SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO1**.

DONCASTER HILL DEVELOPMENT CONTRIBUTIONS PLAN

1.0

19/01/2006
VC37

Area covered by this development contributions plan

The Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005 applies to all land shown as DCPO1 on Planning Scheme Map No. 7DCPO.

2.0

27/05/2019
C126mann

Summary of costs

Facility	Total cost \$	Time of provision	Actual cost contribution attributable to development \$	Proportion of cost attributable to development %
Transport	\$6,995,428	Refer to Development Contributions Plan	\$3,361,385	48%
Streetscape	\$7,303,355	Refer to Development Contributions Plan	\$3,103,135	42%
Public Art	\$4,257,000	Refer to Development Contributions Plan	\$1,476,196	35%
Development Infrastructure: social	\$2,882,000	Refer to Development Contributions Plan	\$1,605,613	56%
Community Infrastructure: social	\$11,110,000	Refer to Development Contributions Plan	\$3,672,000	33%
TOTAL	\$32,547,783		\$13,218,329	41%

3.0

27/05/2019
C126mann

Summary of contributions

Facility	Levies payable by the development (\$)					
	Development infrastructure		Community infrastructure		All infrastructure	
	residential	non-residential	residential	non-residential	residential	non-residential
Transport	\$362 per dwelling	\$362 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$362 per dwelling	\$362 per 121m2 commercial floor space, 19m2 of retail floor space
Streetscape	\$334 per dwelling	\$334 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$334 per dwelling	\$334 per 121m2 commercial floor space, 19m2 of retail floor space
Public Art	\$159 per dwelling	\$159 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$159 per dwelling	\$159 per 121m2 commercial floor space, 19m2 of retail floor space
Social	\$384 per dwelling	None specified	\$900 per dwelling	None specified	\$1284 per dwelling	None specified
TOTAL	\$1239	\$855	\$900	None specified	\$2139	\$855

4.023/05/2019
C104**Land or development excluded from development contributions plan**

Exemptions from payment of development contributions apply in the following circumstances:

- Construction of a building or construction or carrying out of works or subdivision that results in a demand that is below the demand unit specified in this Schedule and where there is no increase in demand on infrastructure as a result of the proposal.
- Construction of a building or construction or carrying out of works specified in Clause 62.02.
- Subdivisions specified in Clause 62.03.
- Construction of one dwelling or construction or carrying out of works associated with one dwelling on a lot.
- Construction of a building or construction or carrying out of works to reinstate the pre-existing standard of buildings damaged or destroyed.
- Construction or display of an advertising sign.
- Construction of a building or construction or carrying out of works or subdivision by or on behalf of Manningham City Council that implements infrastructure funded by this Development Contributions Plan.
- Construction of a building or construction or carrying out of works on the land known as Westfield Shoppingtown Doncaster being the land identified on Planning Scheme Map 7DPO up to a leasable floor area of 196,000 square metres (comprising a maximum of 133,000 square metres leasable floor area for shop) provided that there is an agreement to secure development contributions or the carrying out of infrastructure works to the satisfaction of the responsible authority.

Note: This schedule sets out a summary of the costs and contributions (2003 cost estimates) prescribed in the Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005. Refer to the incorporated document Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005 for full details.

45.09

31/07/2018
VC148

PARKING OVERLAY

Shown on the planning scheme map as **PO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To facilitate an appropriate provision of car parking spaces in an area.

To identify areas and uses where local car parking rates apply.

To identify areas where financial contributions are to be made for the provision of shared car parking.

45.09-1

19/04/2013
VC95

Operation

This overlay operates in conjunction with Clause 52.06.

A schedule to this overlay may:

- Vary the requirements of Clause 52.06 as allowed by this overlay.
- Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.
- Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

45.09-2

19/04/2013
VC95

Parking objectives

A schedule to this overlay must specify the parking objectives to be achieved for the area affected by the schedule.

45.09-3

25/05/2017
VC133

Permit requirement

A schedule to this overlay may specify that:

- The exemption from the requirement for a permit in Clause 52.06-3 does not apply. If the exemption does not apply, a permit is required for any of the matters set out in Clause 52.06-3.
- A permit must not be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or this overlay.
- A permit must not be granted to provide some or all of the car parking spaces required under Clause 52.06-5 or this overlay on another site.
- A permit must not be granted to provide more than the maximum parking provision specified in a schedule to this overlay.
- A permit is not required under Clause 52.06-3.

45.09-4

19/04/2013
VC95

Number of car parking spaces required

A schedule to this overlay may:

- Vary the car parking rate and measure for any use listed in Table 1 of Clause 52.06-5.
- Specify the car parking requirements for any use of land not listed in Table 1 of Clause 52.06-5.
- Specify maximum and minimum car parking requirements for any use of land.
- For any use listed in Table 1 of Clause 52.06-5, apply Column B in the Table to that use.

45.09-5

25/05/2017
VC133

Application requirements and decision guidelines for permit applications

Before deciding on an application under Clause 52.06-3, in addition to the relevant decision guidelines in Clause 52.06-7, the responsible authority must consider, as appropriate:

- The parking objectives of the relevant schedule to this overlay.
- Any application requirements and decision guidelines specified in a schedule to this overlay.

45.09-6

19/04/2013
VC95

Financial contribution requirement

A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.

A schedule must specify:

- The area to which the provisions allowing the collection of financial contributions applies.
- The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.
- When any contribution must be paid.
- The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives in section 4 of the Act.

45.09-7

25/05/2017
VC133

Requirements for a car parking plan

A schedule to this overlay may specify additional matters that must be shown on plans prepared under Clause 52.06-8.

45.09-8

25/05/2017
VC133

Design standards for car parking

A schedule to this overlay may specify:

- Additional design standards.
- Other requirements for the design and management of car parking.

Plans prepared in accordance with Clause 52.06-8 must meet any design standards and requirements specified in a schedule to this overlay.

45.09-9

25/05/2017
VC133

Decision guidelines for car parking plans

Before deciding whether a plan prepared under Clause 52.06-8 is satisfactory, in addition to the decision guidelines in Clause 52.06-10, the responsible authority must consider, as appropriate, any other matter specified in a schedule to this overlay.

27/05/2019
C126mann**SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY**

Shown on the planning scheme map as **PO1**.

DONCASTER HILL MAJOR ACTIVITY CENTRE**1.0**23/05/2019
C104**Parking objectives to be achieved**

To identify appropriate car parking rates for various uses within the Doncaster Hill Major Activity Centre.

To establish the most efficient way for future expected car parking demands to be accommodated within the Doncaster Hill Major Activity Centre area including the stipulation of suitable car parking requirements for key land uses within the Doncaster Hill Major Activity Centre.

2.023/05/2019
C104**Permit requirement**

None specified.

3.027/05/2019
C126mann**Number of car parking spaces required**

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Office	2.5	To each 100 sq m of net floor area.
Office, if in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)	3.5	To each 100sqm of net floor area.
Dwelling	1	To each one or two bedroom dwelling, plus
	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom), plus
	1	For visitors to every 10 dwellings.
Restaurant	0.36	To each seat available to the public.
Restricted retail premises	1.5	To each 100 sq m of leasable floor area.
Shop, if in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)	4.17	To each 100sqm of leasable floor area based on a whole-of-centre shop assessment at each nominated stage of the development.

For all other uses listed in Table 1 of Clause 52.06-5, the Rate in Column B of Table 1 in Clause 52.06-5 applies.

4.023/05/2019
C104**Application requirements and decision guidelines for permit applications****For applications to reduce the car parking requirement**

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

The effects of car parking on adjoining residential areas.

For land located within Precinct 4A of the Activity Centre Zone (Westfield Doncaster):

- The relationship between the uses on the site and the benefit in promoting multi-purpose trips.

- The provision of car parking having regard to the staged nature of the future redevelopment of Westfield Doncaster as specified in an approved Development Plan and whether the staged development needs to be managed by a s173 agreement which ensures that the required car parking rate will be provided in a timely manner.
- The upgrade of the Williamsons Road bus interchange and the opportunities created for pedestrian and cycling accessibility to Westfield Doncaster to promote sustainable forms of transport.

For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or this schedule to be provided on another site, the responsible authority must consider the following, as appropriate:

- The appropriateness of suitable off-site car parking shall be guided by the considerations set out within the Doncaster Hill Parking Precinct Plan.
- An agreement under Section 173 of the *Planning and Environment Act 1987* or similar must be entered into between the owner of the site being used for any off-site parking and the responsible authority to ensure that the off-site car parking will be freely available and directly linked to the use on the subject site for the life of that use. The off-site car parking referred to above excludes on-street car parking.

5.0

23/05/2019
C104

Financial contribution requirement

None specified.

6.0

23/05/2019
C104

Requirements for a car parking plan

None specified.

7.0

23/05/2019
C104

Design standards for car parking

None specified.

8.0

23/05/2019
C104

Decision guidelines for car parking plans

None specified.

9.0

23/05/2019
C104

Background document

Doncaster Hill Parking Precinct Plan (GTA Consultants for Manningham City Council, 5 July 2004)

27/05/2019
C126mann**SCHEDULE 2 TO CLAUSE 45.09 PARKING OVERLAY**

Shown on the planning scheme map as **PO2**.

JACKSON COURT NEIGHBOURHOOD ACTIVITY CENTRE**1.0**19/04/2013
VC95**Parking objectives to be achieved**

To ensure that car parking and traffic issues are dealt with in an equitable and consistent manner.

To ensure that the supply of car parking is responsive to demand and local conditions.

To reinforce the role of the Jackson Court Neighbourhood Activity Centre as a community sized centre that focuses on the provision of goods and services to meet the daily or weekly needs of the local community.

To equitably distribute 'under-utilised' car spaces amongst new developments or uses proposed for the centre.

To encourage the provision of car parking at the rear of shops for staff parking.

To contain all car parking for the Jackson Court Neighbourhood Activity Centre within the boundary of the Activity Centre to ensure that the residential areas are protected from overflow parking.

To ensure that the car parking supply is adequate to meet parking demand generated in the centre.

2.027/05/2019
C126mann**Permit requirement**

None specified.

3.027/05/2019
C126mann**Number of car parking spaces required**

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Shop other than specified in Table 1 in Clause 52.06	2.7	To each 100 sq m of leasable floor area

A provision of up to 5 spaces per lot in the Jackson Court Neighbourhood Activity Centre car park can be counted towards the requirement as well as any parking credits associated with the previous uses on the site.

For all other uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

4.027/05/2019
C126mann**Application requirements and decision guidelines for permit applications**

None specified.

5.027/05/2019
C126mann**Financial contribution requirement**

None specified.

6.027/05/2019
C126mann**Requirements for a car parking plan**

None specified.

7.0

27/05/2019
C126mann

Design standards for car parking

Where access is available to the rear of the development site from a right of way, except with a permit, staff parking shall be provided in a perpendicular layout for the width of the site to the satisfaction of the Responsible Authority.

8.0

27/05/2019
C126mann

Decision guidelines for car parking plans

None specified.

9.0

27/05/2019
C126mann

Background document

Jackson Court Shopping Centre Parking Precinct Plan (June 2003)

45.12

31/07/2018
VC148

SPECIFIC CONTROLS OVERLAY

Purpose

To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

45.12-1

31/07/2018
VC148

Use or development

Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control 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.

45.12-2

31/07/2018
VC148

Expiry of a specific control

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 use and development is not started within two years of the approval date of the incorporated document 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.

03/01/2020
GC98**SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY****1.0**07/12/2020
C132mann**Specific controls**

PS Map Ref	Name of incorporated document
SCO1	'On Luck' Chinese Nursing Home, January 2010
SCO2	Incorporated Document No 1 under the Schedule to Clause 51.01
SCO3	Incorporated Document No 2 under the Schedule to Clause 51.01
SCO4	Incorporated Document No 3: 3-9 and 11 Mitchell Street, Doncaster East - June 2015
SCO5	Fitzsimons Lane (Foote Street, Porter Street, Main Road and Leane Drive) Upgrade Project Incorporated Document, December 2019
SCO6	Templestowe Road Soccer Facilities Incorporated Document, October 2020
SCO12	North East Link Project Incorporated Document, December 2019

50

19/01/2006
VC37

PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.

51

31/07/2018
VC148

PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA

51.01

31/07/2018
VC148

SPECIFIC SITES AND EXCLUSIONS

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.

51.01-1

31/07/2018
VC148

Use or development

Land identified in the schedule to this clause may be used or 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.

51.01-2

31/07/2018
VC148

Expiry of a specific control

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.

31/07/2018
VC148

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

1.0

25/02/2020
C129mann

Specific sites and exclusions

Address of land	Title of incorporated document
None specified	None specified

51.02

31/07/2018
VC148

METROPOLITAN GREEN WEDGE LAND: CORE PLANNING PROVISIONS

Purpose

To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, 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.

51.02-1

20/01/2022
VC205

Application

These provisions apply to land in Metropolitan Melbourne that is 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 Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone, Township Zone, Industrial 1 Zone, Industrial 2 Zone, Industrial 3 Zone, Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone, Public Use Zone, Public Park and Recreation Zone, Public Conservation and Resource Zone, Transport Zone or Urban Floodway Zone.
- The land is identified in the schedule to this clause.

51.02-2

08/08/2019
VC159

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 51.02-2

Use	Condition
Accommodation (other than Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential building)	
Brothel	
Cinema based entertainment facility	
Dependent person's unit	Must be the only dependent person's unit on the lot.
Display home centre	
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.

MANNINGHAM PLANNING SCHEME

Use	Condition
Education centre (other than Primary school and Secondary school) Freeway service centre	
Freezing and cool storage	The goods stored must be agricultural produce, or products used in agriculture.
Function centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. 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.
Funeral parlour	
Group accommodation	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 40 dwellings.
Hospital	
Indoor recreation facility	Must be for equestrian based leisure, recreation or sport.
Industry (other than Materials recycling, Refuse disposal, 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 Transfer station.
Motor racing track Nightclub Office	
Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)	Must not be used for more than 10 days in a calendar year.
Research and development centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.
Research centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.

Use	Condition
Residential building (other than Residential hotel)	<p>Must be used in conjunction with Agriculture, Natural systems, 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, Natural systems, 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, Natural systems, 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 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 produce 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>

51.02-3

31/07/2018
VC148

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.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

51.02-4

31/07/2018
VC148

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.

51.02-5

31/07/2018
VC148

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 this clause would apply to such an application. This does not apply to a permit application to subdivide land.

51.02-6

31/07/2018
VC148

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.

27/05/2019
C126mann

**SCHEDULE TO CLAUSE 51.02 METROPOLITAN GREEN WEDGE LAND: CORE
PLANNING PROVISIONS**

1.0

31/07/2018
VC148

Land where core planning provisions do not apply

Land

Special Use Zone 3, Donvale Christian College, Tindals Road, Donvale

PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT

52.01

05/11/2020
VC191

COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS

Purpose

To facilitate the rectification of combustible cladding on buildings.

52.01-1

05/11/2020
VC191

Permit exemption

Any requirement of this planning scheme to obtain a permit does not apply to the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*.
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act.

52.01-2

05/11/2020
VC191

Exemption from notice and review

An application to amend a permit to allow the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*; or
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act,

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.

52.02

20/09/2010
VC71**EASEMENTS, RESTRICTIONS AND RESERVES****Purpose**

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement

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 the *Subdivision Act 1988*.

In this clause, **restriction** has the same meaning as in the *Subdivision Act 1988*.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

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.

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES**1.0****Under Section 23 of the Subdivision Act 1988**

Land	Easement or restriction	Requirement
9 Murndal Drive, Donvale being Lot 1 LP 115808 and being the land described in Certificate of Title Volume 9176 Folio 633 and 11-13 Murndall Drive, Donvale being Lot 2 LP 115808 and being the land described in Certificate of Title Volume 9193 Folio 088	The restriction contained in instrument of transfer Number E885405 dated 20 June 1973	Vary by deleting "other than a single dwelling house with outbuildings and" and deleting "single" before the word "dwelling"
9 Tidcombe Crescent, Doncaster East being Lot 42 LP 145759 and being the land described in Certificate of Title Volume 9610 Folio 334	The restrictions contained in instrument of transfer Number L912396H registered on 30 September 1985	Vary by deleting paragraph 1
16 Hepburn Road, Doncaster being Lot 10 PS 056685 and further being the land described in Certificate of Title Volume 08458 Folio 832	The restriction contained in instrument of transfer Number B729113	The whole of the restriction is authorised for removal
18 Hepburn Road, Doncaster being Lot 9 PS 056685 and further being the land described in Certificate of Title Volume 08420 Folio 975	The restriction contained in instrument of transfer Number B416060	The whole of the restriction is authorised for removal
20 Hepburn Road, Doncaster being Lot 4 PS 056685 and further being the land described in Certificate of Title Volume 08420 Folio 970	The restriction contained in instrument of transfer Number B416119	The whole of the restriction is authorised for removal
22 Hepburn Road, Doncaster being Lot 5 PS 056685 and further being the land described in Certificate of Title Volume 08420 Folio 971	The restriction contained in instrument of transfer Number B416077	The whole of the restriction is authorised for removal
24 Hepburn Road, Doncaster being Lot 6 PS 056685 and further being the land described in Certificate of Title Volume 08420 Folio 972	The restriction contained in instrument of transfer Number C687853	The whole of the restriction is authorised for removal
1 Short Street, Doncaster being Lot 3 PS 056685 and further being the land described in Certificate of Title Volume 08420 Folio 969	The restriction contained in instrument of transfer Number B531223	The whole of the restriction is authorised for removal
775 Doncaster Road, Doncaster being Lot 20 on PS 54013 and further being the land described in Certificate of Title Volume 8308 Folio 572	The restriction contained in instrument of transfer Number B718174	The whole of the restriction is authorised for removal
777 Doncaster Road, Doncaster being Lot 19 on PS 54013 and further being the land described in Certificate of Title Volume 8308 Folio 571	The restriction contained in instrument of transfer Number B399468	The whole of the restriction is authorised for removal

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Land	Easement or restriction	Requirement
779 Doncaster Road, Doncaster being Lot 18 on PS 54013 and further being the land described in Certificate of Title Volume 8308 Folio 570	The restriction contained in instrument of transfer Number B707395	The whole of the restriction is authorised for removal

2.0

18/12/2008
C72

Under Section 24A of the Subdivision Act 1988

Land	Person	Action
None specified		

3.0

18/12/2008
C72

Under Section 36 of the Subdivision Act 1988

Land	Easement or right of way	Requirement
None specified		

52.0331/01/2020
VC170**LEVEL CROSSING REMOVAL PROJECT****Purpose**

To facilitate the Level Crossing Removal Project.

52.03-131/01/2020
VC170**Application**

This clause applies to the use and development of land (other than the subdivision of land) for projects undertaken by the Level Crossing Removal Project and declared under section 10(1)(b) of the *Major Transport Projects Facilitation Act 2009*.

This clause does not apply to a project for which a document has been incorporated into this planning scheme expressly for that project.

52.03-231/01/2020
VC170**Exemption from planning scheme requirements**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this Clause 52.03 applies to if the requirements of Clause 52.03 are met.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.03-320/01/2022
VC205**Use and development requirements**

The use and development of land must be undertaken in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be undertaken to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of acquisition is for a road, must be undertaken to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be undertaken to the satisfaction of the relevant acquiring authority.

52.03-431/01/2020
VC170**Consultation requirement**

Prior to the commencement of the use or development:

- Public consultation, and consultation with the relevant municipal council, must be undertaken to the satisfaction of the Minister for Planning.
- A report that summarises the feedback provided during consultation and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

52.03-531/01/2020
VC170**Project boundary requirement**

Prior to the commencement of the use or development, a plan that shows the boundary of the land on which the use or development will be undertaken must be prepared to the satisfaction of the Minister for Planning.

52.03-631/01/2020
VC170**Other pre-commencement requirements**

The following requirements may be satisfied for separate components or stages of a project but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.

The following requirements may be varied or waived by the Minister for Planning.

Prior to the commencement of the use or development (other than a preparatory use or development), the following plans and documents must be prepared to the satisfaction of the Minister for Planning:

- An environmental management framework, prepared in consultation with each relevant municipal council, that includes:
 - A summary of key construction methodologies.
 - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
 - A summary of performance monitoring and reporting processes, including auditing, to ensure environmental and amenity effects are reduced and managed during construction.
 - A summary of how each relevant municipal council, the community and other stakeholders will be engaged during construction, including enquiries and complaints management.

The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.

- If the land is in the Heritage Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2:
 - A report that addresses the impact of that development on the heritage significance of the heritage place.
 - Site plans and elevations showing the extent of that development on the land.
 - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2, a report that addresses the impact of the development on any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

Prior to the commencement of the use of any new open space, an environmental assessment (or similar) that demonstrates that the environmental conditions of the land are suitable for that use must be undertaken to the satisfaction of the Minister for Planning.

52.03-731/01/2020
VC170**Native vegetation requirements**

The following requirements may be satisfied for separate components or stages of a project. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

Prior to the removal, destruction or lopping of native vegetation to enable a preparatory use or development, information about that native vegetation must be submitted to the Secretary to the Department of Environment, Land, Water and Planning. The information must include a description

of, and maps showing, the native vegetation to be removed, destroyed or lopped in accordance with application requirement 1 in Table 4 of the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).

Prior to the removal, destruction or lopping of native vegetation (other than to enable a preparatory use or development):

- Information about that native vegetation in accordance with application requirements 1, 5 and 9 in Table 4 of the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning. The information provided to the Secretary must include information about any native vegetation that has been or is to be removed, destroyed or lopped to enable a preparatory use or development.
- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017). The biodiversity impacts from the removal, destruction or lopping of native vegetation to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

The Secretary to the Department Environment, Land, Water and Planning may vary the timing of the above offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.

The secured offset for the project may be reconciled at the completion of a project in accordance with the *Assessor's handbook – Applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, October 2018).

52.03-8

31/01/2020
VC170

Preparatory use and development

For the purposes of Clause 52.03, a preparatory use or development is a use or development required to prepare for the construction of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.03-2.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, and overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be undertaken in compliance with:
 - a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
 - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.

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- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of Clause 52.03, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.0431/07/2018
VC148**SATELLITE DISH****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.

52.04-131/07/2018
VC148**Application**

This clause applies to:

- A building or structure listed in a schedule to the Heritage Overlay.
- Land in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone or Township Zone.

52.04-231/07/2018
VC148**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 provided:
 - The dish is not visible from the street (other than a lane) or a public park,
 - The dish is setback from the side or rear boundary 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, and
 - The dish is setback at least 3 metres from the boundary where it is opposite an existing habitable room window.

52.04-331/07/2018
VC148**Decision guidelines**

Before deciding on an application, in addition to Clause 15.01-2S and 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
31/07/2018
VC148

SIGNS

Purpose

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

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
31/07/2018
VC148

Application

This clause applies to the development of land for signs.

52.05-2
31/07/2018
VC148

Requirements

Sign categories

Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.

Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1

A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.

Some overlays require a permit for Section 1 signs.

Section 2

A permit is required to construct or put up for display a sign in Section 2.

This does not apply to a sign specified in Clause 52.05-10.

All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3

A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:	Clause 59.09
<ul style="list-style-type: none"> ▪ The sign is not within 30 metres of land (not a road) which is in a residential zone. 	

Class of application	Information requirements and decision guidelines
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- The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.
- The display area of the sign does not exceed 10 square metres.

52.05-331/07/2018
VC148**Referral of applications**

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

52.05-431/07/2018
VC148**Expiry of permits**

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.

52.05-531/07/2018
VC148**Existing signs**

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

52.05-620/01/2022
VC205**Application requirements**

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

Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
 - The location of the proposed sign on the site or building and distance from property boundaries.
 - The location and size of existing signage on the site including details of any signs to be retained or removed.
 - The location and form of existing signage on abutting properties and in the locality.
 - The location of closest traffic control signs.
 - Identification of any view lines or vistas that could be affected by the proposed sign.

Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
 - A description of the existing character of the area including built form and landscapes.
 - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
 - Any existing identifiable advertising theme in the area.
 - Photo montages or a streetscape perspective of the proposed sign.
 - Level of illumination including:
 - Lux levels for any sign on or within 60 metres of a Transport Zone 2, Transport Zone 3, a residential zone or public land zone.
 - The dwell and change time for any non-static images.
 - The relationship to any significant or prominent views and vistas.

52.05-7

31/07/2018
VC148

Exemption from notice and review

An application for a 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 constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

52.05-8

31/07/2018
VC148

Decision guidelines

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

All signs

- The character of the area including:
 - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.

- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.
- Impacts on views and vistas:
 - The potential to obscure or compromise important views from the public realm.
 - The potential to dominate the skyline.
 - The potential to impact on the quality of significant public views.
 - The potential to impede views to existing signs.
- The relationship to the streetscape, setting or landscape:
 - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
 - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
 - The ability to screen unsightly built or other elements.
 - The ability to reduce the number of signs by rationalising or simplifying signs.
 - The ability to include landscaping to reduce the visual impact of parts of the sign structure.
- The relationship to the site and building:
 - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
 - The extent to which the sign displays innovation relative to the host site and host building.
 - The extent to which the sign requires the removal of vegetation or includes new landscaping.
- The impact of structures associated with the sign:
 - The extent to which associated structures integrate with the sign.
 - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.
- The impact of any illumination:
 - The impact of glare and illumination on the safety of pedestrians and vehicles.
 - The impact of illumination on the amenity of nearby residents and the amenity of the area.
 - The potential to control illumination temporally or in terms of intensity.
- The impact of any logo box associated with the sign:
 - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
 - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.
- The need for identification and the opportunities for adequate identification on the site or locality.
- The impact on road safety. A sign is a safety hazard if the sign:

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- 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 control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or 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 no time to signal and turn safely.
- Is within 100 metres of a rural railway crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

Major promotion signs

- The effect of the proposed major promotion 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 major promotion sign, the following locational principles must be taken into account:
 - Major promotion signs are encouraged in commercial and industrial locations in a manner that 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.

52.05-931/07/2018
VC148**Mandatory conditions****All signs**

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- 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.
- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

52.05-1031/07/2018
VC148**Signs not requiring a permit**

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of 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 that 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 required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign's display cannot be seen from nearby land.

- A sign with a display 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 a display 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 a display 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 a display 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 display 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 display 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*.

52.05-11

31/07/2018
VC148

Category 1 - Commercial areas

Minimum limitation

Purpose

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
Business identification sign	
Home based business sign	
Promotion sign	

Sign	Condition
Direction sign	None specified
Internally illuminated sign	The total display area to each premises must not exceed 1.5 sqm. 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	None specified

Section 3 - Prohibited

Sign	Condition
Nil	None specified

52.05-12

31/07/2018
VC148

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 display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.
Business identification sign	
Home based business sign	
Pole sign	
Direction sign	Only one to each premises.
Internally illuminated sign	The display area must not exceed 1.5 sqm. 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	None specified

Section 3 - Prohibited

Sign	Condition
Nil	None specified

52.05-1331/07/2018
VC148**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 based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Above-verandah sign	None specified
Business identification sign	
Electronic sign	The display area must not exceed 3 sqm.
Floodlit sign	None specified
High-wall sign	Must be a business logo or street number.
Internally illuminated sign	None specified
Pole sign	
Promotion sign	The display area must not exceed 3 sqm.
Reflective sign	None specified

Section 3 - Prohibited

Sign	Condition
Any sign not in Sections 1 or 2	None specified

52.05-1431/07/2018
VC148**Category 4 - Sensitive areas**

Maximum limitation

Purpose

To provide for unobtrusive signs in areas requiring strong amenity control.

MANNINGHAM PLANNING SCHEME

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Business identification sign	The total display area to each premises must not exceed 3 sqm.
Floodlit sign	None specified

Section 3 - Prohibited

Sign	Condition
Any sign not in Sections 1 or 2	None specified

27/05/2019
C126mann

SCHEDULE TO CLAUSE 52.05 SIGNS

1.0

27/05/2019
C126mann

Exemption from notice and review

Land	Conditions
None specified	

52.0631/07/2018
VC148**CAR PARKING****Purpose**

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

52.06-101/07/2014
VC116**Scope**

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

52.06-219/04/2013
VC95**Provision of car parking spaces**

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

52.06-304/10/2018
VC149**Permit requirement**

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.
- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.
- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.
- The gross floor area of the building is not increased.
- The reduction does not exceed 10 car parking spaces.
- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

VicSmart applications

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

52.06-4

31/07/2018
VC148

Exemption from notice and review

An application under Clause 52.06-3 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 application is only for a permit under Clause 52.06-3; or
- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the 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.

52.06-5

24/01/2020
VC160

Number of car parking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.

MANNINGHAM PLANNING SCHEME

A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps* (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

Table 1: Car parking requirement

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Amusement parlour	4	3.5	To each 100 sq m of net floor area
Art & craft centre	4	3.5	To each 100 sq m of net floor area
Bar	0.4		To each patron permitted
		3.5	Space to each 100 sq m of leasable floor area
Betting agency	4	3.5	To each 100 sq m of leasable floor area
Bowling green	6	6	To each rink plus 50 per cent of the relevant requirement of any ancillary use
Child care centre	0.22	0.22	To each child
Cinema based entertainment facility	0.3	0.3	To each patron permitted
Convenience restaurant	0.3		To each patron permitted
		3.5	To each 100 sq m of leasable floor area

MANNINGHAM PLANNING SCHEME

Use	Rate	Rate	Car Parking Measure
	Column A	Column B	Column C
Convenience shop if the leasable floor area exceeds 80 sq m	10		To each premises
		3.5	To each 100 sq m of leasable floor area
Display home centre	5		To each dwelling for five or fewer contiguous dwellings, plus
	2		To each additional contiguous dwelling
		3.5	To each 100 sq m of floor area
Dwelling	1	1	To each one or two bedroom dwelling, plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every 5 dwellings for developments of 5 or more dwellings
Education centre other than listed in this table	0.4	0.3	To each student that is part of the maximum number of students on the site at any time
Food and drink premises other than listed in this table	4	3.5	To each 100 sq m of leasable floor area
Freezing and cool storage,	1.5	1	To each 100 sq m of net floor area
Fuel depot	10	10	Per cent of site area
Funeral Parlour	0.3	0.3	To each patron permitted
Gambling premises other than listed in this table	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area
Golf course	4	4	To each hole plus 50 per cent of the relevant requirement of any ancillary uses.
Home based business	1	0	To each employee not a resident of the dwelling
Hotel	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area
Industry other than listed in this table	2.9	1	To each 100 sq m of net floor area
Landscape gardening supplies	10	10	Per cent of site area
Mail centre	3.5	3	To each 100 sq m of net floor area
Manufacturing sales	4	3.5	To each 100 sq m of leasable floor area
Market	8	3.5	To each 100 sq m of site area
Materials recycling	10	10	Per cent of site area
Medical centre	5		To the first person providing health services plus
	3		To every other person providing health services
		3.5	To each 100 sq m of leasable floor area
Milk depot	10	10	Per cent of site area

MANNINGHAM PLANNING SCHEME

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Motel	1	1	To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use
Motor repairs	3	3	To each 100 sq m of net floor area plus
	1	1	for each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners
Office other than listed in this table	3.5	3	To each 100 sq m of net floor area
Place of assembly other than listed in this table	0.3	0.3	To each patron permitted
Postal agency	4	3.5	To each 100 sq m of leasable floor area
Primary produce sales	4	3.5	To each 100 sq m of leasable floor area
Primary school	1	1	To each employee that is part of the maximum number of employees on the site at any time
Research and development centre	3.5	3	To each 100 sq m of net floor area
Residential aged care facility	0.3	0.3	To each lodging room
Residential village	1	1	To each one or two bedroom dwelling plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every five dwellings for developments of five or more dwellings
Retirement village	1	1	To each one or two bedroom dwelling plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every five dwellings for developments of five or more dwellings
Restaurant	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area
Restricted retail premises	3	2.5	To each 100 sq m of leasable floor area
Rooming house	1	1	To each four bedrooms
Saleyard	10	10	Per cent of site area
Secondary school	1.2	1.2	To each employee that is part of the maximum number of employees on the site at any time
Shop other than listed in this table	4	3.5	To each 100 sq m of leasable floor area
Squash court – other than in conjunction with a dwelling	3	3	To each court plus 50 per cent of the relevant requirement of any ancillary use

Use	Rate	Rate	Car Parking Measure
	Column A	Column B	Column C
Store other than listed in this table	10	10	Per cent of site area
Supermarket	5	5	To each 100 sq m of leasable floor area
Swimming pool – other than in conjunction with a dwelling	5.6	5.6	To each 100 sq m of the site
Tennis court – other than in conjunction with a dwelling	4	4	To each court plus 50% of the requirement of any ancillary use
Trade supplies	10	10	Per cent of site area
Veterinary centre	5		To the first person providing animal health services plus
	3		To every other person providing animal health services
		3.5	To each 100 sq m of leasable floor area
Warehouse other than listed in this table	2	2	To each premises plus
	1.5	1	To each 100 sq m of net floor area
Winery	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area

52.06-6

16/01/2018
VC142

Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

52.06-7

25/05/2017
VC133

Application requirements and decision guidelines for permit applications

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.

MANNINGHAM PLANNING SCHEME

- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
 - Efficiencies gained from the consolidation of shared car parking spaces.
 - Public car parks intended to serve the land.
 - On street parking in non residential zones.
 - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.

For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

52.06-8

25/05/2017
VC133

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.

- Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

52.06-9

20/01/2022
VC205

Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

Design standard 2 – Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m

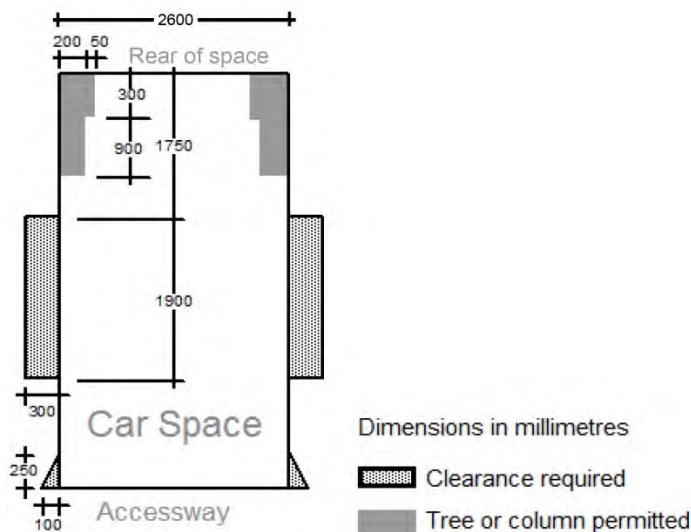
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must 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.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

52.06-10

25/05/2017
VC133

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

52.06-11

25/05/2017
VC133

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and

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- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
 - the new use commences; or
 - the floor area or site area of the existing use is increased; or
 - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

52.07

11/03/2020
VC177

BUSHFIRE RECOVERY

Purpose

To facilitate and support recovery from a bushfire.

To facilitate the construction and use of temporary accommodation following a bushfire.

To enable businesses and services to continue operating following a bushfire.

52.07-1

14/12/2020
VC188

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any of the following use or development if requirements of Clause 52.07 are met:

- The use of land or the construction of a building or the construction or carrying out of works:
 - Associated with bushfire recovery carried out by or on behalf of a municipal council or public authority; or
 - For accommodation; or
 - For a use (other than accommodation) that was lawfully carried out in a building immediately before that building was damaged or destroyed by a bushfire.
- The removal, destruction or lopping of vegetation.

This exemption does not apply to:

- The requirement in Clause 45.03-1.
- The use or development of land to which Clause 52.14 applies.
- The use or development of land identified in a schedule to Clause 51.01.
- The use or development of land in the Specific Controls Overlay.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.07-2

11/03/2020
VC177

Information to responsible authority

Before the commencement of a use or the construction of a building under Clause 52.07, the following information must be given in writing to the responsible authority and to the satisfaction of the responsible authority:

- A description of the proposed use.
- A description of the proposed building.
- A description of the land on which the use will be carried out or the building will be constructed by:
 - Stating the address of the land; or
 - Stating the title particulars of the land; or
 - Including a plan showing the land; or
 - Any combination of these.

52.07-3

01/07/2021
VC203

Temporary accommodation requirements

The following requirements do not apply to the use or development of land associated with bushfire recovery carried out by or on behalf of a municipal council or public authority.

Land must only be used for accommodation under this clause to accommodate a person whose principal place of residence was damaged or destroyed by a bushfire on the same land or contiguous land in the same ownership.

Land used for accommodation under this clause must meet the following requirements:

- Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The accommodation must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the accommodation must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system or treated and disposed of to the satisfaction of the responsible authority.
- The accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply.
- The accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

The use of land for accommodation under this clause must not continue after 3 years of the commencement of the use unless in accordance with the requirements of this planning scheme.

A building or works constructed or carried out under this clause for accommodation must be on the same land, or on contiguous land in the same ownership, as a building used for accommodation that was damaged or destroyed by a bushfire and must be completed within 18 months of the date that building was damaged or destroyed.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed for accommodation under this clause on contiguous land in the same ownership must not exceed 60 square metres.

52.07-4

11/03/2020
VC177

Other use and development requirements

The following requirements do not apply to the use or development of land:

- For accommodation; or
- Associated with bushfire recovery carried out by or on behalf of a municipal council or public authority.

Unless in accordance with the written agreement of the responsible authority, the use of land under this clause for a use that was carried out in a building immediately before that building was damaged or destroyed by a bushfire must be carried out on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building.

A use commenced under this clause must not continue after 3 years of its commencement unless in accordance with this planning scheme.

A building or works constructed or carried out under this clause for a use that was carried out in a building damaged or destroyed by a bushfire, must be on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building and must be completed within 18 months of the date that building was damaged or destroyed by a bushfire.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed under this clause on contiguous land in the same ownership must not exceed 100 square metres.

52.07-5

11/03/2020
VC177

Vegetation removal requirement

Vegetation must only be removed, destroyed or lopped to the minimum extent necessary:

- To enable the removal of a building, equipment or other material that was damaged or destroyed by a bushfire within 3 years of the date it was damaged or destroyed; or
- To enable the repair or reconstruction of a fence that was damaged or destroyed by a bushfire within 3 years of the date it was damaged or destroyed for a combined maximum width of 4 metres either side of the fence.

This requirement does not apply to:

- The removal, destruction or lopping of vegetation within 10 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 30 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 50 metres of a building constructed for accommodation under this clause in a Bushfire Management Overlay.

52.07-6

11/03/2020
VC177

Overlay requirements

Development of land in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be sited to the satisfaction of the responsible authority.

Development of land in a Heritage Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be undertaken to the satisfaction of the responsible authority.

Development of land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be sited to the satisfaction of the relevant floodplain management authority.

52.0824/01/2020
VC160**EARTH AND ENERGY RESOURCES INDUSTRY****Purpose**

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

52.08-124/01/2020
VC160**Permit requirement**

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:	
Extractive industry	Complies with Section 77T of the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Geothermal energy exploration	Complies with the <i>Geothermal Energy Resources Act 2005</i> .
Geothermal energy extraction	Complies with Section 62 of the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration exploration	Complies with Section 189 of the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Greenhouse gas sequestration	Complies with Section 191 of the <i>Geological Sequestration Act 2008</i> .
Mineral exploration	Complies with Section 43(3) of the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Mining	Complies with Section 42(7) or Section 42A <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or Complies with Section 47A of the <i>Electricity Industry Act 1993</i> .
Petroleum exploration	Complies with Section 118 of the <i>Petroleum Act 1998</i> .
Petroleum production	Complies with Section 120 of the <i>Petroleum Act 1998</i> .
Stone exploration	Must not be costeaning or bulk sampling.

52.08-224/01/2020
VC160**Application requirements for mining**

An application to use and develop land for mining must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990*.
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990*.
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990*.

52.08-3

14/05/2021
VC198

Referral requirements for mining

An application to use or develop land for mining must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

52.0924/01/2020
VC160**EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS****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 stone resources, which may be required by the community for future use, are protected from inappropriate use and development.

52.09-124/01/2020
VC160**Application**

This clause applies to an application to use or develop land:

- For extractive industry;
- Within an Extractive Industry Interest Area; or
- Within 500 metres of an existing or proposed extractive industry operation.

52.09-224/01/2020
VC160**Application requirements**

An application to use and develop land for extractive industry must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990*.
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990*.
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990*.

These requirements do not apply if the proposed extractive industry is exempt from:

- The requirement to obtain a work plan under section 77G of the *Mineral Resources (Sustainable Development) Act 1990*; or
- The provisions of the *Mineral Resources (Sustainable Development) Act 1990* under section 5AA of that Act.

52.09-314/05/2021
VC198**Referral of applications**

An application to use or develop land for extractive industry must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

52.09-424/01/2020
VC160**Decision guidelines**

Before deciding on an application to use and develop land for extractive industry, in addition to the decision guidelines in Clause 65, the 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 proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.

- The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.
- 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 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 plan that has received statutory endorsement under the *Mineral Resources (Sustainable Development) Act 1990*.

52.09-5

24/01/2020
VC160

Permit conditions for extractive industry

A permit to use and develop land 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.

A permit to use and develop land for extractive industry must include:

- A condition that allows for a period of not less than five years for the use and development to commence before the permit expires under section 68 of the Act.
- Conditions that are consistent with the requirements specified in Clause 52.09-6.

52.09-6

24/01/2020
VC160

Requirements for extractive industry

The use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

- Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.
- Shrubs and trees must be planted and maintained to screen activity on the land.
- Parking areas must be provided for employees' cars and all vehicles used on the land.

52.09-7

19/08/2021
VC196

Notice of an application

Notice of the following kinds of applications must be given in accordance with section 52(1)(c) of the Act to the Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990*:

- An application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital:

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- 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 *Mineral Resources (Sustainable Development) Act 1990*.
- 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 *Mineral Resources (Sustainable Development) Act 1990*.

This requirement does not apply to:

- An application to extend a building or works.
- An application that is required to be referred to the Secretary under section 55 of the Act.

52.1005/10/2021
VC208**RECONSTRUCTION AFTER AN EMERGENCY****Purpose**

To facilitate the reconstruction of buildings and works damaged or destroyed as a result of an emergency.

To facilitate the re-establishment of businesses and services after an emergency.

To facilitate the continued use of land for dwellings after an emergency.

52.10-105/10/2021
VC208**Use exemptions - dwelling**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use of land, requires the use of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to the use of land (other than land in the Urban Floodway Zone) for a dwelling if the following requirements are met:

- A dwelling on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
- The use must commence within 5 years after the date the dwelling was damaged or destroyed.
- The dwelling must not be a building that was constructed under clause 52.07.
- The land must not be used for more than the number of dwellings the land was lawfully used for before the dwelling was damaged or destroyed.
- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

52.10-205/10/2021
VC208**Exemption from notice and review**

An application under any provision of this planning scheme to use or develop land (other than the subdivision of land) is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- A building or works on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
- A use must be a use that was lawfully carried out on the land immediately before the building or works was damaged or destroyed and cannot continue without the building or works being reconstructed.
- A development must be for:
 - The repair of the damaged or destroyed building or works; or
 - The construction of a building, or the construction or carrying out of works, to replace the damaged or destroyed building or works.

- The application must be lodged within 5 years of the date the building was damaged or destroyed.
- If the application is to use or develop land for a dwelling:
 - A dwelling on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
 - The application must only be for the number of dwellings that were damaged or destroyed.

52.10-3

05/10/2021
VC208

Meaning of terms

In this clause, *emergency* means:

- a bushfire; or
- an earthquake, flood, wind-storm or other natural event.

52.10-4

05/10/2021
VC208

Transitional provision

Clause 52.10-2 of this planning scheme, as in force immediately before the approval date of Amendment VC208, continues to apply to an application lodged before that date for land on which a building was damaged or destroyed by a bushfire after 1 January 2019.

52.1131/07/2018
VC148**HOME BASED BUSINESS****Purpose**

To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

52.11-116/01/2018
VC142**Requirements to be met**

A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business 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 adjusted, modified, 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 based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

52.11-231/07/2018
VC148**Permit requirement**

Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than three people who do not live in the dwelling to work in the occupation at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net 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 based business 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 based business.

52.1205/08/2020
VC176**BUSHFIRE PROTECTION EXEMPTIONS****Purpose**

To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.

To facilitate the construction and protection of community fire refuges and private bushfire shelters.

52.12-105/08/2020
VC176**Exemptions to create defensible space around buildings used for accommodation**

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to any of the following:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation if all of the following requirements are met:
 - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
 - The building must have been:
 - constructed before 10 September 2009; or
 - approved by a planning permit or a building permit issued before 10 September 2009; or
 - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation if all of the following requirements are met:
 - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
 - The building must have been:
 - constructed before 10 September 2009; or
 - approved by a planning permit or a building permit issued before 10 September 2009; or
 - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation if all of the following requirements are met:
 - The building must be located in the Bushfire Management Overlay.
 - The building must have been:
 - constructed before 10 September 2009; or
 - lawfully constructed without a planning permit before 18 November 2011; or
 - approved by a planning permit or a building permit issued before 10 September 2009 and constructed before 18 November 2011; or
 - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

52.12-205/08/2020
VC176**Exemption for vegetation removal along a fenceline**

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership if all of the following requirements are met:

- The fence must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
- The fence must have been constructed before 10 September 2009.
- The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.

52.12-305/08/2020
VC176**Exemption for buildings and works associated with a community fire refuge**

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 October 2015) of the *Project Development and Construction Management Act 1994*.

52.12-405/08/2020
VC176**Exemption for buildings and works associated with a private bushfire shelter**

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2018), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

52.12-505/08/2020
VC176**Exemption to create defendable space for a dwelling under Clause 44.06 of this planning scheme**

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to enable the construction of a dwelling, or the alteration or extension of an existing dwelling, and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
 - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the *Building Act 1993* for a dwelling or alteration or extension to the dwelling; or

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- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.

Note: The effect of clause 52.12-5 is that if an application for building and works is made and all requirements of the clause are met, that application is not required to be accompanied by a permit application to remove the vegetation covered by this clause.

52.13

14/12/2020
VC188

[NO CONTENT]

52.1431/07/2018
VC148**2009 BUSHFIRE - REPLACEMENT BUILDINGS****Purpose**

To support the rebuilding of dwellings, dependent persons' units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

52.14-114/12/2020
VC188**Scope**

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
 - a dwelling or dependent person's unit; or
 - a building used for agriculture,
 - that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The use of land for:
 - a dwelling or dependent person's unit that is rebuilt in accordance with this clause; or
 - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.
- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

52.14-220/01/2022
VC205**Exemption from planning scheme requirements**

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person's unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person's unit or building used for agriculture.
- The existing and proposed access to the lot.

- Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.
- For replacement dwellings and dependent persons' units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
 - The location and dimensions of vehicle access.
 - The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person's unit cannot be connected to a reticulated potable water supply.
 - The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

Commencement of development

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

Compliance with site plan

- The development must comply with the approved site plan.

Use and development conditions

- The land must not be used for more than the number of dwellings or dependent persons' units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
 - Access to the dwelling or dependent person's unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
 - The dwelling or dependent person's unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
 - The dwelling or dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
 - The dwelling or dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy source.
- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
 - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
 - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.

- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.
- For land adjacent to a Transport Zone 2 or Land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, access must not be created or altered.

52.14-3

31/07/2018
VC148

Land in an Erosion Management Overlay

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

52.14-4

31/07/2018
VC148

Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant flood plain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

52.14-5

31/07/2018
VC148

Decision guidelines

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person's unit can be located on the land to assist the minimisation of risk to life and property from bushfire.

52.15

29/10/2015
VC101

HELIPORT AND HELICOPTER LANDING SITE

Purpose

To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

52.15-1

30/04/2021
VC185

Permit requirement

A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

No permit is required to use land for a helicopter landing site if any of the following apply:	
Emergency services	The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.
Agriculture	The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.
Public land management	<p>The helicopter landing site is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of any of the following:</p> <ul style="list-style-type: none"> ▪ The Department of Environment, Land, Water and Planning; ▪ The Department of Economic Development, Jobs, Transport and Resources; ▪ Parks Victoria; or ▪ The Great Ocean Road Coast and Parks Authority, whether on private land or not.
General	<p>The helicopter landing site where either:</p> <ul style="list-style-type: none"> ▪ The landing point is located more than 500 metres from a building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided: <ul style="list-style-type: none"> - The number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements). - Flight movements do not take place before 7am or after sunset on a weekday. - Flight movements do not take place before 8am or after sunset on a weekend or holiday; or ▪ The landing point is located more than 1000 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne.

52.15-2

18/12/2012
VC93

Application requirements

An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
 - Site boundaries and dimensions.
 - The current land use.
 - The existing siting and layout of buildings and works.
 - The proposed siting and layout of buildings and works.
 - Existing vegetation and proposed vegetation removal.

- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
 - The siting and use of buildings on adjacent properties.
 - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.
- A written report which:
 - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
 - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
 - Providing an acoustic report by a suitably qualified consultant.
 - Includes details of the proposed frequency of flight movements.
 - Includes the proposed hours of operation.

52.15-3

18/12/2012
VC93

Decision guidelines

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.

52.1631/07/2018
VC148**NATIVE VEGETATION PRECINCT PLAN****Purpose**

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the *Guidelines*):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.16-112/12/2017
VC138**Application**

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

52.16-212/12/2017
VC138**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 must include the information and provide for the matters set out in section 10.1 of the *Guidelines*.

52.16-312/12/2017
VC138**Permit requirement**

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

52.16-412/12/2017
VC138**Application requirements**

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the *Guidelines*.

52.16-512/12/2017
VC138**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the *Guidelines* as appropriate.

52.16-6

12/12/2017
VC138

Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the *Guidelines*. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

52.16-7

31/07/2018
VC148

Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
 - the original permit application was lodged before that date; or
 - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning's native vegetation information systems within 12 months before that date.

52.16-8

30/04/2021
VC185

Table of exemptions

The requirement to obtain a permit does not apply to:	
Conservation work	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work: <ul style="list-style-type: none"> ▪ which provides an overall improvement for biodiversity; and ▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Crown land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land: <ul style="list-style-type: none"> ▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the <i>Procedure for the removal, destruction or lopping of native vegetation on Crown land</i>; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Emergency works	Native vegetation that is to be removed, destroyed or lopped: <ul style="list-style-type: none"> ▪ in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority under that Act.
Fire protection	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities:

The requirement to obtain a permit does not apply to:

	<ul style="list-style-type: none"> ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under <i>Part 2 of the Conservation, Forests and Lands Act 1987</i>); ▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> - section 65 of the <i>Forests Act 1958</i>; or - section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
Geothermal energy exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management or directions notice	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and mining	<p>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>:</p> <ul style="list-style-type: none"> ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
Pest animal burrows	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> .
Planted vegetation	<p>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</p> <p>This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</p>

MANNINGHAM PLANNING SCHEME

The requirement to obtain a permit does not apply to:	
Railways	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	<p>Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:</p> <ul style="list-style-type: none"> ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. <p>This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
Road safety	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	<ul style="list-style-type: none"> ▪ Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. <p>The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
Surveying	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	<p>Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p> <ul style="list-style-type: none"> ▪ a natural resource agreement under Part 6 of the <i>Traditional Owner Settlement Act 2010</i>; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional Owner Settlement Amendment Act in 2016</i> (1 May 2017).
Utility installations	<p>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:</p> <ul style="list-style-type: none"> ▪ to maintain the safe and efficient function of a Minor utility installation; or ▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).

27/05/2019
C126mann

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

1.0

27/05/2019
C126mann

Native vegetation precinct plan

Name of plan

None specified

52.1731/07/2018
VC148**NATIVE VEGETATION****Purpose**

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the *Guidelines*):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.17-112/12/2017
VC138**Permit requirement**

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

52.17-212/12/2017
VC138**Application requirements**

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the *Guidelines*.

52.17-312/12/2017
VC138**Property vegetation plans**

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

“This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.”

52.17-412/12/2017
VC138**Decision guidelines**

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

52.17-512/12/2017
VC138**Offset requirements**

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the *Guidelines*. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.

52.17-631/07/2018
VC148**Transitional provisions**

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
 - the original permit application was lodged before that date; or
 - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning's native vegetation information systems within 12 months before that date.

52.17-730/04/2021
VC185**Table of exemptions****The requirement to obtain a permit does not apply to:**

Conservation work	<p>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</p> <ul style="list-style-type: none"> ▪ which provides an overall improvement for biodiversity; and ▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Crown land	<p>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</p> <ul style="list-style-type: none"> ▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the <i>Procedure for the removal, destruction or lopping of native vegetation on Crown land</i>; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Dead native vegetation	<p>Native vegetation that is dead.</p> <p>This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</p>
Emergency works	<p>Native vegetation that is to be removed, destroyed, or lopped:</p> <ul style="list-style-type: none"> ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

The requirement to obtain a permit does not apply to:

Existing buildings	<p>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008.</p> <p>This exemption does not apply to:</p> <ul style="list-style-type: none"> ▪ the operation or maintenance of a fence; or ▪ native vegetation located more than 10 metres measured from the outermost point of the building.
Existing buildings and works in the Farming Zone and Rural Activity Zone	<p>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone.</p> <p>This exemption does not apply to:</p> <ul style="list-style-type: none"> ▪ the use or maintenance of a Dwelling; or ▪ the operation or maintenance of a fence; or ▪ native vegetation located more than 10 metres measured from the outermost point of the building or works.
Extractive industry	<p>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority under that Act.</p>
Fences	<p>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:</p> <ul style="list-style-type: none"> ▪ the operation or maintenance of an existing fence; or ▪ the construction of a boundary fence between properties in different ownership. <p>The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.</p>
Fire protection	<p>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities:</p> <ul style="list-style-type: none"> ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> - Section 65 of the <i>Forests Act 1958</i>; or - Section 41 of the <i>Country Fire Authority Act 1958</i>.

The requirement to obtain a permit does not apply to:

- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

Geothermal energy exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Grasses	Native grass that is to be mowed or slashed for maintenance only, provided that the grass is: <ul style="list-style-type: none"> ▪ located within a lawn, garden or other landscaped area; or ▪ maintained at a height of at least 10 centimetres above ground level.
Grazing	Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on: <ul style="list-style-type: none"> ▪ freehold land; or ▪ Crown land in accordance with a license, permit or lease granted under applicable legislation.
Greenhouse gas sequestration and exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Harvesting for timber production – naturally established native vegetation	Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the <i>Code of Practice for Timber Production 2014</i> and are: <ul style="list-style-type: none"> ▪ undertaken on public land under a licence or permit issued under section 52 of the <i>Forests Act 1958</i>; or ▪ authorised in accordance with Part 5 of the <i>Sustainable Forests (Timber) Act 2004</i>.
Land management or directions notice	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Lopping and pruning for maintenance	Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. This exemption does not apply to:

The requirement to obtain a permit does not apply to:

- the pruning or lopping of the trunk of a native tree; or
- native vegetation on a roadside or railway reservation.

Mineral exploration and extraction

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*:

- that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or
- in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.

Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

New buildings and works in the Farming Zone and Rural Activity Zone

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
- 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising.

New dwellings in the Farming Zone and Rural Activity Zone

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone.

The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 300 square metres of native vegetation which does not include a tree.
- 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage.

Personal use

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land.

The requirement to obtain a permit does not apply to:

For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft.

This exemption does not apply to:

- contiguous land in one ownership that has an area of less than 10 hectares;
- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

Pest animal burrows

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:

- in accordance with written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*; or
- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:
 - 1 hectare of native vegetation which does not include a tree; or
 - 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

Planted vegetation

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

Railways

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Regrowth

Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:

- less than 10 years old; or
- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or
- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), and is:

The requirement to obtain a permit does not apply to:

- shown on that plan as being 'certified regrowth'; and
- on land that is to be used or maintained for cultivation or pasture during the term of that plan.

This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.

Road safety	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Site area	Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares. This exemption does not apply to native vegetation on a roadside or rail reservation.
Stock movements on roads	Native vegetation that is to be removed, or destroyed by stock being moved along a road. This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.
Stone exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: <ul style="list-style-type: none"> ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: <ul style="list-style-type: none"> ▪ a natural resource agreement under Part 6 of the <i>Traditional Owner Settlement Act 2010</i>; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional Owner Settlement Amendment Act</i> in 2016 (1 May 2017).
Utility installations	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:

The requirement to obtain a permit does not apply to:

- to maintain the safe and efficient function a Minor utility installation; or
- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Vehicle access from public roads

Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.

This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.

This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation.

In this exemption, roadside and public road have the same meanings as in section 3 of the *Road Management Act 2004*.

Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.

Weeds

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
 - 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.
-

27/05/2019
C126mann**SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION****1.0**16/03/2006
VC38**Scheduled area**

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
None specified	

2.021/02/2013
C54**Scheduled weed**

Area	Description of weed	
Whole municipality	Balm Mint Bush	<i>Prostanthera melissifolia</i>
	Giant Honey-myrtle	<i>Melaleuca armillaris</i>
	Morning Flag	<i>Orthrosanthus multiflorus</i>
	Ovens Wattle	<i>Acacia pravissima</i>
	Sallow Wattle	<i>Acacia longifolia</i>
	Sticky wattle	<i>Acacia howittii</i>
	Sweet Pittosporum	<i>Pittosporum undulatum</i>
	White Sallow-wattle	<i>Acacia floribunda</i>
	Wirilda	<i>Acacia retinodes</i>

52.1819/11/2021
VC214**STATE OF EMERGENCY AND RECOVERY EXEMPTIONS****Purpose**

To facilitate the delivery of food and other essential goods during and following the coronavirus (COVID-19) pandemic.

To support Victoria's social and economic recovery from the coronavirus (COVID-19) pandemic through exemptions that enable outdoor dining and facilitate the reopening and safe operation of hospitality and other businesses.

52.18-119/11/2021
VC214**Operation**

This clause contains exemptions from the requirements of this planning scheme and exemptions from conditions of permits.

The exemptions in this clause prevail over any inconsistent provision in this planning scheme or condition of a permit.

The exemptions in this clause do not apply to a requirement in the Heritage Overlay relating to the construction or carrying out of works to an existing building, the alteration of an existing building, or the painting of an existing building, other than a building constructed or placed under an exemption in this clause.

A use or development carried out under an exemption in this clause must comply with the requirements in clauses 52.18-7.

In this clause:

- **drink** includes liquor;
- **exemption period** means the period when a state of emergency declaration under the *Public Health and Wellbeing Act 2008* in relation to coronavirus (COVID-19) is in force and for 12 months after;
- **hospitality** means:
 - the preparation or sale of food or drink for immediate consumption on, or off, the land or
 - the consumption of food or drink;
- **public land** means Crown land and land that is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.

52.18-221/10/2020
VC193**Deliveries exemption**

The following exemption applies when a state of emergency declaration under the *Public Health and Wellbeing Act 2008* in relation to coronavirus (COVID-19) is in force and for three months after.

Any requirement of a permit, including any condition, or any provision in this planning scheme, that limits, or has the effect of limiting, the hours or days during which goods may be dispatched, delivered, loaded or unloaded does not apply to the dispatch, delivery, loading or unloading of:

- Food, drink, groceries, medicine, or cleaning, sanitising, health, hygiene, medical or personal protection equipment, supplies, or products, or the like.
- Any goods to a supermarket, market, hospital, medical centre, pharmacy, residential aged care facility or retirement village.

52.18-319/11/2021
VC214**Public land exemptions**

Any requirement in this planning scheme relating to the use of land does not apply to the use of public land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-7 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works on public land does not apply to a temporary building or moveable building associated with the use of land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-7 are met.

52.18-419/11/2021
VC214**Food and drink business extension exemptions**

Any requirement in this planning scheme relating to the use of land does not apply to the use of land for hospitality during the exemption period if the use is associated with the existing use of adjoining land for a food and drink premises, function centre, nightclub or winery, and the requirements of clause 52.18-7 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to a temporary building or moveable building associated with the use of the land for hospitality during the exemption period if the requirements of clause 52.18-7 are met.

52.18-519/11/2021
VC214**Car parking exemption**

Any requirement of this planning scheme relating to the provision of car parking does not apply to a use commenced under an exemption in this clause, or the existing use of land for a food and drink premises, function centre, nightclub or winery, during the exemption period.

52.18-619/11/2021
VC214**Permit condition exemptions**

The following exemptions apply to permits issued before the approval date of Amendment VC193 and which allow:

- the use or development of land for a food and drink premises, function centre, nightclub or winery; or
- the use or development of land for the sale or consumption of liquor associated with the use of the land for a food and drink premises, function centre, nightclub or winery.

Any requirement of a permit, including any condition, relating to the layout or location of the preparation, sale or consumption of food or drink on the land does not apply during the exemption period if the requirements of clause 52.18-7 are met. This exemption does not apply to a condition relating to the maximum number of patrons, hours of operation (including any condition that applies to a particular outdoor area), location or playing of music, or noise levels.

Any requirement of a permit, including any condition, relating to the layout or location of development on the land does not apply to the construction or placing of a temporary building or moveable building, or the construction or carrying out of works, under an exemption in this clause if the requirements of clause 52.18-7 are met.

Any requirement of a permit, including any condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the alteration of an existing use of land under an exemption in this clause during the exemption period if the requirements of clause 52.18-7 are met.

52.18-719/11/2021
VC214**Use and development requirements**

The following requirements apply to the use and development land carried out under an exemption in this clause.

The use of the land must not:

- Continue after the exemption period unless in accordance with the requirements of this planning scheme.
- Unreasonably affect the amenity of the neighbourhood, including through:
 - 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.

Land in, or within 30 metres of, a residential zone must not be used for the outdoor consumption of food or drink between the hours of 10.00pm and 7.00am. The responsible authority may vary this requirement to extend the hours of the use.

The use or development of land must not impede access required by emergency services or for waste collection.

The height of a building constructed or placed under an exemption in this clause must not exceed 3.6 metres.

A building must not be constructed or placed under an exemption in this clause within 1 metre of adjacent land in a residential zone if the height of the building exceeds 1.8 metres.

The siting of a building in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit under the overlay were it not for an exemption in this clause must be to the satisfaction of the responsible authority.

The siting of a building in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit under the overlay were it not for an exemption in this clause must be to the satisfaction of the relevant floodplain management authority.

A building constructed or placed under an exemption in this clause must be removed from the land before the end of the exemption period.

52.1928/03/2018
VC145**TELECOMMUNICATIONS FACILITY****Purpose**

To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.

To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.

To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

52.19-121/11/2017
VC141**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 for:

- A low-impact facility as described in the Telecommunications (Low-impact) Facilities Determination 1997 (Cth).
- The inspection and maintenance of a Telecommunications facility as defined in the *Telecommunications Act 1997* (Cth).
- A facility authorised by a Facilities Installation Permit issued under the *Telecommunications Act 1997* (Cth).
- A temporary defence facility.
- The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.
- A Telecommunications facility that complies with the requirements of section 5 of *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the *Telecommunications Act 1997* (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the *Telecommunications Act 1997* (Cth) pursuant to legislation applying to that body.

52.19-221/11/2017
VC141**Land in public ownership**

An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

52.19-328/03/2018
VC145**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 unless:

- The Telecommunications facility is a radio communications dish greater than 1.2 metres in diameter; or
- The Telecommunications facility is a Telecommunications tower (other than a low-impact facility described in the Telecommunications (Low-impact Facilities) Determination 1997 (Cth)); or

- 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; or
- The land is public land not in a public land zone and the responsible authority is not the public land manager.

An application under any provision of this scheme to use or develop land for a Telecommunications facility 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 Telecommunications facility is funded, or partly funded, by:

- The Commonwealth through the Mobile Black Spot Program; or
- The State of Victoria.

52.19-4

21/11/2017
VC141

Application requirements

An application 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, July 2004*.
- 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.

52.19-5

21/11/2017
VC141

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, July 2004*.
- 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.

52.2001/12/2020
VC190**VICTORIA'S BIG HOUSING BUILD****Purpose**

To facilitate the use and development of land for housing projects funded by Victoria's Big Housing Build program.

To ensure that development does not unreasonably impact on the amenity of adjoining dwellings.

52.20-120/12/2021
VC207**Application**

This clause applies to the use or development of land that is:

- Funded wholly or partly, under Victoria's Big Housing Build program; and
- Carried out by or on behalf of the Director of Housing.

This clause does not apply to:

- The subdivision of land.
- The use or development of land in an industrial zone, rural zone or Port Zone.
- The use or development of land in a Bushfire Management Overlay.
- A use or development to which Clause 51.01 - Specific Site and Exclusions, or Clause 45.12 - Specific Controls Overlay, or any schedule to the clauses apply.
- A use or development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.20-2.
- A use or development that is inconsistent with an applicable Statement of Planning Policy.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.

In this clause, **Director of Housing** means 'Director of Housing' as defined in the *Housing Act 1993* and the body corporate established under the *Housing Act 1993*.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.20-220/12/2021
VC207**Exemption from planning scheme requirements**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development Clause 52.20 applies to if requirements of this clause are met.

This exemption does not apply to a requirement in Clauses 45.03 (Environmental Audit Overlay), 45.07 (City Link Project Overlay), 45.08 (Melbourne Airport Environs Overlay), 51.03 (Upper Yarra Valley & Dandenong Ranges Regional Strategy Plan) or 52.02 (Easements, Restrictions and Reserves), or in any schedule to those clauses.

52.20-320/12/2021
VC207**Use and development requirements**

The use and development of land must be carried out in accordance with the plans and documents approved under this clause, to the satisfaction of the responsible authority. Plans and documents may be amended to the satisfaction of the responsible authority.

The use and development of land to be carried out to the satisfaction of the responsible authority must not commence until funding under Victoria's Big Housing Build program is approved.

52.20-420/12/2021
VC207**Consultation requirements**

Before plans, documents and information required under Clause 52.20-5 are submitted:

- Public consultation, and consultation with the relevant municipal council, on the plans, documents and information proposed to be submitted under Clause 52.20-5; and
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to, must be completed.

The requirements of Clause 52.20-4 must be undertaken to the satisfaction of the responsible authority and may be varied or waived by the responsible authority.

52.20-5

20/12/2021
VC207

Requirements for plans and documents

The following plans, documents and information must be prepared and submitted to the satisfaction of the responsible authority:

- Written confirmation from Homes Victoria or the Director of Housing that the application is funded, either wholly or partly, under Victoria's Big Housing Build program.
- A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.
- A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the proposed use including:
 - The activities that will be carried out.
 - The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.
- A report that addresses the proposed use or development and how:
 - It responds to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in Clause 52.20-2. This does not include Clauses 54, 55, 58 and 59.
 - A proposed use that is not a dwelling or residential building is in conjunction with that use.
 - It complies with Clause 52.20-8 Native vegetation requirement.
- A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.
- A schedule of works and development including staging and the expected commencement and completion times.
- A report that details how the proposed development responds to the development standards of:
 - Clause 52.20-6 for the construction or extension of a dwelling.
 - Clause 52.20-6 and Clause 52.20-7 for the construction or extension of an apartment development or residential building or the construction or extension a dwelling in or forming part of an apartment development or residential building. The development standards of Clause 52.20-6.8 does not apply to an apartment development or residential building of 5

or more storeys. The development standards of Clauses 52.20-6.5, 52.20-6.14, 52.20-6.18 and 52.20-6.21 do not apply to an apartment development or residential building.

- If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:
 - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
 - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the use or development would require a permit were it not for the exemption in Clause 52.20-2 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.
- Any other plan, document or information the responsible authority considers necessary to assist the assessment of the proposed use or development or the plans and documents required to be prepared under this clause. This may include street elevations, three dimensional modelling or other methods to describe the proposal.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.

The requirements of this clause may be:

- Satisfied for separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of that component or stage.
- Varied or waived by the responsible authority.

52.20-6

20/01/2022
VC205

Development standards for dwellings and buildings

52.20-6.1

Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.

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.

52.20-6.2

Street setback

Walls of buildings should be set back from streets at least the distance specified in Table 1. 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 1 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 same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 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 7 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 Transport Zone 2 and 4 metres for other streets.	Not applicable.
The site is on a corner.	<p>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 7 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</p>	<p>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, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback 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.</p>

52.20-6.3 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

52.20-6.4 Safety

Entrances to dwellings 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.

52.20-6.5 Access

The width of accessways or car spaces that front existing streets 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 Transport Zone 2 or a Transport Zone 3 should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

52.20-6.6 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings 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.

52.20-6.7 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.

Car parking for other land uses must be to the satisfaction of the responsible authority.

Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.

- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

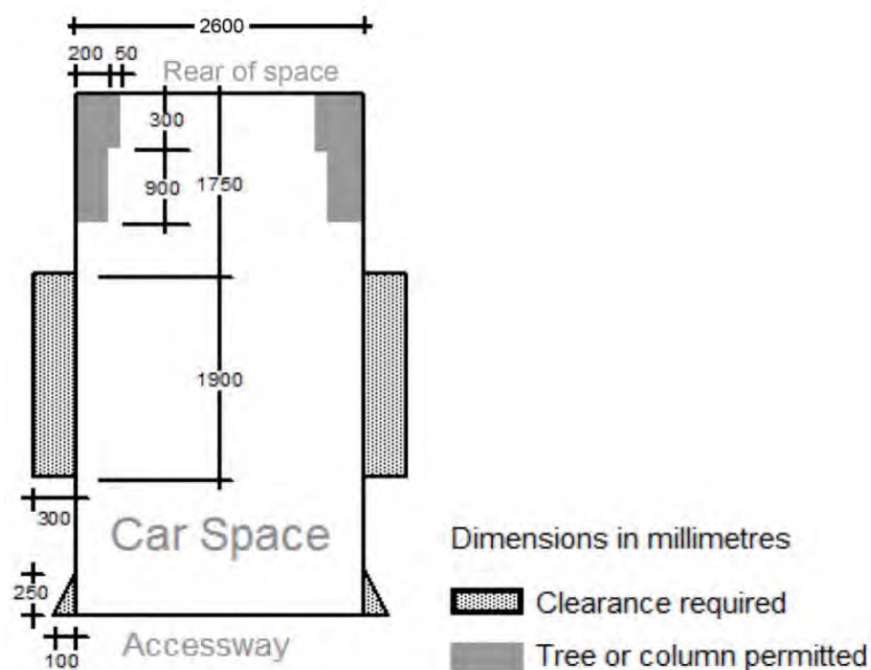
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must 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.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Mechanical parking

Mechanical parking may be used to meet the carparking standard provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least 1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of carparks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Safety

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

52.20-6.8

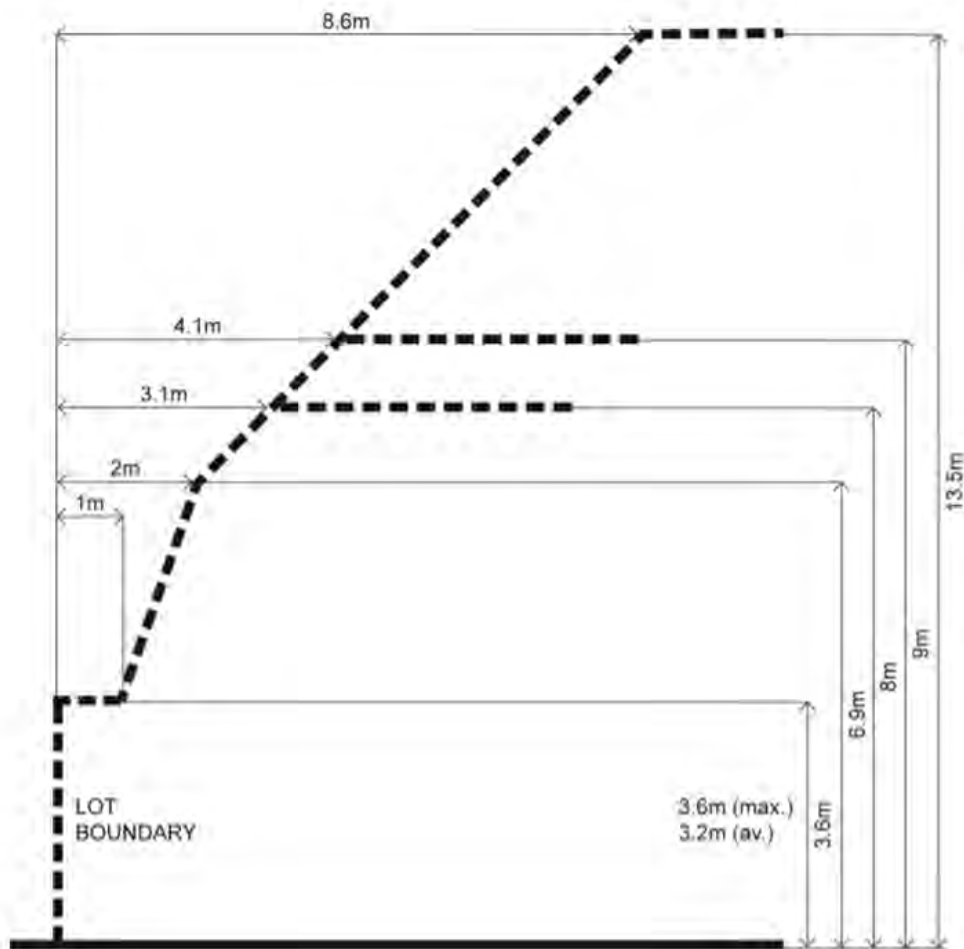
Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 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. Diagram 2 details the standard.

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 2 Side and rear setbacks



52.20-6.9 Walls on boundaries

A new wall constructed on or within 200mm 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 200mm from a boundary.

The height of a new wall constructed on or within 200mm 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 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

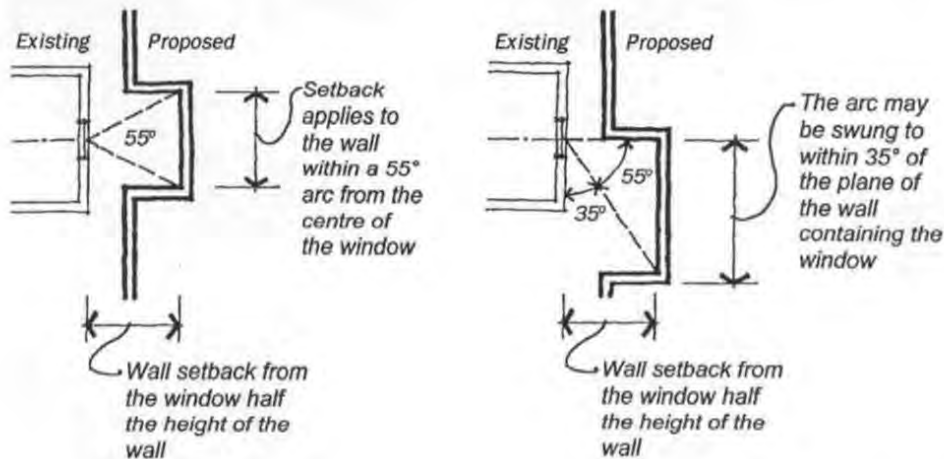
52.20-6.10 Daylight to existing windows

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.

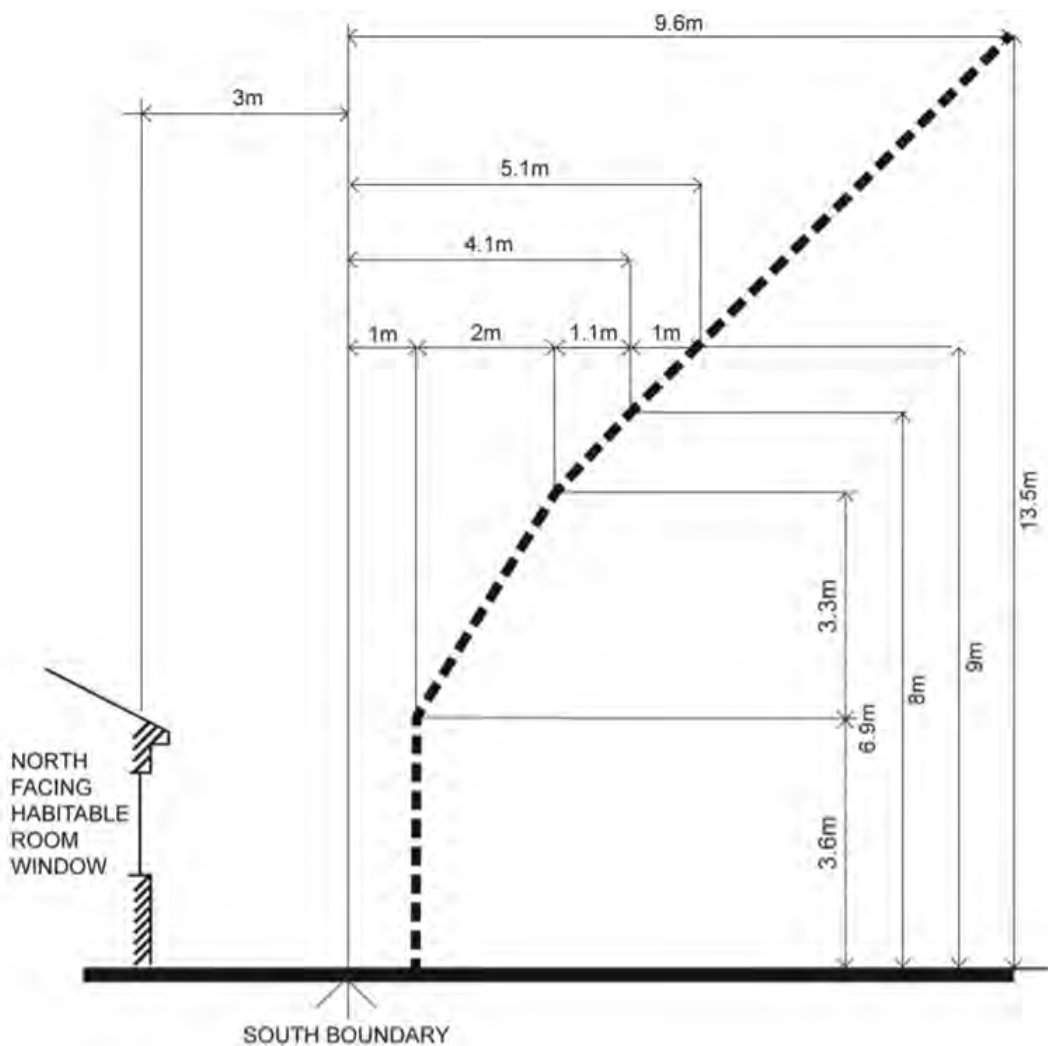
Diagram 3 Daylight to existing windows



52.20-6.11 North-facing windows

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 4 North-facing windows



52.20-6.12 Overshadowing open space

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.

52.20-6.13 Overlooking

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.

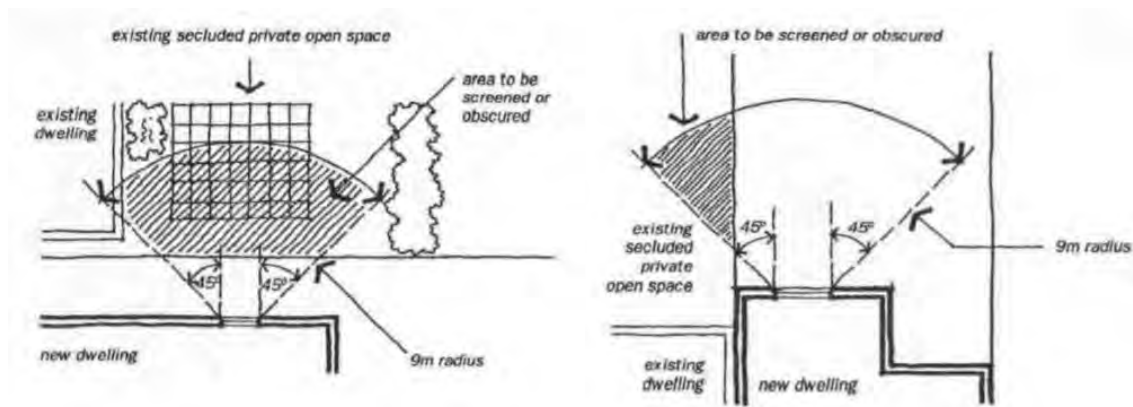
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 5 Overlooking open space



52.20-6.14 Noise impacts

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.

52.20-6.15 Daylight to new windows

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.

52.20-6.16 Private open space

A dwelling (other than an apartment) should have private open space consisting of:

- An area of secluded private open space 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.

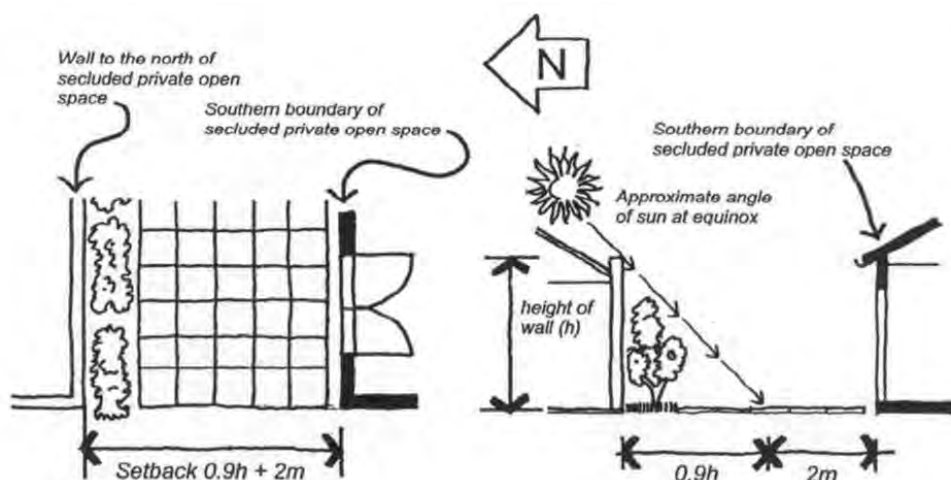
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

52.20-6.17 Solar access to open space

The private open space should be located on the north side of the dwelling 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 6 Solar access to open space



52.20-6.18 Storage

A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

52.20-6.19 Front fence

A front fence within 3 metres of a street should not exceed a maximum height of:

- 2 metres for streets in a Transport Zone 2, and
- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary.

52.20-6.20 Common property

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

52.20-6.21 Site services

The design and layout of 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.

52.20-7 Development standards for apartments

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52.20-7.1 Energy efficiency

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.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

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 optimised.

Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.

Table 4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

52.20-7.2 Communal open space

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

52.20-7.3 Solar access to communal outdoor open space

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

52.20-7.4 Landscaping

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil area specified in Table 5. Existing trees can be used to meet the canopy cover requirements of Table 5.
- Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided, trees should be provided in planters specified in Table 6.
 - Consistent with the canopy diameter and height at maturity specified in Table 7.
 - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plant in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.

MANNINGHAM PLANNING SCHEME

- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater, and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage pattern of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table 5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table 6 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table 7 Tree types

Tree types	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	4 metres
B	8 metres	8 metres
C	12 metres	12 metres

52.20-7.5 Integrated water and stormwater management

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

52.20-7.6 Building setback

The built form of the development should respect the existing urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

52.20-7.7 Noise impacts

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table 8 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table 8 Noise influence area

Noise Source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

52.20-7.8 Accessibility

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 9.

Table 9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower
Door design	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.

	Design option A	Design option B
Circulation area	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. <p>The circulation area for the toilet and shower can overlap.</p>	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. <p>The circulation area can include a shower area.</p>
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

52.20-7.9 Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
 - Include at least one source of natural light and natural ventilation.
 - Avoid obstruction from building services.
 - Maintain clear sight lines.

52.20-7.10 Private open space

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with an area and dimensions specified in Table 10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table 10 do not apply if at least the area specified in Table 11 is provided as living area or bedroom area in addition to the minimum area specified in Table 13 or Table 14.

Table 10 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Table 11 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

52.20-7.11 Storage

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 12.

Table 12 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

52.20-7.12 Waste and recycling

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - Adequate in size, durable, waterproof and blend in with the development.
 - Adequately ventilated.
 - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

52.20-7.13 Functional layout

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 13.
- Provide an area in addition to the minimum internal room dimensions and area to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimension and area specified in Table 14.

Table 13 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table 14 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

52.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room

52.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

52.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

52.20-7.17 Integration with the street

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.

- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

52.20-7.18 Access

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Development must provide access for service, emergency and delivery vehicles.

52.20-7.19 Site services

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

52.20-7.20 External walls and materials

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

52.20-7.21 Wind impacts

Development of five or more storeys should:

- not cause unsafe wind conditions specified in Table 14 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table 14 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 14 Wind conditions

Unsafe	Comfortable
<p>Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.</p>	<p>Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:</p> <ul style="list-style-type: none"> ▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

52.20-8

20/12/2021
VC207

Native vegetation requirements

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with the application requirements 1, 5 and 9 in Table 4 of the *Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017)* must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
- The biodiversity impacts from the native vegetation must be offset in accordance with the *Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017)*.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

The requirements of Clause 52.20-8 do not apply to any native vegetation identified in the table of exemptions to Clause 52.17-7.

The Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) may vary the timing of the offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.

The secured offset for a project may be reconciled at the completion of a project in accordance with the *Assessor’s handbook – Applications to remove, destroy or lop native vegetation (Department of Environment, Land, Water and Planning, October 2018)* to the satisfaction of Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1 and 5 in Table 4 of the *Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017)* must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

The requirements of this clause may be satisfied for separate components or stages of a development. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

In this clause, **levy area** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

52.20-9

20/12/2021
VC207

Transitional provision

The development standards at Clause 52.20-7 for apartment developments and residential buildings in force immediately before the approval date of Amendment VC207 continue to apply to a use or development that has received written confirmation from the Director of Housing that an application is funded, either wholly or partly, under Victoria's Big Housing Build program, signed before 30 June 2022.

52.21

31/07/2018
VC148

PRIVATE TENNIS COURT

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

31/07/2018
VC148

Application

This clause applies to any private tennis court which is used in association with a dwelling.

52.21-2

19/01/2006
VC37

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

19/01/2006
VC37

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

31/07/2018
VC148

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

19/01/2006
VC37

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.

52.2226/10/2018
VC152**COMMUNITY CARE ACCOMMODATION****Purpose**

To facilitate the establishment of community care accommodation.

To support the confidentiality of community care accommodation.

52.22-126/10/2018
VC152**Application**

This clause applies to the use and development of land for community care accommodation.

52.22-226/10/2018
VC152**Use exemption**

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use ‘community care accommodation’ in the table of uses in the zone or schedule to the zone is met.
- The use is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not residents may access support services provided on the land.

52.22-326/10/2018
VC152**Buildings and works exemption**

Any requirement in the General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for community care accommodation does not apply if all of the following requirements are met:

- The development is funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- If the development is in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, standards B6, B17, B18, B19, B20, B21 and B22 of Clause 55 are met.

52.22-426/10/2018
VC152**Exemption from notice and review**

An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation 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 application is made by or on behalf of a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.

52.2326/10/2018
VC152**ROOMING HOUSE****Purpose**

To facilitate the establishment of domestic-scale rooming houses.

52.23-126/10/2018
VC152**Application**

This clause applies to use and development of land for a rooming house.

52.23-224/01/2020
VC160**Use exemption**

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use ‘rooming house’ in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

52.23-324/01/2020
VC160**Buildings and works exemption**

Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.

52.25

19/01/2006
VC37

CREMATORIUM

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

31/07/2018
VC148

[NO CONTENT]

LICENSED PREMISES**Purpose**

To ensure that licensed premises are situated in appropriate locations.

To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

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 category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply:

- To a limited licence.
- To a licence to manufacture liquor.
- 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.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the *Liquor Control Reform Act 1998*.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

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.

Referral of applications

An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.

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- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

1.0

27/05/2019
C126mann

Permit not required

Land	Type of Licence
None specified	

2.0

27/05/2019
C126mann

Permit may not be granted

Land	Type of Licence
None specified	

52.28

31/07/2018
VC148

GAMING

52.28-1

18/10/2006
VC39

Purpose

To ensure that gaming machines are situated in appropriate locations and premises.

To ensure the social and economic impacts of the location of gaming machines are considered.

To prohibit gaming machines in specified shopping complexes and strip shopping centres.

52.28-2

31/07/2018
VC148

Gaming objectives

A schedule to this clause may specify objectives to be achieved in relation to the installation or use of a gaming machine.

52.28-3

31/07/2018
VC148

Permit requirement

A permit is required to install or use a gaming machine.

This does not apply in either of the following circumstances:

- Clause 52.28-4 or Clause 52.28-5 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

52.28-4

31/07/2018
VC148

Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

52.28-5

31/07/2018
VC148

Prohibition of a gaming machine in a strip shopping centre

Installation or use of a gaming machine is prohibited in a strip shopping centre if:

- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

A strip shopping centre is an area that meets all of the following requirements:

- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;

but it does not include the Capital City Zone in the Melbourne Planning Scheme.

52.28-6

31/07/2018
VC148

Locations for gaming machines

A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.

52.28-7

31/07/2018
VC148

Venues for gaming machines

A schedule to this clause may specify guidelines relating to venues for gaming machines.

52.28-8

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

52.28-9

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.

27/05/2019
C126mann**SCHEDULE TO CLAUSE 52.28 GAMING****1.0**27/05/2019
C126mann**Objectives**

None specified.

2.027/05/2019
C126mann**Prohibition of a gaming machine in a shopping complex**

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
Westfield Doncaster Shoppingtown, Doncaster	Land on the northeast corner of Doncaster Rd and Williamsons Rd, Doncaster
The Pines Shopping Centre, Doncaster East	Land on the northeast corner of Blackburn Rd and Reynolds Rd, Doncaster East
Bulleen Village Shopping Centre, Bulleen	Land on the northwest corner of Grant Olson Avenue and Manningham Rd, Bulleen

3.027/05/2019
C126mann**Prohibition of a gaming machine in a strip shopping centre**

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

4.027/05/2019
C126mann**Locations for gaming machines**

None specified.

5.027/05/2019
C126mann**Venues for gaming machines**

None specified.

6.027/05/2019
C126mann**Application requirements**

None specified.

7.027/05/2019
C126mann**Decision guidelines**

None specified.

52.2920/01/2022
VC205**LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK****Purpose**

To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.

To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

52.29-120/01/2022
VC205**Application**

This clause applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road.

52.29-220/01/2022
VC205**Permit requirement**

A permit is required to:

- Create or alter access to:
 - A road in a Transport Zone 2.
 - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.
- Subdivide land adjacent to:
 - A road in a Transport Zone 2.
 - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.

52.29-314/05/2021
VC198**Permit not required**

A permit is not required to:

- Create or alter access, or subdivide land, if carried out by or on behalf of the Head, Transport for Victoria.
- Realign a boundary.
- Subdivide an existing building, provided the building is already connected to services and no new access is required.
- Subdivide land into two lots, provided no new access is required.

52.29-420/01/2022
VC205**Referral of applications**

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in clause 66.03.

52.29-531/07/2018
VC148**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.

52.29-620/01/2022
VC205**Decision guidelines**

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

- The Municipal Planning Strategy and the Planning Policy Framework.

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- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
- Any policy made by the relevant road authority pursuant to schedule 2, clause 3 of the *Road Management Act 2004* regarding access between a controlled access road and adjacent land.

52.3025/03/2021
VC194**STATE PROJECTS****Purpose**

To facilitate the development and delivery of projects by or on behalf of, or jointly or in partnership with, or funded by the State of Victoria or a public authority, or on Crown land.

To prioritise the planning and assessment of those state projects to support Victoria's economic recovery from the coronavirus (COVID-19) pandemic.

52.30-125/03/2021
VC194**Application**

This clause applies to the use or development of land declared by the Minister for Planning under clause 52.30-2 to be a state project.

In this clause:

- **Director of Housing** means 'Director of Housing' as defined in the *Housing Act 1993* and the body corporate established under the *Housing Act 1993*;
- **green wedge land** has the same meaning as in Division 1 of Part 3AA of the Act;
- **Guidelines** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- **levy area** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- **Secretary** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.30-225/03/2021
VC194**State project decision**

The exemption in clause 52.30-3 applies if the Minister is satisfied that a proposed use or development is a state project which:

- will be:
 - carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or
 - funded, or partly funded by, the State of Victoria or a public authority; or
 - carried out on Crown land;
- will support Victoria's economic recovery from the impact of the coronavirus (COVID-19) pandemic;
- is consistent with any Great Ocean Road strategic framework plan, Statement of Planning Policy or Yarra Strategic Plan that applies to the land;
- will not subdivide green wedge land into more lots or into smaller lots than allowed for by this planning scheme;
- is consistent with any approved regional strategy plan under Part 3A of the Act and any approved strategy plan under Part 3C or Part 3D of the Act; and
- does not form part of public works declared under section 3, or works subject to a notice under section 8B(4)(a)(i), or does not require an environment effects statement under the *Environment Effects Act 1978*.

In deciding whether a proposed use or development of land is a state project, the Minister for Planning may, where relevant:

- Consider the objectives of planning in Victoria.

- Have regard to any relevant Minister's directions.
- Have regard to the *Victoria Planning Provisions*.
- Take into account any significant effects which the Minister considers the proposed use or development may have on the environment or which the Minister considers the environment may have on the proposed use or development.
- Take into account any significant social effects and economic effects which the Minister considers the proposed use or development may have.
- Consider any existing specific control under clause 45.12 or 51.01 that applies to the proposed use or development.

The Minister for Planning's decision under this clause that a proposed use or development of land is state project must not be made after 30 June 2025.

52.30-3

25/03/2021
VC194

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to the use or development of land determined by the Minister for Planning under clause 52.30-2 to be a state project if the requirements of clause 52.30 are met.

This exemption does not apply to the following:

- The subdivision of green wedge land into more lots or into smaller lots than allowed for by this planning scheme.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A use or development carried out by or on behalf of, or jointly or in partnership with, the Director of Housing.
- A use or development to which clause 52.03 applies.
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

52.30-4

25/03/2021
VC194

Use and development requirements

The use and development of land must be carried out generally in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

52.30-5

25/03/2021
VC194

Consultation requirements

Before the use or development commences:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and the feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.30-6

25/03/2021
VC194

Other pre-commencement requirements

Before the use or development commences, the following plans, documents and information must be prepared and submitted to the satisfaction of the Minister for Planning:

MANNINGHAM PLANNING SCHEME

- A plan that shows the boundary of the land on which the use or development will be carried out.
- A site and context description that accurately describes and analyses the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the land and surrounding area, including any existing use and development.
- A description of the proposed use including:
 - The activities that will be carried out.
 - The likely effects, if any, on the land, and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- A report that addresses how the proposed use or development responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development but for the exemption in clause 52.30-3.
- A schedule of works and development including staging and the expected commencement and completion times.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the Minister's decision is subject to conditions:
 - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
 - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the proposed use or development would require a permit but for the exemption in clause 52.30-3 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the proposed use or development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.
- Any other plan, document or information the Minister for Planning considers necessary to assist the Minister's assessment of the proposed use or development or the plans and documents required to be prepared under this clause.

The requirements of this clause may be:

- Satisfied in separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.
- May be varied or waived by the Minister for Planning.

The plans and other documents required by this clause may be amended during the use or development to the satisfaction of the Minister for Planning.

52.30-7

25/03/2021
VC194

Native vegetation requirements

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with application requirements in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.
- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The Secretary may vary the timing of the offset requirement.

The secured offset for a state project to which this clause applies may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with application requirements in Tables 4 and 5 (other than requirement 9) of the Guidelines must be prepared to the satisfaction of the Secretary.

The information requirements of this clause may be varied or waived by the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.3125/03/2021
VC194**LOCAL GOVERNMENT PROJECTS****Purpose**

To facilitate the development of land by or on behalf of municipal councils.

52.31-125/03/2021
VC194**Permit exemptions**

Any requirement in a zone or a schedule to a zone to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council. This exemption does not apply to:

- A development with an estimated cost of more than \$10 million.
- A development in the Urban Floodway Zone unless the development is carried out to the satisfaction of the relevant floodplain management authority.
- A development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A development for which the Minister for Planning has decided that an assessment through an environment effects statement under the *Environment Effects Act 1978* is not required if the Minister's decision is subject to conditions.

Any requirement in the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council to the satisfaction of the relevant floodplain management authority.

This clause prevails over any inconsistent provision in this planning scheme.

52.31-225/03/2021
VC194**Exemption from notice and review**

An application under any provision of this planning scheme to develop land by or on behalf of a municipal council 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 development with an estimated cost of more than \$10 million.
- An application for a development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- An application to remove, destroy or lop more than:
 - 0.5 hectares of native vegetation other than a tree; or
 - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level; or
 - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

52.3231/07/2018
VC148**WIND ENERGY FACILITY****Purpose**

To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

52.32-103/08/2021
VC206**Application**

This clause applies to land used and developed or proposed to be used and developed for a wind energy facility.

52.32-203/08/2021
VC206**Use and development of land**

A permit is required to use and develop land for a wind energy facility.

The use and development of land for a wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

Location	Condition
On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.	Must meet the requirements of clause 52.32-3.
Land described in a schedule to the <i>National Parks Act 1975</i>	Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.
Land declared a Ramsar wetland as defined under section 17 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwth)	
Land listed in a schedule to Clause 52.32-2	Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.

52.32-303/08/2021
VC206**Turbine within one kilometre of a dwelling**

An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:

- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

52.32-4

03/08/2021
VC206

Application requirements

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

Site and context analysis

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
 - Site shape, dimensions and size
 - Orientation and contours
 - Current land use
 - The existing use and siting of buildings or works on the land
 - Existing vegetation types, condition and coverage
 - The landscape of the site
 - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
 - Sites of cultural heritage significance
 - Wind characteristics
 - Any other notable features, constraints or other characteristics of the site.
- In relation to the surrounding area:
 - Existing land uses
 - Above-ground utilities
 - Access to infrastructure
 - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
 - The siting and use of buildings on adjacent properties
 - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
 - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant habitat corridors, and movement corridors for these fauna
 - Sites of cultural heritage significance
 - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks Act 1975*

MANNINGHAM PLANNING SCHEME

- Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

Design response

- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
 - A description of the proposal.
 - An explanation of how the proposed design derives from and responds to the site analysis.
 - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
 - An assessment of:
 - the visual impact of the proposal on the surrounding landscape.
 - the visual impact on abutting land that is described in a schedule to the *National Parks Act 1975* and Ramsar wetlands and coastal areas.
 - the impact of the proposal on any species (including birds and bats) listed under the *Flora and Fauna Guarantee Act 1988* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).
 - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
 - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
 - A statement of why the site is suitable for the wind energy facility.
 - An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

Mandatory noise assessment

- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
- An environmental audit report of the pre-construction (predictive) noise assessment report prepared under Part 8.3, Division 3 of the *Environment Protection Act 2017* by an environmental

auditor appointed under Part 8.3, Division 1 of the *Environment Protection Act 2017*. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

This requirement does not apply to an application to amend a permit under section 72 or 97I of the *Planning and Environment Act 1987*, if the amendment to the permit sought by the application will not alter the noise assessment of the wind energy facility.

52.32-5

03/08/2021
VC206

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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 impact of the facility on cultural heritage.
- The impact of the facility on aircraft safety.
- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, July 2021).
- The New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise.

52.32-6

03/08/2021
VC206

Anemometer

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

52.32-7

03/08/2021
VC206

Application to amend a permit under section 72 of the Act

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or
- increase the maximum height of a turbine.

52.32-8

03/08/2021
VC206

Application to amend a permit under section 97I of the Act

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of a turbine.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of a turbine by more than 20%.

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0

31/07/2018
VC148

Wind energy facility prohibition

Land where a Wind energy facility is prohibited

None specified

52.3331/07/2018
VC148**POST BOXES AND DRY STONE WALLS****Purpose**

To conserve historic post boxes and dry stone walls.

Permit requirement

A permit is required to demolish or remove a post box constructed before 1930.

A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines

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

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

1.0

31/07/2018
VC148

Permit requirement for dry stone walls

Land

None specified

52.34

31/07/2018
VC148

BICYCLE FACILITIES

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

19/01/2006
VC37

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

31/07/2018
VC148

Permit requirement

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

52.34-3

31/07/2018
VC148

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.

52.34-4

31/07/2018
VC148

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.

52.34-5

08/08/2019
VC159

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.

MANNINGHAM PLANNING SCHEME

A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

Table 1 to Clause 52.34-5 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 (excluding Child care 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
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
Primary school	1 to each 20 employees	1 to each 5 pupils over year 4
Residential building other than specified in this table	In developments of four or more storeys, 1 to each 10 lodging rooms	In developments 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

Use	Employee/Resident	Visitor/Shopper/Student
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 52.34-5 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 52.34-5 – 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

52.34-6

31/07/2018
VC148

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 for 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.

52.34-7

31/07/2018
VC148

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

14/05/2021
VC198

MAJOR ROAD PROJECTS

52.35-1

14/05/2021
VC198

Purpose

To facilitate the delivery of projects carried out by or on behalf of Major Road Projects Victoria.

52.35-2

14/05/2021
VC198

Application

This clause applies to the use and development of land for a project carried out by or on behalf of Major Road Projects Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land for a promotion sign or a major promotion sign.
- A use or development that would not require a permit under a provision of this planning scheme but for the provisions of clause 52.35.
- A use or development to which clause 52.03 applies.
- A use or development for a project if a document has been incorporated into this planning scheme expressly for the project and the use and development is carried out on land to which the specific control contained in the document applies.
- A use or development carried out in accordance with a permit issued on or before the approval date of Amendment VC198.
- A use or development for which a planning permit is granted by the responsible authority in accordance with the provisions of this planning scheme which would apply in the absence of the exemption in clause 52.35-3.
- A development for which an environment effects statement has been, or is required by the Minister for Planning to be, prepared under the *Environment Effects Act 1978*.

The provisions of clause 52.35 prevail over any inconsistent provision in this planning scheme.

52.35-3

14/05/2021
VC198

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.35 applies if the requirements of clause 52.35 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

52.35-4

14/05/2021
VC198

Use and development requirements

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.35, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

52.35-514/05/2021
VC198**Consultation requirements**

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.35-614/05/2021
VC198**Project boundary requirement**

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

52.35-714/05/2021
VC198**Other pre-commencement requirements**

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.35.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3:
 - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
 - Site plans and elevations showing the extent of the proposed development on the land.
 - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.
- A statement outlining landscape and urban design measures or treatments required to address any amenity impacts as part of the project.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
 - A summary of key construction methodologies.
 - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
 - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
 - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.

- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
 - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
 - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister’s assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

52.35-8

14/05/2021
VC198

Native vegetation requirements

In this clause:

- **Guidelines** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- **levy area** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- **Secretary** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Before the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development, information about that native vegetation in accordance with application requirements 1, 5, 9, 10 and 11 in Tables 4 and 5 to the Guidelines must be prepared to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation outside the levy area (other than to enable a preparatory use or development):

- Information about the native vegetation in accordance with the application requirements 1, 5, 9, 10, and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.35-9

14/05/2021
VC198

Preparatory use and development

For the purposes of clause 52.35, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.35-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated 'no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
 - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
 - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.35, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.3614/05/2021
VC198**RAIL PROJECTS****52.36-1**14/05/2021
VC198**Purpose**

To facilitate the delivery of projects carried out by or on behalf of Rail Projects Victoria.

52.36-214/05/2021
VC198**Application**

This clause applies to the use and development of land for a project carried out by or on behalf of Rail Projects Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land for a promotion sign or a major promotion sign.
- A use or development that would not require a permit under a provision of this planning scheme but for the provisions of clause 52.36.
- A use or development to which clause 52.03 applies.
- A use or development for a project if a document has been incorporated into this planning scheme expressly for the project and the use and development is carried out on land to which the specific control contained in the document applies.
- A use or development carried out in accordance with a permit issued on or before the approval date of Amendment VC198.
- A use or development for which a planning permit is granted by the responsible authority in accordance with the provisions of this planning scheme which would apply in the absence of the exemption in clause 52.36-3.
- A development for which an environment effects statement has been, or is required by the Minister for Planning to be, prepared under the *Environment Effects Act 1978*.

The provisions of clause 52.36 prevail over any inconsistent provision in this planning scheme.

52.36-314/05/2021
VC198**Exemption from planning scheme requirements**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.36 applies if the requirements of clause 52.36 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

52.36-420/01/2022
VC205**Use and development requirements**

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.36, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, must be carried out to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

52.36-5

14/05/2021
VC198

Consultation requirements

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.36-6

14/05/2021
VC198

Project boundary requirement

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

52.36-7

14/05/2021
VC198

Other pre-commencement requirements

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.36.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3:
 - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
 - Site plans and elevations showing the extent of the proposed development on the land.
 - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
 - A summary of key construction methodologies.
 - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
 - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
 - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.

- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
 - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
 - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister’s assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

52.36-8

14/05/2021
VC198

Native vegetation requirements

In this clause:

- **Guidelines** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- **levy area** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- **Secretary** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Before the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development, information about that native vegetation in accordance with application requirements 1, 5, 9, 10 and 11 in Tables 4 and 5 to the Guidelines must be prepared to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation outside the levy area (other than to enable a preparatory use or development):

- Information about the native vegetation in accordance with application requirements 1, 5, 9, 10, and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.36-9

14/05/2021
VC198

Preparatory use and development

For the purposes of clause 52.36, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.36-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated 'no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
 - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
 - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.36, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

GENERAL REQUIREMENTS AND PERFORMANCE STANDARDS

53.0131/07/2018
VC148**PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION**

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*.

53.01-131/07/2018
VC148**Exemption from public open space requirement specified in the scheme**

A subdivision is exempt from a public open space requirement specified in this scheme 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.

53.01-231/07/2018
VC148**Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988**

For the purposes of section 18(8)(a) of the *Subdivision Act 1988*, the following classes of subdivision are exempt from the public open space requirement:

- 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.

Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0

19/04/2018
C123

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
Land in the area affected by the Activity Centre Zone Schedule 1, Design and Development Overlay Schedule 8, Design and Development Overlay Schedule 9 and Design and Development Overlay Schedule 13.	8%
All other land within the municipality, except land in the area affected by the Development Plan Overlay Schedule 3 (Tullamore Estate).	5%

53.0231/07/2018
VC148**BUSHFIRE PLANNING****Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

53.02-131/07/2018
VC148**Application**

This clause applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06.

Clause 53.02-3 applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:

- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.

Clause 53.02-4 applies to all other applications.

53.02-231/07/2018
VC148**Operation**

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome that must be achieved in a completed development.
- **Approved measures (AM).** An approved measure meets the objective.
- **Alternative measures (AltM).** An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.

A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

53.02-331/07/2018
VC148**Dwellings in existing settlements – Bushfire protection objective**

To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.

Approved measures

Measure	Requirement
AM 1.1	<p>A building is sited to ensure the site best achieves the following:</p> <ul style="list-style-type: none"> ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is in close proximity to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 1.2	<p>A building provides the defensible space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defensible space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defensible space.</p> <p>A building is constructed to the bushfire attack level:</p> <ul style="list-style-type: none"> ▪ That corresponds to the defensible space provided in accordance with Table 1 to Clause 53.02-5, or ▪ The next lower bushfire attack level that corresponds to the defensible space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply: <ul style="list-style-type: none"> - A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling. - A minimum bushfire attack level of BAL12.5 is provided in all circumstances.
AM 1.3	<p>A building is provided with:</p> <ul style="list-style-type: none"> ▪ A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. ▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

53.02-3.1 Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard site assessment and the bushfire management statement submitted with the application.
- Whether all of the the approved measures have been incorporated into the application.

53.02-4 Bushfire protection objectives

24/01/2020
VC160

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

Approved measures

Measure	Requirement
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.
AM 2.2	A building is sited to ensure the site best achieves the following: <ul style="list-style-type: none"> ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is in close proximity to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 2.3	A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.

53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

Measure	Requirement
AM 3.1	A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person's unit, industry, office or retail premises is provided with defendable space in accordance with: <ul style="list-style-type: none"> ▪ Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or ▪ If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5. <p>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</p>
AM 3.2	A building used for accommodation (other than a dwelling or dependent person's unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is: <ul style="list-style-type: none"> ▪ Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land. ▪ Constructed to a bushfire attack level of BAL12.5.

Alternative measures

Measure	Requirement
AltM 3.3	Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.
AltM 3.4	Defendable space and the bushfire attack level is determined using Method 2 of <i>AS3959:2009 Construction of buildings in bushfire prone areas</i> (Standards Australia) subject to any guidance published by the relevant fire authority.

Measure	Requirement
AltM 3.5	<p>A building used for a dwelling (including an extension or alteration to a dwelling) may provide defensible space to the property boundary where it can be demonstrated that:</p> <ul style="list-style-type: none"> ▪ The lot has access to urban, township or other areas where: <ul style="list-style-type: none"> - Protection can be provided from the impact of extreme bushfire behaviour. - Fuel is managed in a minimum fuel condition. - There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat. ▪ Less defensible space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment. ▪ The dwelling is constructed to a bushfire attack level of BAL FZ. <p>This alternative measure only applies where the requirements of AM 3.1 cannot be met.</p>
AltM 3.6	<p>A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defensible space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:</p> <ul style="list-style-type: none"> ▪ An integrated approach to risk management has been adopted that considers: <ul style="list-style-type: none"> - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. - The intended frequency and nature of occupation. - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation. ▪ Less defensible space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved measures

Measure	Requirement
AM 4.1	<p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person's unit, industry, office or retail premises is provided with:</p> <ul style="list-style-type: none"> ▪ A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. ▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. <p>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</p>
AM 4.2	<p>A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:</p>

Measure	Requirement
	<ul style="list-style-type: none"> ▪ A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres. ▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. ▪ An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. <p>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</p>

53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

Measure	Requirement
AM 5.1	<p>An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting:</p> <ul style="list-style-type: none"> ▪ The defensible space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5. ▪ The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.
AM 5.2	<p>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</p> <ul style="list-style-type: none"> ▪ Each lot satisfies the approved measure in AM 2.1. ▪ A building envelope for a single dwelling on each lot that complies with AM 2.2 and provides defensible space in accordance with: <ul style="list-style-type: none"> - Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or - Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots. <p>The bushfire attack level that corresponds to the defensible space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</p> ▪ Defensible space wholly contained within the boundaries of the proposed subdivision. ▪ Defensible space may be shared between lots within the subdivision. Defensible space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defensible space. ▪ Vegetation management requirements in accordance with Table 6 to implement and maintain the defensible space required under this approved measure. ▪ Water supply and vehicle access that complies with AM 4.1.
AM 5.3	<p>An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.</p>

Measure	Requirement
AM 5.4	A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Alternative measure

Measure	Requirement
AltM 5.5	<p>A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show defensible space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:</p> <ul style="list-style-type: none"> ▪ All other requirements of AM 5.2 have been met. ▪ Less defensible space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.5 Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.

53.02-5

31/07/2018
VC148**Tables : Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements****Table 1 Defendable space and construction**

Slope	Vegetation Type	Defendable space distance from building facade (metres)				
		Column A	Column B	Column C	Column D	Column E
All upslopes and flat land (0 degrees)	Forest	48	35	25	19	< 19
	Woodland	33	24	16	12	< 12
	Scrub	27	19	13	10	< 10
	Shrubland	19	13	9	7	< 7
	Mallee/ Mulga	17	12	8	6	< 6
	Rainforest	23	16	11	8	< 8
	Grassland	19	13	9	6	< 6
Downslope >0 to 5 degrees	Forest	57	43	32	24	< 24
	Woodland	41	29	21	15	< 15
	Scrub	31	22	15	11	< 11
	Shrubland	22	15	10	7	< 7
	Mallee/ Mulga	20	13	9	7	< 7
	Rainforest	29	20	14	10	< 10
	Grassland	22	15	10	7	< 7
Downslope >5 to 10 degrees	Forest	69	53	39	31	< 31
	Woodland	50	37	26	20	< 20
	Scrub	35	24	17	12	< 12
	Shrubland	25	17	11	8	< 8
	Mallee/ Mulga	23	15	10	7	< 7
	Rainforest	36	26	18	13	< 13
	Grassland	25	17	11	8	< 8
Downslope >10 to 15 degrees	Forest	82	64	49	39	< 39
	Woodland	60	45	33	25	< 25
	Scrub	39	28	19	14	< 14
	Shrubland	28	19	13	9	< 9

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Slope	Vegetation Type	Defendable space distance from building facade (metres)				
		Column A	Column B	Column C	Column D	Column E
	Mallee/ Mulga	26	18	11	8	< 8
	Rainforest	45	33	23	17	< 17
	Grassland	28	20	13	9	< 9
Downslope >15 to 20 degrees	Forest	98	78	61	50	< 50
	Woodland	73	56	41	32	< 32
	Scrub	43	31	21	15	< 15
	Shrubland	31	22	15	10	< 10
	Mallee/ Mulga	29	20	13	9	< 9
	Rainforest	56	42	29	22	< 22
	Grassland	32	23	15	11	< 11
		BAL 12.5	BAL19	BAL29	BAL40	BALFZ
Downslope >20 degrees	All vegetation	Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.				
All slopes	Low threat vegetation	Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.				
All slopes	Modified vegetation	Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.				

Note 1: Slope and vegetation type is determined through the bushfire hazard site assessment.

Note 2: Modified vegetation is vegetation that doesn't fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:

- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 2 Defendable space and construction

Slope	Vegetation	Defendable space distance from building facade (metres)			
		Column A	Column B	Column C	Column D
All upslopes and flat land (0 degrees)	Forest	48	35	25	19
	Woodland	33	24	16	12

MANNINGHAM PLANNING SCHEME

Slope	Vegetation	Defendable space distance from building facade (metres)			
		Column A	Column B	Column C	Column D
	Scrub	27	19	13	10
	Shrubland	19	13	9	7
	Mallee/ Mulga	17	12	8	6
	Rainforest	23	16	11	8
	Grassland	19	13	9	6
Downslope >0 to 5 degrees	Forest	57	43	32	24
	Woodland	41	29	21	15
	Scrub	31	22	15	11
	Shrubland	22	15	10	7
	Mallee/ Mulga	20	13	9	7
	Rainforest	29	20	14	10
	Grassland	22	15	10	7
Downslope >5 to 10 degrees	Forest	69	53	39	31
	Woodland	50	37	26	20
	Scrub	35	24	17	12
	Shrubland	25	17	11	8
	Mallee/ Mulga	23	15	10	7
	Rainforest	36	26	18	13
	Grassland	25	17	11	8
Downslope >10 to 15 degrees	Forest	82	64	49	39
	Woodland	60	45	33	25
	Scrub	39	28	19	14
	Shrubland	28	19	13	9
	Mallee/ Mulga	26	18	11	8
	Rainforest	45	33	23	17
	Grassland	28	20	13	9
Downslope >15 to 20 degrees	Forest	98	78	61	50
	Woodland	73	56	41	32

MANNINGHAM PLANNING SCHEME

Slope	Vegetation	Defendable space distance from building facade (metres)			
		Column A	Column B	Column C	Column D
	Scrub	43	31	21	15
	Shrubland	31	22	15	10
	Mallee/ Mulga	29	20	13	9
	Rainforest	56	42	29	22
	Grassland	32	23	15	11
		BAL12.5	BAL19	BAL29	BAL40
Downslope >20 degrees	All vegetation	Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.			
All slopes	Low threat vegetation	Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.			
All slopes	Modified vegetation	Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.			

Note 1: Slope and vegetation type is determined through the bushfire hazard site assessment.

Note 2: Modified vegetation is vegetation that doesn't fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:

- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 3 Defendable space

Vegetation class	Defendable space distance from building facade (metres)				
	Upslope and flat land (0 degrees)	Downslope (degrees)			
		>0-5	>5-10	>10-15	>15-20
Forest	60	70	85	105	125
Woodland	40	50	62	75	95
Shrubland	25	28	32	36	41
Scrub	35	40	45	50	55
Mallee/Mulga	23	26	30	35	40
Rainforest	30	36	46	60	70

Vegetation class	Defendable space distance from building facade (metres)				
	Upslope and flat land (0 degrees)	Downslope (degrees)			
		>0-5	>5-10	>10-15	>15-20
Grassland	35	40	45	50	55

Table 4 Water supply requirements

Capacity, fittings and access

Lot sizes (square meters)	Hydrant available	Capacity (litres)	Fire authority fittings and access required
Less than 500	Not applicable	2,500	No
500-1,000	Yes	5,000	No
500-1,000	No	10,000	Yes
1,001 and above	Not applicable	10,000	Yes

Note 1: A hydrant is available if it is located within 120 metres of the rear of the building

Fire authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 5 Vehicle access design and construction

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

Column A	Column B
Length of access is less than 30 metres	There are no design and construction requirements if fire authority access to the water supply is not required under AM4.1 .

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Column A	Column B
Length of access is less than 30 metres	Where fire authority access to the water supply is required under AM4.1 fire authority vehicles should be able to get within 4 metres of the water supply outlet.
Length of access is greater than 30 metres	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> ▪ All-weather construction. ▪ A load limit of at least 15 tonnes. ▪ Provide a minimum trafficable width of 3.5 metres. ▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically. ▪ Curves must have a minimum inner radius of 10 metres. ▪ The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres. ▪ Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
Length of access is greater than 100 metres	<p>A turning area for fire fighting vehicles must be provided close to the building by one of the following:</p> <ul style="list-style-type: none"> ▪ A turning circle with a minimum radius of eight metres. ▪ A driveway encircling the dwelling. ▪ The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.
Length of access is greater than 200 metres	<ul style="list-style-type: none"> ▪ Passing bays must be provided at least every 200 metres. ▪ Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

Note 1: The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

Table 6 Vegetation management requirement

Vegetation management requirement
<p>Defendable space is provided and is managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> ▪ Grass must be short cropped and maintained during the declared fire danger period. ▪ All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period. ▪ Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building. ▪ Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building. ▪ Shrubs must not be located under the canopy of trees. ▪ Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.

Vegetation management requirement

- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 7 Outbuilding construction requirement

Building construction condition

The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:

- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or
- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.

Any openings in the wall shall be protected in accordance with the following:

- i. Doorways – by FLR -/60/30 self-closing fire doors
- ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position
- iii. Other openings – by construction with a FRL of not less than -/60/-

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.

53.0331/07/2018
VC148**BROTHELS****Purpose**

To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the *Sex Work Act 1994*.

53.03-131/07/2018
VC148**Permit requirement**

A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the *Sex Work Act 1994*.

53.03-231/07/2018
VC148**Decision guidelines**

Responsible authorities should consider the matters set out in section 73 of the *Sex Work 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 *Sex Work Act 1994*, unless section 76(2) of *Sex Work Act 1994* applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the *Planning and Environment Act 1987*, or
- An application to amend a permit in accordance with Part 4 Division 1A of the *Planning and Environment Act 1987*, or
- A request to amend plans, drawings or other documents under a permit in accordance with:
 - Section 216 of the *Planning and Environment Act 1987*, or
 - Any condition in a planning permit which allows such an amendment

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 a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the *Sex Work Act 1994*.

53.0431/07/2018
VC148**CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES****53.04-1**31/07/2018
VC148**Application**

These requirements only apply to land in a residential zone.

53.04-220/01/2022
VC205**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 Transport Zone 2 or Transport Zone 3.
 - 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 verandas, 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, 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.

MANNINGHAM PLANNING SCHEME

- Avoid disruption to traffic flow on land in a Transport Zone 2 or Transport Zone 3.
- 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.

53.0514/05/2021
VC198**FREEWAY SERVICE CENTRE****Purpose**

To ensure that freeway service centres are appropriately designed and located.

To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Head, Transport for Victoria.

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.

53.05-114/05/2021
VC198**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 under section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the person or body specified as the referral authority in Clause 66.03.

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.

53.05-2

31/07/2018
VC148

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The Freeway Service Centres Design Guidelines, May 1997.

53.0628/09/2020
VC183**LIVE MUSIC ENTERTAINMENT VENUES****Purpose**

To recognise that live music is an important part of the State's culture and economy.

To encourage the retention of existing and the development of new live music entertainment venues.

To protect live music entertainment venues from the encroachment of noise sensitive residential uses.

To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.

To ensure that the primary responsibility for noise attenuation rests with the agent of change.

53.06-128/09/2020
VC183**Application**

This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:

- A live music entertainment venue.
- A noise sensitive residential use that is within 50 metres of a live music entertainment venue.
- A noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause

This clause does not apply to:

- The extension of an existing dwelling.
- A noise sensitive residential use that is in an area specified in clause 2.0 of the schedule to this clause.

53.06-228/09/2020
VC183**Meaning of terms**

In this clause:

- ***live music entertainment venue*** means:
 - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
 - a rehearsal studio
 - any other venue used for the performance of music and specified in clause 3.0 of the schedule to this clause, subject to any specified condition or limitation.
- ***noise sensitive residential use*** means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

53.06-301/07/2021
VC203**Requirements to be met**

A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- Indoor live music entertainment venue to below the noise limits specified in the Environment Protection Regulations under the *Environment Protection Act 2017* and the incorporated Noise Protocol (Publication 1826.2, Environment Protection Authority, November 2020)
- Outdoor live music entertainment venue to below 45dB(A), assessed as an L_{eq} over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (consistent with EPA Publication 1826.2).

A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

53.06-4

28/09/2020
VC183

Application requirements

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

- A site analysis, including plans detailing:
 - the existing and proposed layout of the use, buildings or works, including all external windows and doors
 - the location of any doors, windows and open space areas of existing properties in close proximity to the site.
- If the application is associated with a noise sensitive residential use:
 - the location of any live music entertainment venues within 50 metres of the site
 - the days and hours of operation of identified venues.
- If the application is associated with a live music entertainment venue:
 - the location of any noise sensitive residential uses within 50 metres of the site
 - the days and hours of operation of that venue
 - the times during which live music will be performed.
- Details of existing and proposed acoustic attenuation measures.
- An assessment of the impact of the proposal on the functioning of live music venues.

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.

53.06-5

28/09/2020
VC183

Decision guidelines

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

- The extent to which the siting, layout, design and construction minimise the potential for noise impacts.
- Whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.
- Whether the proposal adversely affects any existing uses.
- The social and economic significance of an existing live music entertainment venue.
- The impact of the proposal on the functioning of live music venues.

18/02/2021
GC175

SCHEDULE TO CLAUSE 53.06 LIVE MUSIC ENTERTAINMENT VENUES

1.0

18/02/2021
GC175

Areas to which Clause 53.06 does apply

Name of area	Description
Insert "None specified" or details of area	Insert details of land subject to the requirement, ensuring that land is clearly identifiable

2.0

18/02/2021
GC175

Areas to which Clause 53.06 does not apply

Name of area	Description
Insert "None specified" or details of area	Insert details of land subject to the requirement, ensuring that land is clearly identifiable

3.0

18/02/2021
GC175

Other venues to which Clause 53.06 applies

Name of venue	Address	Condition or limitation
Insert "None specified" or name of venue	Insert address	Insert condition or limitation

53.0731/07/2018
VC148**SHIPPING CONTAINER STORAGE****Application**

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, or is in a Port Zone.

53.07-120/01/2022
VC205**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 Transport Zone 2 or a Transport Zone 3.
 - 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:

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- 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.

53.08

31/07/2018
VC148

CATTLE FEEDLOT

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.

53.08-1

31/07/2018
VC148

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.

53.0911/04/2019
VC156**POULTRY FARM****Purpose**

To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

53.09-121/09/2018
VC150**Application**

This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

53.09-221/09/2018
VC150**Permit not required – Outdoor range area for existing broiler farm**

Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

53.09-321/09/2018
VC150**Requirement – Broiler farm**

An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

53.09-411/04/2019
VC156**Exemption from notice and review**

The following applications are 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:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.
- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
 - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
 - The outdoor stocking density does not exceed 1,500 chickens per hectare.
 - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
 - A minimum of 50% ground cover; and
 - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
 - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.

Table 1 Minimum setbacks

Chicken numbers	Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)	Minimum distance to land in a residential zone
1,000 chickens or less	50 metres	200 metres
More than 1,000 chickens	100 metres	400 metres

53.09-5

21/09/2018
VC150

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, 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.

53.09-6

21/09/2018
VC150

Decision guidelines

Before deciding on an application to use land or 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 purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).

53.1026/05/2020
VC175**USES AND ACTIVITIES WITH POTENTIAL ADVERSE IMPACTS****Purpose**

To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

53.10-126/05/2020
VC175**Threshold distance**

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

Table to Clause 53.10-1

Type of use or activity (purpose)	Threshold distance (metres)
Basic metal products	
Iron or steel production:	
▪ up to 1,000,000 tonnes per year	500
▪ exceeding 1,000,000 tonnes per year	1,000
Non-ferrous metal production:	
▪ up to 100 tonnes per year	100
▪ between 100 and 2,000 tonnes per year	300
▪ exceeding 2,000 tonnes per year	500
▪ aluminium by electrolysis	2,000
Chemical, petroleum and coal products	
Ammunition, explosives and fireworks production	1,000
Biocides production and storage	1,000
Briquette production	300
Chemical product manufacture other than listed within this group	300

MANNINGHAM PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
Coke processing	500
Cosmetics and toiletries production	100
Fertiliser production	1,000
Gasworks	1,000
Industrial gases production	1,000
Organic and inorganic industrial chemicals production other than those listed within this group	2,000
Other petroleum or coal production	500
Paints and inks manufacture, blending and mixing exceeding 2,000 tonnes per year	500
Petroleum refinery	2,000
Pharmaceutical and veterinary chemical production	1,000
Polyester and synthetic resins production, exceeding 2,000 per year	1,000
Rubber production:	
▪ synthetic rubber, exceeding 2,000 tonnes per year	1,000
▪ using either organic solvents or carbon black	300
▪ using sulphur	1,000
Soap and detergent production	500
Fabricated metal products	
Abrasive blast cleaning	500
Boiler maker	100
Metal coating and finishing	500
Structural or sheet metal production	500
Food and beverages	
Alcoholic and non-alcoholic beverage production, exceeding 5,000 litres per day	500
Animal processing	1,000

MANNINGHAM PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
Bakery (other than one ancillary to a shop):	
▪ exceeding 200 tonnes per year	100
▪ night-time operations, exceeding 200 tonnes per year	500
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Flour mill, exceeding 200 tonnes per year	250
<hr/>	
Food production other than those listed within this group:	
▪ exceeding 200 tonnes per year	250
▪ including frying, drying or roasting, exceeding 200 tonnes per year	500
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Grain and stockfeed mill and handling facility	
▪ with meat meals or tallow	500
▪ no meat meals or tallow	250
<hr/>	
Maltworks, exceeding 200 tonnes per year	500
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Manufacture of milk products, exceeding 200 tonnes per year	300
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Milk depot	100
<hr/>	
Pet food production	500
<hr/>	
Production of vegetable oils and animal fats using solvents, exceeding 200 tonnes per year	500
<hr/>	
Seafood processor, exceeding 200 tonnes per year	500
<hr/>	
Smallgoods production:	
▪ exceeding 200 tonnes per year	100
▪ including smoking and drying, exceeding 200 tonnes per year	500
<hr/>	
Miscellaneous manufacturing	
<hr/>	
Printing and coating works with heated curing ovens	500
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Rendering and casings works	1,000
<hr/>	
Non-metallic mineral products	
<hr/>	
Bitumen batching plant	1,000
<hr/>	
Cement production in amounts:	
▪ up to 5,000 tonnes per year	300
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MANNINGHAM PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
<ul style="list-style-type: none"> ▪ between 5,000 and 150,000 tonnes per year 	500
<ul style="list-style-type: none"> ▪ exceeding 150,000 tonnes per year 	1,000
Cement, lime, clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes per year:	500
Concrete batching plant, with a production rate exceeding 5,000 tonnes per year	300
Glass and glass production including glass wool and fibreglass	500
Plaster or plaster articles production, exceeding 5,000 tonnes per year	200
Rock wool manufacture	500
Solar salt manufacture	1,000
Other premises	
Automotive body, paint and interior repair	100
Rural industry handling, processing or packing agricultural produce	300
Paper and paper products	
Paper or paper pulp production:	
<ul style="list-style-type: none"> ▪ involving combustion of sulphur or sulphur containing materials 	5,000
<ul style="list-style-type: none"> ▪ from semi-processed materials 	100
<ul style="list-style-type: none"> ▪ from prepared cellulose and rags 	200
<ul style="list-style-type: none"> ▪ by other methods than above 	None specified
Recreational, personal and other services	
Dry cleaning for commercial and institutional customers, or in bulk quantities	100
Laundry for commercial and institutional customers, or in bulk quantities	100
Textiles	
Carpet backing with latex	500
Dyeing or finishing of cotton, linen and woollen yarns and textiles	300
Leather and artificial leather goods production	300
Leather tanning and dressing:	

MANNINGHAM PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
<ul style="list-style-type: none"> ▪ up to 250 tonnes per year 	300
<ul style="list-style-type: none"> ▪ exceeding 250 tonnes per year 	2,000
Rope, cordage and twine production	100
Treatment or production of natural and synthetic fibres and textiles	1,000
Treatment or production of textiles using carbon disulphide	500
Wool scouring	200
Transport and storage	
Bus depot	200
Depot for refuse collection vehicles	100
Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes	1,000
Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:	
<ul style="list-style-type: none"> ▪ with fixed roofs 	300
<ul style="list-style-type: none"> ▪ with floating roofs 	100
Storage of wet-salted or unprocessed hides	250
Waste, recycling and resource recovery	
Chemical or oil recycling	1,000
Combustion, treatment or bio-reaction of waste to produce energy	None specified
Composting and other organic materials recycling	None specified
Hazardous waste storage or treatment	1,000
Landfill	None specified
Other recourse recovery or recycling operations	None specified
Soil conditioning or blending	None specified
Transfer station:	
<ul style="list-style-type: none"> ▪ accepting organic wastes 	500
<ul style="list-style-type: none"> ▪ other 	200
Used plastics treatment or processing	500

MANNINGHAM PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
Waste tyre recycling and re-treading	1,000
Vehicle recycling or disposal	500
Water and wastewater	
Sewage treatment plant, exceeding a design or actual flow rate of 5,000 litres per day	None specified
Water treatment plant	None specified
Wood, wood products and furniture	
Charcoal production:	
▪ by the retort process	500
▪ other than by the retort process	1,000
Joinery	100
Sawmill, wood products and furniture	500
Wood preservation plant:	
up to 10,000 cubic metres of timber per year	100
exceeding 10,000 cubic metres of timber per year	300

53.1131/07/2018
VC148**TIMBER PRODUCTION****53.11-1**31/07/2018
VC148**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 responsible for administering the *Forests Act 1958* and the *Sustainable Forests (Timber) Act 2004*, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forest and Lands Act 1987*), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

53.11-231/07/2018
VC148**Timber production to comply with the Code of Practice 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 commercial plantations of 5 hectares or less) must comply with the Code of Practice for Timber Production (Department of Environment and Primary Industries, 2014). 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.

53.11-331/07/2018
VC148**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*.

53.11-431/07/2018
VC148**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.

MANNINGHAM PLANNING SCHEME

- 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, cultural heritage and visual amenity.
- Whether it is appropriate to require environmental protection standards greater than those in the Code.

53.12

08/08/2019
VC159

RACING DOG HUSBANDRY

Purpose

To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

53.12-1

08/08/2019
VC159

Requirement

An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017).

This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

53.12-2

31/07/2018
VC148

Exemption from notice and review

An application to which the requirement in Clause 53.12-1 applies 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 approved measures specified in *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017) are met.

53.1317/09/2019
VC161**RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)****Purpose**

To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

53.13-117/09/2019
VC161**Application**

This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

53.13-201/07/2021
VC203**Application requirements**

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

- A site and context analysis, including:
 - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
 - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.
- A design response, including:
 - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
 - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
 - The extent of vegetation removal and a rehabilitation plan for the site.
 - Written report and assessment, including:
 - An explanation of how the proposed design derives from and responds to the site analysis.
 - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
 - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
 - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
 - the effect of traffic to be generated on roads.
 - the impact upon Aboriginal or non-Aboriginal cultural heritage.
 - the impact of the proposal on any species listed under the *Flora and Fauna Guarantee Act 1988* or *Environment Protection and Biodiversity Conservation Act 1999*.
 - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
 - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.

53.13-3

17/09/2019
VC161

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land, particularly within declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, August 2019).

53.13-4

17/09/2019
VC161

Amendment VC161 transitional provisions

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

53.1431/07/2018
VC148**RESOURCE RECOVERY****Purpose**

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

53.14-131/07/2018
VC148**Application**

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

53.14-201/07/2021
VC203**Application requirements**

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
 - Identification of the purpose of the use.
 - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
 - Proposed hours of operation.
 - Likely traffic generation including heavy vehicles.
 - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- An assessment of:
 - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
 - The impact of traffic generation on local roads.

53.14-331/07/2018
VC148**Decision Guidelines**

Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
- Any Regional Waste and Resource Recovery Implementation Plan including the *Metropolitan Waste and Resource Recovery Implementation Plan* (Metropolitan Waste and Resource Recovery Group, 2016).

MANNINGHAM PLANNING SCHEME

- Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).

53.15

31/07/2018
VC148

STATEMENT OF UNDERLYING PROVISIONS

Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the *Planning and Environment Act 1987* if the land had not been reserved for that purpose.

53.15-01

31/07/2018
VC148

Application

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

1.0

27/05/2019
C126mann

Incorporated statement

Land	Incorporated Document
None specified	

53.1611/04/2019
VC156**PIG FARM****Purpose**

To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

53.16-121/09/2018
VC150**Application**

This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

53.16-211/04/2019
VC156**Exemption from notice and review**

An application to use land or construct a building or construct or carry out works for a pig farm 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 following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
 - A minimum of 50% ground cover; and
 - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
 - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
 - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

Pig Class	Mass Range (kg)	Age Range (weeks)	SPU Factor
Gilt	100 – 160	24 -30	1.8
Boar	100 – 300	24 – 128	1.6
Gestating sow	160 – 230	-	1.6
Lactating sow	160 – 230	-	2.5
Sucker	1.4 – 8	0 – 4	0.1
Weaner	8 – 25	4 – 10	0.5
Grower	24 – 55	10 – 16	1.0
Finisher	55 – 100	16 – 24	1.6

Pig Class	Mass Range (kg)	Age Range (weeks)	SPU Factor
Heavy Finisher	100 – 130	24 -30	1.8

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

53.16-3

21/09/2018
VC150

Decision guidelines

Before deciding on an application to use land or 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 purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).

53.1711/04/2019
VC156**RESIDENTIAL AGED CARE FACILITY****Purpose**

To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.

To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.

To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.

53.17-126/10/2018
VC152**Application**

This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

53.17-226/10/2018
VC152**Application requirements**

An application must be accompanied by:

- A site and context description.
- A design response.
- A landscape plan.

Site and context description

The site and context description may use a site plan, photographs or other techniques and must include:

- 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 adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- 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.
- Street frontage features such as poles, street trees and kerb crossings.
- Any other notable features or characteristics of the site.

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.

Design response

The design response must explain how the proposed design:

- Responds to the site and context description.
- Meets the requirements of this clause.

Landscape plan

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

53.17-3

20/01/2022
VC205

Development requirements

Operation

If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

Building height

In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.

In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

Street setback

Walls of buildings should be set back from streets the distance specified in the table:

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. This does not include a porte cochère.	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. This does not include a porte cochère.	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 Transport Zone 2 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. This does not include a porte cochère.	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

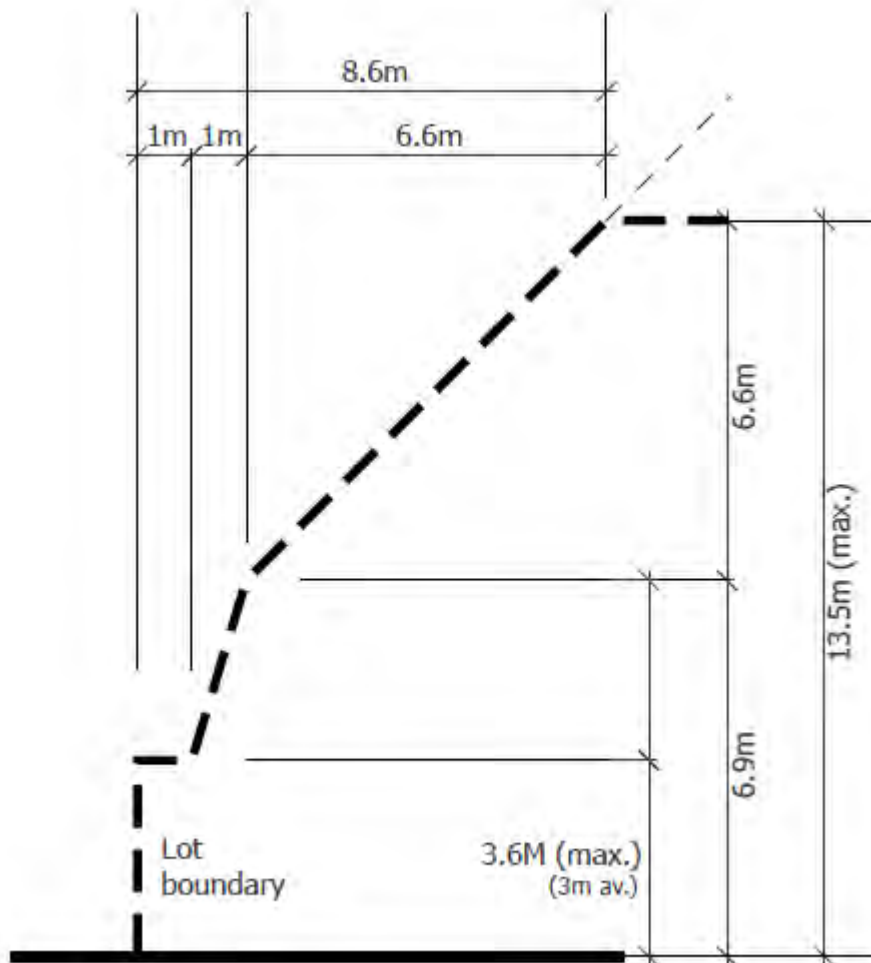
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	allotment facing the side street or 4 metres, whichever is the lesser. Side walls of new development on a corner site should be setback 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.

Side and rear setbacks

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 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.

Screens, 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.



Walls on boundaries

A new wall constructed on or within 200mm 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 200mm from a boundary.

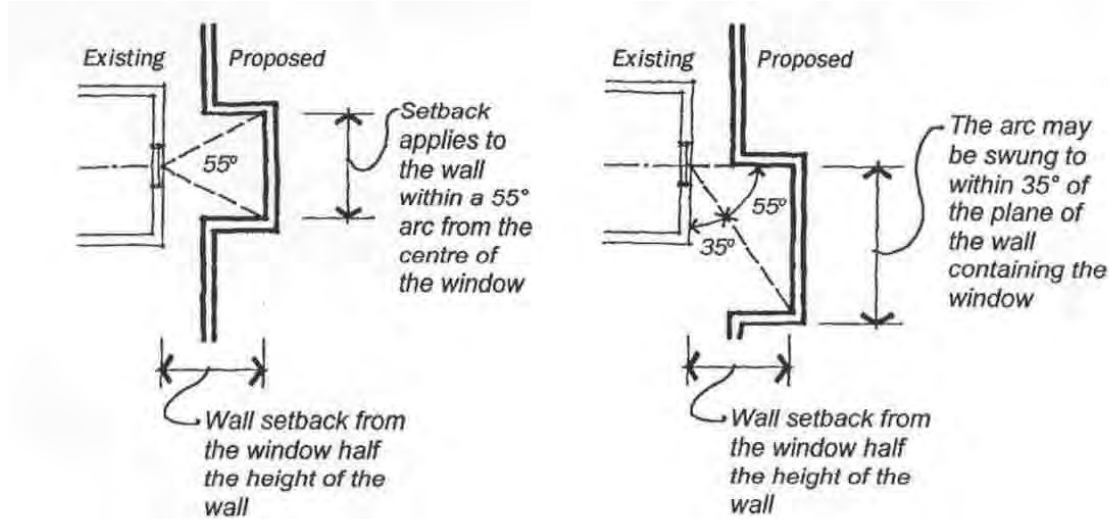
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows

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.

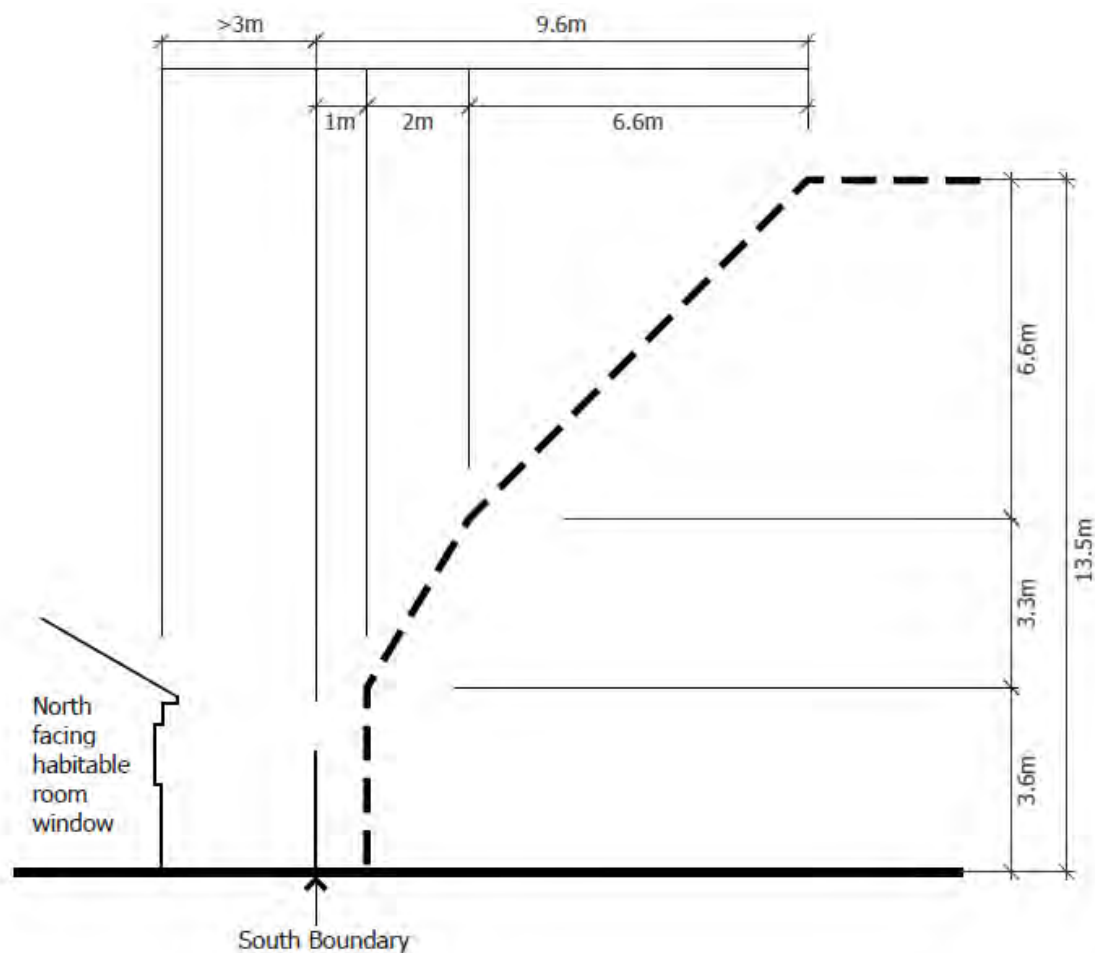
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the 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.



North-facing windows

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.



Overshadowing open space

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.

Overshadowing solar energy systems

Buildings should be sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Overlooking

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.

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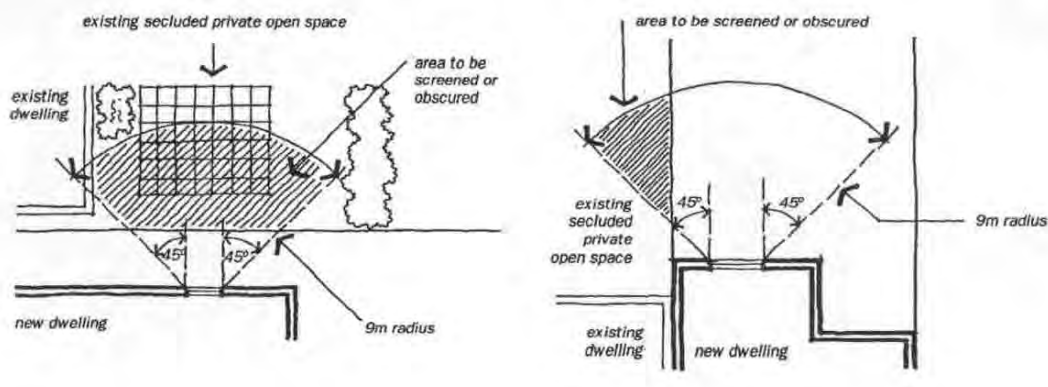
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 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.



Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Daylight to new windows

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.

Site coverage

The site area covered by buildings should not exceed 80 percent.

Access

Access ways should be designed to:

- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.
- Ensure vehicles can enter and exit a development in a forward direction.

- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 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 access way.

Building entry

The main pedestrian entry to a building should:

- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

Communal open space

Accessible and useable communal open space should be provided for residents and staff.

Front fence

A front fence within 3 metres of a street should not exceed:

- 2 metres in height in streets in a Transport Zone 2; and
- 1.5 metres in height on all other streets.

53.17-4

24/01/2020
VC160

Decision guidelines

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

53.1826/10/2018
VC154**STORMWATER MANAGEMENT IN URBAN DEVELOPMENT****Purpose**

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

53.18-120/01/2022
VC205**Application**

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Transport Zone 2, Transport Zone 3, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
 - The lot was created in accordance with a permit granted under this planning scheme.
 - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

53.18-226/10/2018
VC154**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 solution meets the objective, the alternative solution may be considered.

53.18-3

26/10/2018
VC154

Requirements

An application to subdivide land:

- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

53.18-4

26/10/2018
VC154

Stormwater management objectives for subdivision

To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1

The stormwater management system should be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $da \text{ Vave} < 0.35 \text{ m}^2/\text{s}$ (where, da = average depth in metres and Vave = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

53.18-5

26/10/2018
VC154

Stormwater management objectives for buildings and works

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

Standard W2

The stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

53.18-6

26/10/2018
VC154

Site management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.

Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

53.18-7

26/10/2018
VC154

Decision guidelines

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

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

53.19

03/12/2019
VC165

NON-GOVERNMENT SCHOOLS

Purpose

To facilitate new non-government schools.

To facilitate upgrades and extensions to existing non-government schools.

53.19-1

04/12/2020
VC180

Application

This clause applies to an application under any provision of this scheme, other than a VicSmart application, to use or develop land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school.

53.19-2

04/12/2020
VC180

Exemption from review

An application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

53.19-3

04/12/2020
VC180

Transitional provisions

Clause 53.19 of this scheme, as in force immediately before the approval date of Amendment VC180, continues to apply to:

- An application for a planning permit made before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was made before that date.

53.2001/12/2020
VC187**HOUSING BY OR ON BEHALF OF THE DIRECTOR OF HOUSING****Purpose**

To facilitate the development of well-designed social housing and affordable housing to meet existing and future needs.

To increase the social housing and affordable housing stock in Victoria.

To ensure the development of housing by or on behalf of the Director of Housing does not unreasonably impact on the amenity of adjoining dwellings.

53.20-101/12/2020
VC187**Application**

This clause applies to an application under a provision of a residential zone (other than the Low Density Residential Zone) to construct or extend a dwelling, or to construct or extend a front fence, if the application is made by or on behalf of the Director of Housing.

In this clause, *Director of Housing* means ‘Director of Housing’ as defined in the *Housing Act 1993* and the body corporate established under the *Housing Act 1993*.

53.20-220/12/2021
VC207**Operation**

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

An application to construct or extend a dwelling, or to construct or extend a front fence, should meet the standards in Clause 53.20-6.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, should meet the standards in Clause 53.20-6 and Clause 53.20-7 except for the standard in:

- Clause 53.20-6.5.
- Clause 53.20-6.10 for an apartment development of 5 or more storeys.

The standards in Clause 53.20-6 and Clause 53.20-7 should normally be met. However, an alternative design solution may be considered if the responsible authority is satisfied that the proposal does not unreasonably impact on the amenity of an existing dwelling on the site or on an adjacent site.

53.20-320/12/2021
VC207**Exemption from planning scheme provisions**

The following provisions of this planning scheme do not apply:

- The Municipal Planning Strategy or Municipal Strategic Statement and the Planning Policy Framework.
- An application requirement or decision guideline of a zone.
- A requirement to meet Clauses 54, 55 and 58 of a zone.
- A schedule to a zone except for a specified building height requirement.
- Clauses 52.06 and 65.

53.20-420/12/2021
VC207**Exemption from notice and review**

An application under any provision of this scheme 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.

53.20-520/12/2021
VC207**Application requirements**

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

- Where the application is made on behalf of the Director of Housing, a letter from Homes Victoria confirming that the application is made on behalf of the Director of Housing.
- An urban context report. The urban context report may use a site plan, photographs or other techniques and must include an accurate description of:
 - Lot boundaries, site shape, size, orientation and easements on the subject site.
 - Levels and contours of the site and the difference in levels between the site and adjoining properties.
 - The location and height of existing buildings on the site and adjoining properties.
 - The use of adjoining buildings.
 - The location of secluded private open space of adjoining properties and the location of trees, fences and other landscape elements.
 - Solar access to the site and to adjoining properties.
 - Street frontage features such as poles, street lights, 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.
 - Significant off-site noise sources.
 - For an apartment application, the relevant NatHERS climate zones.
 - Social and economic activity.
 - Any other notable or cultural characteristics of the area.
- A design response. The design response must explain how the proposed design:
 - Responds to any relevant planning provision.
 - 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.

53.20-620/01/2022
VC205**Development standards****53.20-6.1****Infrastructure**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.

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.

53.20-6.2**Street setback**

Walls of buildings should be set back from streets at least the distance specified in Table 1. 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 1 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 same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 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 7 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 Transport Zone 2 and 4 metres for other streets.	Not applicable.
The site is on a corner.	<p>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 7 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2, and 4 metres for other streets.</p>	<p>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, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing</p>

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
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building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

53.20-6.3 Site coverage

The site area covered by buildings should not exceed 60 per cent.

53.20-6.4 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

53.20-6.5 Energy efficiency

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.
- Sited and designed to ensure that the performance of existing roof top solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing roof top solar energy system must exist at the date the application is lodged.

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.

53.20-6.6 Safety

Entrances to dwellings 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.

53.20-6.7 Access

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

53.20-6.8 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings 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.

53.20-6.9 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

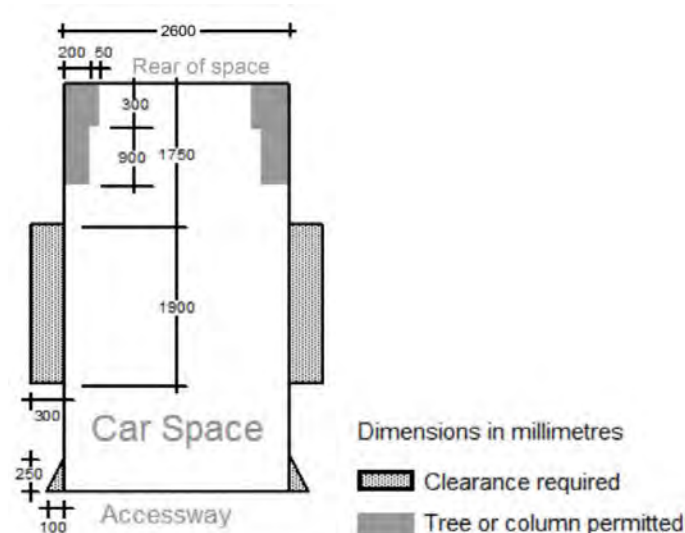
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must 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.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Mechanical parking

Mechanical parking may be used to meet the carparking requirement provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least 1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of carparks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Safety

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

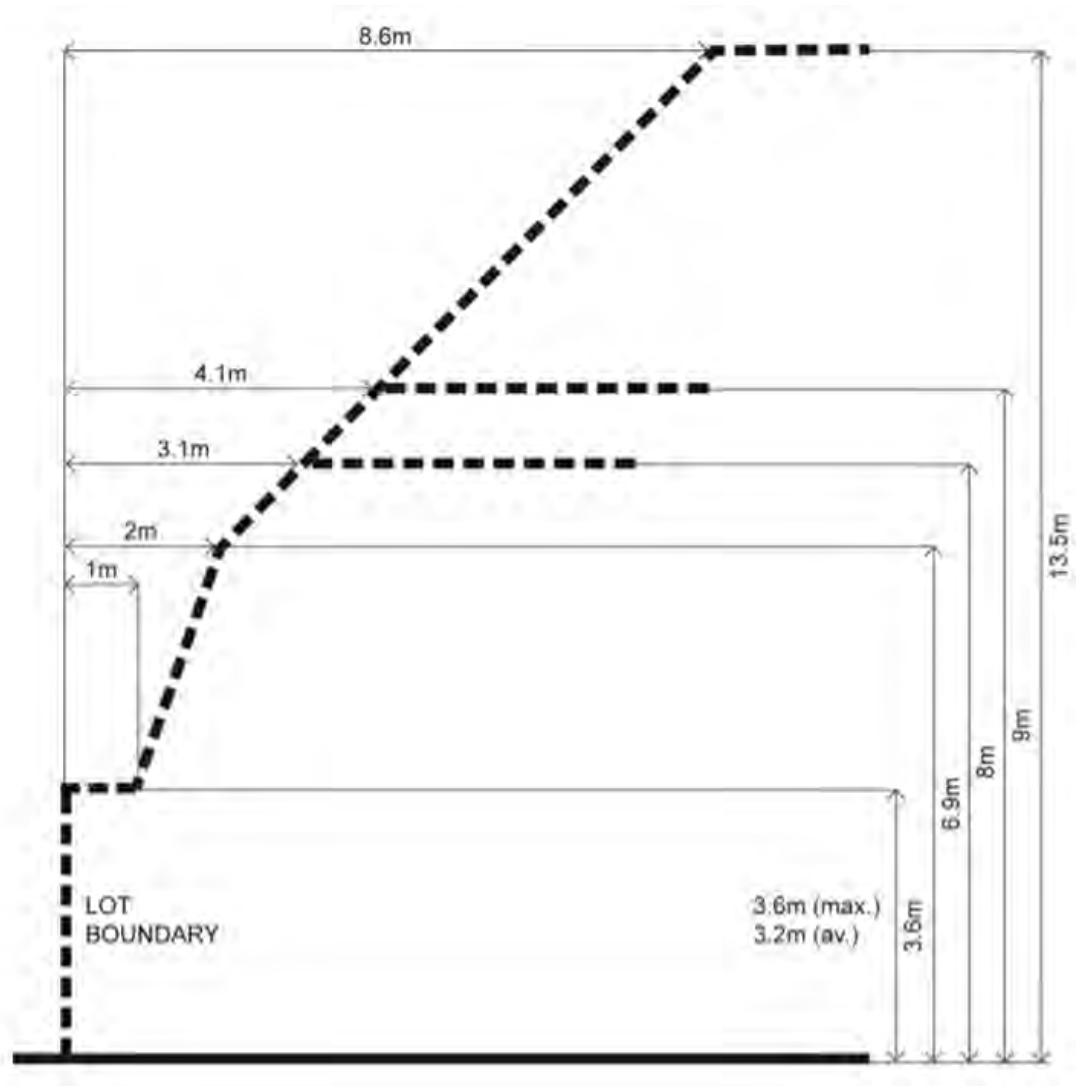
53.20-6.10 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 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. Diagram 2 details the standard.

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 2 Side and rear setbacks



53.20-6.11 Walls on boundaries

A new wall constructed on or within 200mm 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 200mm from a boundary.

The height of a new wall constructed on or within 200mm 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 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

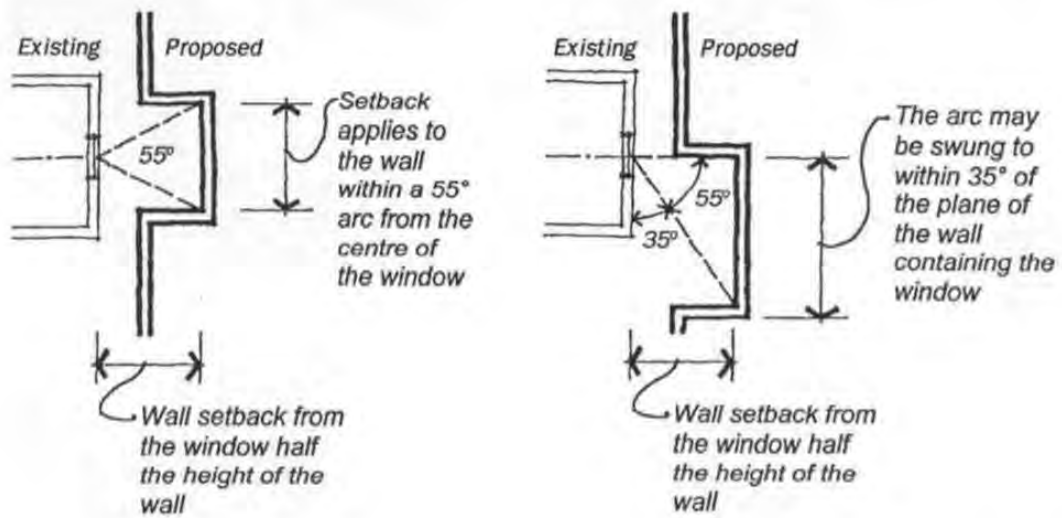
53.20-6.12 Daylight to existing windows

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.

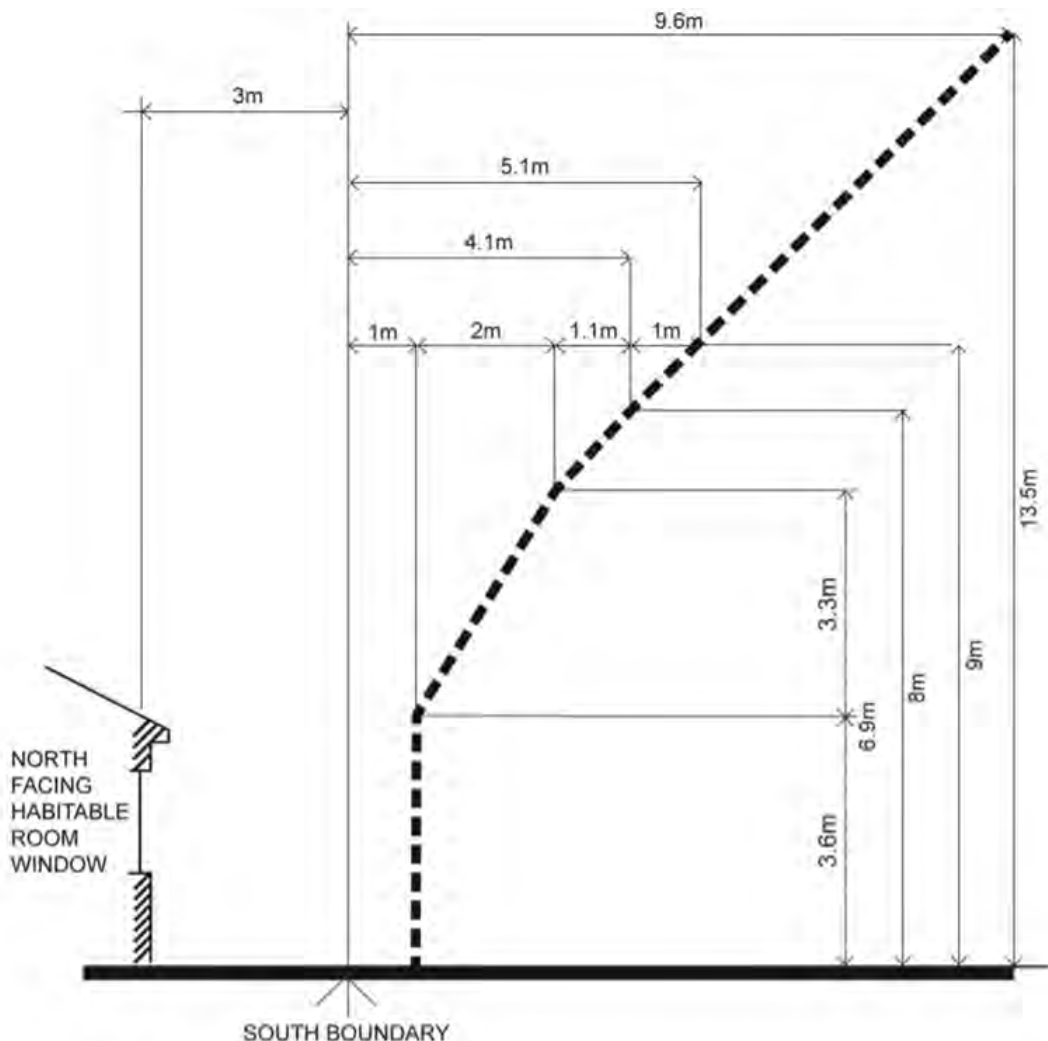
Diagram 3 Daylight to existing windows



53.20-6.13 North-facing windows

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 4 North-facing windows



53.20-6.14 Overshadowing open space

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.

53.20-6.15 Overlooking

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.

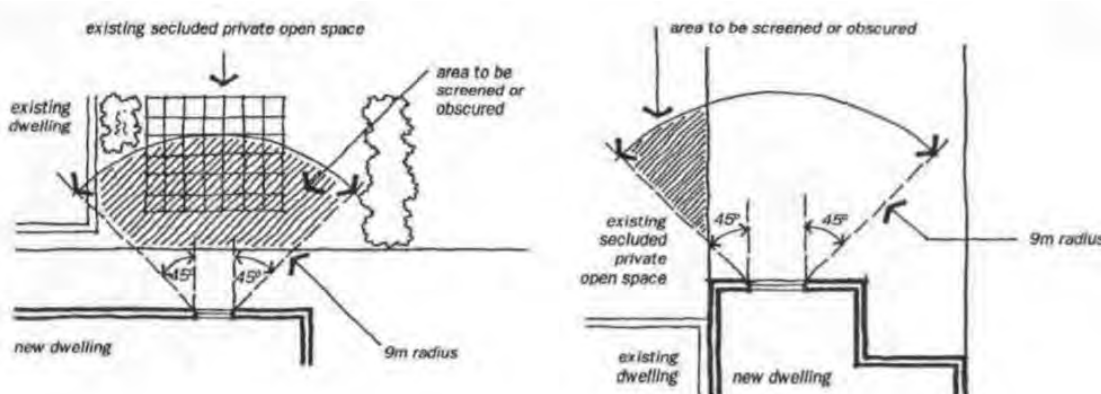
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 5 Overlooking open space



53.20-6.16 Noise impacts

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.

53.20-6.17 Daylight to new windows

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.

53.20-6.18 Private open space

A dwelling (other than an apartment) should have private open space consisting of:

- An area of secluded private open space 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.

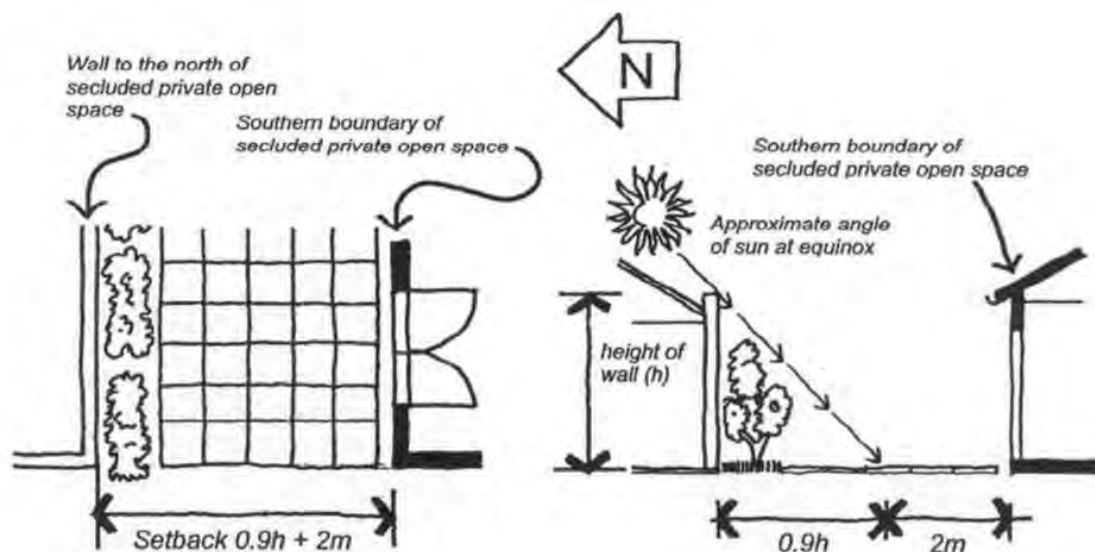
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

53.20-6.19 Solar access to open space

The private open space should be located on the north side of the dwelling 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 6 Solar access to open space



53.20-6.20 Storage

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

53.20-6.21 Front fence

A front fence within 3 metres of a street should not exceed a maximum height of:

- 2 metres for streets in a Transport Zone 2.
- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary.

53.20-6.22 Common property

Developments should clearly delineate public, communal and private areas.
Common property, where provided, should be functional and capable of efficient management.

53.20-6.23 Site services

Development should provide space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

53.20-7 Development standards for apartments

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VC207

53.20-7.1 Energy efficiency

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.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

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 optimised.

Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.

Table 4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

53.20-7.2 Communal open space

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings.
- Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

53.20-7.3 Solar access to communal outdoor open space

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

53.20-7.4 Landscaping

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table 5. Existing trees can be used to meet the canopy cover requirements of Table 5.
- Provide canopy cover through canopy trees that are:

MANNINGHAM PLANNING SCHEME

- Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided trees should be provided in planters specified in Table 6.
- Consistent with the canopy diameter and height at maturity specified in Table 7.
- Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures, and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table 5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Note: Table 6 Soil requirements for trees

Tree type	Tree in deep soil	Tree in planter	
	Area of deep soil	Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metres

Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table 7 Tree types

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

53.20-7.5 Integrated water and stormwater management

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

53.20-7.6 Building setback

The built form of the development should respect the existing urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

53.20-7.7 Noise impacts

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table 8 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table 8 Noise influence area

Noise Source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

53.20-7.8 Accessibility

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.

- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 9.

Table 9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower
Door design	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

53.20-7.9 Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.

- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
 - Include at least one source of natural light and natural ventilation.
 - Avoid obstruction from building services.
 - Maintain clear sight lines.

53.20-7.10 Private open space

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table 10 and convenient access from a living room.
- An area on a roof of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table 10 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table 10 do not apply if at least the area specified in Table 11 is provided as living area or bedroom area in addition to the minimum area specified in Table 13 or Table 14.

Table 10 Balcony size

Dwelling type	Minimum area	Minimum dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres
3 or more bedroom dwelling	12 square metres	2.4 metres

Table 11 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

53.20-7.11 Storage

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 9.

Table 12 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

53.20-7.12 Waste and recycling

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - Adequate in size, durable, waterproof and blend in with the development.
 - Adequately ventilated.
 - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

53.20-7.13 Functional layout

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 13.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimension and area specified in Table 14.

Table 13 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table 14 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

53.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

53.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

53.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

53.20-7.17 Integration with the street

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

53.20-7.18 External walls and materials

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

53.20-7.19 Wind impacts

Development should:

- not cause unsafe wind conditions specified in Table 15 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table 15 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 15: Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:

Unsafe	Comfortable
	<ul style="list-style-type: none"> ▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

53.20-9

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VC207

Transitional provision

The development standards for apartments at clause 53.20-6 and clause 53.20-7 introduced by Amendment VC207, do not apply to an application to construct or extend a dwelling, or to construct or extend a front fence if:

- Funded wholly or partly, under Victoria's Big Housing Build program;
- The application is made by or on behalf of the Director of Housing; and
- The written confirmation from Homes Victoria or the Director of Housing that the application is funded, either wholly or partly, under Victoria's Big Housing Build program has been signed before 30 June 2022.

53.20-9

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VC207

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- How the proposed development responds to the site and context description.
- Where a development standard of this clause is not met, the impact on the amenity of the adjoining dwellings of varying the standard.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

ONE DWELLING ON A LOT

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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 Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

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 a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a 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 zone or a schedule to the 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 zone or a schedule to the zone, the requirement in the overlay applies.

54.0116/01/2018
VC142**NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

54.01-116/01/2018
VC142**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

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.

54.01-219/01/2006
VC37**Design response**

The design response must explain how the proposed design:

MANNINGHAM PLANNING SCHEME

- 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

19/01/2006
VC37

NEIGHBOURHOOD CHARACTER

54.02-1

19/01/2006
VC37

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

19/01/2006
VC37

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.

54.0315/07/2013
VC100**54.03-1**20/01/2022
VC205**SITE LAYOUT AND BUILDING MASSING****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 A3

Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a 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 Transport Zone 2 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 street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	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.

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.

54.03-215/07/2013
VC100**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.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- 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.

54.03-315/07/2013
VC100**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 a schedule to the zone, or
- If no maximum site coverage is specified in a 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.

54.03-415/07/2013
VC100**Permeability objectives**

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

Standard A6

The site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

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 the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

54.03-5

09/04/2020
VC178

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.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

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 abutting properties.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.
- The availability of solar access to north-facing windows on the site.

54.03-6

19/01/2006
VC37

Significant trees objectives

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.

54.04

10/12/2013
VC99

54.04-1

10/12/2013
VC99

AMENITY IMPACTS

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

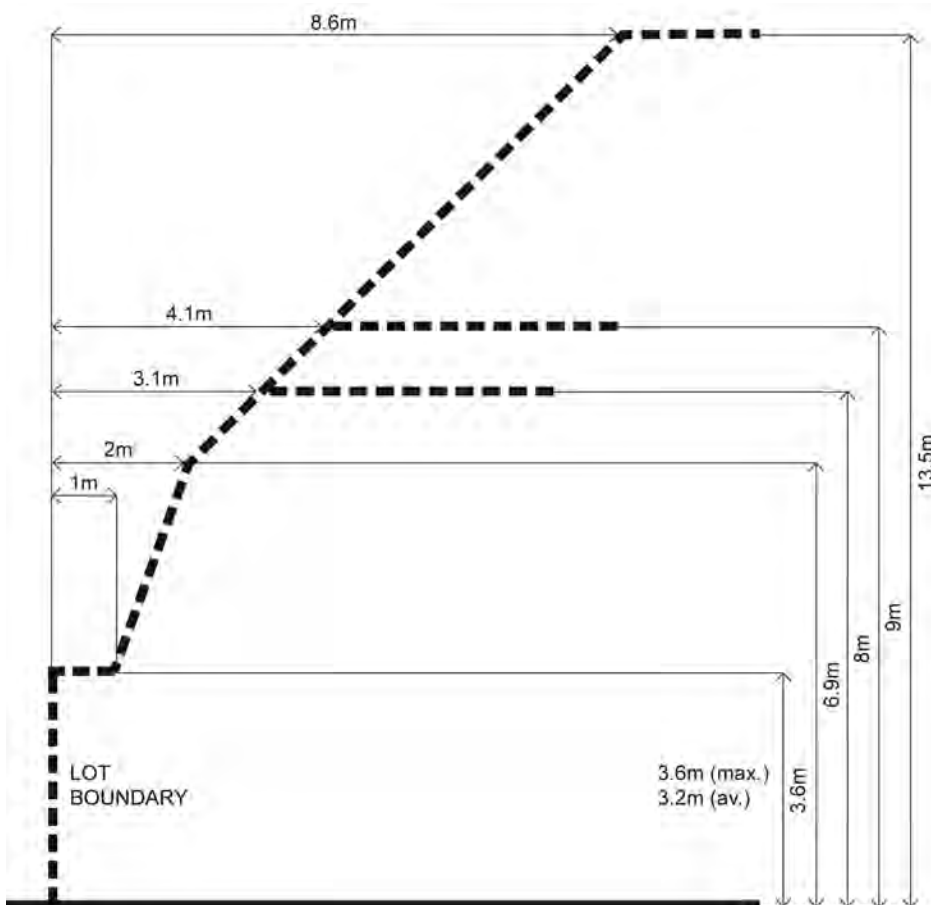
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a 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

10/12/2013
VC99

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 200mm 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 more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, 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 200mm from a boundary.

The height of a new wall constructed on or within 200mm 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 3.2 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

19/01/2006
VC37

Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

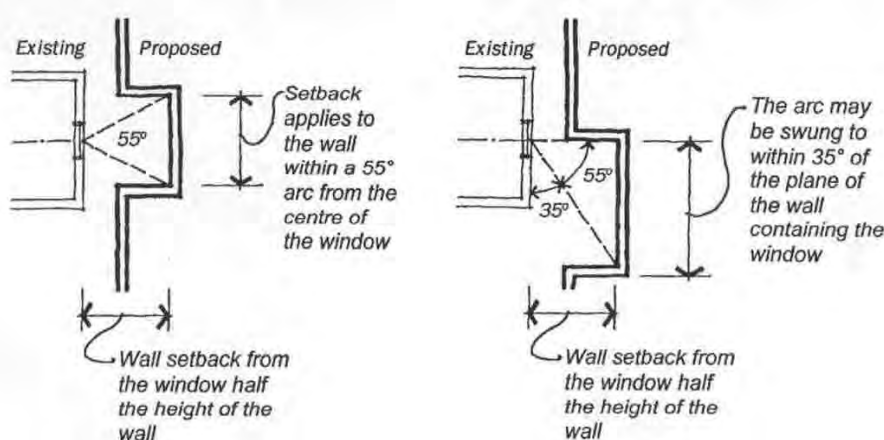
Standard A12

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

10/12/2013
VC99

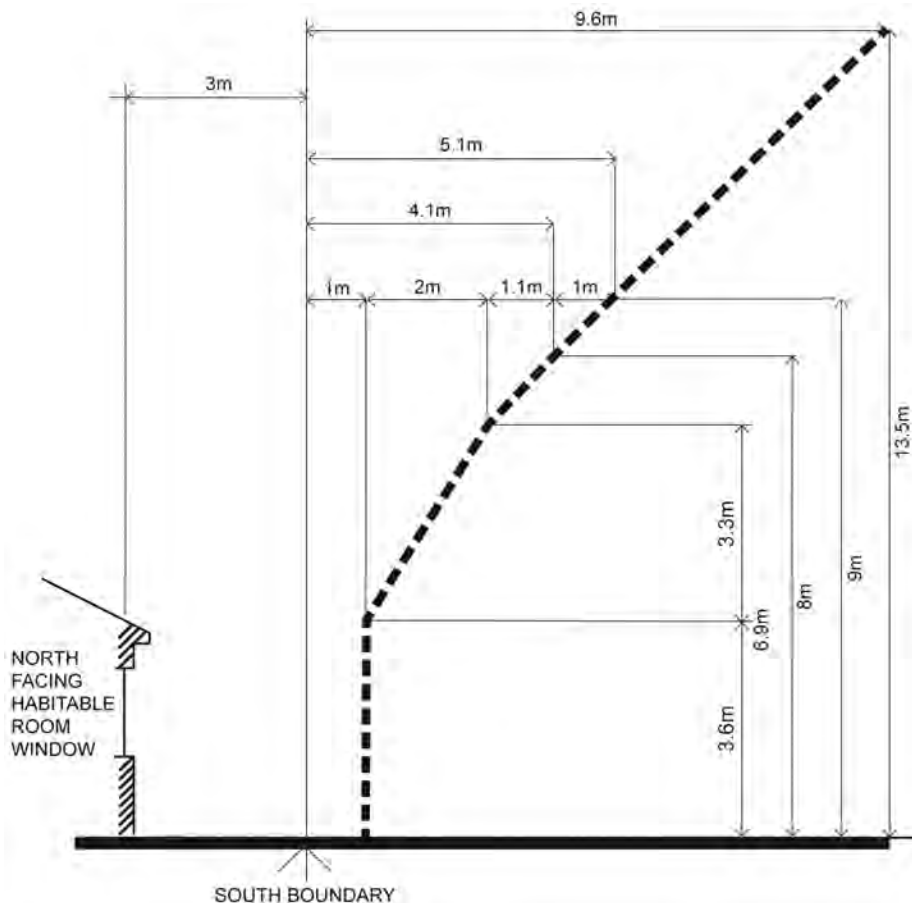
North-facing windows objective

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
19/01/2006
VC37

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

19/01/2006
VC37

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.

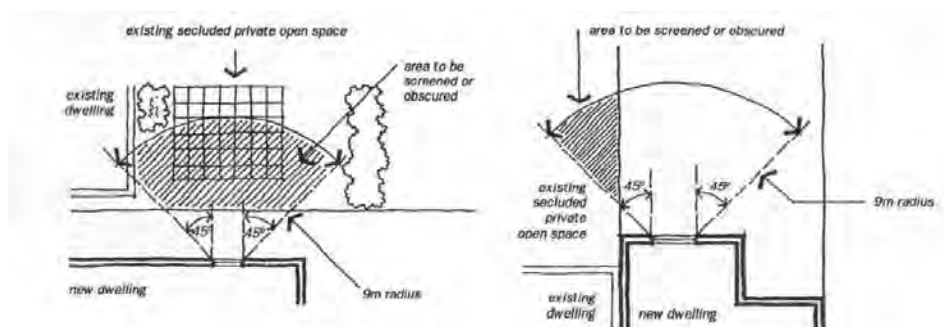
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

MANNINGHAM PLANNING SCHEME

- 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.

54.0515/07/2013
VC100**ON-SITE AMENITY AND FACILITIES****54.05-1**19/01/2006
VC37**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 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.

54.05-215/07/2013
VC100**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 a schedule to the zone.

If no area or dimensions is specified in a 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.

54.05-319/01/2006
VC37**Solar access to open space objective**

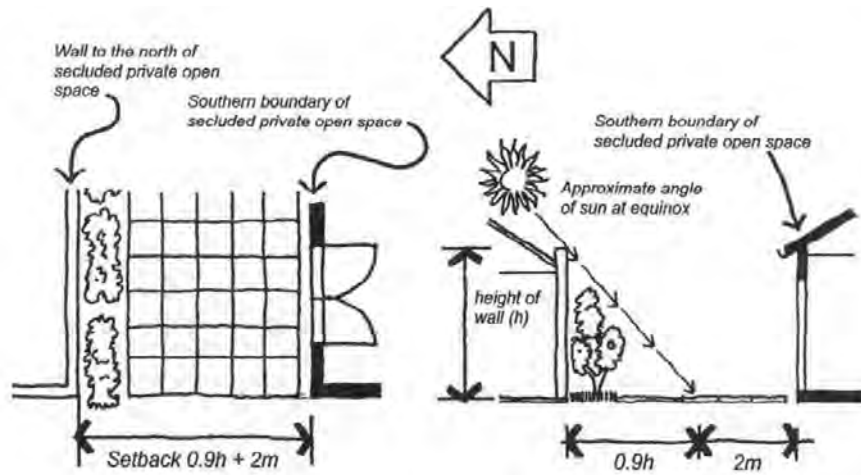
To allow solar access into the secluded private open space of a new dwelling.

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.

54.0615/07/2013
VC100**54.06-1**19/01/2006
VC37**DETAILED DESIGN****Design detail objective**

To encourage design detail that respects the existing or preferred neighbourhood character.

Standard A19

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.

54.06-220/01/2022
VC205**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 a schedule to the zone, or
- If no maximum height is specified in a 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 Transport Zone 2	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.

MANNINGHAM PLANNING SCHEME

- 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.

TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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

Provisions in this clause apply to an application 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, or
- Construct or extend a residential building,

in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

Application type	Applicable clauses
To construct or extend a dwelling (other than a dwelling in or forming part of an apartment development), or To construct or extend a residential building.	All of Clause 55 except Clause 55.07-1 to 55.07-15 (inclusive).
To construct or extend an apartment development, or To construct or extend a dwelling in or forming part of an apartment development.	All of Clause 55 except Clause 55.03-5, Clause 55.03-6, Clause 55.03-8, Clause 55.04-8, Clause 55.05-1, Clause 55.05-2 and Clause 55.05-6.

These provisions do not apply to an application to construct or extend a development of five or more storeys, excluding a basement or to construct or extend a dwelling in a development of five 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 that apply to the application.
- Should meet all of the standards of this clause that apply to the application.

For all of the provisions of Clause 55 other than Clause 55.07 (Apartment developments):

- If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a 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 zone or a schedule to the 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 zone or a schedule to the zone, the requirement in the overlay applies.

The requirements of a standard set out in Clause 55.07 (Apartment developments) apply to the exclusion of any different requirement specified in a zone, a schedule to a zone, or a schedule to an overlay.

Transitional provisions

Clause 55.03-4 of this planning scheme, as in force immediately before the approval date of Amendment VC154, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

55.0116/01/2018
VC142**NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

55.01-116/01/2018
VC142**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

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 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

20/12/2021
VC174

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.

If the application is for an apartment development, the design response must explain how the proposed design selects materials and finishes for the external walls.

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.

55.0231/07/2018
VC148**NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE****55.02-1**19/01/2006
VC37**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.

55.02-211/04/2019
VC156**Residential policy objectives**

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

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 Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

55.02-319/01/2006
VC37**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, including:

- 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.

55.02-401/07/2021
VC203**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, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

55.02-5

19/01/2006
VC37

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

31/07/2018
VC148

55.03-1

20/01/2022
VC205

SITE LAYOUT AND BUILDING MASSING

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 a schedule to the zone, or
- If no distance is specified in a 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 setbacks of this standard.

Table B1 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 Transport Zone 2 and 4 metres for other streets.	Not applicable
The site is on a corner.	<p>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.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</p>	<p>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, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback 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.</p>

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

15/07/2013
VC100

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 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.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- 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

15/07/2013
VC100

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 buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a 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

26/10/2018
VC154

Permeability and stormwater management objectives

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9

The site area covered by the pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.

The stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- 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 the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

55.03-5

09/04/2020
VC178

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.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

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.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.

55.03-6

31/07/2018
VC148

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 Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

55.03-7

19/01/2006
VC37

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 guideline

Before deciding on an application, the responsible authority must consider the design response.

55.03-8

31/07/2018
VC148

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.

Development should meet any additional landscape requirements specified in a schedule to the zone.

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 Municipal Planning Strategy and the Planning Policy Framework.
- 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

20/01/2022
VC205

Access objective

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

Standard B14

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 Transport Zone 2 or a Transport Zone 3 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 reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

55.03-10

19/04/2013
VC95

Parking location objectives

To provide convenient parking for resident and visitor vehicles.

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 well ventilated if enclosed.

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 guideline

Before deciding on an application, the responsible authority must consider the design response.

55.04

10/12/2013
VC99

55.04-1

10/12/2013
VC99

AMENITY IMPACTS

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

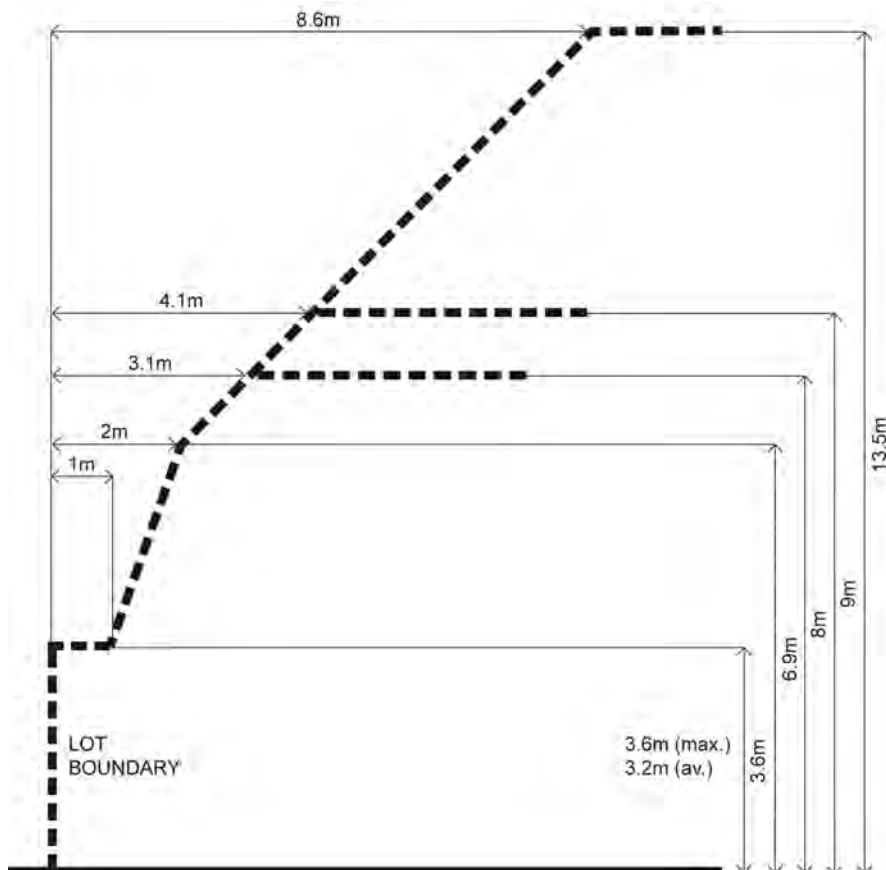
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a 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

10/12/2013
VC99

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 200mm 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 the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, 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 200mm from a boundary.

The height of a new wall constructed on or within 200mm 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 3.2 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

19/01/2006
VC37

Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

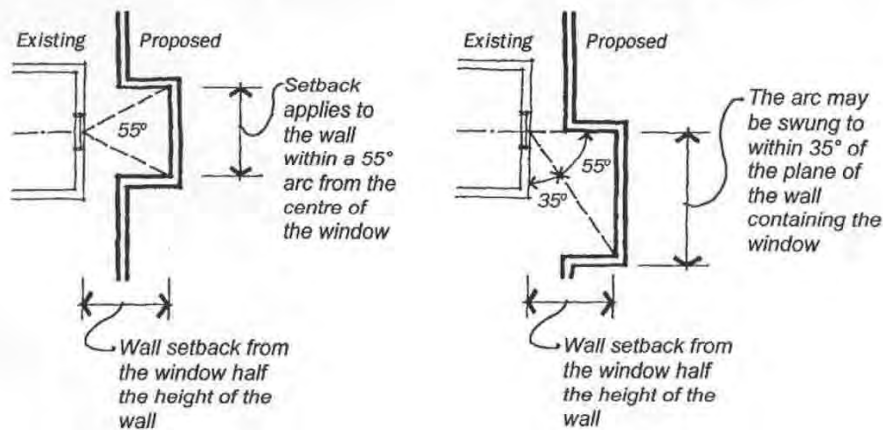
Standard B19

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

10/12/2013
VC99

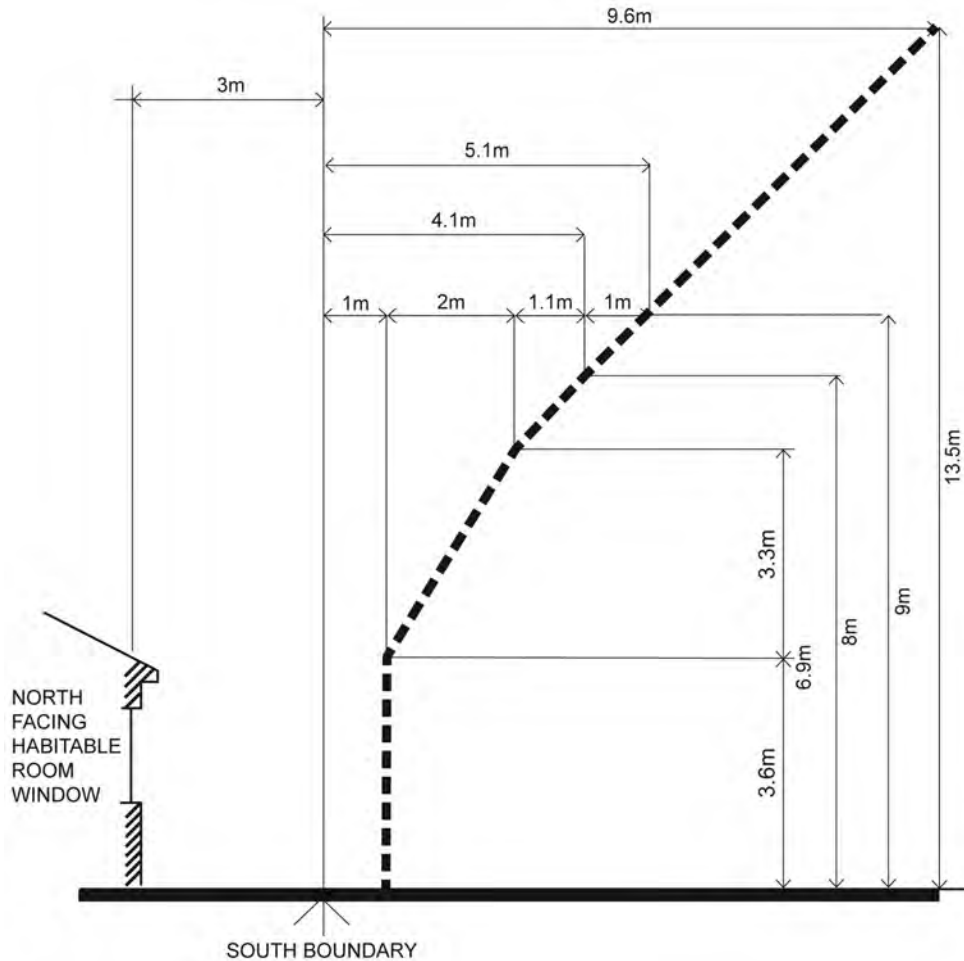
North-facing windows objective

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
19/01/2006
VC37

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

19/01/2006
VC37

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.

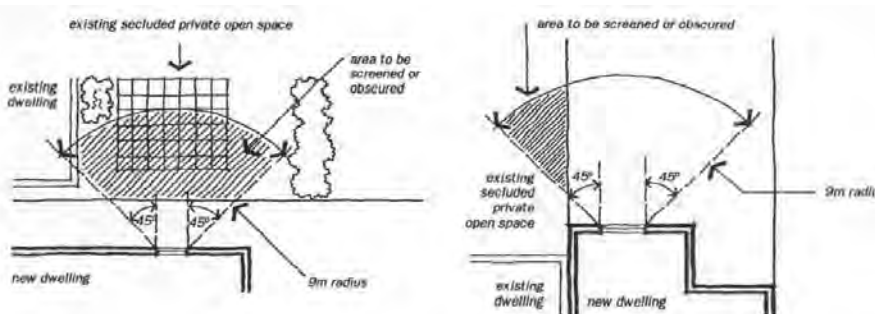
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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

19/01/2006
VC37

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

19/01/2006
VC37

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

13/04/2017
VC136

ON-SITE AMENITY AND FACILITIES

55.05-1

19/01/2006
VC37

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

19/01/2006
VC37

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

19/01/2006
VC37

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

13/04/2017
VC136

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 a schedule to the zone.

If no area or dimensions are specified in a 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.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

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

19/01/2006
VC37

Solar access to open space objective

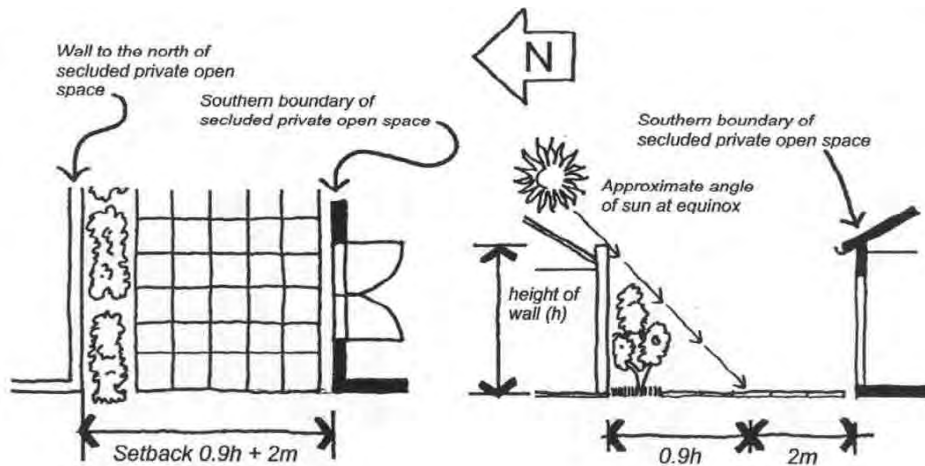
To allow solar access into the secluded private open space of new dwellings and residential buildings.

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

19/01/2006
VC37

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.

55.0615/07/2013
VC100**55.06-1**19/01/2006
VC37**DETAILED DESIGN****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.

55.06-220/01/2022
VC205**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 a schedule to the zone, or
- If no maximum height is specified in a 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 Transport Zone 2	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

19/01/2006
VC37

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

19/01/2006
VC37

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 guideline

Before deciding on an application, the responsible authority must consider the design response.

55.0731/07/2018
VC148**APARTMENT DEVELOPMENTS****Purpose**

Clause 55.07 sets out requirements for an apartment development.

55.07-124/01/2020
VC160**Energy efficiency objectives**

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard B35

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.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

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 optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

55.07-2

20/12/2021
VC174

Communal open space objective

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, functional, and is easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard B36

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Be located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The availability of and access to public open space.

55.07-3

13/04/2017
VC136

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

55.07-4

20/12/2021
VC174

Landscaping objective

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard B38

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table B5. Existing trees can be used to meet the canopy cover requirements of Table B5.
- Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table B6. Where deep soil cannot be provided trees should be provided in planters specified in Table B6.
 - Consistent with the canopy diameter and height at maturity specified in Table B7.
 - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table B5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table B6 Soil requirements for trees

Tree type	Tree in deep soil	Tree in planter	Depth of planter soil
	Area of deep soil	Volume of planter soil	
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table B7 Tree types

Tree types	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character, landscaping or environmental policy, objective, strategy or statement set out in this planning scheme.
- The design response.
- The health of any trees to be removed.
- The suitability of the proposed location, deep soil area and planter soil volume for canopy trees.

- The suitability of the proposed landscaping in communal outdoor open space.
- The type and quantity of canopy cover, including any alternatives to trees.
- The soil type and drainage patterns of the site.
- The ongoing management of landscaping, including any irrigation systems.

55.07-5

26/10/2018
VC154

Integrated water and stormwater management objectives

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

55.07-6

20/12/2021
VC174

Access objective

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure that vehicle crossovers are designed and located to minimise visual impact.

Standard B40

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Development must provide 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 street.
- The impact on the safety of pedestrians or cyclists.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and road reserve.

55.07-7

20/12/2021
VC174

Noise impacts objective

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.

Standard B41

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table B8 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table B8 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane

Noise source	Noise influence area
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

55.07-8

20/12/2021
VC174

Accessibility objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B42

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B9.

Table B9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.

	Design option A	Design option B
Circulation area	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing. <p>The circulation area for the toilet and shower can overlap.</p>	<p>A clear circulation area that is:</p> <ul style="list-style-type: none"> A minimum width of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. <p>The circulation area can include a shower area.</p>
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

55.07-9

20/12/2021
VC174

Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B43

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table B10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table B10 should be increased by at least 1.5 square metres.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

Table B10 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, noise exposure, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

55.07-10

20/12/2021
VC174

Storage objective

To provide adequate storage facilities for each dwelling.

Standard B44

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B11.

Table B11 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

55.07-11

24/01/2020
VC160

Waste and recycling objectives

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard B45

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - Adequate in size, durable, waterproof and blend in with the development.
 - Adequately ventilated.
 - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

55.07-12

20/12/2021
VC174

Functional layout objective

To ensure dwellings provide functional areas that meet the needs of residents.

Standard B46

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B12.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table B12 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.

Table B13 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

55.07-13

13/04/2017
VC136

Room depth objective

To allow adequate daylight into single aspect habitable rooms.

Standard B47

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

55.07-14

13/04/2017
VC136

Windows objective

To allow adequate daylight into new habitable room windows.

Standard B48

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

55.07-15

13/04/2017
VC136

Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard B49

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

55.07-16

20/12/2021
VC174

Building entry and circulation objectives

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B50

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
 - Include at least one source of natural light and natural ventilation.
 - Avoid obstruction from building services.
 - Maintain clear sight lines.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

55.07-17

20/12/2021
VC174

Integration with the street objective

To integrate the layout of development with the street.

To support development that activates street frontages.

Standard B51

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

55.07-18

20/12/2021
VC174

Site services objective

To ensure that site services are accessible and can be easily installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard B52

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

55.07-19

20/12/2021
VC174

External walls and materials objective

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

Standard B53

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant building design and urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

RESIDENTIAL SUBDIVISION

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application

These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

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

An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.

Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.

56.0116/01/2018
VC142**56.01-1**16/01/2018
VC142**SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE****Subdivision 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, size, dimensions and orientation.
 - Levels and contours of the site.
 - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
 - The siting and use of existing buildings and structures.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Access points.
 - Location of drainage and other utilities.
 - Easements.
 - Any identified natural or cultural features of the site.
 - Significant views to and from the site.
 - Noise and odour sources or other external influences.
 - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
 - Any other notable features or characteristics of the site.
 - Adjacent uses.
 - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.
- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
 - The pattern of subdivision.
 - Existing land uses.
 - The location and use of existing buildings on adjacent land.
 - Abutting street and path widths, materials and detailing.
 - The location and type of significant vegetation.
- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
 - Location, distance and type of any nearby public open space and recreational facilities.
 - Direction and distances to local shops and community facilities.
 - Directions and walking distances to public transport routes and stops.
 - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.

- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Satisfactory subdivision site and context description

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

09/10/2006
VC42

Subdivision design response

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.

56.02

09/10/2006
VC42

56.02-1

09/10/2006
VC42

POLICY IMPLEMENTATION

Strategic implementation objective

To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1

An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.

56.0319/09/2017
VC132**56.03-1**09/10/2006
VC42**LIVEABLE AND SUSTAINABLE COMMUNITIES****Compact and walkable neighbourhoods objectives**

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
 - Clause 56.03-2 Activity centres
 - Clause 56.03-3 Planning for community facilities
 - Clause 56.04-1 Lot diversity and distribution
 - Clause 56.06-2 Walking and cycling network
 - Clause 56.06-3 Public transport network
 - Clause 56.06-4 Neighbourhood street network
- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.
- Shows the layout of the subdivision in relation to the surrounding area.
- Is designed to be accessible for people with disabilities.

56.03-209/10/2006
VC42**Activity centre objective**

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.

56.03-309/10/2006
VC42**Planning for community facilities objective**

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

56.03-409/10/2006
VC42**Built environment objective**

To create urban places with identity and character.

Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

56.03-509/10/2006
VC42**Neighbourhood character objective**

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:

MANNINGHAM PLANNING SCHEME

- 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.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.

56.0409/10/2006
VC42**LOT DESIGN****56.04-1**09/10/2006
VC42**Lot diversity and distribution objectives**

To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.

To provide higher housing densities within walking distance of activity centres.

To achieve increased housing densities in designated growth areas.

To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7

A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.

Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.

A range and mix of lot sizes should be provided including lots suitable for the development of:

- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.

Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

56.04-209/10/2006
VC42**Lot area and building envelopes objective**

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8

An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent 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 dwellings that are built to the boundary, 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.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

56.04-3

09/10/2006
VC42

Solar orientation of lots objective

To provide good solar orientation of lots and solar access for future dwellings.

Standard C9

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- 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.

56.04-4

09/10/2006
VC42

Street orientation objective

To provide a lot layout that contributes to community social interaction, personal safety and property security.

Standard C10

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

56.04-5

09/10/2006
VC42

Common area objectives

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

Standard C11

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.

56.0501/10/2009
VC58**56.05-1**09/10/2006
VC42**URBAN LANDSCAPE****Integrated urban landscape objectives**

To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

56.05-201/10/2009
VC58**Public open space provision objectives**

To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.

To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

Standard C13

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
 - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
 - Additional small local parks or public squares in activity centres and higher density residential areas.
 - Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
 - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
 - Sufficient to incorporate two football/cricket ovals
 - Appropriate for the intended use in terms of quality and orientation
 - Located on flat land (which can be cost effectively graded)
 - Located with access to, or making provision for, a recycled or sustainable water supply
 - Adjoin schools and other community facilities where practical
 - Designed to achieve sharing of space between sports.
 - Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.

56.0618/06/2010
VC62**ACCESS AND MOBILITY MANAGEMENT****56.06-1**18/06/2010
VC62**Integrated mobility objectives**

To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14

An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

56.06-209/10/2006
VC42**Walking and cycling network objectives**

To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15

The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

56.06-309/10/2006
VC42**Public transport network objectives**

To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.

To encourage maximum use of public transport.

Standard C16

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
 - Safe and direct movement between activity centres without complicated turning manoeuvres.
 - Direct travel between neighbourhoods and neighbourhood activity centres.
 - A short and safe walk to a public transport stop from most dwellings.

56.06-4

14/05/2021
VC198

Neighbourhood street network objective

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

Standard C17

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Head, Transport for Victoria’s arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.

- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area's character and identity.
- Take account of any identified significant features.

56.06-5

09/10/2006
VC42

Walking and cycling network detail objectives

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Standard C18

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
 - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
 - Discharge of urban run-off.
 - Preservation of all-weather access.
 - Maintenance of a reasonable, comfortable riding quality.
 - A minimum 20 year life span.

- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

56.06-6

09/10/2006
VC42

Public transport network detail objectives

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

Standard C19

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.

Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.

- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

56.06-7

15/09/2008
VC49

Neighbourhood street network detail objective

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

Standard C20

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.

- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
 - Enable the carriage of vehicles.
 - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
 - Safe passage of pedestrians, cyclists and vehicles.
 - Discharge of urban run-off.
 - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
 - Perform the required integrated water management functions.
 - Delineate the edge of the carriageway for all street users.
 - Provide efficient and comfortable access to abutting lots at appropriate locations.
 - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.
- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
- Water sensitive urban design features.
- 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.

56.06-818/06/2010
VC62**Lot access objective**

To provide for safe vehicle access between roads and lots.

Standard C21

Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets**Access Lane**

A side or rear lane principally providing access to parking on lots with another street frontage.

Traffic volume¹	300vpd
Target speed²	10kph
Carriageway width³ & parking provision within street reservation	5.5m ⁶ wide with no parking spaces to be provided. Appropriately signed.
Verge width⁴	No verge required.
Kerbing⁵	
Footpath provision	None Carriageway designed as a shared zone and appropriately signed.
Cycle path provision	None

Access Place

A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

Traffic volume¹	300vpd to 1000vpd
Target speed²	15kph
Carriageway width³ & parking provision within street reservation	5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.
Verge width⁴	7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.

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Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed. or 1.5m wide footpath offset a minimum distance of 1m from the kerb.
Cycle path provision	None

Access Street - Level 1

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume¹	1000vpd to 2000vpd
Target speed²	30kph
Carriageway width³ & parking provision within street reservation	5.5m wide with 1 hard standing verge parking space per 2 lots.
Verge width⁴	4m minimum each side
Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb.
Cycle path provision	Carriageway designed as a shared zone and appropriately signed.

Access Street - Level 2

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume¹	2000vpd to 3000vpd
Target speed²	40kph
Carriageway width³ & parking provision within street reservation	7m-7.5m wide with parking on both sides of carriageway
Verge width⁴	4.5m minimum each side
Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.

Be offset a minimum distance of 1m from the kerb.

Cycle path provision	Carriageway designed as a shared zone and appropriately signed.
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Connector Street - Level 1

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

Traffic volume¹	3000 vpd
Target speed²	50 kph ⁷ reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.
Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation	<ul style="list-style-type: none"> ▪ 3.5m minimum lane width in each direction of travel. ▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections. ▪ For on-street cycling, increase the minimum clear carriageway in each direction by: <ul style="list-style-type: none"> - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or - 1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or - 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway. ▪ An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided. ▪ Bus stops at the kerbside, not indented within the verge.
Verge width⁴	4.5m minimum each side.
Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	<ul style="list-style-type: none"> ▪ 1.5m wide footpaths on both sides. ▪ Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. ▪ Footpaths offset a minimum distance of 1m from the kerb.

Connector Street - Level 2

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

Traffic volume¹	3,000 vpd to 7,000 vpd
Target speed²	60 kph ⁸ or 50km/h reduced to 40kph at schools.

MANNINGHAM PLANNING SCHEME

Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation	<ul style="list-style-type: none"> ▪ 3.5m minimum lane width in each direction of travel. ▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections. ▪ 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium. ▪ 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium. ▪ For on-street cycling, increase the minimum clear carriageway in each direction by: <ul style="list-style-type: none"> - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or - 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway - 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or - 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway. ▪ An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided. ▪ Bus stops located at the kerbside, not indented within the verge.
Verge width⁴	<ul style="list-style-type: none"> ▪ 6m minimum each side (plus central median).
Kerbing⁵	<ul style="list-style-type: none"> ▪ Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath and cycle path provision	<ul style="list-style-type: none"> ▪ 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or ▪ 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway. ▪ Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. ▪ Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.
Arterial Road	
Traffic volume¹	Greater than 7000vpd
Target speed²	Arterial road design as required by the relevant roads authority.
Carriageway width³ & parking provision within street reservation	Arterial road design as required by the relevant roads authority.

Verge width⁴	Arterial road design as required by the relevant roads authority.
Kerbing⁵	Arterial road design as required by the relevant roads authority.
Footpath & cycle path provision	3m wide shared path on each side or as otherwise required by the relevant roads authority.

Key to Table C1

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. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.
3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.
4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.
5. 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.
6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.
7. 50kph is the default urban speed limit in Victoria.
8. Target speed must not exceed the legal speed limit.

56.07

29/10/2015
VC101

INTEGRATED WATER MANAGEMENT

56.07-1

09/10/2006
VC42

Drinking water supply objectives

To reduce the use of drinking water.

To provide an adequate, cost-effective supply of drinking water.

Standard C22

The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

56.07-2

29/10/2015
VC101

Reused and recycled water objective

To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23

Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-3

01/07/2021
VC203

Waste water management objective

To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24

Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with a domestic waste water management plan adopted by the relevant council.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-4

26/10/2018
VC154

Stormwater management objectives

To minimise damage to properties and inconvenience to residents from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

56.08

09/10/2006
VC42

56.08-1

09/10/2006
VC42

SITE MANAGEMENT

Site management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.

To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26

A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.

56.09

22/08/2014
VC118

UTILITIES

56.09-1

22/08/2014
VC118

Shared trenching objectives

To maximise the opportunities for shared trenching.

To minimise constraints on landscaping within street reserves.

Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

56.09-2

09/10/2006
VC42

Electricity, telecommunications and gas objectives

To provide public utilities to each lot in a timely, efficient and cost effective manner.

To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

56.09-3

15/09/2008
VC49

Fire hydrants objective

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

56.09-4

09/10/2006
VC42

Public lighting objective

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.

To provide pedestrians with a sense of personal safety at night.

To contribute to reducing greenhouse gas emissions and to saving energy.

Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.

57

31/07/2018
VC148

[NO CONTENT]

APARTMENT DEVELOPMENTS

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage apartment development that provides reasonable standards of amenity for existing and new residents.

To encourage apartment development that is responsive to the site and the surrounding area.

Application

Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:

- The apartment development is five or more storeys, excluding a basement, and is in the General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

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 a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.

58.01

16/01/2018
VC142

58.01-1

13/04/2017
VC136

URBAN CONTEXT REPORT AND DESIGN RESPONSE

Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

58.01-2

16/01/2018
VC142

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.
- 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.
- 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.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

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 58.01-2 and is satisfactory.

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

58.01-3

20/12/2021
VC174

Design response

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Selects materials and finishes for the external walls.
- 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.

58.02

31/07/2018
VC148

58.02-1

13/04/2017
VC136

URBAN CONTEXT

Urban context objectives

To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.

To ensure that development responds to the features of the site and the surrounding area.

Standard D1

The design response must be appropriate to the urban context and the site.

The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

58.02-2

31/07/2018
VC148

Residential policy objectives

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2

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 Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

58.02-3

13/04/2017
VC136

Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

58.02-4

01/07/2021
VC203

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 D4

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, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

58.02-5

20/12/2021
VC174

Integration with the street objective

To integrate the layout of development with the street.

To support development that activates street frontage.

Standard D5

Development should be oriented to front existing and proposed streets.

Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

58.0331/07/2018
VC148**58.03-1**13/04/2017
VC136**SITE LAYOUT****Energy efficiency objectives**

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard D6

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 optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

58.03-220/12/2021
VC174**Communal open space objective**

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, practical, attractive, easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard D7

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The availability of and access to public open space.

58.03-313/04/2017
VC136**Solar access to communal outdoor open space objective**

To allow solar access into communal outdoor open space.

Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

58.03-4

13/04/2017
VC136

Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings 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 guideline

Before deciding on an application, the responsible authority must consider the design response.

58.03-5

20/12/2021
VC174

Landscaping objectives

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard D10

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.
- Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
 - Consistent with the canopy diameter and height at maturity specified in Table D4.
 - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.

MANNINGHAM PLANNING SCHEME

- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table D3 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table D4 Tree type

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character, landscaping or environmental policy, objective, strategy or statement set out in this planning scheme.
- The design response.
- The health of any trees to be removed.
- The suitability of the proposed location, deep soil area and planter volume for canopy trees.
- The suitability of the proposed landscaping in communal outdoor open space.
- The type and quantity of canopy cover, including any alternatives to trees.
- The soil type and drainage patterns of the site.
- The ongoing management of landscaping, including any irrigation systems.

58.03-6

20/12/2021
VC174

Access objective

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure the vehicle crossovers are designed and located to minimise visual impact.

Standard D11

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

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 street.
- The impact on the safety of pedestrians or cyclists.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and road reserve.

58.03-7

13/04/2017
VC136

Parking location objectives

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

Standard D12

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings 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 guideline

Before deciding on an application, the responsible authority must consider the design response.

58.03-8

26/10/2018
VC154

Integrated water and stormwater management objectives

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

58.04

13/04/2017
VC136

58.04-1

13/04/2017
VC136

AMENITY IMPACTS

Building setback objectives

To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.

To allow adequate daylight into new dwellings.

To limit views into habitable room windows and private open space of new and existing dwellings.

To provide a reasonable outlook from new dwellings.

To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14

The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

58.04-2

13/04/2017
VC136

Internal views objective

To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.04-320/12/2021
VC174**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D5 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.

- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

58.04-4

20/12/2021
VC174

Wind impacts objective

To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

Standard D32

Development of five or more storeys, excluding a basement should:

- not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table D6 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: <ul style="list-style-type: none"> ▪ 3 metres per second for sitting areas, ▪ 4 metres per second for standing areas, ▪ 5 metres per second for walking areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The urban context report.
- The design response.
- The safety, functionality and amenity of public, private and communal open space areas.
- Whether it has been demonstrated by a suitably qualified specialist that the development will not generate unacceptable wind impacts within the site or on surrounding land.

58.05

13/04/2017
VC136

58.05-1

20/12/2021
VC174

ON-SITE AMENITY AND FACILITIES

Accessibility objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D17

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.

Table D7 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

58.05-2

13/04/2017
VC136

Building entry and circulation objectives

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard D18

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
 - Include at least one source of natural light and natural ventilation.
 - Avoid obstruction from building services.
 - Maintain clear sight lines.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

58.05-3

20/12/2021
VC174

Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D19

A dwelling should have private open space consisting of at least one of the following:

- An area of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

Table D8 Balcony size

Dwelling type	Minimum area	Minimum dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres

Dwelling type	Minimum area	Minimum dimension
3 or more bedroom dwelling	12 square metres	2.4 metres

Table D9 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, noise exposure, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
- The useability and functionality of any additional living area or bedroom area, including its size and layout.

58.05-4

20/12/2021
VC174

Storage objective

To provide adequate storage facilities for each dwelling.

Standard D20

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Table D10 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

58.06

13/04/2017
VC136

DETAILED DESIGN

58.06-1

13/04/2017
VC136

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 D21

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

58.06-2

20/12/2021
VC174

Site services objectives

To ensure that site services are accessible and can be installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard D22

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.

Decision guideline

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

58.06-3

24/01/2020
VC160

Waste and recycling objectives

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard D23

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - Adequate in size, durable, waterproof and blend in with the development.
 - Adequately ventilated.
 - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

58.06-4

20/12/2021
VC174

External walls and materials objective

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

Standard D24

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant building design and urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

58.0713/04/2017
VC136**58.07-1**20/12/2021
VC174**INTERNAL AMENITY****Functional layout objective**

To ensure dwellings provide functional areas that meet the needs of residents.

Standard D25

Bedrooms should:

- Meet the minimum internal room dimensions and area specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions and area to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Table D11 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table D12 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

58.07-220/12/2021
VC174**Room depth objective**

To allow adequate daylight into single aspect habitable rooms.

Standard D26

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

58.07-3

20/12/2021
VC174

Windows objective

To allow adequate daylight into new habitable room windows.

Standard D27

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

58.07-4

20/12/2021
VC174

Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard D28

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.

MANNINGHAM PLANNING SCHEME

- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

VICSMART APPLICATIONS AND REQUIREMENTS

59.0131/07/2018
VC148**59.01-1**01/07/2021
VC203**REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
 - The location of any easements on the subject land.
 - The location of the approved stormwater discharge point.
 - The location and details of any significant vegetation.
 - The location of any street trees, poles, pits or other street furniture.
 - Existing and proposed vehicle access to the lots.
 - Any abutting roads.
 - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
 - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- A written statement that describes:
 - The existing use of the land and its possible future development.
 - The reason for the realignment of the common boundary.
 - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and the risks to human health and the environment of a on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

59.01-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
 - Respond to and integrate with the surrounding urban or rural environment.
 - Protect significant vegetation.

MANNINGHAM PLANNING SCHEME

- Appropriately accommodate any existing or proposed easements on the lots.
 - Protect solar access for existing and any future dwellings on the lots.
 - Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
 - Appropriately accommodate private open space.
 - Appropriately accommodate the provision of utility services to each lot.
 - If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
 - Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
 - Appropriately accommodate the existing use and possible future development of the land.
- Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
 - If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.
 - The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
 - Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

59.0231/07/2018
VC148**59.02-1**01/07/2021
VC203**SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location of any existing buildings, car parking areas and private open space.
 - The location, shape and size of the proposed lots to be created.
 - The location of any easements on the subject land.
 - The location and details of any significant vegetation.
 - The location of the approved stormwater discharge point.
 - Any abutting roads.
 - The location of any street trees, poles, pits and other street furniture.
 - Existing and proposed vehicle access to the lots.
 - Any loading bays and vehicle standing areas.
 - Any waste storage areas.
 - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and manage the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

59.02-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
 - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
 - Are consistent with the layout of existing buildings and car parking spaces on the land.
 - Appropriately accommodate any existing waste storage areas.

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- Appropriately accommodate any existing loading bay and vehicle storage area.
 - Appropriately accommodate significant vegetation.
 - Appropriately accommodate existing or proposed easements on the lots.
 - Appropriately accommodate the provision of utility services to each lot.
 - Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
 - For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.
 - Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.
 - Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.
 - The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
 - Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

59.03

31/07/2018
VC148

FRONT FENCE IN A RESIDENTIAL ZONE

59.03-1

31/07/2018
VC148

Information requirements

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

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location, length, height and design of the proposed fence including details of materials.
 - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

59.03-2

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
 - Appropriate to the neighbourhood character and the site.
 - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
 - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
 - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.

59.0431/07/2018
VC148**59.04-1**31/07/2018
VC148**BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and use of buildings and works on adjoining land.
 - Relevant ground levels.
 - Any contaminated soils and filled areas, where known.
 - The layout of existing and proposed buildings and works.
 - All existing and proposed driveways, car parking, bicycle parking and loading areas.
 - Existing and proposed landscape areas.
 - All external storage and waste treatment areas.
 - The location of easements and services.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
 - The built form and character of adjoining and nearby buildings.
 - The heritage character of any adjoining heritage places.
 - Ground floor street frontages, including visual impacts and pedestrian safety.
- A written statement describing whether the proposed buildings and works meet:
 - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
 - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
 - The requirements in the following standards of Clause 54:
 - A10 Side and rear setbacks.
 - A11 Walls on boundaries.
 - A12 Daylight to existing windows.
 - A13 North-facing windows.
 - A14 Overshadowing open space.

- A15 Overlooking.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

59.04-2

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and 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.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
 - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
 - Whether the development is compatible with residential use.
 - The scale and intensity of the development.
 - The design, height, setback and appearance of the proposed buildings and works.

59.0531/07/2018
VC148**59.05-1**31/07/2018
VC148**BUILDINGS AND WORKS IN AN OVERLAY****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location, height and design of the proposed buildings and works including details of materials.
 - The location of any existing buildings, including fences and trees.
 - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
 - The built form and character of adjoining and nearby buildings.
 - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
 - If demolition is proposed, the reason for the demolition.
 - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
 - How the proposal responds to the design objectives specified in a schedule to the overlay.
 - How the proposal meets the requirements specified in a schedule to the overlay.
 - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
 - The extent of any proposed earthworks.
 - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

59.05-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.

MANNINGHAM PLANNING SCHEME

- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.

59.06

31/07/2018
VC148

REMOVE, DESTROY OR LOP A TREE

59.06-1

31/07/2018
VC148

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The location, shape, size and slope of the site.
 - The location of the tree to be removed, destroyed or lopped.
 - The location and type of other significant vegetation on the site.
 - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
 - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
 - The reason the tree is to be removed, destroyed or lopped.
 - If provision is to be made to replace the tree elsewhere on the land.
 - If the tree is to be lopped, the extent of lopping proposed.
 - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

59.06-2

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defensible space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.

59.0731/07/2018
VC148**59.07-1**24/01/2020
VC160**APPLICATIONS UNDER A HERITAGE OVERLAY****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location of any existing buildings, including fences and trees.
 - The location, height and design of the proposed building or works including details of proposed materials.
 - Any buildings to be demolished.
 - An elevation of the proposed building.
 - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
 - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
 - Any impacts on the significance of the heritage place.
 - How the proposal responds to any relevant local heritage policy set out in the scheme.
 - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
 - The location, size and design of the proposed sign on the site or building.
 - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy system is proposed that is visible from the street frontage or any nearby public park:
 - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

59.07-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

General

- The significance of the heritage place and whether the proposal will adversely affect that significance.

- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the proposal will adversely affect the character or appearance of the building or heritage place.
- Whether the proposal meets any relevant local heritage policy set out in the scheme.

Demolition

- Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

Buildings and works

- Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
- Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

Alterations

- Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
- Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

Fences

- Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
- Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

Trees

- Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

Subdivision

- Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
- Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
- Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

Signage

- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

59.0831/07/2018
VC148**APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY****59.08-1**31/07/2018
VC148**Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
 - The boundaries and dimensions of the site.
 - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
 - Setbacks between existing and proposed buildings and site boundaries.
 - Natural surface levels of the site to Australian Height Datum.
 - Floor and surface levels of any existing and proposed buildings and works 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.
 - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

59.08-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, 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.
- The flood risk including:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
 - 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 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.

59.0931/07/2018
VC148**59.09-1**31/07/2018
VC148**SIGNS****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
 - The location of the proposed sign on the site or building and distance from property boundaries.
 - The location and size of existing signs on the site including details of any signs to be retained or removed.
 - The location and form of existing signs on adjoining properties and in the locality.
 - The location of closest traffic control signs.
 - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

59.09-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
 - Natural environment, heritage, waterway, open space and rural landscape values.
 - The desired future character of the area.
 - The cumulative impact of signs on the character of an area.
 - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
 - Important views from the public realm.
 - Significant public views.
 - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
 - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
 - Screening of unsightly elements.
 - The number, scale and location of existing signs.
 - The ability to rationalise or simplify the number of signs.
 - The ability to include landscaping to reduce the visual impact of the proposed sign structure.

MANNINGHAM PLANNING SCHEME

- The extent to which the proposed sign requires the removal of vegetation.
- Whether the proposed sign is consistent with any outdoor advertising theme.
- Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
- Whether the proposed sign will adversely impact road safety.

59.10

31/07/2018
VC148

CAR PARKING

59.10-1

31/07/2018
VC148

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
 - The boundaries and dimensions of the site.
 - The location of existing buildings.
 - All car parking spaces and access lanes.
 - Allocation of car parking spaces to different uses or tenancies, if applicable.
 - Landscaping and sensitive water design treatments.
- A written statement that describes:
 - The proposed use of the site, number of employees and patrons and hours of operation.
 - The previous use of the site.
 - The site and floor area to be occupied.
 - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
 - The total number of car parking spaces provided.
 - The likely impact of a reduction in car parking on the amenity of the area and on the area's existing car parking.

59.10-2

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
 - Efficiencies gained from the consolidation of shared car parking spaces.
 - Public car parks intended to serve the land.
 - On street parking in non-residential zones.
 - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.

MANNINGHAM PLANNING SCHEME

- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.

59.11

31/07/2018
VC148

[NO CONTENT]

59.1231/07/2018
VC148**TWO LOT SUBDIVISION IN A RURAL ZONE****59.12-1**31/07/2018
VC148**Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location of any existing buildings and associated works.
 - The location, shape and size of the proposed lots to be created.
 - The location of any easements on the subject land.
 - The location of any significant vegetation, waterways and wetlands.
 - The location of the approved stormwater discharge point and effluent disposal areas.
 - Any abutting roads.
 - Existing and proposed vehicle access to the lots.

59.12-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
 - Are consistent with the layout of existing buildings and associated works on the land.
 - Appropriately accommodate significant vegetation.
 - Appropriately accommodate existing or proposed easements on the lots.
 - Appropriately accommodate the provision of utility services to each lot.
 - Appropriately accommodate existing and proposed vehicle access to the lots.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Any Regional Catchment Strategy applying to the land.
- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.

59.1331/07/2018
VC148**BUILDINGS AND WORKS IN A RURAL ZONE****59.13-1**31/07/2018
VC148**Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location of any waterway or wetlands.
 - The location and use of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All existing and proposed driveways, car parking and loading areas.
 - Existing and proposed landscape areas.
 - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

59.13-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.
- Whether the development will require traffic management measures.

MANNINGHAM PLANNING SCHEME

- For buildings and works associated with a dwelling:
 - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
 - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
 - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
 - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

59.1431/07/2018
VC148**59.14-1**31/07/2018
VC148**EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site plan, drawn to scale and fully dimensioned showing:
 - 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 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 of the site.
 - In relation to the neighbourhood:
 - The built form, scale and character of surrounding development.
 - Architectural and roof styles.
 - Any other notable features or characteristics of the neighbourhood.
- A site and layout plan, drawn to scale and fully dimensioned showing:
 - Site shape, size, orientation, easements and site levels.
 - Adjoining roads.
 - The location and use of buildings and works on adjoining land.
 - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
 - All existing and proposed driveways and crossovers.
 - Existing and proposed landscape and open space areas.
 - All external storage, waste areas and services.
- An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.
- Photographs of the building or area affected by the proposal.
- A written statement, plan or diagram demonstrating how the proposal meets:
 - The garden area requirement specified in the zone.
 - The requirements in the following standards of Clause 54:

- A10 Side and rear setbacks.
- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.
- The objectives and requirements in the following standards of Clause 54:
 - Clause 54.02-1 Neighbourhood character objective and standard A1.
 - Clause 54.03-3 Site coverage objective and standard A5.
 - Clause 54.03-4 Permeability objectives and standard A6.
 - Clause 54.03-5 Energy efficiency protection objectives and standard A7.
 - Clause 54.03-6 Significant trees objectives and standard A8.
 - Clause 54.05-1 Daylight to new windows objective and standard A16.
 - Clause 54.05-2 Private open space objective and standard A17.
 - Clause 54.05-3 Solar access to open space objective and Standard A18.
 - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

59.14-2

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The following objectives, standards and decision guidelines of Clause 54:
 - Clause 54.02-1 Neighbourhood character objective and standard A1.
 - Clause 54.03-3 Site coverage objective and standard A5.
 - Clause 54.03-4 Permeability objective and standard A6.
 - Clause 54.03-5 Energy efficiency protection objective and standard A7.
 - Clause 54.03-6 Significant trees objective and standard A8.
 - Clause 54.05-1 Daylight to new windows objective and standard A16.
 - Clause 54.05-2 Private open space objective and standard A17.
 - Clause 54.05-3 Solar access to open space objective and Standard A18.
 - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

59.1531/07/2018
VC148**LOCAL VICSMART APPLICATIONS**

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

1.0

31/07/2018
VC148

Table 1 Classes of local VicSmart application under zone provisions

Name of zone or class of zone	Class of application	Permit requirement provision	Information requirements and decision guidelines
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None specified

2.0

31/07/2018
VC148

Table 2 Classes of local VicSmart application under overlay provisions

Name of overlay or class of overlay	Class of application	Permit requirement provision	Information requirements and decision guidelines
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None specified

3.0

27/05/2019
C126mann

Table 3 Classes of local VicSmart application under particular provisions

Name of particular provision	Class of application	Permit requirement provision	Information requirements and decision guidelines
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None specified

59.16

31/07/2018
VC148

**INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL
VICSMART APPLICATIONS**

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.

27/05/2019
C126mann

**SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION
GUIDELINES FOR LOCAL VICSMART APPLICATIONS**

1.0

31/07/2018
VC148

Information requirements

None specified

2.0

31/07/2018
VC148

Decision guidelines

None specified

60

31/07/2018
VC148

GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.

61

31/07/2018
VC148

[NO CONTENT]

62

31/07/2018
VC148

GENERAL EXEMPTIONS

62.0117/09/2019
VC161**USES NOT REQUIRING A PERMIT**

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- 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.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
- The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.

62.0215/03/2019
VC157**BUILDINGS AND WORKS**

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

62.02-101/07/2021
VC203**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, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- 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.
- Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the *Dangerous Goods Act 1985* or the *Occupational Health and Safety Act 2004* or a Development Licence, Operating Licence or notice under the *Environment Protection 2017*.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the *Water Act 1989*.
- Buildings 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.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children's cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the *Water Act 1989*.

- Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.
- An annexe attached to a movable caravan located on land used for a camping and caravan park.
- Works associated with geotechnical testing or service proving.
- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

62.02-2

31/07/2018
VC148

Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
- Disability access and disability facilities associated with an education centre (not including a lift external to a building).
- Art work that is carried out by or on behalf of a public land manager.
- Oil pipelines.
- Buildings and works associated with a dependent person's unit.
- 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.
- Domestic services normal to a dwelling.
- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.

- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.
- A disabled access ramp.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- A solar energy facility attached to a building that primarily services the land on which it is situated.
- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

62.02-3

30/08/2006
VC40

Vegetation removal

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.

62.03

28/03/2018
VC145

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 site.

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 three metres.

62.05

28/03/2018
VC145

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

28/03/2018
VC145

EXISTING USES

63.01

28/03/2018
VC145

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

31/07/2018
VC148

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 73.03 or in Section 1, 2 or 3 of any zone.

63.03

28/03/2018
VC145

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

28/03/2018
VC145

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

28/03/2018
VC145

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

28/03/2018
VC145

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

28/03/2018
VC145

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 code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and *Lands Act 1987*.
- The code of practice is approved or ratified by Parliament under an Act.

63.08

28/03/2018
VC145

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

28/03/2018
VC145

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

28/03/2018
VC145

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

28/03/2018
VC145

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

28/03/2018
VC145

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.

GENERAL PROVISIONS FOR USE AND DEVELOPMENT OF LAND

64.01

28/03/2018
VC145

LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.

64.02

28/03/2018
VC145

LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.

64.03

28/03/2018
VC145

SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
 - To comply with the requirements of the Urban Floodway Zone.
 - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.

65

28/03/2018
VC145

DECISION GUIDELINES

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.

65.0109/12/2021
VC204**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.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- 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 environment, human health and 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.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

65.0209/12/2021
VC204**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.
- The impact the development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the kinds 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.

These provisions also specify when a plan must be referred under section 8(1)(a) of the *Subdivision Act 1988*.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with section 55 of the Act.

Any requirement for referral under this or another clause 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; or
- The application is for the use or development of land for extractive industry or mining and a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority (other than the Head, Transport for Victoria) under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

Notice

Notice of an application of the kind listed in Clauses 66.05 and 66.06 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.

Any requirement for notice under this or another clause 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.

66.0128/03/2018
VC145**SUBDIVISION REFERRALS**

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

Kind of application	Referral authority	Type of referral authority
To subdivide land other than: <ul style="list-style-type: none"> ▪ A boundary realignment. ▪ The subdivision of an existing building already connected to services. ▪ A two lot subdivision. ▪ The subdivision of land into lots each containing an existing dwelling or car parking space. 	The relevant water, drainage or sewerage authority The relevant electricity supply or distribution authority The relevant gas supply authority	Determining referral authority Determining referral authority Determining referral authority
To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.	Country Fire Authority	Determining referral authority
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 <i>Land Act 1958</i>	Determining referral authority
To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.	The relevant gas supply authority	Determining referral authority
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	Determining referral authority
To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.	The Executive Director specified in the <i>Heritage Act 2017</i>	Determining referral 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.

66.01-118/02/2013
VC81**Mandatory conditions for subdivision permits**

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and

- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 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 and gas 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.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

66.01-2

15/09/2008
VC49

Referrals under the Subdivision Act – certification of plans

For the purpose of Section 8(1)(a) of the *Subdivision Act 1988* referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- 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.
- 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.

66.0231/07/2018
VC148**USE AND DEVELOPMENT REFERRALS**

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

66.02-101/07/2021
VC203**Works approval or licence**

Kind of application	Referral authority	Type of referral authority
For a use or development requiring any of the following:	Environment Protection Authority	Determining referral authority
<ul style="list-style-type: none"> A Development Licence or Operating Licence in accordance with Part 4.4 of the <i>Environment Protection Act 2017</i>. Amendment of a licence in accordance with Part 4.3 of the <i>Environment Protection Act 2017</i>. 		

66.02-212/12/2017
VC138**Native vegetation**

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (Department of Environment, Land, Water and Planning, 2017). To remove, destroy or lop native vegetation if a property vegetation plan applies to the site. To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority. 	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>)	Recommending referral authority

66.02-325/05/2017
VC133**Cattle feedlot**

Kind of application	Referral authority	Type of referral authority
To use or develop land for a cattle feedlot.	Minister for Agriculture	Determining referral authority
	If the site is located within a special water supply catchment area under the <i>Catchment and Land Protection Act 1994</i> , the relevant water authority under the <i>Water Act 1989</i> and the Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>	Determining referral authority
	If the number of cattle is 5000 or more, the Environment Protection Authority	Determining referral authority

66.02-425/05/2017
VC133**Major electricity line or easement**

Kind of application	Referral authority	Type of referral authority
To construct a building or 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	Determining referral authority

66.02-519/09/2017
VC132**Special water supply catchment area**

Kind of application	Referral authority	Type of referral authority
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 <i>Catchment and Land Protection Act 1994</i> and which provides water to a domestic supply. This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.	The relevant water board or water supply authority	Determining referral authority

66.02-625/05/2017
VC133**Timber production**

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> ▪ To use or develop land for timber production by establishing a plantation. ▪ 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. 	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>)	Determining referral authority

66.02-726/05/2020
VC175**Industry, utility installation or warehouse**

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> ▪ To use land for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the threshold distance is not to be met. 	Environment Protection Authority	Determining referral authority
<ul style="list-style-type: none"> ▪ To use land for an industry, utility installation or warehouse if any of the following apply: <ul style="list-style-type: none"> - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012. 	The Victorian WorkCover Authority	Determining referral authority

MANNINGHAM PLANNING SCHEME

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> - A notification is required under the Occupational Health and Safety Regulations 2017. - A licence is required under the Dangerous Goods (Explosives) Regulations 2011. - A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture. 		
<ul style="list-style-type: none"> ■ To construct a building or construct or carry out works on land used for an industry, utility installation or warehouse if the area of the buildings and works will increase by more than 25 per cent and any of the following apply: <ul style="list-style-type: none"> - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012. - A notification is required under the Occupational Health and Safety Regulations 2017. - A licence is required under the Dangerous Goods (Explosives) Regulations 2011. - A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture. 	The Victorian WorkCover Authority	Determining referral authority

66.02-8

14/05/2021
VC198

Extractive industry

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> ■ To use or develop land for extractive industry. 	<p>Secretary to the Department administering the <i>Heritage Act 1995</i>.</p> <p>Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i></p>	Determining referral authority
<ul style="list-style-type: none"> ■ 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 <i>Land Act 1958, Crown Land (Reserves) Act 1978, National Parks Act 1975</i> and <i>Forests Act 1958</i> .	Determining referral authority
<ul style="list-style-type: none"> ■ To use or develop land for extractive industry: <ul style="list-style-type: none"> - In Special Areas declared under Section 27 of the <i>Catchment and Land Protection Act 1994</i>. 	Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>	Determining referral authority

MANNINGHAM PLANNING SCHEME

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> - 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. - 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. 		
<ul style="list-style-type: none"> ■ To use or develop land for extractive industry: <ul style="list-style-type: none"> - In areas with communities or taxa listed or critical habitat determined under the <i>Flora and Fauna Guarantee Act 1988</i>. - On land which has been identified in this scheme as containing sites of flora or fauna significance. 	Secretary to the Department administering the <i>Flora and Fauna Guarantee Act 1988</i>	Determining referral authority
<ul style="list-style-type: none"> ■ 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 Section 201 of the <i>Water Act 1989</i>	Determining referral authority
<ul style="list-style-type: none"> ■ To use or develop land for extractive industry if the land is intended to be used for land fill at a future date. 	Environment Protection Authority	Determining referral authority
<ul style="list-style-type: none"> ■ To use or develop land for extractive industry: <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 <i>Road Management Act 2004</i> 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 <i>Road Management Act 2004</i>. 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 Head, Transport for Victoria and the declared road is not a freeway. 	Head, Transport for Victoria	Determining referral authority

66.02-925/05/2017
VC133**Geothermal energy extraction**

Kind of application	Referral authority	Type of referral authority
To use or develop land for geothermal energy extraction.	Secretary to the Department administering the <i>Geothermal Energy Resources Act 2005</i>	Determining referral authority

66.02-1025/05/2017
VC133**Greenhouse gas sequestration**

Kind of application	Referral authority	Type of referral authority
To use or develop land for greenhouse gas sequestration.	Secretary to the Department administering the <i>Greenhouse Gas Geological Sequestration Act 2008</i>	Determining referral authority

66.02-1109/12/2021
VC204**Land use and transport integration**

Kind of application	Referral authority	Type of referral authority
<p>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</p> <ul style="list-style-type: none"> ▪ A residential development comprising 60 or more dwellings or lots. ▪ A residential building comprising 60 or more lodging rooms. ▪ A residential village comprising 60 or more dwellings. ▪ A retirement village comprising 60 or more dwellings or lots. ▪ A new retail premises of 4000 or more square metres of leasable floor area. ▪ An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area. ▪ An office development of 10,000 or more square metres of leasable floor area. ▪ A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area. ▪ An education centre. ▪ A major sports and recreation facility. ▪ Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria. <p>This does not apply to:</p> <ul style="list-style-type: none"> ▪ Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village. ▪ A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria. 	Head, Transport for Victoria	Determining referral authority

66.02-1217/09/2019
VC161**Declared irrigation districts**

Kind of application	Referral authority	Type of referral authority
An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the <i>Water Act 1989</i> .	Secretary to the Department administering the <i>Water Act 1989</i> .	Recommending referral authority

REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

Clause	Kind of application	Referral authority	Type of referral authority
Clause 36.03-5 (PCRZ)	An application for the use or development of an Emergency services facility.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 37.03-5 (UFZ)	An application under the zone within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the zone outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 37.07-5 (UGZ)	An application under the zone within Metropolitan Melbourne.	Victorian Planning Authority	Determining referral authority
	An application under the zone outside Metropolitan Melbourne.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 44.02-8 (SMO)	An application under the overlay and any site capability report.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 44.03-6 (FO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.04-7 (LSIO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.05-6 (SBO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority

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Clause	Kind of application	Referral authority	Type of referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.06-6 (BMO)	<p>An application to construct a building or carry out works associated with a dwelling.</p> <p>This does not apply to a non habitable outbuilding that meets the following requirements:</p> <ul style="list-style-type: none"> ▪ The outbuilding is ancillary to a dwelling, ▪ 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02, ▪ The canopy of each tree within the defendable space is separated by at least 2 metres, and ▪ Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. 	Relevant fire authority	Recommending referral authority
	An application to subdivide land.	Relevant fire authority	Recommending referral authority
	An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land.	Relevant fire authority	Determining referral 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	Determining referral authority
Clause 45.01-3 (PAO)	An application under the overlay.	Acquiring authority specified in the schedule to the overlay	Determining referral authority
Clause 45.07-6 (CLPO)	An application under the overlay.	Head, Transport for Victoria	Determining referral authority
Clause 52.05	An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the <i>Road Management Act 2004</i> .	Head, Transport for Victoria	Determining referral authority
Clause 52.27	An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am.	Victorian Commission for Gambling and Liquor Regulation	Determining referral authority

MANNINGHAM PLANNING SCHEME

Clause	Kind of application	Referral authority	Type of referral authority
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 <i>Road Management Act 2004</i> , land owned by the Head, Transport for Victoria for the purpose of a road, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the acquisition is for the purpose of a road.	Head, Transport for Victoria	Determining referral authority
	Any other application under the Clause.	Owner of, or the acquiring authority for, the adjacent land in the Transport Zone 2 or the Public Acquisition Overlay	Determining referral authority
Clause 53.05-1	An application to use or develop land for a Freeway service centre.	Head, Transport for Victoria	Determining referral authority
Clause 52.32	An application to amend a permit under section 72 or 97I of the <i>Planning and Environment Act 1987</i> for a wind energy facility if the application amends or removes conditions or requirements for operational wind turbine noise.	Environment Protection Authority Victoria	Recommending referral authority

66.04

28/03/2018
VC145

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 to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

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.

27/05/2019
C126mann**SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS****1.0**20/04/2021
VC197**Referral of permit applications under local provisions**

Clause	Kind of application	Referral authority	Referral authority type
Clause 5.0 of Schedule 2 to Clause 42.01 (ESO)	An application to subdivide land or remove, destroy or lop vegetation.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 3.0 of Schedule 5 to Clause 42.03 (SLO)	An application to construct or carry out a building or works.	Relevant floodplain management authority	Determining referral authority
Schedule 2 to Clause 43.02 (DDO)	An application within 100 metres of the Yarra River, as measured from the Setback Reference Line, being the closest parallel property boundary aligned to the banks of the waterway, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and Melbourne Water	Melbourne Water	Recommending referral authority
Clause 2.0 of Schedules 14 and 15 to Clause 43.02 (DDO)	An application to construct a building or construct or carry out works	Secretary to the Department of Transport until 31 December 2030, and thereafter the Roads Corporation	Determining referral authority

NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

Clause	Kind of application	Person or body to be notified
Clause 35.07	<p>An application to use or develop land for accommodation within one kilometre from the nearest title boundary of land subject to:</p> <ul style="list-style-type: none"> ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>. 	<p>The owners and occupiers of land subject to:</p> <ul style="list-style-type: none"> ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>.
Clause 45.08-6	<p>An application to use or subdivide land, or to construct a building or construct or carry out works.</p>	<p>The airport lessee company of Melbourne Airport in accordance with the <i>Commonwealth Airports Act 1996</i></p>
Clause 52.09-7	<p>An application to use or subdivide land or construct a building for accommodation, 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 plan has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <p>An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</p> <p>These requirements do not apply to:</p> <ul style="list-style-type: none"> ▪ An application to extend a building or works. ▪ An application that is required to be referred to the Secretary of the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i> under section 55 of the Act. 	<p>The Secretary of the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i></p>
Clause 52.21	<p>An application to construct, use or illuminate a private tennis court under any provision of this scheme.</p>	<p>The owners and occupiers of adjoining and opposite properties</p>
Clause 52.27	<p>An application in association with a bar, hotel or nightclub that is to operate after 1am.</p>	<p>Chief Commissioner of Victoria Police</p>

MANNINGHAM PLANNING SCHEME

Clause	Kind of application	Person or body to be notified
Clause 53.09	An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009.	Environment Protection Authority
Clause 67.02-2	<p>An application which except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply to an application:</p> <ul style="list-style-type: none"> ▪ To which the exemption from notice and review in clause 52.31-2 applies. ▪ To construct or put up for display a sign. ▪ To remove, destroy or lop native vegetation under clause 52.17. ▪ If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay. 	<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 67.02-2	An application to remove, destroy or lop native vegetation under clause 52.17 which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply if the application must be referred to the Secretary under section 55 of the Act.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>)

66.06

28/03/2018
VC145

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 to the person or body specified in the schedule. 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.

27/05/2019
C126mann

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0

27/05/2019
C126mann

Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
None specified	None specified	None specified

67

14/09/2021
VC211

LAND OWNED OR PERMIT REQUIRED BY RESPONSIBLE AUTHORITIES

67.01

24/01/2020
VC160

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

14/09/2021
VC211

NOTICE REQUIREMENTS AND EXEMPTION

67.02-1

14/09/2021
VC211

Application

This clause applies to an application which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act.

67.02-2

14/09/2021
VC211

Notice requirements

In accordance with section 52(1)(c) of the Act, notice of an application 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:

- To which the exemption from notice and review in clause 52.31-2 applies.
- To construct or put up for display a sign.
- To remove, destroy or lop native vegetation under clause 52.17.
- If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.

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 must be given to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

This does not apply if the application must be referred to the Secretary under section 55 of the Act.

67.02-3

14/09/2021
VC211

Exemption from notice

An application to construct or put up for display a sign on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of section 52(1)(a) of the Act.

70

31/07/2018
VC148

OPERATIONAL PROVISIONS

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.

71

31/07/2018
VC148

OPERATION OF THIS PLANNING SCHEME

71.01

31/07/2018
VC148

OPERATION OF THE MUNICIPAL PLANNING STRATEGY

71.01-1

24/01/2020
VC160

Municipal Planning Strategy

The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

71.01-2

31/07/2018
VC148

Relationship to the Municipal Strategic Statement

For the purposes of section 12A(3) of the Act, the Municipal Strategic Statement is:

- A Municipal Strategic Statement at Clause 21.
- Where Clause 21 is not included in this scheme:
 - The Municipal Planning Strategy at Clause 02.
 - Local provisions in the Planning Policy Framework at Clauses 10 to 19.
 - A schedule to Clause 74.01.

71.01-3

31/07/2018
VC148

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.

71.0231/07/2018
VC148**OPERATION OF THE PLANNING POLICY FRAMEWORK****71.02-1**31/07/2018
VC148**Purpose of the Planning Policy Framework**

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

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

71.02-224/01/2020
VC160**Operation**

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

71.02-331/07/2018
VC148**Integrated decision making**

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

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.

Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

71.02-4

31/07/2018
VC148

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.

71.03

31/07/2018
VC148

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.

71.03-1

31/07/2018
VC148

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.

71.03-2

31/07/2018
VC148

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 Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

71.03-3

31/07/2018
VC148

Section 3 uses

A use in Section 3 is prohibited.

71.04

31/07/2018
VC148

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 Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.

71.05

31/07/2018
VC148

OPERATION OF PARTICULAR PROVISIONS

The requirements of 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 planning scheme.

71.0631/07/2018
VC148**OPERATION OF VICSMART APPLICATIONS AND PROCESS****71.06-1**31/07/2018
VC148**VicSmart applications**

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

71.06-231/07/2018
VC148**VicSmart process**

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

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

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.

Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
 - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
 - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
 - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
 - The decision guidelines in Clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.

ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME

72.0117/09/2019
VC161**RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME**

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and 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.

72.01-130/04/2021
VC185**Minister is responsible authority**

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- Energy generation facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to:
 - Transmit or distribute electricity.
 - Store electricity if the installed capacity is 1 megawatt or greater.
- Primary school or secondary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school, if any of the following apply:
 - There is no existing primary school or secondary school on the land.
 - The estimated cost of development is \$3 million or greater.
- Primary school or secondary school for which an application was made to the Minister for Planning prior to the approval date of Amendment VC180.

with the exception of the following:

- in relation to applications lodged, or permits issued, for the use and development of land for an energy generation facility (other than a renewable energy facility) or a utility installation (other than a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater), under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC192, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 1 of Part 4 of the Act, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 6 of Part 4 of the Act, the Council is the responsible authority for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, subject to the operation of section 97H of the Act.
- in relation to applications lodged, or permits issued, for the use and development of land for a renewable energy facility (other than a wind energy facility) under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

- in relation to applications lodged, or permits issued, for the use and development of land for a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility, under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to an application made, or permit issued, for the use and development of land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school under Division 1 of Part 4 of the Act:
 - Prior to the approval date of Amendment VC180; and
 - Where Clause 53.19 immediately in force before the approval date of Amendment VC180 did not apply;
the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

The Minister for Energy, Environment and Climate Change is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for which clause 52.20 applies.

The Minister for Energy, Environment and Climate Change is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for:

- The development of 10 or more dwellings to which clause 53.20 applies.
- The construction or extension of an apartment development to which clause 53.20 applies.
- The construction or extension of a dwelling in or forming part of an apartment development to which clause 53.20 applies.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0

31/07/2018
VC148

Responsible authority for administering and enforcing this planning scheme:

The Manningham City Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0

07/12/2020
C132mann

Responsible authority for administering and enforcing a provision of this planning scheme:

The Minister for Planning is the responsible authority for Crown Allotment 5, Section 14, Township and Parish of Warrandyte, known as 93 Yarra Street, Warrandyte.

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 45.12 of the planning scheme in respect of the *North East Link Project Incorporated Document, December 2019*.
- Clause 45.12 of the planning scheme in respect of the *Templestowe Road Soccer Facilities Incorporated Document, October 2020*.
- Any other provision of the planning scheme as it applies to the use or development of land for the North East Link Project.

3.0

31/07/2018
VC148

Person or responsible authority for issuing planning certificates:

Minister for Planning.

4.0

06/05/2020
VC179

Responsible authority for VicSmart and other specified applications:

The Chief Executive Officer of the Manningham City Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Manningham City Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

72.02

31/07/2018
VC148

WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

1.0

31/07/2018
VC148

Area covered by this planning scheme:

Municipal district of the City of Manningham.

72.0331/07/2018
VC148**WHAT DOES THIS PLANNING SCHEME CONSIST OF?**

This planning 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 are:

- If included in this planning scheme:
 - Clause 02 (Municipal Planning Strategy).
 - Clause 21 (Municipal Strategic Statement).
 - Clause 22 (Local Planning Policies).
- All clauses in the Planning Policy Framework that include the letter 'L' in the clause number.
- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered '11.01-1L' would be an example of a local provision in the Planning Policy Framework. 'CIZ' is an example of a code on a map that may be specified in the schedule to this clause. It stands for 'Commercial 1 Zone'.

23/05/2019
C104

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

25/02/2020
C129mann

Maps comprising part of this planning scheme:

- 1, 1DDO, 1ESO, 1HO, 1LSIO, 1PAO, 1SBO, 1SCO, 1SLO2, 1VPO
- 2, 2DDO, 2EAO, 2ESO, 2HO, 2LSIO, 2PAO, 2SBO, 2SCO, 2SLO1, 2SLO2, 2SLO5, 2SLO6, 2VPO, 2BMO
- 3, 3DDO, 3ESO, 3HO, 3LSIO, 3PAO, 3SBO, 3BMO, 3SCO, 3SLO1, 3SLO2, 3SLO3, 3SLO6
- 4, 4DDO, 4EMO, 4ESO, 4HO, 4LSIO, 4BMO, 4PAO, 4SLO2
- 5, 5DDO, 5EMO, 5ESO, 5HO, 5LSIO, 5BMO, 5SLO1, 5SLO2, 5VPO
- 6, 6DDO, 6DPO, 6EAO, 6ESO, 6HO, 6LSIO, 6SBO, 6SCO, 6SLO2, 6SLO5, 6VPO
- 7, 7DCPO, 7DDO, 7ESO, 7DPO, 7EAO, 7HO, 7LSIO, 7PAO, 7SBO, 7SCO, 7SLO5, 7SLO7, 7VPO, 7PO, 7RXO
- 8, 8DDO, 8EAO, 8ESO, 8HO, 8LSIO, 8PAO, 8SBO, 8SCO, 8BMO, 8SLO1, 8SLO5, 8SLO6, 8SLO7, 8SLO8, 8VPO
- 9, 9DDO, 9EMO, 9ESO1, 9ESO, 9HO, 9LSIO, 9SBO, 9BMO, 9PAO, 9SLO1, 9SLO6, 9VPO
- 10, 10EMO, 10ESO, 10HO, 10LSIO, 10BMO
- 11, 11DDO, 11ESO, 11HO, 11LSIO, 11SBO, 11SLO1, 11SLO6, 11BMO

72.0401/07/2021
VC203**DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME**

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the *Planning and Environment Act 1987*.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

Table to Clause 72.04

Name of document	Introduced by:
A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997	V3
A Code of Practice for Telecommunications Facilities in Victoria, July 2004	VC26
Apiary Code of Practice, May 2011	VC81
Australian Standard AS/NZS 2890.1:2004, Parking Facilities - Off-street car parking, Standards Australia 2004	VC26
Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities. Standards Australia 2002	VC77
Australian Standard AS2890.3-1993, Parking Facilities Part 3: Bicycle parking facilities, Standards Australia 1993	VC28
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	VC12
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	VC12
Building in bushfire-prone areas - CSIRO & Standards Australia (SAA HB36-1993), May 1993	NPS1
Code of Practice for Bushfire Management on Public Land, 2012	VC101
Code of Practice for Timber Production 2014	VC101
Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)	VC12
Growth Area Framework Plans, Department of Sustainability and Environment, September 2006	VC41
Guide to Residential Streets and Paths, Cement and Concrete Association of Australia, 2004 (C&CCA T51-2004)	VC26
Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads	VC77
Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)	VC138
Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995	NPS1
Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)	VC12
Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)	VC139
Principal Public Transport Network 2017 (State Government of Victoria, 2017)	VC132

MANNINGHAM PLANNING SCHEME

Name of document	Introduced by:
Principal Public Transport Network Area Maps (State Government of Victoria, August 2018)	VC151
Private Tennis Court Development Code of Practice – Revision 1, March 1999	VC5
Victorian Code for Broiler Farms 2009 (plus 2018 amendments)	VC60
Victorian Code for Cattle Feedlots, August 1995	NPS1
Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150
Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME**1.0****Incorporated documents**

Name of document	Introduced by:
City of Manningham – Statements of Tree & Garden Significance (2006)	C61
Development in Areas of Possible Slope Instability Resident Information Guide, Shire of Lillydale, November 1993	NPS1
Doncaster Activity Centre Development Strategy – Final Report, October 1990	NPS1
Doncaster Activity Centre Town Centre Project, April 1994	NPS1
Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005	C30
Donvale Christian College, Master Plan, September 2013	C103
Fitzsimons Lane (Foote Street, Porter Street, Main Road and Leane Drive) Upgrade Project Incorporated Document, December 2019	GC158
Incorporated Document No. 1 under the Schedule to Clause 51.01, 127a Tindals Road, Donvale, November 2008	C74
Incorporated Document No. 2 under the Schedule to Clause 51.01, 75 Alexander Road, Warrandyte, November 2008	C74
Incorporated Document No. 3: 3-9 and 11 Mitchell Street, Doncaster East – June 2015	C106
Manningham Centre Structure Plan, December 1996	NPS1
'On Luck' Chinese Nursing Home, January 2010	C88
North East Link Project Incorporated Document, December 2019	GC98
Plan No. 1 Incorporated under Clause 43.01-2 of the Manningham Planning Scheme, April 2008	C74
Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016	GC57
Proposed Ring Road Landscape Concept, Chris Dance Land Design Pty Ltd, Ref Nos LA1 & LA2, June 1996	NPS1
Templestowe Road Soccer Facilities Incorporated Document, October 2020	C132mann
Warrandyte Township Heritage Guidelines, Parts 1 to 7, July 2007	C60

72.05

31/07/2018
VC148

WHEN DID THIS PLANNING SCHEME BEGIN?

This planning scheme began on the date specified in the schedule to this clause.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

1.0

31/07/2018
VC148

Date this planning scheme began:

29 June 2000

72.06

31/07/2018
VC148

EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.

72.07

31/07/2018
VC148

DETERMINATION OF BOUNDARIES

If a boundary in this planning 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.

72.0809/10/2020
VC169**BACKGROUND DOCUMENTS**

The documents listed in the table and the schedule to this clause are background documents.

The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

Table to Clause 72.08

Name of background document	Amendment number - clause reference
<i>Central Highlands Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>G21 Regional Growth Plan</i> (Geelong Region Alliance, 2013).	VC106 Clauses 10 to 19
<i>Gippsland Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Great South Coast Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Hume Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Loddon Mallee North Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Loddon Mallee South Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Wimmera Southern Mallee Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Plan Melbourne 2017-2050: Metropolitan Planning Strategy</i> (Department of Environment, Land, Water and Planning, 2017).	VC134 Clauses 10 to 19
<i>Plan Melbourne 2017-2050: Addendum 2019</i> (Department of Environment, Land, Water and Planning, 2019).	VC168 Clauses 10 to 19

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

20/04/2021
VC197

Background documents

Name of background document	Amendment number - clause reference
Development Guide for Areas of Environmental & Landscape Significance (Manningham City Council, 2011)	VC197 - Schedule 2 to Clause 42.03
The Middle Yarra Concept Plan – Burke Road to Watsons Creek, 1993 (Melbourne Parks and Waterways)	VC197 - Schedule 2 to Clause 42.03
Middle Yarra River Study - Recommendations Report (Department of Environment, Land, Water and Planning, 2016)	VC197 - Schedule 2 to Clause 42.03 VC197 - Schedule 2 to Clause 43.02

MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or
- 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.

GENERAL TERMS

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 <i>Planning and Environment Act 1987</i> .
Agricultural production	Any form of primary production of renewable commodities. It does not include extractive industry, Mineral extraction, or timber production from native forest.
Anemometer	A wind measuring device.
Apartment	A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.
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.
Basement	A storey below ground level, or that projects no more than 1.2 metres above ground level.
Building height	The vertical distance from natural ground level to the roof or parapet at any point.
Building Regulations	The <i>Building Regulations 1994</i> .
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.
Central Highlands region	The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.
Clear to the sky	An unroofed area or area roofed with material that transmits 90 per cent of light.
Defendable space	An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.
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.
Domestic services normal to a dwelling	A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, and the like.
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.

MANNINGHAM PLANNING SCHEME

General term	Definition
Gaming machine	Has the same meaning as it has in the <i>Gambling Regulation Act 2003</i> .
Garden area	Any area on a lot with a minimum dimension of 1 metre that does not include: <ul style="list-style-type: none"> a) a dwelling or residential building, except for: <ul style="list-style-type: none"> ▪ an eave, fascia or gutter that does not exceed a total width of 600mm; ▪ a pergola; ▪ unroofed terraces, patios, decks, steps or landings less than 800mm in height; ▪ a basement that does not project above ground level; ▪ any outbuilding that does not exceed a gross floor area of 10 square metres; and ▪ domestic services normal to a dwelling or residential building; b) a driveway; or c) an area set aside for car parking.
Geelong G21 region	The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.
Gippsland region	The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.
Great South Coast region	The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes
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 at any point.
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"> 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 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.
Hume region	The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogrie, Towong, Wangaratta and Wodonga planning schemes.
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.

MANNINGHAM PLANNING SCHEME

General term	Definition
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.
Loddon Mallee North region	The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.
Loddon Mallee South region	The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.
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 and the area within the urban growth boundary in the Mitchell Planning Scheme.
Mineral	Any substance which occurs naturally as part of the earth's crust, including: <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	A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.
Native vegetation	Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.
Net floor area	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.
Plot ratio	The gross floor area of all buildings on a site, divided by the area of the site.
Potentially contaminated land	Land: <ul style="list-style-type: none"> a) used or known to have been used for industry or mining; b) used or known to have been used for the storage of chemicals, gas, waste or liquid fuel (other than minor above-ground storage that is ancillary to another use of the land); or c) where a known past or present activity or event (occurring on or off the land) may have cause contamination of the land.

MANNINGHAM PLANNING SCHEME

General term	Definition
Private open space	An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.
Property vegetation plan	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 <i>Conservation, Forests and Lands Act 1987</i> .
Prostitution	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.
Public land manager	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, the Great Ocean Road Coast and Parks Authority or a municipal council, it means the Minister administering that Act and does not include the committee of management.
Radio mast	A mast, for radio transmission or reception in a dwelling, that is: <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.
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 <i>Sex Work Act 1994</i> .
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.
Stormwater	The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.
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.

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General term	Definition
Sustainable agriculture	The use of farming practices and systems which maintain or enhance: <ol 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.
Tenement	Land comprised in: <ol style="list-style-type: none"> a) a lot which does not adjoin another lot in the same ownership; or b) lots in the same ownership and which adjoin each other. <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>
Transport manager	(a) a Minister; or (b) government department; or (c) Administrative Office under the <i>Public Administration Act 2004</i> ; or (d) public authority; or (e) any person - that has responsibility under an Act for the care or management of land that forms part of Victoria's transport system.
Transport system	All of the components that make up the system for the movement and transport of people and goods including: <ul style="list-style-type: none"> ▪ Movement networks including cycling paths, footpaths, roads, railways, shipping lanes, tramways and water transport routes. ▪ Transport interchanges for accessing, disembarking, unloading and interchange of people and goods, and for the storage of freight and vehicles. This includes transport terminals and public transport stops. ▪ Infrastructure required to operate movement networks and transport interchanges. ▪ Land reserved for the future development of movement networks and transport interchanges.
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.

MANNINGHAM PLANNING SCHEME

General term	Definition
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.
Wimmera Southern Mallee region	The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.

SIGN TERMS

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

Sign 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.
Display area	The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. It does not include safety devices, platforms and lighting structures. If the sign does not move or rotate, the area is one side only.
Animated sign	A sign that can move, contains moving or scrolling 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.
Electronic sign	A sign that can be updated electronically. It includes screens broadcasting still or moving images.
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 based business sign	A sign at a dwelling that advertises a home based business 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.
Pole sign	A sign: 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;

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Sign term	Definition
	c) with an advertisement area not exceeding 6 square metres; and d) 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	Includes a structure specifically built to support or illuminate a sign.
Sky sign	A sign: 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; or c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.

73.0312/10/2021
VC202**LAND USE TERMS**

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. 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.

Table to Clause 73.03

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	

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Land use term	Definition	Includes	Included in
		<p>Corrective institution</p> <p>Dependent person's unit</p> <p>Dwelling</p> <p>Group accommodation</p> <p>Host farm</p> <p>Residential aged care facility</p> <p>Residential building</p> <p>Residential village</p> <p>Retirement village</p>	
Adult sex product shop	<p>Land used to sell or hire sexually explicit material, including:</p> <p>a) publications classified as restricted under the <i>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</i>; and</p> <p>b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.</p>		Shop
Agriculture	<p>Land used to:</p> <p>a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables;</p> <p>b) keep, breed, board, or train animals, including livestock, and birds; or</p> <p>c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.</p>	<p>Animal husbandry</p> <p>Aquaculture</p> <p>Crop raising</p>	
Airport			Transport terminal
Amusement park			Outdoor recreation facility
Amusement parlour	<p>A building that contains:</p> <p>a) three or more coin, card, or token operated amusement machines;</p>		Place of assembly

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Land use term	Definition	Includes	Included in
	<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 Bar or Hotel.</p>		
Animal husbandry	Land used to keep, breed, board, or train animals, including birds.	Animal production Animal training Apiculture Domestic animal husbandry Horse husbandry Racing dog husbandry	Agriculture
Animal production	Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.	Grazing animal production Intensive animal production Pig farm Poultry farm Poultry hatchery	Animal husbandry
Animal training	Land used to train animals, other than domestic animals, horses, or racing dogs.		Animal husbandry
Apiculture	Land used to keep honeybee hives and to extract honey or other bee hive products.		Animal husbandry
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.		

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Land use term	Definition	Includes	Included in
Art gallery	Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.		Exhibition centre
Bank			Office
Bar	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
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
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	Recreational 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 broiler chickens for the production of meat.		Poultry farm
Brothel	Land made available for prostitution by a person carrying on the business of providing prostitution services at the business's premises.		
Bus terminal			Transport terminal
Camping and caravan park	Land used to allow accommodation in caravans, cabins, tents, or the like.		Accommodation

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Land use term	Definition	Includes	Included in
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. It may include charging of electric vehicles.		
Car sales			Motor vehicle, boat, or caravan sales
Car wash			Service industry
Cattle feedlot	Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.		Intensive animal production
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	Education centre
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.		Place of assembly
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 care accommodation	Land used to provide accommodation and care services. It includes permanent, temporary		Residential building

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Land use term	Definition	Includes	Included in
	and emergency accommodation. It may include supervisory staff and support services for residents and visitors.		
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.		
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
Dance studio			Indoor recreation facility
Data centre			Utility installation
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 centre	One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.		
Dog breeding			Domestic animal husbandry

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Land use term	Definition	Includes	Included in
Domestic animal boarding	Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.		Domestic animal husbandry
Domestic animal husbandry	Land used to keep, breed, board or train domestic animals.	Dog breeding Domestic animal boarding	Animal husbandry
Drive-in theatre			Place of assembly
Dry cleaner	Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.		Service industry
Dry cleaning agent	Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.		Shop
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 toilet and wash basin. It includes outbuildings and works normal to a dwelling.	Bed and breakfast Caretaker's house	Accommodation
Education centre	Land used for education.	Child care centre Employment training centre Primary school Secondary school Tertiary institution	
Earth and energy resources industry	Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.	Extractive industry Greenhouse gas sequestration Greenhouse gas sequestration exploration Geothermal energy exploration	

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Land use term	Definition	Includes	Included in
		Geothermal energy extraction Mining Mineral exploration Petroleum exploration Petroleum production Stone exploration	
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 provision of emergency services.		
Employment training centre			Education centre
Energy generation facility	Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.	Renewable energy facility Waste-to-energy facility	
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
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: <ul style="list-style-type: none"> ▪ the rehabilitation of the land; and ▪ the treatment of stone (such as crushing and processing) or the manufacture of bricks, tiles, pottery, or cement or asphalt products on, or adjacent to, the 		Earth and energy resources industry

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Land use term	Definition	Includes	Included in
	land from which the stone is extracted or removed.		
Food and drink premises	Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.	Bar Convenience restaurant Hotel Restaurant Take away food premises	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 conferences, 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
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
Geothermal energy exploration	Land used for geothermal energy exploration as defined in the <i>Geothermal Energy Resources Act 2005</i> .		Earth and energy resources industry

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Land use term	Definition	Includes	Included in
Geothermal energy extraction	Land used for geothermal energy extraction as defined in the <i>Geothermal Energy Resources Act 2005</i> .		Earth and energy resources industry
Golf course			Outdoor recreation facility
Golf driving range			Outdoor recreation facility
Grazing animal production	<p>Land used for animal production where the animals' food is obtained by directly grazing, browsing or foraging plants growing on the land.</p> <p>It includes:</p> <ul style="list-style-type: none"> ▪ emergency, seasonal and supplementary feeding; ▪ the incidental penning, feeding and housing of animals for weaning or other husbandry purposes. <p>In this definition:</p> <p><i>Emergency feeding</i> means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land;</p> <p><i>Seasonal feeding</i> means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;</p> <p><i>Supplementary feeding</i> means providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.</p>		Animal production
Greenhouse gas sequestration	Land used for greenhouse gas substance injection and monitoring as defined in the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .		Earth and energy resources industry

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Land use term	Definition	Includes	Included in
Greenhouse gas sequestration exploration	Land used for greenhouse gas sequestration formation exploration as defined in the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .		Earth and energy resources industry
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
Helicopter landing site	Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.		
Heliport			Transport terminal
Home based business	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 husbandry	Land used to keep, breed, board or train horses.	Horse riding school Horse stables	Animal husbandry
Horse riding school			Horse husbandry
Horse stables			Horse husbandry
Horticulture	Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.	Market garden	Crop raising
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.		
Host farm	An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.		Accommodation

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Land use term	Definition	Includes	Included in
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 studio	Minor sports and recreation facility
Industry	<p>Land used for any of the following operations:</p> <p>a) any process of manufacture;</p> <p>b) dismantling or breaking up of any article;</p> <p>c) treating waste materials;</p> <p>d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);</p> <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>	<p>Materials recycling</p> <p>Refuse disposal</p> <p>Transfer station</p> <p>Research and development centre</p> <p>Rural industry</p> <p>Service industry</p>	
Informal outdoor recreation	Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.		Minor sports and recreation facility

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Land use term	Definition	Includes	Included in
Intensive animal production	Land used for animal production where the animals' food is imported from outside the immediate building, enclosure, paddock or pen. It does not include: <ul style="list-style-type: none"> ▪ an abattoir or sale yard; or ▪ grazing animal production, pig farm, poultry farm or poultry hatchery. 	Cattle feedlot Intensive dairy farm	Animal production
Intensive dairy farm	Land used for intensive animal production where cattle are kept or bred for the production of milk.		Intensive animal production
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	Land used to clean or launder clothing or household items using self-service machines.		Shop
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
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
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

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Land use term	Definition	Includes	Included in
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	Recreational boat facility
Market	Land used to sell goods, including foodstuffs, from stalls.		Retail premises
Market garden			Horticulture
Materials recycling	Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials.		Industry
Medical centre	Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, 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
Mineral exploration	Land used for exploration as defined in the <i>Mineral Resources (Sustainable Development) Act 1990</i> .		Earth and energy resources industry
Mining	Land used for mining as defined in the <i>Mineral Resources (Sustainable Development) Act 1990</i> .		Earth and energy resources industry
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: a) sewerage or water mains; b) storm or flood water drains or retarding basins;	Water retarding basin	Utility installation

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Land use term	Definition	Includes	Included in
	<p>c) flow measurement device or a structure to gauge waterway flow;</p> <p>d) siphons, water storage tanks, disinfection booster stations and channels;</p> <p>e) gas mains providing gas directly to consumers;</p> <p>f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood;</p> <p>g) a pumping station required to serve a neighbourhood;</p> <p>h) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; or</p> <p>i) an electrical sub-station designed to operate at no more than 66,000 volts but excluding any sub-station directly associated with an Energy generation facility or Geothermal energy extraction.</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. It may include training.		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

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
Museum	Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.		Exhibition centre
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.		Place of assembly
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 organised games of 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. It does not include an Open sports ground or Informal outdoor recreation.	Amusement park Golf course Golf driving range Paintball games facility Zoo	Minor sports and recreation facility
Paintball games facility			Outdoor recreation facility
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

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
Party supplies			Restricted retail premises
Petroleum exploration	Land used for petroleum exploration as defined in the <i>Petroleum Act 1998</i> .		Earth and energy resources industry
Petroleum production	Land used for petroleum production as defined in the <i>Petroleum Act 1998</i> .		Earth and energy resources industry
Pier			Marina
Pig farm	Land used to keep or breed pigs.		Animal production
Place of assembly	Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.	Amusement parlour Carnival Cinema Cinema-based entertainment facility 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
Pontoon			Marina
Postal agency			Retail premises
Poultry farm	Land used to keep or breed poultry.	Broiler farm	Animal production
Poultry hatchery	Land used to incubate and hatch poultry eggs.		Animal production

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
Primary produce sales	Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.		Retail premises
Primary school			Education centre
Race course			Major sports and recreation facility
Racing dog husbandry	Land used to keep, breed, board or train racing dogs.	Racing dog training	Animal husbandry
Racing dog training			Racing dog husbandry
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
Recreational 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	
Refuse disposal	Land used to dispose of refuse, by landfill, incineration, or other means.		Industry
Renewable energy facility	<p>Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth's heat.</p> <p>It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource.</p> <p>It does not include a renewable energy facility principally used to supply energy for an existing use of the land.</p>	Wind energy facility	Energy generation facility

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
Research and development centre	Land used to develop or test 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	A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.		Utility installation
Residential aged care facility	Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.		Accommodation
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.	Community care accommodation Residential hotel Rooming house Rural worker accommodation	Accommodation
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	Land used to prepare and sell food and drink, for consumption on the premises. It may include: a) entertainment and dancing; and		Food and drink premises

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
	<p>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> <p>It does not include the sale of packaged liquor.</p>		
Restricted place of assembly	<p>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.</p>		Place of assembly
Restricted recreation facility	<p>Land used by members of a club or group 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. It may also include use by members' guests, or by the public on payment of a fee.</p>		Minor sports and recreation facility
Restricted retail premises	<p>Land used to sell or hire:</p> <p>a) automotive parts and accessories;</p> <p>b) camping, outdoor and recreation goods</p> <p>c) electric light fittings;</p> <p>d) animal supplies including equestrian and pet goods;</p> <p>e) floor and window coverings;</p> <p>f) furniture, bedding, furnishings, fabric and manchester and homewares;</p> <p>g) household appliances, household electrical goods and home entertainment goods;</p> <p>h) party supplies;</p> <p>i) swimming pools;</p> <p>j) office equipment and supplies;</p> <p>k) baby and children's goods, children's play equipment and accessories;</p>	<p>Equestrian supplies</p> <p>Party supplies</p>	Shop

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
	<p>l) sporting, cycling, leisure, fitness goods and accessories; or</p> <p>m) goods and accessories which:</p> <ul style="list-style-type: none"> ▪ Require a large area for handling, display and storage of goods; or ▪ Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire. <p>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</p>		
Retail premises	<p>Land used to:</p> <p>a) sell goods by retail, or by retail and wholesale;</p> <p>b) sell services; or</p> <p>c) hire goods.</p>	<p>Food and drink premises</p> <p>Gambling premises</p> <p>Landscape gardening supplies</p> <p>Manufacturing sales</p> <p>Market</p> <p>Motor vehicle, boat, or caravan sales</p> <p>Postal agency</p> <p>Primary produce sales</p> <p>Shop</p> <p>Trade supplies</p>	
Retirement village	<p>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.</p>		Accommodation
Rice growing			Crop raising
Road freight terminal			Transport terminal
Rooming house	<p>Land used for a rooming house as defined in the <i>Residential Tenancies Act 1997</i>.</p>		Residential building
Rural industry	<p>Land used to:</p> <p>a) handle, treat, process, or pack agricultural produce;</p>	<p>Abattoir</p> <p>Sawmill</p>	Industry

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
	b) service or repair plant, or equipment, used in agriculture; or c) manufacture mud bricks.		
Rural store	Land used to store unprocessed agricultural produce, or products used in agriculture.		Store
Rural worker accommodation	Land used to accommodate a person engaged in agricultural production, away from their normal place of residence.		Residential building
Saleyard	Land used to hold, sell, and buy farm animals.		
Sawmill	Land used to handle, cut, and process timber from logs.		Rural industry
Secondary school			Education centre
Service industry	Land used to launder, repair, service or wash articles, machinery, or vehicles.	Car wash Dry cleaner Motor repairs	Industry
Service station	Land used 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; d) servicing or washing of motor vehicles; and e) installing of motor vehicle accessories or parts.		
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:	Adult sex product shop Beauty salon	Retail premises

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
	<ul style="list-style-type: none"> ▪ the selling of bread, pastries, cakes or other products baked on the premises; ▪ demonstrations of products including music performances in shops selling recorded music. <p>It does not include:</p> <ul style="list-style-type: none"> ▪ 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>Bottle shop</p> <p>Convenience shop</p> <p>Dry cleaning agent</p> <p>Department store</p> <p>Hairdresser</p> <p>Laundromat</p> <p>Restricted retail premises</p> <p>Supermarket</p>	
Sign			
Slipway			Boat launching facility
Solar energy facility	<p>Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network.</p> <p>It does not include the generation of electricity principally used for an existing use of land.</p>		Renewable energy facility
Solid fuel depot	Land used to sell solid fuel, such as briquettes, coal, and fire wood.		Fuel depot
Stone exploration	<p>Land used to search for stone, including:</p> <p>a) conducting geological, geophysical, and geochemical surveys;</p> <p>b) costeaming and bulk sampling;</p> <p>c) drilling; and</p> <p>d) taking samples for chemical, physical, or other testing.</p>		Earth and energy resources industry

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
Store	Land used to store goods, machinery, or vehicles.	Boat and caravan storage Freezing and cool storage Rural store Shipping container storage Vehicle store	Warehouse
Supermarket			Shop
Take away food premises	Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.		Food and drink premises
Telecommunications facility	Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications 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
Trade supplies	Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening;	Timber yard	Retail premises

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
	<p>f) the medical profession;</p> <p>g) primary production; or</p> <p>h) local government, government departments or public institutions.</p>		
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.		
Transfer station	Land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.		Industry
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.	<p>Airport</p> <p>Bus terminal</p> <p>Heliport</p> <p>Railway station</p> <p>Road freight terminal</p> <p>Wharf</p>	
Travel agency			Office
Utility installation	<p>Land used:</p> <p>a) for telecommunications;</p> <p>b) to transmit or distribute gas or oil;</p> <p>c) to transmit, distribute or store power, including battery storage;</p> <p>d) to collect, treat, transmit, store, or distribute water; or</p> <p>e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.</p> <p>It includes any associated flow measurement device or a structure to gauge waterway flow.</p>	<p>Data centre</p> <p>Minor utility installation</p> <p>Reservoir</p> <p>Telecommunications facility</p>	
Vehicle store	Land used to park or store vehicles in connection with a goods or passenger transport business.		Store
Veterinary centre	<p>Land used to:</p> <p>a) diagnose animal diseases or disorders;</p>		

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
	<p>b) surgically or medically treat animals; or</p> <p>c) prevent animal diseases or disorders.</p> <p>It may include keeping the animals on the premises for treatment.</p>		
Warehouse	<p>Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.</p>	<p>Commercial display area</p> <p>Fuel depot</p> <p>Mail centre</p> <p>Milk depot</p> <p>Store</p>	
Waste-to-energy facility	<p>Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.</p>		Energy generation facility
Water retarding basin	<p>Land used to store storm or flood water on a temporary basis.</p>		Minor utility installation
Wharf	<p>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</p>		Transport terminal
Wind energy facility	<p>Land used to generate electricity by wind force. It includes land used for:</p> <p>a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force</p> <p>b) an anemometer.</p> <p>It does not include turbines principally used to supply electricity for domestic or rural use of the land.</p>		Renewable energy facility
Winery	<p>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.</p>		

MANNINGHAM PLANNING SCHEME

Land use term	Definition	Includes	Included in
Zoo			Outdoor recreation facility

73.04

08/08/2019
VC159

NESTING DIAGRAMS

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

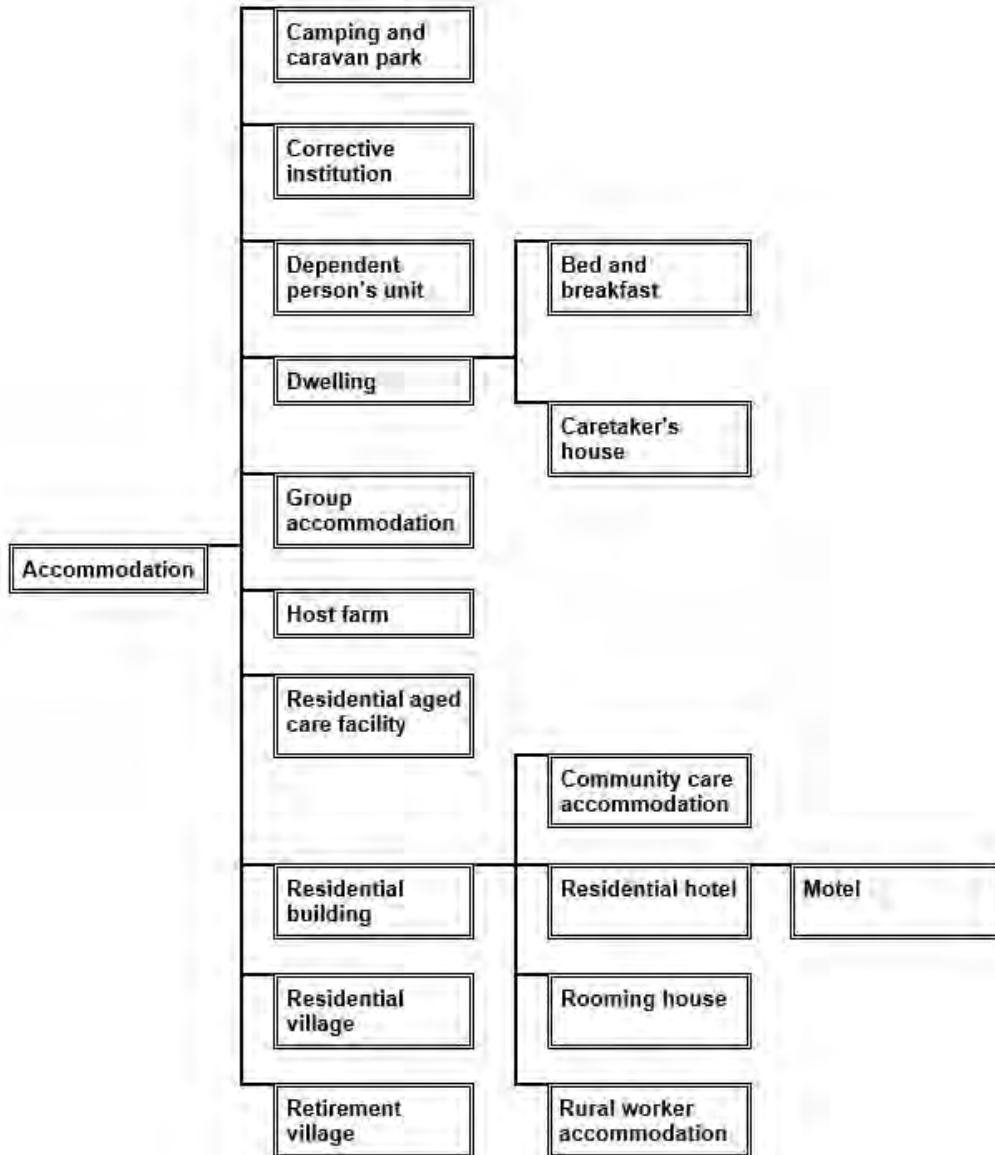
Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

73.04-1

12/10/2021
VC202

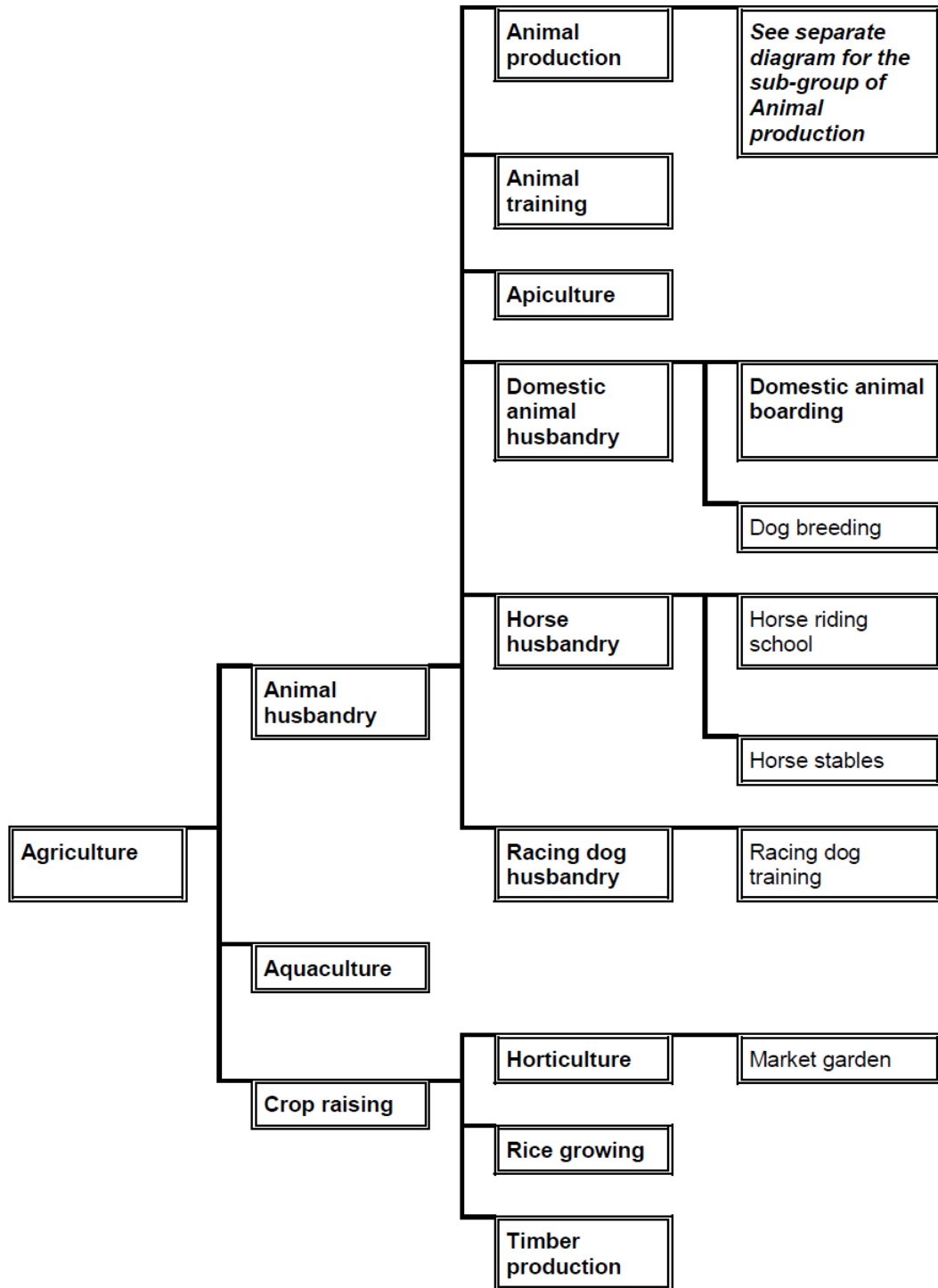
Accommodation group



73.04-2

08/08/2019
VC159

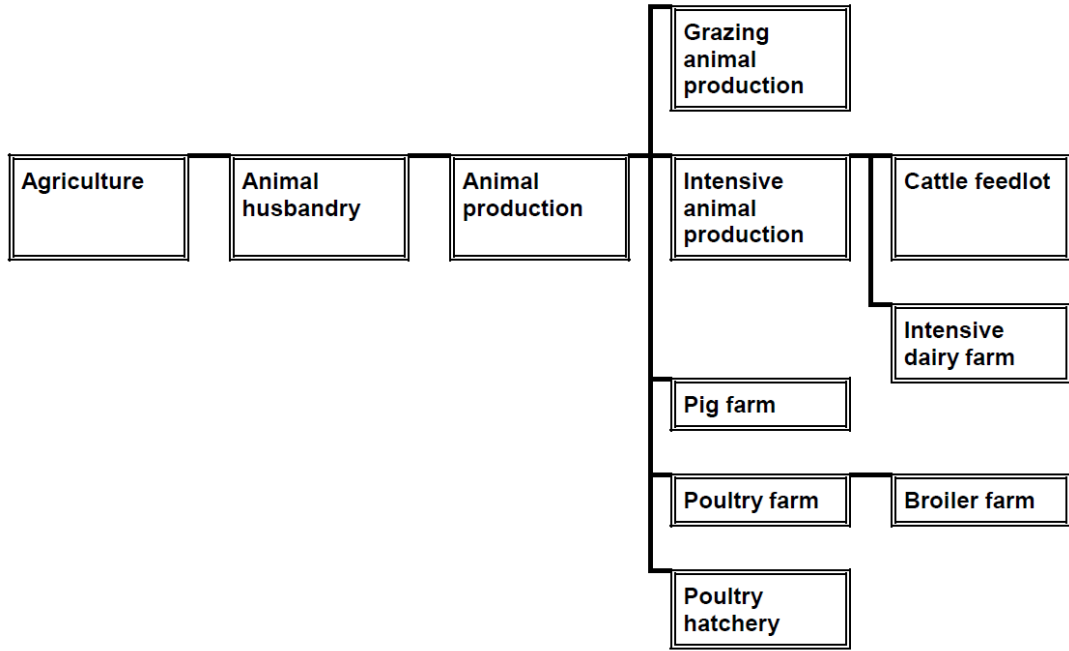
Agriculture group



73.04-3

24/01/2020
VC160

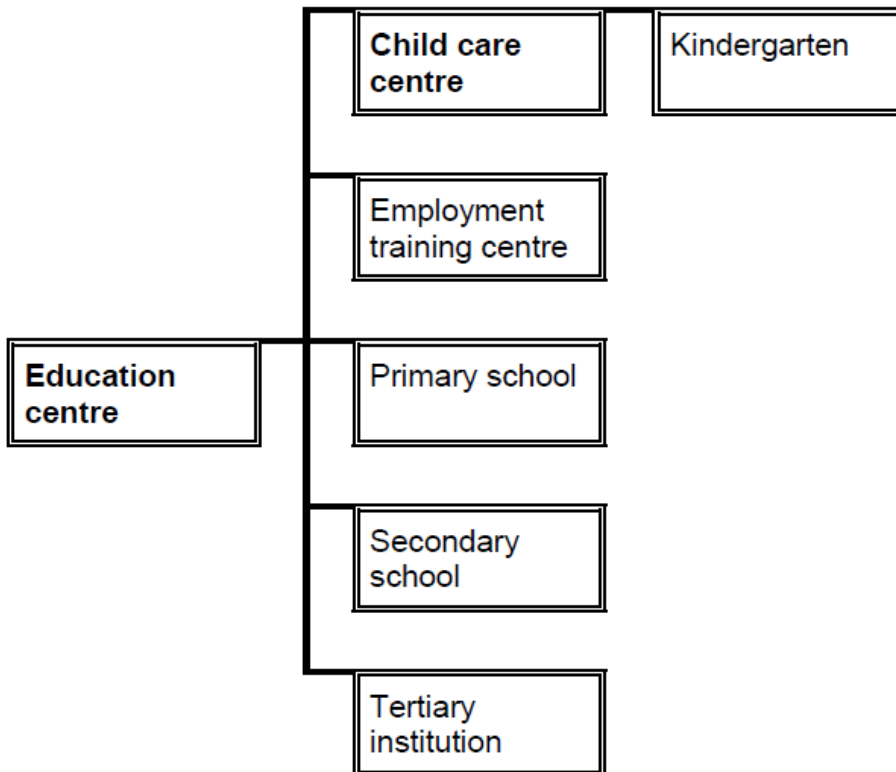
Agriculture group (sub-group of Animal production)



73.04-4

24/01/2020
VC160

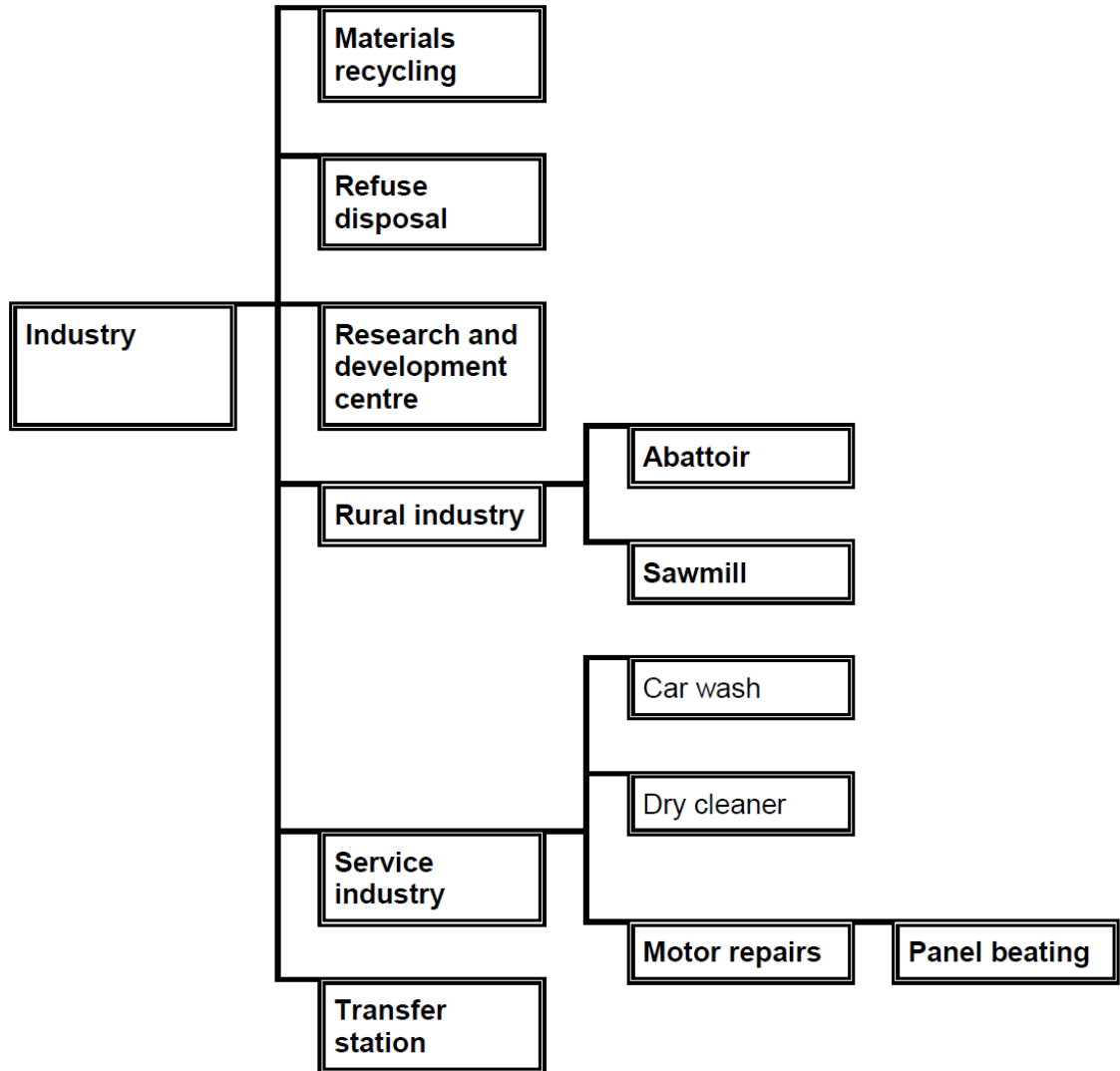
Education centre group



73.04-5

08/08/2019
VC159

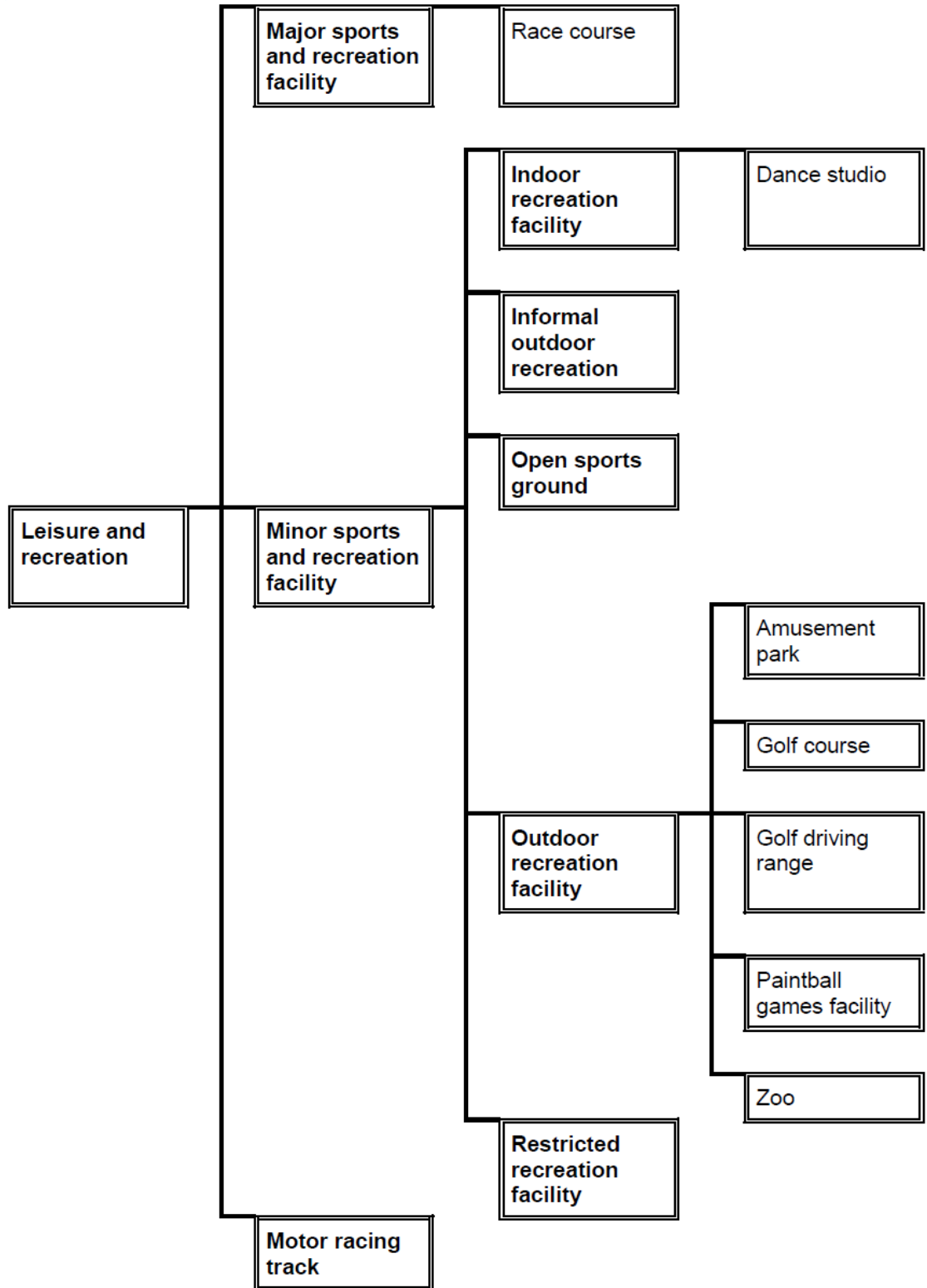
Industry group



73.04-6

16/08/2019
VC163

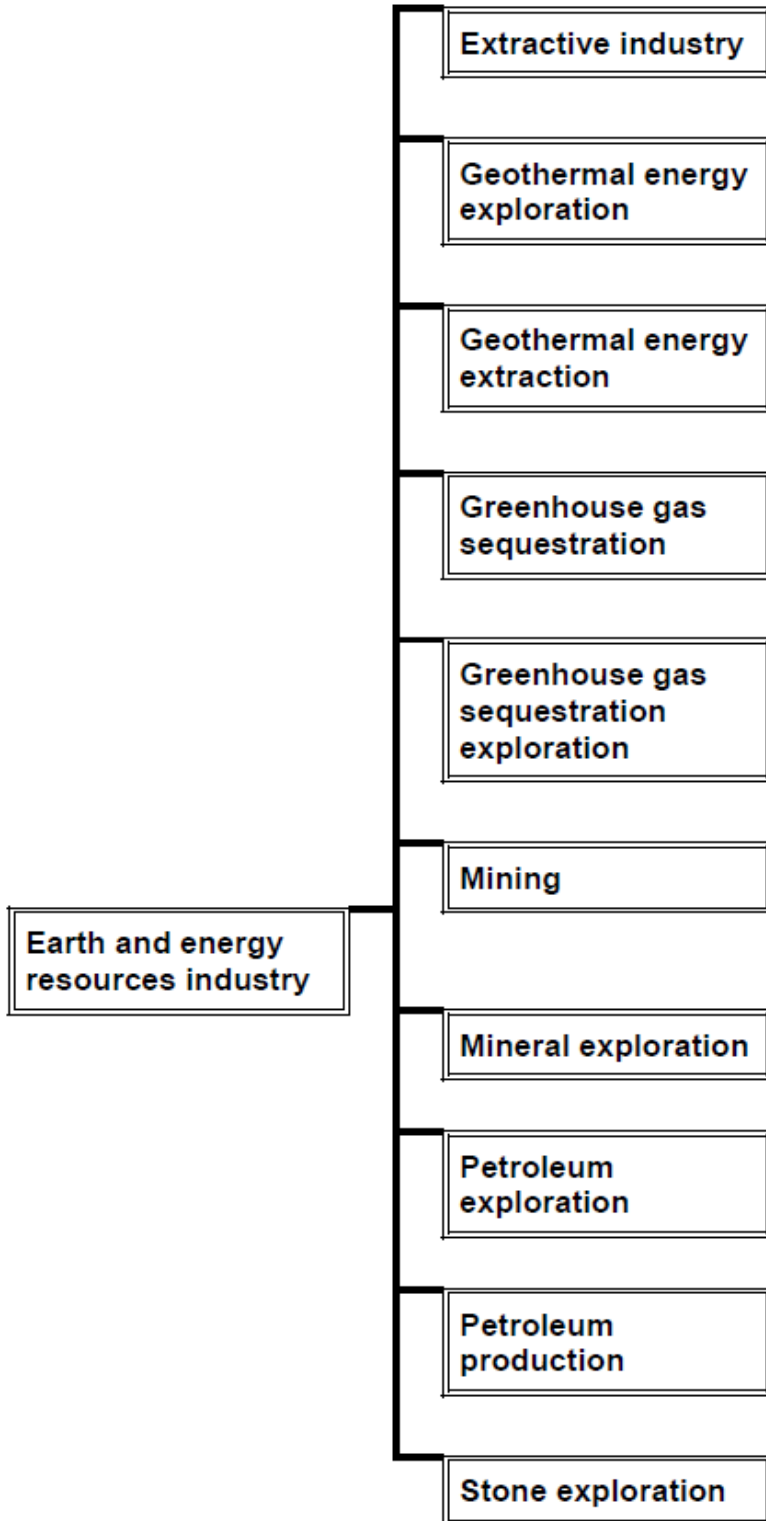
Leisure and recreation group



73.04-7

24/01/2020
VC160

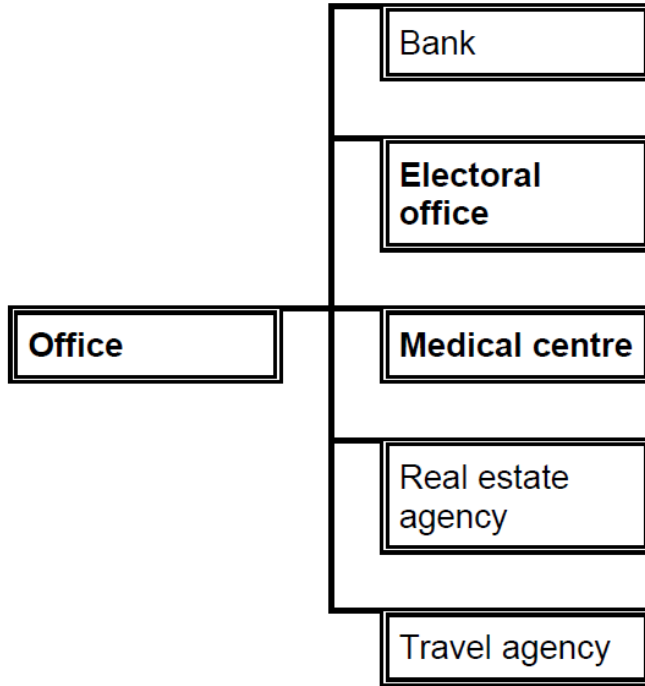
Earth and energy resources group



73.04-8

24/01/2020
VC160

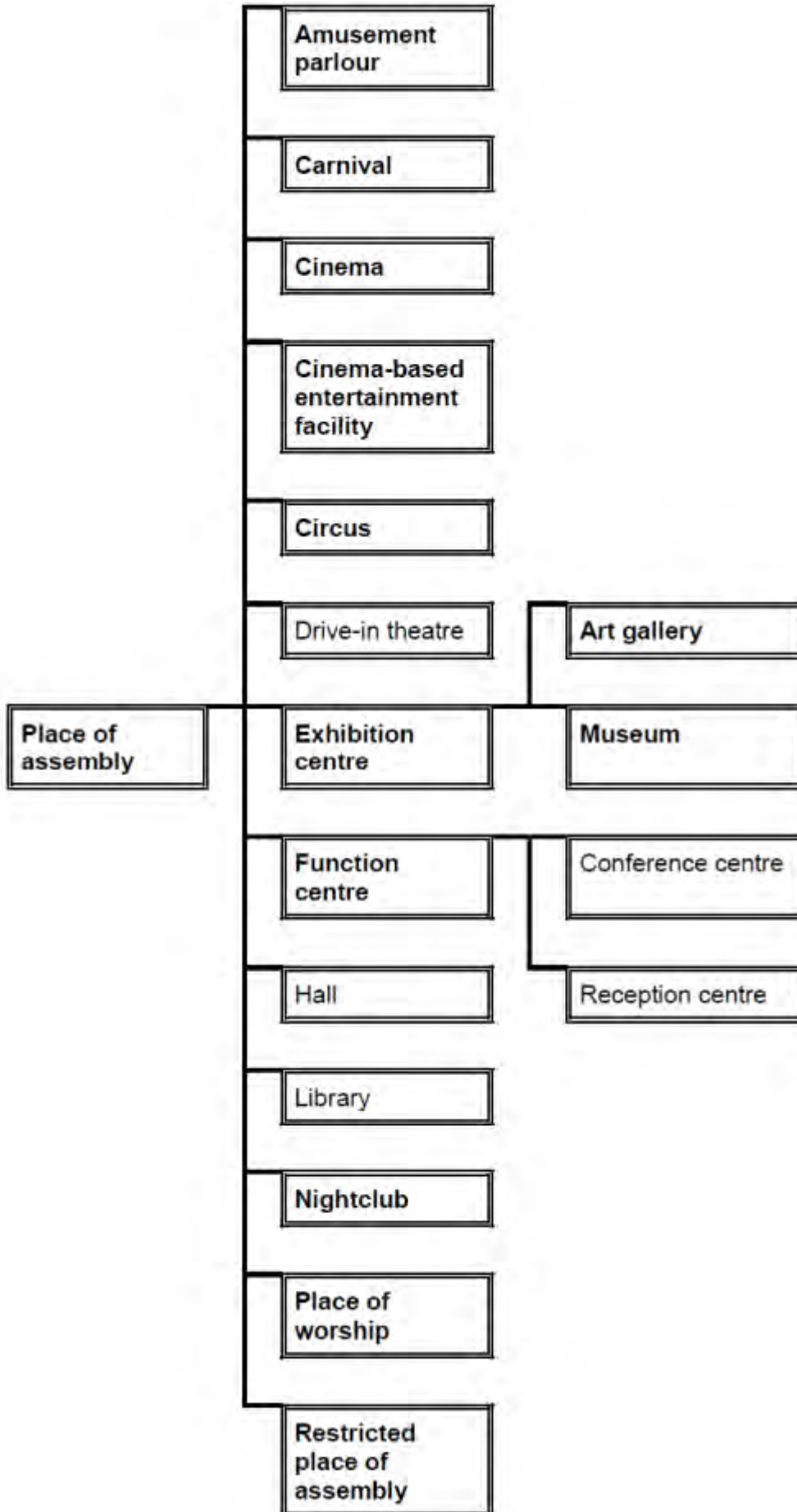
Office group



73.04-9

16/08/2019
VC163

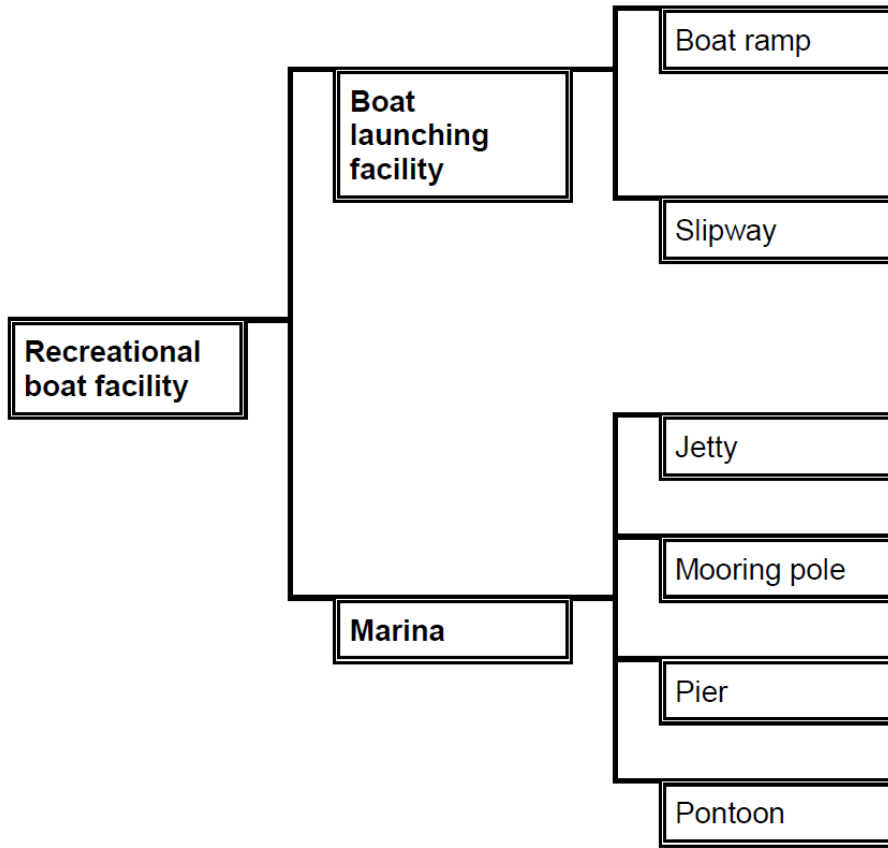
Place of assembly group



73.04-10

24/01/2020
VC160

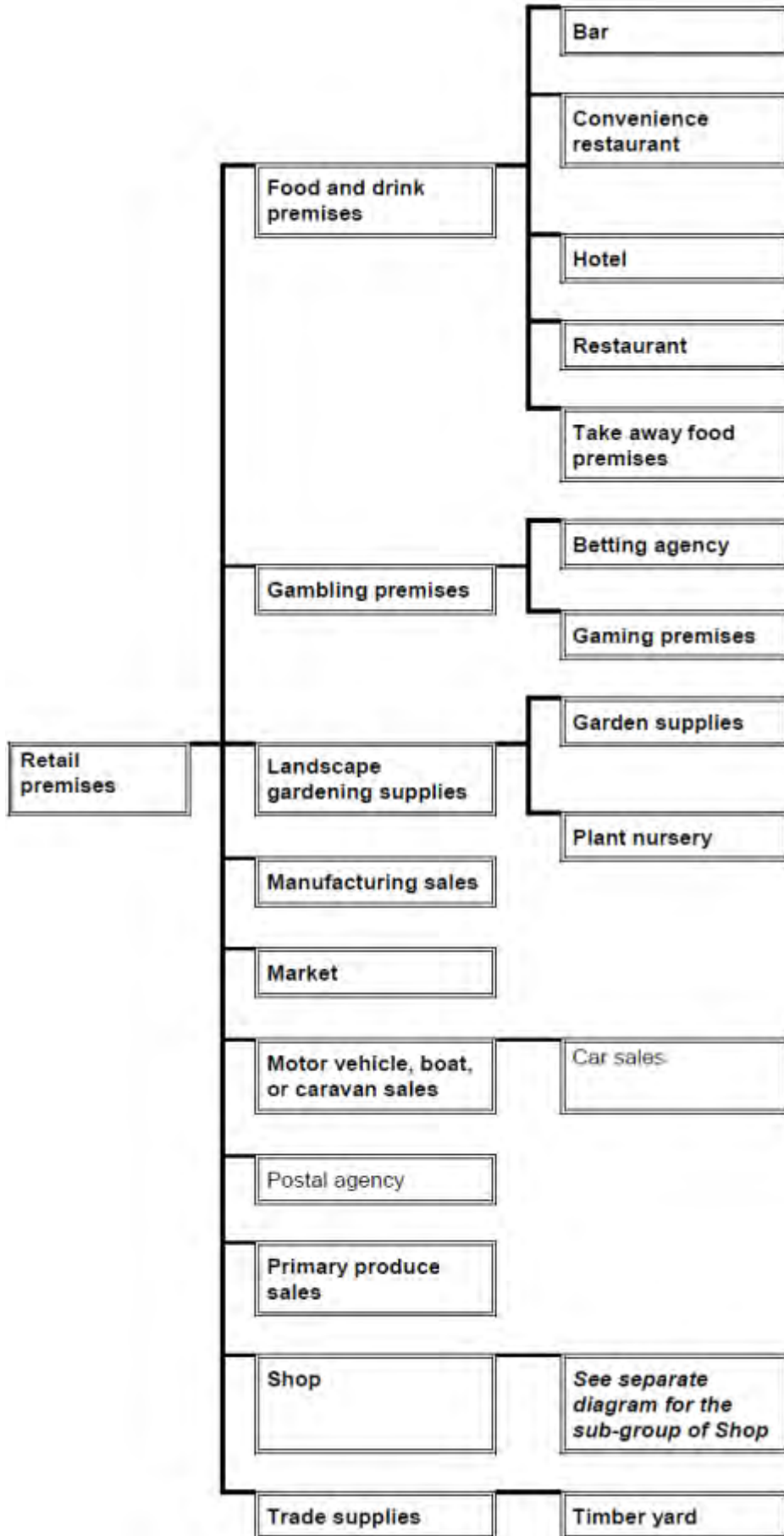
Recreational boat facility group



73.04-11

Retail premises group

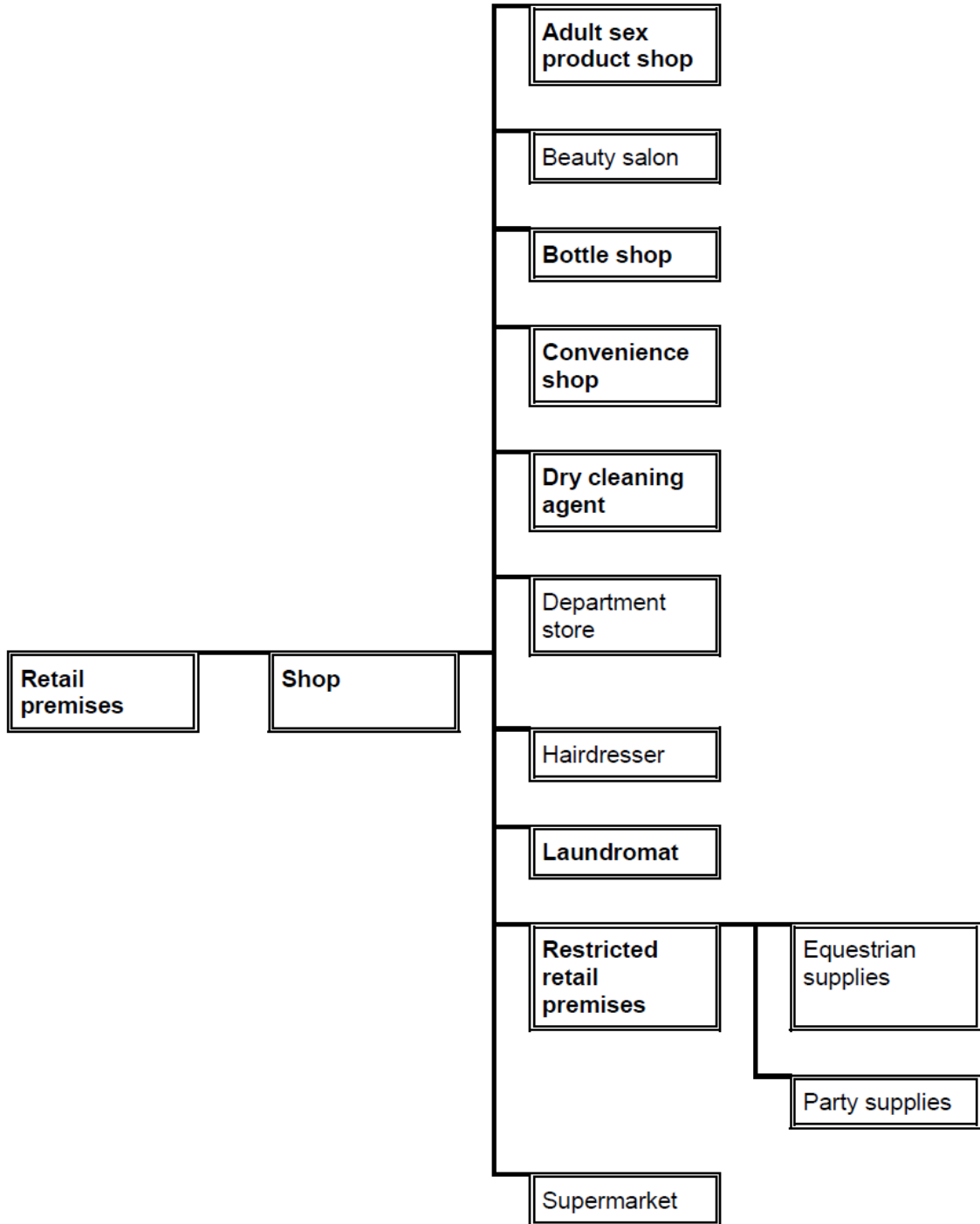
16/08/2019
VC163



73.04-12

08/08/2019
VC159

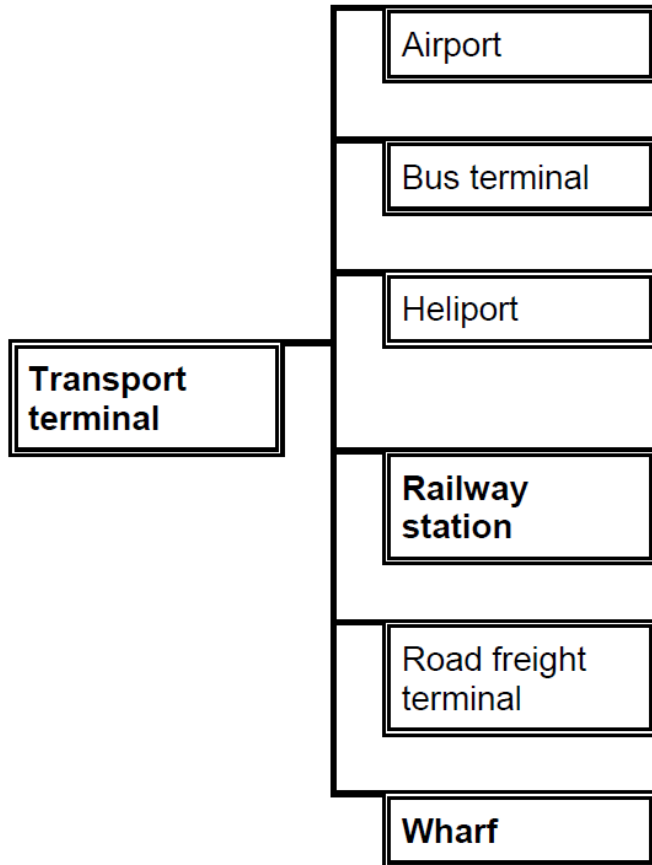
Retail premises group (sub-group of Shop)



73.04-13

24/01/2020
VC160

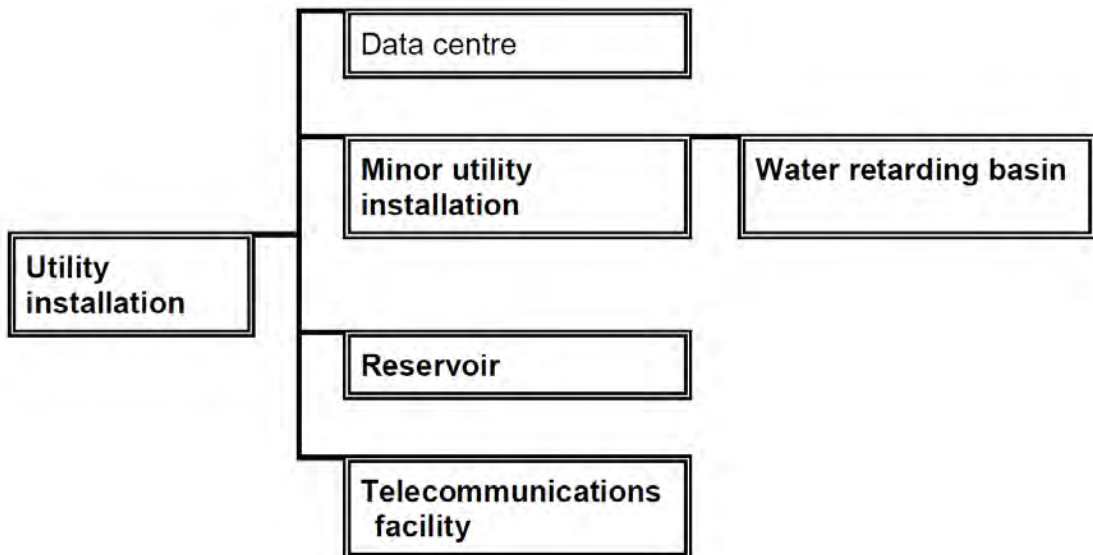
Transport terminal group



73.04-14

08/08/2019
VC159

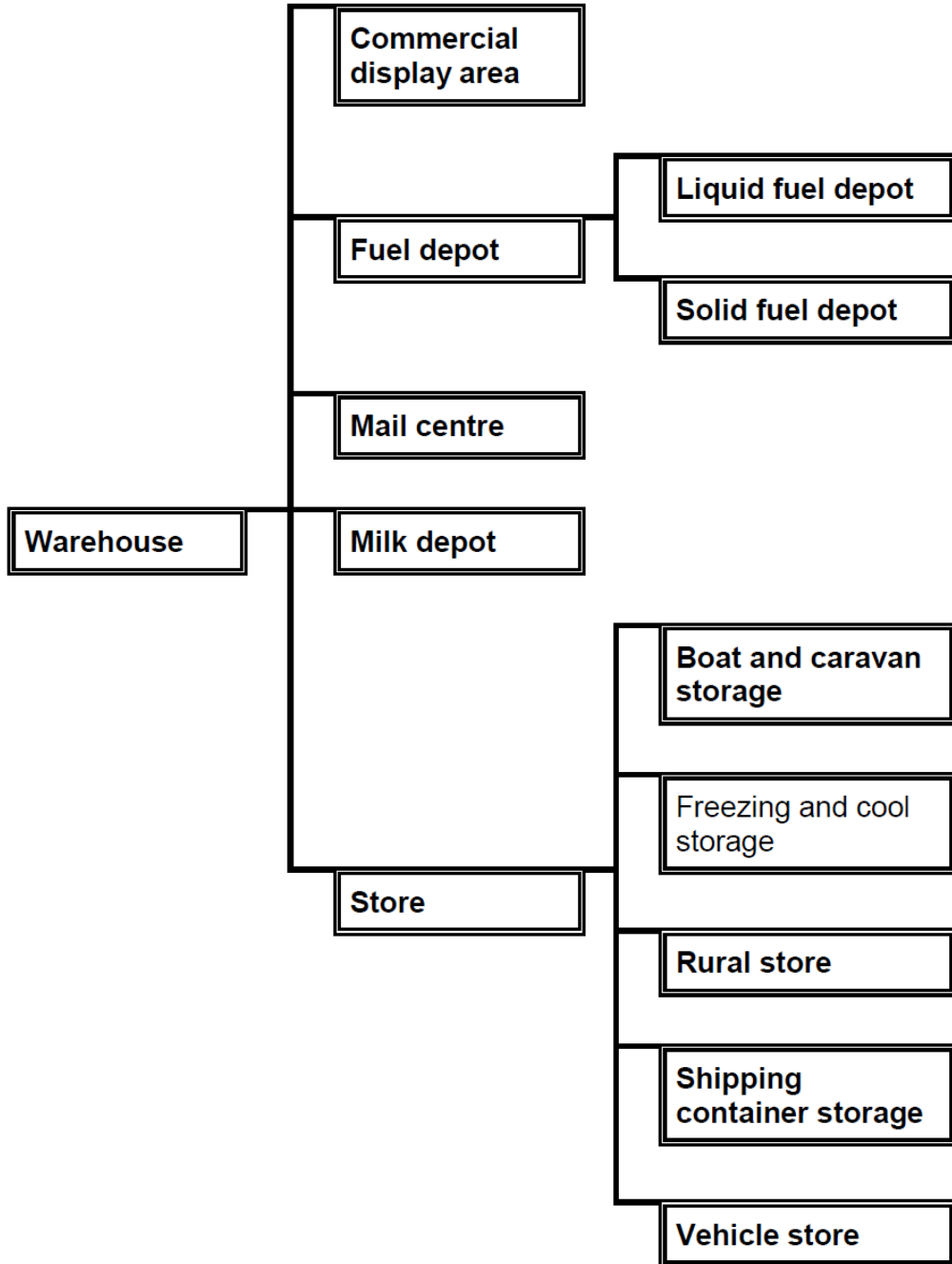
Utility installation group



73.04-15

24/01/2020
VC160

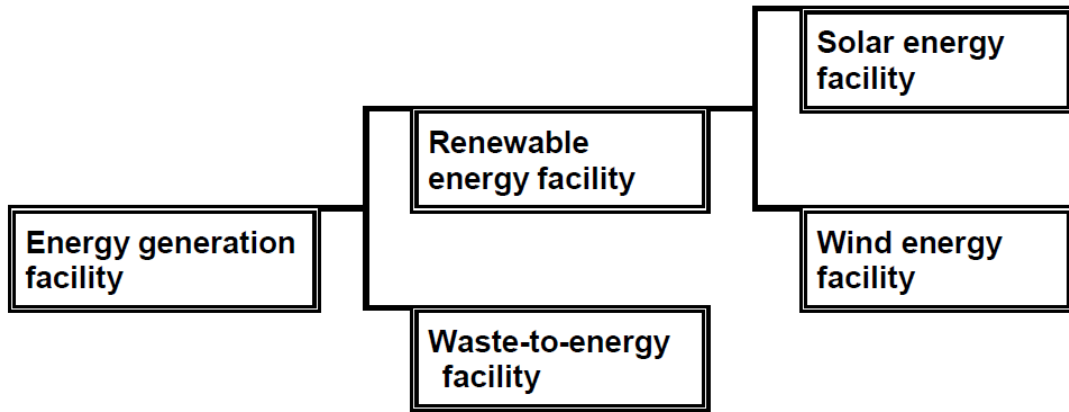
Warehouse group



73.04-16

24/01/2020
VC160

Energy Group



73.04-17

08/08/2019
VC159

Land use terms that are not nested

Art and craft centre

Brothel

Car park

Cemetery

Crematorium

Display home centre

Emergency services facility

Freeway service centre

Funeral parlour

Helicopter landing site

Home based business

Hospital

Natural systems

Research centre

Saleyard

Service station

Sign

Tramway

Veterinary centre

Winery

74

31/07/2018
VC148

STRATEGIC IMPLEMENTATION

74.01

31/07/2018
VC148

APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

A planning authority must take into account the schedule to this clause when it prepares an amendment to this planning scheme.

A responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.

74.02

31/07/2018
VC148

FURTHER STRATEGIC WORK

The schedule to this clause may specify the planning authority's approach to further strategic work.

A planning authority may take into account the schedule to this clause when it prepares an amendment to this planning scheme.

The responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.