

West Wimmera 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.

01

31/07/2018
VC148

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.

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 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

31/07/2018
VC148

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

31/07/2018
VC148

Settlement - Wimmera Southern Mallee

Strategies

Support the regional city role of Horsham as the key population and employment centre for the region.

Support the ongoing growth and development of Edenhope, Hopetoun, Nhill, St Arnaud, Stawell and Warracknabeal as the key service hubs in their sub-regional communities of interest.

Provide local and some sub-regional services in Dimboola, Kaniva and Murtoa.

Recognise the close relationship between Stawell and Ararat and plan for these towns as a cohesive sub-regional cluster of housing, employment and services.

Provide for easy access to housing, education, employment and community facilities, particularly in Horsham and district towns.

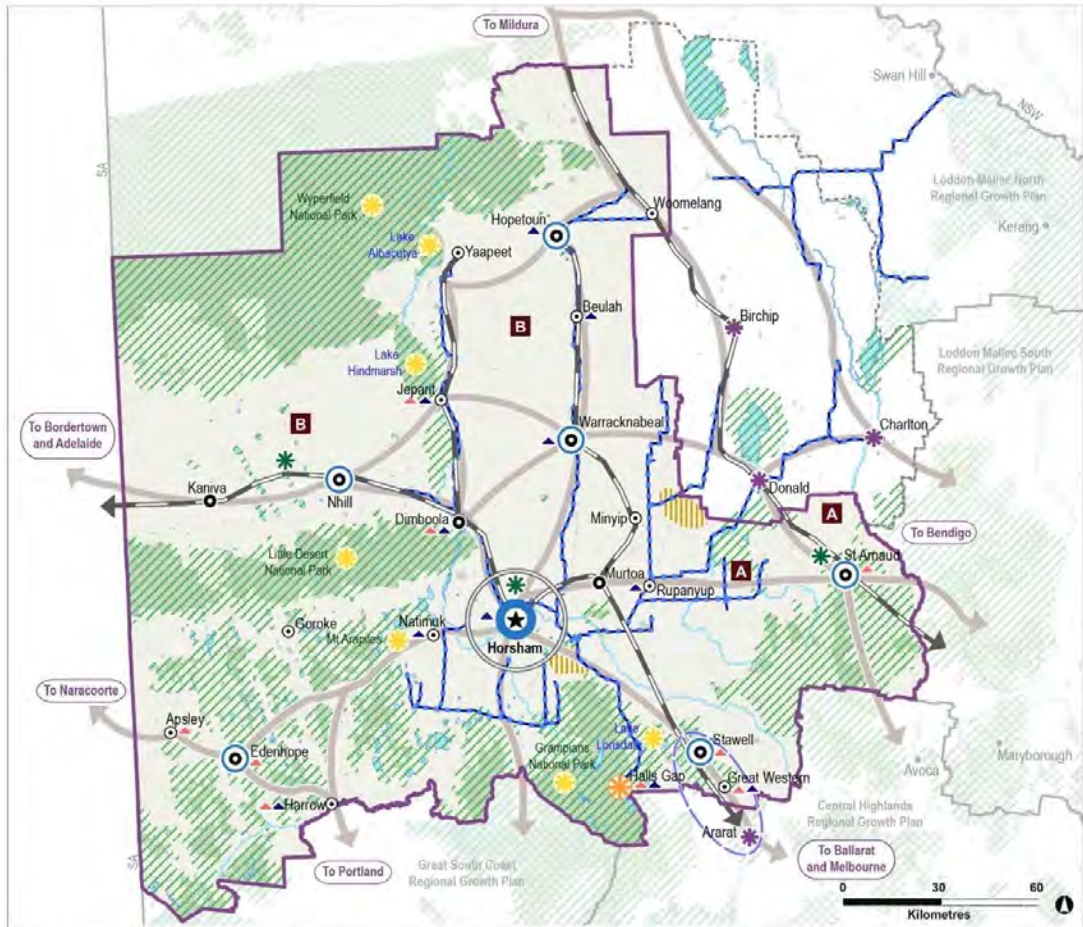
Provide an ongoing supply of infill and greenfield residential land, particularly in Horsham and district towns.

Support the regional role of Horsham Central Activities District in providing higher order commercial and retail services.

Support investment in higher order services and facilities at Horsham that cater for a regional catchment.

Support regeneration of Horsham North through improved access, community infrastructure and housing.

Wimmerera Southern Mallee Regional Growth Plan



SETTLEMENT NETWORK

- Horsham - Regional city - Promote growth
- District town
- Town
- Small settlement
- Stawell-Ararat relationship
- Halls Gap - tourism hub
- Key hubs external to the region
- Partner council

INFRASTRUCTURE

- Key road corridor
- Key rail corridor
- Wimmerera Mallee Pipeline trunk routes

ECONOMIC DEVELOPMENT

- Preferred location for medium-large piggery and broiler farm intensive agriculture
- Preferred location for medium-large cattle and lamb feedlot intensive agriculture
- Freight and industry gateway
- Mineral sands mining proposal
- Bioenergy cluster
- Key tourism asset

ENVIRONMENT

- Areas containing high value terrestrial habitat
- Public land
- Lakes
- Rivers
- Urban flood considerations⁽¹⁾
- Urban bushfire considerations⁽²⁾

(1) Urban flood considerations are based on existing overlays
 (2) Bushfire considerations may be based on one or more of the following existing overlays, advice from CFA or Regional Bushfire Planning Assessments. Does not include Bushfire Prone Areas.

11.02

31/07/2018
VC148

MANAGING GROWTH

11.02-1S31/07/2018
VC148**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

31/07/2018
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

31/07/2018
VC148

PLANNING FOR PLACES

11.03-1S31/07/2018
VC148**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, 2017)
- *Precinct Structure Planning Guidelines* (Growth Areas Authority, 2009)

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.
- 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

31/07/2018
VC148

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.

11.03-4S31/07/2018
VC148**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.

Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.

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.

Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.

Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.

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

Protect areas between settlements for non-urban use.

Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas.

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

Ensure a sustainable water supply, stormwater 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.

Policy documents

Consider as relevant:

- *Victorian Coastal Strategy* (Victorian Coastal Council, 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)

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

31/07/2018
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*)

12.01-1R

31/07/2018
VC148

Protection of biodiversity - Wimmera Southern Mallee

Strategies

Facilitate greater connectivity between areas of medium to high natural value to improve ecosystem resilience.

Protect and manage environmental assets as cropping expands in the southern parts of the region.

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

31/07/2018
VC148

COASTAL AREAS

12.02-1S31/07/2018
VC148**Protection of coastal areas****Objective**

To recognise the value of coastal areas to the community, conserve and enhance coastal areas and ensure sustainable use of natural coastal resources.

Strategies

Coordinate land use and planning with the requirements of the *Coastal Management Act 1995* to:

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

Apply the hierarchy of principles for coastal planning and management:

- Principle 1: Ensure the protection of significant environmental and cultural values.
- Principle 2: Undertake integrated planning and provide clear direction for the future.
- Principle 3: Ensure the sustainable use of natural coastal resources.
- Principle 4: Ensure development on the coast is located in existing modified and resilient environments where the demand for development is evident and any impacts can be managed sustainably.

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

Ensure development protects and seeks to enhance coastal biodiversity and ecological values.

Ensure development is sensitively sited and designed and respects the character of coastal settlements.

Encourage revegetation of cleared land abutting coastal reserves.

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

Avoid disturbance of coastal acid sulfate soils.

Protect cultural heritage places, including Aboriginal places, archaeological sites and historic shipwrecks.

Policy guidelines

Consider as relevant:

- Any applicable coastal action plan or management plan approved under the *Coastal Management Act 1995* or *National Parks Act 1975*.

Policy documents

Consider as relevant:

- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)
- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)

12.02-2S

31/07/2018
VC148

Coastal Crown land

Objective

To achieve coastal crown land development that provides an environmental, social and economic balance.

Strategies

Ensure that use and development on or adjacent to coastal foreshore Crown land:

- Maintains safe, equitable public access and improves public benefit.
- Protects local environmental and social values.
- Demonstrates need and coastal dependency.
- Minimises impact on the coast by locating within a defined activity or recreation node.

Policy guidelines

Consider as relevant:

- The purpose for which land is reserved under the *Crown Land (Reserves) Act 1978*.
- Any relevant coastal action plan or management plan approved under the *Coastal Management Act 1995* or *National Parks Act 1975*.

Policy documents

Consider as relevant:

- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)

12.02-3S

31/07/2018
VC148

Bays

Objective

To improve the environmental health of Port Phillip Bay and Western Port and their catchments.

Strategies

Reduce major environmental pressures associated with urban growth and development in Port Phillip Bay and Western Port catchments by:

- Requiring growth area planning to protect significant natural assets.
- Improving the quality of stormwater entering waterways, particularly from construction sites and road development.

Improve waterway management arrangements for Port Phillip Bay and Western Port catchments.

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

- Focussing development in areas already developed or in areas that can tolerate more intensive use.
- Requiring coastal planning and management to be consistent with the *Victorian Coastal Strategy* (Victorian Coastal Council, 2014).
- Managing privately owned foreshore consistently with the adjoining public land.

Policy documents

Consider as relevant:

- *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)

12.04

31/07/2018
VC148

ALPINE AREAS

12.04-1S31/07/2018
VC148**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.

Policy guidelines

Consider as relevant:

- Any applicable approved Victorian Environmental Assessment Council recommendations.
- Any relevant State Environment Protection Policy.
- 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:

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

WEST WIMMERA PLANNING SCHEME

- 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 aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity conflicts.

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.

13.01-2S31/07/2018
VC148**Coastal inundation and erosion****Objective**

To plan for and manage the potential coastal impacts of climate change.

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.

In planning for sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 may be used for new development in close proximity to existing development (urban infill).

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

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

Avoid development in identified coastal hazard areas susceptible to inundation (both river and coastal), erosion, landslip/landslide, acid sulfate soils, bushfire and geotechnical risk.

Policy guidelines

Consider as relevant:

- Any applicable Land Conservation Council recommendations.
- Any applicable coastal action plan or management plan approved under the *Coastal Management Act 1995* or *National Parks Act 1975*.

Policy documents

Consider as relevant:

- *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

13.03-1S31/07/2018
VC148**Floodplain management****Objective**

To assist the protection of:

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

Strategies

Identify land affected by flooding, including land inundated by the 1 in 100 year flood event or as determined by the floodplain management authority in planning schemes.

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

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 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.

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 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:

- *State Environment Protection Policy (Waters of Victoria)*
- *Victorian Floodplain Management Strategy* (Department of Environment, Land, Water and Planning 2016)

13.04

31/07/2018
VC148

SOIL DEGRADATION

13.04-1S

31/07/2018
VC148

Contaminated and potentially contaminated land

Objective

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

Strategies

Require applicants to provide adequate information on the potential for contamination to have adverse effects on future land use if the subject land is known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel.

Facilitate the remediation of contaminated land, particularly on sites in developed areas with potential for residential development.

Policy documents

Consider as relevant:

- *State Environment Protection Policy (Prevention and Management of Contamination of Land)*
- *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*.

13.04-3S31/07/2018
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

31/07/2018
VC148

Noise abatement

Objective

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

Strategy

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

Policy documents

Consider as relevant:

- *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2*
- *State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 in metropolitan Melbourne*
- *Interim Guidelines for Control of Noise from Industry in Country Victoria* (Environment Protection Authority, 1989)
- *A Guide to the Reduction of Traffic Noise* (VicRoads 2003)

13.06

31/07/2018
VC148

AIR QUALITY

13.06-1S

26/05/2020
VC175

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:

- *State Environment Protection Policy (Air Quality Management)*
- *Recommended Separation distances for industrial residual air emissions* (Environment Protection Authority, 2013)

13.07

26/05/2020
VC175

AMENITY, HUMAN HEALTH AND SAFETY

13.07-1S

26/05/2020
VC175

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 (Environment Protection Authority, 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.

14.01-2S21/09/2018
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)

14.01-2R

31/07/2018
VC148

Agricultural productivity - Wimmera Southern Mallee

Strategies

Support local industries, activities and infrastructure that complement and enhance the region's agricultural sector.

Facilitate the economic opportunities presented by the Wimmera Mallee Pipeline taking advantage of water security to encourage more intensive agriculture.

14.01-3S31/07/2018
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

14.02-1S24/01/2020
VC160**Catchment planning and management****Objective**

To assist the protection and restoration of catchments, 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.

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:

- *State Environment Protection Policy (Waters of Victoria)*
- *Murray River Regional Environmental Plan No 2 (REP2) of New South Wales*

WEST WIMMERA 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)

14.02-2S31/07/2018
VC148**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:

- *Construction Techniques for Sediment Pollution Control* (Environment Protection Authority, 1991)
- *Environmental Guidelines for Major Construction Sites* (Environment Protection Authority, 1996 - Publication 480)
- *Doing it Right on Subdivisions: Temporary Environmental Protection Measures for Subdivision Construction Sites* (Environment Protection Authority, 2004 - Publication 960)
- *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

14.03-1S31/07/2018
VC148**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 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 quarrying 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.

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.

Policy guidelines

Consider as relevant:

- Any applicable State Environment Protection Policy.

Policy documents

Consider as relevant:

- *Mineral Resources (Sustainable Development) Act 1990*

WEST WIMMERA PLANNING SCHEME

- *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)

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

15.01-1S31/07/2018
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)

15.01-2S24/01/2020
VC160**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, 2017)

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)

15.01-5S

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

16.01-1S09/10/2020
VC169**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, 2017)

16.01-2S09/10/2020
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)

16.01-3S09/10/2020
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.

17.01-1R

Diversified economy - Wimmera Southern Mallee

31/07/2018
VC148

Strategies

Capitalise on economic development opportunities through building on the region's assets, particularly agriculture, energy, mining and tourism.

Facilitate the use of secure water supplies to develop the region's economy.

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

26/05/2020
VC175

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*(Environment Protection Authority, 2013)

17.03-1R

31/07/2018
VC148

Industrial land supply - Wimmera Southern Mallee

Strategies

Provide an ongoing supply of industrial land, particularly in Horsham and the district towns of Edenhope, Hopetoun, Nhill, St Arnaud, Stawell and Warracknabeal.

Facilitate industry and other economic opportunities by capitalising on the water security created by the Wimmera Mallee Pipeline.

17.03-2S26/05/2020
VC175**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* (Environment Protection Authority, 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 - Wimmera Southern Mallee

Strategies

Support a diverse range of tourism development on private land, particularly in designated locations where the development will:

- Have access to settlements, transport infrastructure and other services.
- Be compatible with environmental and cultural assets and values.
- Link with nearby environmental assets.
- Not be exposed to unacceptable bushfire hazards.
- Operate in conjunction with agricultural activities and be located away from intensive agriculture and mining.

Avoid residential growth in areas where tourism developments should be given priority to support the local economy.

Facilitate further development of tourism related to the wine industry at Great Western.

Facilitate further development of nature-based tourism around key attractions such as the Grampians National Park, Little Desert National Park, major lakes and cultural heritage sites.

Support the development of Halls Gap as a resort town and tourism focal point for the region.

Facilitate the economic opportunities presented by the region's wetlands and lakes to encourage more tourism.

17.04-2S31/07/2018
VC148**Coastal and maritime tourism and recreation****Objective**

To encourage suitably located and designed coastal, marine and maritime tourism and recreational opportunities.

Strategies

Support the development of ecotourism, tourism and major maritime events.

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.

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

Encourage high quality urban design that is innovative, sustainable and integrated with surrounding areas.

Support maritime and related industries in appropriate locations.

Policy documents

Consider as relevant:

- *Boating Coastal Action Plan* (Central Coastal Board, 2007)
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)
- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)

18

31/07/2018
VC148

TRANSPORT

Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.

18.01

31/07/2018
VC148

INTEGRATED TRANSPORT

18.01-1S31/07/2018
VC148**Land use and transport planning****Objective**

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

Strategies

Develop integrated and accessible transport networks to connect people to jobs and services and goods to market.

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

- Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
- Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
- Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.
- Focussing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities.

Integrate public transport services and infrastructure into new development.

Improve transport links that strengthen the connections to Melbourne and adjoining regions.

Policy documents

Consider as relevant:

- *The Victorian Transport Plan* (Victorian Government, 2008)
- *Public Transport Guidelines for Land Use and Development* (Victorian Government, 2008)
- *Cycling into the Future 2013-23* (Victorian Government, 2012)
- *Principal Public Transport Network 2017* (Department of Economic Development, Jobs, Transport and Resources, 2017)

18.01-2S14/05/2021
VC198**Transport system****Objective**

To coordinate development of all transport modes to provide a comprehensive transport system.

Strategies

Reserve land for strategic transport infrastructure.

Require transport system management plans for key transport corridors and for major investment proposals.

Incorporate the provision of public transport, cycling and walking infrastructure in all major new state and local government road projects.

Locate transport routes to achieve the greatest overall benefit to the community to making the best use of existing social, cultural and economic infrastructure, minimising impacts on the environment and optimising accessibility, safety, emergency access, service and amenity.

Locate and design new transport routes and adjoining land uses to minimise disruption of residential communities and their amenity.

Plan or regulate new uses or development of land near an existing or proposed transport route to avoid detriment to and where possible enhance, the service, safety and amenity desirable for that transport route in the short and long terms.

Facilitate infrastructure that connects and improves train services between key regional cities and townships and Melbourne.

Ensure that pedestrian and cyclist access to public transport is facilitated and safeguarded.

Ensure the design, construction and management of all transport modes reduces environmental impacts.

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

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

Policy guidelines

Consider as relevant:

- Any applicable highway strategy published by VicRoads or the Department of Transport.

Policy documents

Consider as relevant:

- *The Victorian Transport Plan* (Victorian Government, 2008)
- *Freight Futures: Victorian Freight Network Strategy for a more prosperous and liveable Victoria* (Victorian Government, 2008)
- *Public Transport: Guidelines for land use and development* (Victorian Government, 2008)

18.02

31/07/2018
VC148

MOVEMENT NETWORKS

18.02-1S31/07/2018
VC148**Sustainable personal transport****Objective**

To promote the use of sustainable personal transport.

Strategies

Ensure development and the planning for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations) provide opportunities to promote more walking and cycling.

Encourage the use of walking and cycling by creating environments that are safe and attractive.

Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.

Ensure cycling routes and infrastructure are constructed early in new developments.

Provide direct and connected pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Ensure cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) is planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles.

Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.

Provide improved facilities, particularly storage, for cyclists at public transport interchanges, rail stations and major attractions.

Ensure provision of bicycle end-of-trip facilities in commercial buildings.

Policy documents

Consider as relevant:

- *Guide to Road Design, Part 6A: Paths for Walking and Cycling*
- *Cycling into the Future 2013–23* (Victorian Government, 2012)

18.02-2S31/07/2018
VC148**Public Transport****Objective**

To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.

Strategies

Maintain and strengthen passenger transport networks.

Connect activity centres, job rich areas and outer suburban areas through high-quality public transport.

Improve access to the public transport network by:

- Ensuring integration with walking and cycling networks.
- Providing end-of-trip facilities for pedestrians and cyclists at public transport interchanges.

Plan for bus services to meet the need for local travel.

Ensure development supports the delivery and operation of public transport services.

Plan for and deliver public transport in outer suburban areas that is integrated with land use and development.

Provide for bus routes and stops and public transport interchanges in new development areas.

Policy documents

Consider as relevant:

- *Public Transport Guidelines for Land Use and Development* (Victorian Government, 2008)
- *The Victorian Transport Plan* (Victorian Government, 2008)
- *Cycling into the Future 2013-23* (Victorian Government, 2012)

18.02-3S31/07/2018
VC148**Road system****Objective**

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

Strategies

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

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

Make better use of roads for all road users through the provision of wider footpaths, bicycle lanes, transit lanes (for buses and taxis) and specific freight routes.

Selectively expand and upgrade the road network to provide for:

- High-quality connections between Metropolitan Melbourne and regional cities, and between regional cities.
- Upgrading of key freight routes.
- Ongoing development in outer suburban areas.
- Higher standards of on-road public transport.
- Improved key cross-town arterial links in the outer suburbs including circumferential and radial movement.

Ensure access to jobs and services in growth areas and outer suburban areas by improving roads for all road users.

Improve the management of key freight routes to make freight operations more efficient while reducing their external impacts.

Ensure that road space complements land use and is managed to meet community and business needs.

18.02-4S31/07/2018
VC148**Car parking****Objective**

To ensure an adequate supply of car parking that is appropriately designed and located.

Strategies

Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.

Encourage the efficient provision of car parking by consolidating car parking facilities.

Design and locate local car parking to:

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

Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.

Make adequate provision for taxi ranks as part of activity centres, transport interchanges and major commercial, retail and community facilities.

Policy documents

Consider as relevant:

- *Public Transport Guidelines for Land Use and Development* (Victorian Government, 2008)

18.03

31/07/2018
VC148

PORTS

18.03-1S31/07/2018
VC148**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.

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.

Policy documents

Consider as relevant:

- *The Victorian Transport Plan* (Victorian Government, 2008)
- *Victorian Ports Strategic Framework* (Department of Infrastructure, 2004)
- *Freight Futures: Victorian Freight Network Strategy for a more prosperous and liveable Victoria* (Victorian Government, 2008)
- *Statement of Planning Policy No 1 - Western Port* (1970-varied 1976)
- *Port Futures* (Victorian Government, 2009)
- *Port of Hastings Land Use and Transport Strategy* (Port of Hastings Corporation, 2009)
- *Port of Portland - Port Land Use Strategy* (Port of Portland Pty Limited, 2009)
- *Port of Geelong - Development Strategy* (Victorian Regional Channels Authority, 2013)
- *Port Development Strategy 2035 Vision* (Port of Melbourne Corporation, 2009)

18.03-2S31/07/2018
VC148**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.

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:

- *Freight Futures: Victorian Freight Network Strategy for a more prosperous and liveable Victoria* (Victorian Government, 2008)
- *Statement of Planning Policy No 1 - Western Port* (1970-varied 1976)
- *Port Futures* (Victorian Government, 2009)
- *Port of Hastings Land Use and Transport Strategy* (Port of Hastings Corporation, 2009)
- *Port of Portland - Port Land Use Strategy* (Port of Portland Pty Limited, 2009)
- *Port of Geelong - Development Strategy* (Victorian Regional Channels Authority, 2013)
- *Port Development Strategy 2035 Vision* (Port of Melbourne Corporation, 2009)

18.04

AIRPORTS

31/07/2018
VC148

18.04-1S31/07/2018
VC148**Planning for 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 such that:

- 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:

- *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)

WEST WIMMERA PLANNING SCHEME

- *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

18.05

31/07/2018
VC148

FREIGHT

18.05-1S31/07/2018
VC148**Freight links****Objective**

To develop the key Transport Gateways and freight links and maintain Victoria's position as the nation's premier logistics centre.

Strategies

Support major Transport Gateways as important locations for employment and economic activity by:

- Protecting designated ports, airports, freight terminals and their environs from incompatible land uses.
- Encouraging adjacent complementary uses and employment generating activities.

Improve the freight and logistics network to optimise freight handling and maintain the efficiency and effectiveness of the network.

Support the development of freight and logistics precincts in strategic locations along key regional freight corridors.

Plan for improved freight connections that are adaptable to commodity, market and operating changes.

Link areas of production and manufacturing to export markets.

Improve freight efficiency and increase capacity of Transport Gateways while protecting urban amenity.

Facilitate increased capacity of Interstate Freight Terminals, both in regional areas and Metropolitan Melbourne.

Ensure an adequate supply of land is zoned to allow high-volume freight customers to locate adjacent to Interstate Freight Terminals.

Minimise negative impacts of freight movements on urban amenity.

Limit incompatible uses in areas expected to have intense freight activity by identifying and protecting key freight routes on the Principal Freight Network.

Policy documents

Consider as relevant:

- *Freight Futures: Victorian Freight Network Strategy for a more prosperous and liveable Victoria* (Victorian Government, 2008)

18.05-1R

31/07/2018
VC148

Freight links - Wimmera Southern Mallee

Strategy

Create a regional freight and industry gateway in and around Horsham to capitalise on the Wimmera Intermodal Freight Terminal and value adding from the agricultural industry.

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.

19.01-2S24/01/2020
VC160**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, March 2019)
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, August 2019)

19.01-2R

31/07/2018
VC148

Renewable energy - Wimmera Southern Mallee

Strategy

Support the development of locally generated renewable energy, including bioenergy clusters.

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.

19.02-2S

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.

19.02-3S

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.

19.02-4S

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.

19.02-4R

Social and cultural infrastructure – Wimmera Southern Mallee

31/07/2018
VC148

Strategy

Maintain and enhance social and community facilities in key service centres, particularly district towns, to ensure they are sustainable and can continue to attract new residents.

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.

19.02-6S31/07/2018
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.

19.03

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.

19.03-3S26/10/2018
VC154**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.

Policy documents

Consider as relevant:

- *State Environment Protection Policy (Waters of Victoria)*
- *Water for Victoria - Water Plan* (Victorian Government, 2016)
- *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)

WEST WIMMERA PLANNING SCHEME

- *Guidelines for Environmental Management: Code of Practice - Onsite Wastewater Management* (Publication 891.4, Environment Protection Authority, 2016)
- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)

19.03-4S26/10/2018
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)

19.03-5S26/10/2018
VC154**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 in accordance with the *Waste Management Policy (Siting, Design and Management of Landfills)* (Environment Protection Authority, 2004).

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)
- *Waste Management Policy (Siting, Design and Management of Landfills)* (Environment Protection Authority, 2004)
- *Environment Protection (Industrial Waste Resource) Regulations 2009*
- *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* (Environment Protection Authority, 2015)

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.

21
19/01/2006
VC37

MUNICIPAL STRATEGIC STATEMENT

21.0120/06/2013
C30**THE MUNICIPAL STRATEGIC STATEMENT**

West Wimmera Shire Council applies an integrated approach to land use planning which takes into account sustainable economic, social and environmental perspectives.

The Municipal Strategic Statement (MSS) sets out the vision, objectives and strategies for managing the use and development of land within the municipality. It provides the basis for the application of the local policies, zones and overlays and other provisions in the West Wimmera Planning Scheme.

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

Structure of Municipal Strategic Statement

The structure of the MSS includes Background information, Themes, Local Areas, and Operational matters.

Background information

Background information is set out in three Clauses. The Clauses are:

- Municipal Profile at 21.02
- Key Issues at 21.03
- Vision at 21.04

Themes

The objectives and strategies are set out under five themes:

- Settlement at Clause 21.05
- Land uses at Clause 21.06
- Environment at Clause 21.07
- Landscape and Built Form at Clause 21.08
- Infrastructure at Clause 21.09

Local areas

Detailed objectives and strategies for specific local areas of the West Wimmera Shire are provided in Clause 21.10. The local areas are:

- Edenhope
- Kaniva
- Goroke
- Apsley
- Harrow

Operational matters

The operational matters for the MSS are set out in two Clauses. These Clauses are:

- Reference documents at Clause 21.11
- Future Strategic Work at Clause 21.12

21.0220/06/2013
C30**21.02-1**20/06/2013
C30**PROFILE OF WEST WIMMERA SHIRE****Location**

The West Wimmera Shire Council straddles the Western and Wimmera Highways, midway between Melbourne and Adelaide. The Shire extends from the Western District of Victoria, through the Wimmera and into the Mallee Region. It is bordered by the Rural City of Mildura to the north, Glenelg and Southern Grampians Shires to the south, and Hindmarsh Shire and the Rural City of Horsham to the east. The Shire is bounded to the west by the South Australian border for some 180 kilometres. The municipality is located within the Wimmera, Glenelg Hopkins and Mallee Catchment Regions and is affected by the regional natural resource management programs outlined in the Wimmera, Glenelg Hopkins and Mallee Regional Catchment Strategies.

Occupying an area of approximately 9,000 square kilometres, the West Wimmera Shire is one of the largest municipalities in Victoria. Despite its size however, the Shire has a small and decreasing population, 4,614 persons as of the 2006 census, with an estimated 2010 population of 4591 persons, and a projected 2011 population of 4347 persons.

The Shire was formed in January 1995 by the municipal amalgamation of the former Shire of Kaniva, the majority of the Shire of Kowree, a small portion of the Shire of Arapiles and the northern rural area of the Shire of Glenelg. The administrative headquarters are located at Edenhope with a district office based in Kaniva.

Approximately 30% of the Shire is public land. Significant natural features have been recognised through the creation of the Big Desert and Little Desert National Parks, and the Mount Arapiles – Tooan Park. West Wimmera Shire contains over 3000 wetlands, representing 25% of Victoria's wetlands. These wetlands are an important natural asset for the municipality and wider region.

The Region

The physical geography of the municipality varies considerably, posing differing opportunities for and constraints to settlement and land management. The Shire incorporates parts of the Mallee, Wimmera and Western District. In the northern part of the Shire are the Murray Basin Plains. The middle of the Shire is characterised by undulating topography with lakes and swamps, including Lake Wallace at Edenhope. The southern part of the Shire is divided by the Glenelg River system and includes the deeply dissected Dundas Tablelands.

North-south physical variations are also reflected in the climate and soils, which has dictated the types of farming carried out in the Shire's districts. The north tends toward a semi-arid climate while the southern areas are more characteristically Mediterranean with some frosts. Average annual rainfall ranges from 400 mm in the north to 700 mm in the south. While soils vary, the prevalence of sand is a common characteristic.

21.02-220/06/2013
C30**History**

Aboriginal People have occupied parts of the West Wimmera region for at least 11,000 years and probably for more than 60,000 years. Evidence of Aboriginal land use in the region includes scarred trees, stone arrangements, mounds, rock shelters, stone engraving sites, middens, rock paintings, surface scatters, fish traps, burial places, stone house sites, quarries and axe grinding places. Indigenous heritage places are landscapes, sites and areas that are particularly important to indigenous people as part of their customary law, developing traditions, history and current practices. All Indigenous heritage places have associated indigenous heritage values. Maintaining heritage values and places is a vital part of the community's 'sense of place', cultural identity and well being. This is particularly true for Indigenous Australians, whose heritage creates and maintains links between ancestors, people and the land.

European settlement in western Victoria was rapid following the Henty brothers' landing at Portland in November 1834. By the mid 1800s European settlement was well established in the Shire. Shortly thereafter, Surveyor-General, Major (later Sir) Thomas Mitchell left Sydney to attempt to

follow the inland rivers that Sturt has recently discovered. During his journey through the West Wimmera Shire, the flat plains and grassy woodlands that were eminently suitable for grazing impressed him. He noted their rich black clay soils and the useful timbers that grew in the open woodlands. He imagined a settled and prosperous countryside developing quickly in the wake of his explorations.

Mitchell's encouraging observations were rapidly made known through New South Wales and Van Diemens Land and pastoralists moved in with stock to take up runs. By the mid 1800s most of the area had been settled, with the townships of Harrow established in 1842 and Edenhope in 1845.

The impact of European settlement on the Aboriginal population was immediate and great and resulted in a rapid decline of Aborigines throughout western Victoria by the late 1870s.

When the mining boom subsided in the 1860s, the proclamation of the Land Act 1869 allowed settlers of limited means to select and eventually purchase land for farming (largely wheat growing and grazing) within proclaimed areas, provided conditions of residence and improvement were met.

Agriculture expanded and diversified in the late 19th century, despite periodic economic depressions and natural adversities such as floods, drought and disease. Initial activities included growing fine wool from Merino and Merino-cross sheep, cattle for beef in the south, and wheat production, particularly through the central areas of the Shire.

Secondary industries also developed, especially to serve agriculture and mining. They included blacksmiths, quarries, sawmills, tanneries and flour mills. After both world wars, government sponsored 'closer settlement' and 'solider settlement' schemes enabled a large numbers of small farmers to establish themselves on the land. A number of small towns were established throughout the Shire to support the population of pioneering farmers and families.

21.02-3

20/06/2013
C30

Settlement pattern

The predominant towns in West Wimmera Shire are Apsley, Edenhope, Goroke, Harrow, and Kaniva. There are also a number of smaller townships located throughout the Shire, including Dergholm, Chetwynd and Serviceton.

Edenhope is the major administrative centre for the Shire. The town has a compact commercial area offering convenience and weekly shopping. Industrial activities are concentrated in the east of the town, with some service industries on the southern edge of the commercial area.

Kaniva functions both as a service centre for the surrounding agricultural area and as a rest stop for travellers on the way to regional destinations and Adelaide. The commercial area is centrally located along the Western Highway.

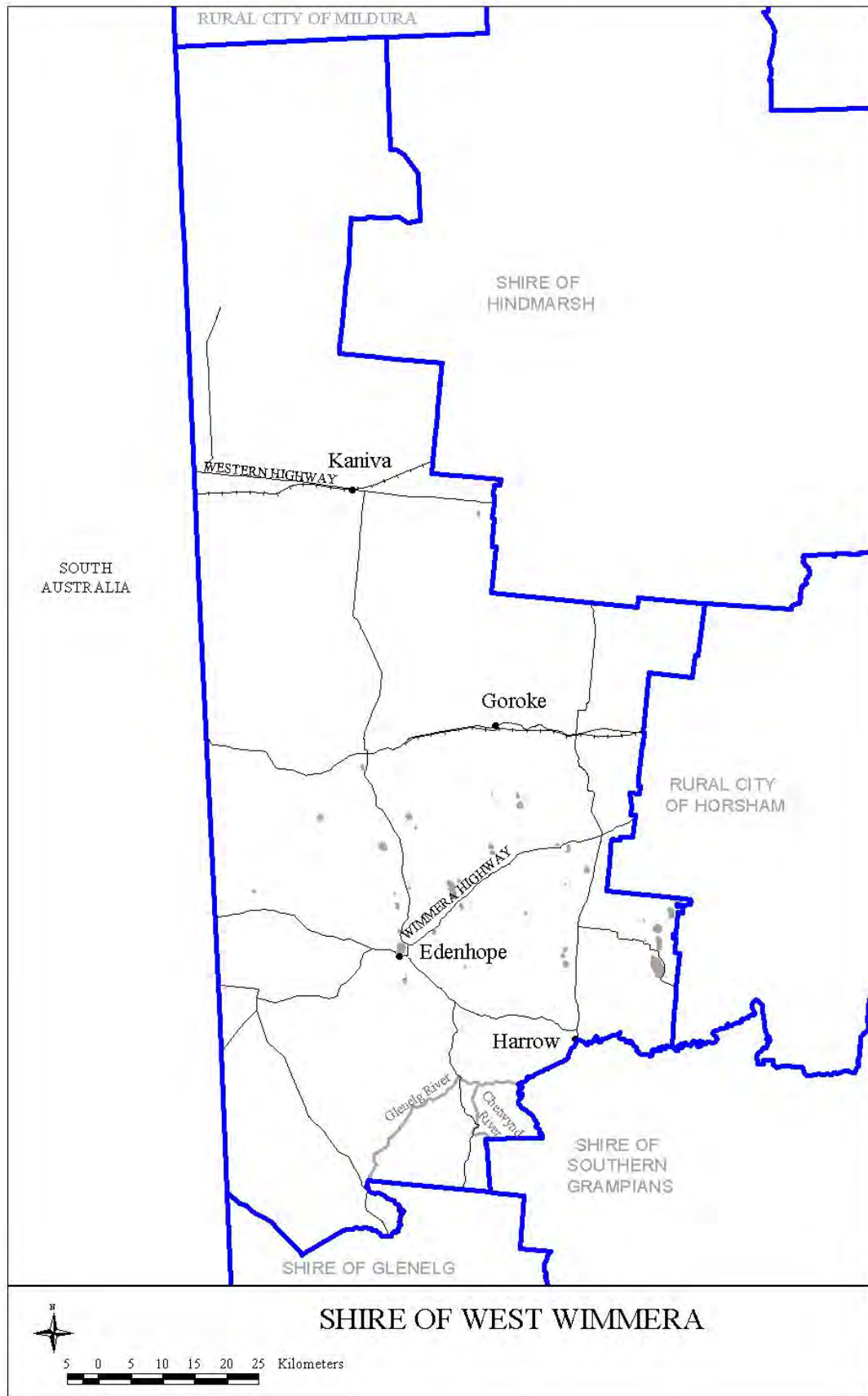
Goroke is a quiet township located in an area noted for yabbying, fishing, bird and wildlife watching.

Apsley is a small town located approximately ten kilometres east of the South Australian border. The town began as a central point for four sheep stations and continues to provide a local service function.

Harrow is set on the lush banks of the Glenelg River and is fortunate to have several heritage buildings that have survived from the mid-19th century. Its community supports festivals and other forms of tourism.

The following map of the West Wimmera Shire shows the settlement pattern of the municipality in its regional context.

WEST WIMMERA PLANNING SCHEME



21.02-420/06/2013
C30**Population**

The West Wimmera Shire had an estimated resident population of 4383 people at the 2006 census, which is slight decline in population from the previous census.

Edenhope, Kaniva, Gorokey, Apsley and Harrow are the major towns within the Shire.

The estimated populations of the townships throughout the municipality are detailed in Table 1 below.

Table 1

Township	2006 Census Population
Edenhope	733
Kaniva	738
Gorokey	263
Apsley	156
Harrow	92
Rural balance	2401
TOTAL	4383

Source: Department of Planning and Community Development

Population Trends

The population trends for the municipality show a declining population as well as an aging population. These trends are also evident for individual towns, except Harrow, which has a relatively stable population. Population projects indicate this trend is likely to continue.

Community Wellbeing

The 2006 Socio-Economic Indexes for Areas (SEIFA) provides a socio-economic snap-shot of geographical areas. SEIFA 2006 consists of four separate indexes that each concentrate on a different aspect of social and economic conditions of an area. The index is a continuum of advantage to disadvantage and is based upon social and economic information from the 2006 Census. Low values indicate areas of disadvantage and high values indicate areas of advantage. It takes into account variables such as the proportion of families with high incomes, people with a tertiary education and employees in skilled occupations.

The West Wimmera Shire is ranked 11th in Victoria in terms of relative disadvantage by the 2006 SEIFA index (Census of Population and Housing: Socio-Economic Indexes for Areas, ABS 2006).

21.02-520/06/2013
C30**Economic development**

West Wimmera Shire is one of Victoria's most diverse and productive agricultural areas. As such the local economy is directly affected by the fortunes of the rural industry. The effects of the 1982 and 1994 droughts and the poor wool prices since 1991 have had a negative impact on farm incomes. Producer margins for farmers have been generally decreasing since 1982. Farms are getting bigger to become more viable, which has led to less demand on the small rural towns that service them.

While the traditional agricultural pursuits such as cropping, grazing, wool and beef have formed the basis of the economy of West Wimmera, diversity in production is being pursued. Taking advantage of the Shire's natural resource attributes has enabled new investment in production as diverse as legumes, oilseeds, flowers, potatoes and other emerging horticultural products. Further

diversity in the economic base, employment and business opportunities is also being pursued through the establishment of new agriculturally linked value added industries together with the continuing expansion of tourism, recreation and leisure opportunities provided in the Shire.

Industrial and commercial development in the Shire is largely limited to small-scale activities related to the servicing of the rural and agricultural sector.

Local tourism organisations throughout the Shire are generally in the early stages of development and links between voluntary associations, tourism operators and the local and regional marketing organisations are being established. The municipality possesses a number of natural tourist attractions and features together with a number of recreation and leisure facilities and attractions in townships. Accommodation, catering and camping facilities are also available throughout the Shire.

21.02-6

20/06/2013
C30

Environment

The West Wimmera Shire contains many areas which have significant natural landscapes and features of environmental value and include the numerous natural wetlands and waterways in the south and the Little Desert in the north. There are also small areas such as narrow reserves along streams, roadsides and railways and nature reserves which retain native vegetation, contribute to nature conservation and are valuable for migratory and nomadic birds and are valuable for flora and fauna habitat and as wildlife corridors for fauna. Approximately 30% of the Shire is Crown land hosting native vegetation and wildlife habitat.

Catchment management is a growing issue within West Wimmera Shire. The municipality is largely within the Wimmera River catchment but the southernmost part of the municipality drains into the Glenelg River system.

Soil erosion and salinity are other key land management issues. Erosion can be severe when hot, dry winds remove topsoil from fallow or overgrazed land. The extent and distribution of salinity is not yet known, but it continues to be a concern for future agricultural production.

Although the majority of public land holdings comprise national and state parks, there are smaller parcels of forested and cleared land, lakes, wetlands and reservoirs, and linear roadside reserves. Public land is used for recreation and some grazing and also supports important localised, remnant ecosystems.

The private land in the Shire has been substantially altered during the past 150 years but still contains small pockets of remnant habitat, wetlands and other original features. These areas have become increasingly important with the realisation that only 3% of the original vegetation remains intact. Floodplain management and stormwater management are critical factors affecting the development potential of private land.

Key environmental management issues in the Shire include control of soil erosion and salinity, loss of native vegetation and habitat, pollution of the water catchment and changes to drainage patterns resulting from development of land. Private land holdings can make a substantial contribution to managing these problems.

21.02-7

20/06/2013
C30

Infrastructure

Infrastructure services are important in providing transport and protecting environmental and community health and should be provided in a cost-effective manner. There is increasing pressure on the existing infrastructure services and on Council for the provision and maintenance of these infrastructure services, particularly on funding for increased road maintenance. However, Council is unable to fund the level of infrastructure service which the community expects, owing to the competing demands for other services.

21.0320/06/2013
C30**KEY ISSUES**

The key issues for the Shire are:

21.03-120/06/2013
C30**Settlement**

- Managing expectations regarding future residential or rural residential development of rural land, and promote sustainable rural land use.
- Protecting areas of environmental, landscape, agricultural, cultural or recreational significance.
- Maintaining sustainable populations.
- Avoiding development in inappropriate locations.

21.03-220/06/2013
C30**Land uses****Population and housing**

- Providing housing to meet the demands of a changing demographic profile.
- Providing opportunity to encourage development
- Catering for an increasingly aged population.
- Providing affordable housing in the municipality.

Commercial

- Growing the local economy and encouraging local employment.
- Providing business services that cater to resident's needs.
- Clarifying the role and functions of industrial areas.
- Understanding the future opportunities for industrial activity in the major towns.

Rural

- Protecting productive agricultural land.
- Diversifying agricultural industry.
- Developing value adding rural industries in the Shire.
- Realising opportunities for new initiatives in rural areas.

21.03-320/06/2013
C30**Economic Development**

- Maintaining and promoting productivity.
- Facilitating new economic activity.
- Diversifying the economic base.
- Encouraging a tourism industry to develop.
- Fostering new business and employment opportunities.
- Promoting value adding businesses.

21.03-420/06/2013
C30**Environment**

- Protecting areas subject to future impacts as a result of climate change.
- Halting the decline and fragmentation of indigenous vegetation.
- Conserving and enhancing of the municipality's biodiversity.

- Maintaining water quality (avoiding increased concentrations of nutrients and suspended sediments) by better managing erosion, agriculture, forestry and urban uses.
- Protecting river and significant wetland environments.
- Managing environmental hazards, such as flooding and fire.
- Responding to drought conditions, when they occur.

21.03-5

20/06/2013
C30

Landscape and Built form

- Maintaining individual settlement identity.
- Provide opportunity for settlements to attract new residents and investment.
- Seeking high quality design outcomes that incorporate Environmentally Sustainable Design principles.

21.03-6

20/06/2013
C30

Infrastructure

- Creating an efficient public and community transport system.
- Provide infrastructure services to meet the needs of the community in a cost effective and sustainable manner.
- Providing cycling and walking tracks.

21.0420/06/2013
C30**VISION**

For our communities to survive they must be sustainable and to be sustainable they must be a place where people want to live and a place that encourages, acknowledges and rewards innovation. This vision builds on the solid foundation of the past and encourages and rewards innovation and assists people and business to grow within our community. The prime focus is on economic and infrastructure development, the basic building blocks of our communities but also community, development, sport and recreation, governance and sustainability and introduces a new focus on sustainability

Protection of the habitat of the red tailed black cockatoo is a key element of the vision which seeks to improve the bird's habitat and water, as well as focusing on protection of rights of farmers, provision of recreation water and protection and enhancement of our wetlands.

Overall vision balances development against environmental protection and looks to grow our communities through the application of the three principles of sustainability, productivity and liveability.

21.04-120/06/2013
C30**The Council Plan**

The current Council Plan includes four goals that shape Council's vision for the municipality:

- A healthy, supportive and safe community providing a sustainable, quality lifestyle.
- A sustainable natural and built environment that meets current and future needs.
- A sustainable economy attracting and encouraging new enterprises while supporting existing businesses and encouraging long term employment.
- Progressive leadership, good governance, efficient and cost-effective services.

21.04-220/06/2013
C30**Outcomes**

The specific outcomes identified in the Council Plan that provide direction for the West Wimmera Planning Scheme are:

- Outcome 1.4 People are actively participating in sport and recreation activities**
1.4.1 Plan for and ensure the provision of sport and recreational activities and facilities
- Outcome 1.6 A safe community**
1.6.1 Plan and prepare for, respond to and recover from emergency events
- Outcome 2.1 Responding to the impacts of a sustainable environment**
2.1.1 Develop and implement local and regional policy and initiatives to create a sustainable environment in partnership with other organisations and government
2.1.2 Participate in and promote the adoption of practices that support the sustainable use of energy
- Outcome 2.3 Safe and effective wastewater and stormwater systems**
2.3.1 Provide effective management and maintenance of Council's stormwater infrastructure
2.3.2 Monitor and partner GWM water regarding domestic wastewater use
- Outcome 2.4 A safe and efficient transport network**
2.4.1 Ensure appropriate management and development of roads, bridges, footpaths and shared paths
2.4.2 Plan and implement road safety and traffic management improvements
2.4.3 Provide appropriate advocacy, management and development of aerodrome infrastructure
- Outcome 2.5 Protect and enhance the natural environment**
2.5.1 Sustain our natural resources in partnership with other organisations
2.5.2 Continue to support Irrigation water resources efficient and sustainable use
- Outcome 2.6 Attractive and user-friendly parks, gardens and streetscapes**
2.6.1 Provide accessible and sustainable parks and open spaces that provide opportunities for passive and active recreation
2.6.2 Develop and maintain township entrances and streetscapes that enhance and maintain the character of townships
- Outcome 2.8 Sustainable growth of townships and rural areas while conserving unique character and heritage**

WEST WIMMERA PLANNING SCHEME

- 2.8.1 Review, amend and implement the West Wimmera Shire Council planning scheme to inform future land use and development
- 2.8.2 Provide prompt, consistent and responsive development assessment and compliance procedures
- 2.8.3 Work in partnership with the State Government on planning and development issues
- 2.8.4 Continue to develop and implement initiatives to preserve and maintain heritage buildings, items and places of interest
- Outcome 3.1 Significant new business**
 - 3.1.1 Identify the key industry sectors for new business development and investment and determine attraction and establishment strategies
 - 3.1.2 Promote the benefits of the Shire for business growth and expansion to targeted businesses
 - 3.1.3 Promote employment and lifestyle opportunities to attract target age groups
 - 3.1.4 Support improved business viability and employment
- Outcome 3.2 An economy which encourages population growth**
 - 3.2.1 Support business retention, development and population growth by attracting skilled labour and develop a website employment page
- Outcome 3.3 Edenhope & Kaniva established as key service and retail centres**
 - 3.3.1 Market and promote services and retailing in Edenhope and Kaniva locally and regionally
 - 3.3.2 Improve the public infrastructure in Edenhope and Kaniva to support their service centre role
- Outcome 3.4 Primary industries and associated agribusiness maintained**
 - 3.4.1 Support strategic planning and response to adverse events and economic opportunities for primary industries, agribusiness and associated rural townships
 - 3.4.2 Support the development of a business review and transition program for primary industries and agribusiness
 - 3.4.3 Support the identification of opportunities for new Industrial development
- Outcome 3.5 Infrastructure that supports sustainable economic development**
 - 3.5.1 Advocate for improved provision of utility services across the Shire
 - 3.5.2 Advocate for improved telecommunications infrastructure across the Shire
 - 3.5.3 Support the provision of adequate industrial land and commercial space to meet business development needs
 - 3.5.4 Support the availability of affordable housing that meets community needs and government regulations
- Outcome 3.6 A successful tourism industry across the Shire**
 - 3.6.1 Support regional tourism development through productive relationships with the Wimmera Mallee Tourism Group
 - 3.6.2 Promote, attract and support festivals, events and attractions that add value to the Shire's economy
 - 3.6.3 Provide tourism attraction and accommodation information to encourage visitors to increase length of stay and local spending
 - 3.6.5 Support the provision of adequate tourism infrastructure to encourage business development
- Outcome 3.7 Opportunities from climate change maximised**
 - 3.7.1 Support the identification and development of business opportunities from carbon trading and renewable energy industries
 - 3.7.2 Support the identification and development of business opportunities through innovative water use and associated niche food industries

21.0520/06/2013
C30**21.05-1**20/06/2013
C30**SETTLEMENT****Growth of towns****Overview**

The West Wimmera Shire retains a distinctive pattern of urban development based on separate townships and settlements that have developed as a result of historical, locational and environmental factors. The predominant towns in the West Wimmera Shire are Edenhope, Kaniva, Harrow and Goroke. There are also a number of smaller settlements located throughout the Shire. Each retains its own local history and culture, individual character and roles, which contributes to a sense of place and community association. There is a reasonably clear hierarchy among the towns and villages related to their function and the range of services and facilities provided.

The towns and settlements in the Shire have important roles as service and business centres and as a focus for community activities. Further development in the main towns should be encouraged to increase their population so as to support a wider range of services and facilities in those towns.

The Shire is well served by a range of community services which are integral to maintaining communities. Accordingly, there is the need to retain the existing provision and standard of services in a manner which is both economically and socially sustainable.

There are a number of community clubs, groups and associations currently active in the Shire which make up the fabric of the towns and villages. They are the focus for the community, particularly in generating social activities and maintaining community spirit, interest and association. There has been a shift towards greater self-determination and management by communities as a result of the restructuring of governments functions. This has led to a contraction of public funding and greater promotion of self-sufficiency in communities. The encouragement of self-sufficiency within the community is most effectively promoted through the various clubs, groups and associations.

Structure Plans for all towns that inform the Local Areas section in Clause 21.10. These provide more specific guidance about future land use in the Shire's towns.

The 2006 Australian Bureau of Statistics Census recorded a population of 4,383 in West Wimmera Shire. The population of the two main centres, Edenhope and Kaniva, was 733 and 738 respectively, with the rural areas and small townships accounting for the balance of the Shire's total population.

Over recent years an annual population loss of over one-percent has been experienced throughout the Shire. The population decline reflects the changes in the structure of agriculture, the steady increase in average farm size, and the migration of people in search of better education and employment opportunities.

Objectives and Strategies

- Objective 1 To provide sufficient land and promote urban development in existing settlements throughout the shire.**
- Strategy 1.1 Apply Framework Plans to towns identified as the main settlements in the municipality to guide growth and urban development in the municipality.
- Strategy 1.2 Direct urban development to existing urban areas and areas identified in relevant structure plans.
- Objective 2 To ensure that residential development and related urban uses are restricted to existing or identified settlements.**
- Strategy 2.1 Strongly discourage new and isolated residential, low density residential, and rural living estates.
- Objective 3 To encourage sustainable development, minimise impacts on the natural systems, increase natural reserves and vegetation in urban areas and improve the quality of life for the community.**
- Strategy 3.1 Minimise the impact on significant environmental features within identified settlement boundaries, and address these impacts through the rezoning or development planning process.
- Objective 4 To discourage urban development that encroaches or impacts on significant environmental features and in areas affected by future climate change impacts.**

- Strategy 4.1 Ensure that urban growth and development enhances significant environmental features by identifying and protecting these areas.
- Strategy 4.2 Manage the future impacts of climate change by identifying those areas and assets vulnerable to the effects of climate change.
- Objective 5 To enhance the sense of identity for each community.**
- Strategy 5.1 Ensure that new urban development contains high quality infrastructure, community services and facilities.
- Strategy 5.2 Ensure each settlement maintains its internal connectivity so that the community has access to opportunities for social interaction, goods and services, recreational opportunities, and environmental assets.
- Strategy 5.3 Promote and enhance the roles of the main towns as the service and business centres for the Shire and as a focus for communities.
- Strategy 5.4 Direct further urban development to the main towns, in order to increase the population to support a wider range of services and facilities.
- Strategy 5.5 Foster and support the retention and enhancement of existing services and facilities in the towns as major assets serving the local and wider region.
- Strategy 5.6 Foster and support new development within existing towns.
- Strategy 5.7 Facilitate opportunities for increased employment within and adjacent to the towns.
- Strategy 5.8 Contain urban development within township boundaries identified in the relevant structure plans.
- Strategy 5.9 Promote urban design and architecture that reflects the characteristics, aspirations and cultural identity of the community, enhances livability, diversity, amenity and safety of the public realm and promotes attractiveness of towns within broader strategic contexts.
- Strategy 5.10 Encourage energy efficient building and sub-division design.

21.05-2

20/06/2013
C30

Rural Living and Low Density Residential Development

Overview

Properly planned rural living and low density residential development has the potential to provide lifestyle living opportunities in the municipalities urban centres. However rural living and low density residential development has the potential to adversely affect the productive agricultural capacity of the area.

Objectives and Strategies

- Objective 1 To encourage and promote rural living and low density residential development in identified areas.**
- Strategy 1.1 Identify potential areas of rural living and low density zoned land in existing settlements.
- Strategy 1.2 Consider a range of lot sizes for land within the Rural Living Zone and the Low Density Residential zones to promote a range of lifestyle opportunities.
- Strategy 1.3 Ensure that new rural living and low density residential development does not compromise the potential future development of towns.
- Strategy 1.4 Consider the fire safety of residents in the design and siting of development.
- Strategy 1.5 Discourage residential development outside of areas identified for this use.
- Strategy 1.6 Encourage the restructuring of old and inappropriate subdivisions.
- Objective 2 To minimise the impact of development on the landscape and the environment.**
- Strategy 2.1 Strongly discourage the establishment of rural living or lifestyle development outside of areas identified for this use.
- Objective 3 To retain viable rural holdings located on productive agricultural land and restrict inappropriate development within agricultural areas.**
- Strategy 3.1 Ensure that rural living and low density residential development does not locate in areas that will reduce the productive capacity of capacity of agricultural land.
- Strategy 3.2 Ensure dwellings in rural areas do not adversely affect the use of the land for agriculture and are consistent with sustainable land management practices. Ensure a clear link between the need for a dwelling and the agricultural use of the land.
- Strategy 3.3 Recognise that people engaged in agricultural production need to live close to their farms.

21.05-3

20/06/2013
C30**Small rural lots****Overview**

Generally, the creation of small Farming Zone lots is inappropriate in rural areas. The additional house entitlement created is rarely necessary to improve farm operations on the land from which it was excised, and can lead to land use conflict and poor land management practices that may reduce the productivity of the land.

Objectives and Strategies**Objective 1 To retain and protect viable rural holdings.**

- Strategy 1.1 Discourage the fragmentation of the rural land through the creation of small rural lots within the Farming Zone.
- Strategy 1.2 Discourage small rural lots in areas of agricultural production.
- Strategy 1.3 Provide opportunities to consolidate or increase the size of land holdings in the Farming Zone in order to increase economies of scale and create more viable farming systems.
- Strategy 1.4 Support, where appropriate, the creation of small lots as parts of re-subdivision where it provides for the ongoing protection and viability of agricultural landholdings.
- Strategy 1.5 Recognise that people engaged in agricultural production need to live close to their farms.

Objective 2 To prevent land use conflicts in agricultural areas.

- Strategy 2.1 Ensure that dwellings are not excised from land within the Farming Zone, unless it can be demonstrated that there is benefit to the ongoing use of the land for agricultural production.
- Strategy 2.2 Encourage the use of existing small lots for innovative, niche, or diverse agricultural pursuits.
- Strategy 2.3 Discourage subdivision that is likely to lead to a concentration of lots that changes the general use or development of the area.

Objective 3 To ensure small rural lots do not occur in environmentally sensitive areas.

- Strategy 3.1 Discourage small rural lots where there is likely to be an impact on landscape values, significant environmental features such as remnant vegetation, wetlands and waterways.
- Strategy 3.3 Discourage small rural lots in areas where there are unsealed roads and remote from physical and community infrastructure.
- Strategy 3.4 Support, where appropriate, the creation of small lots as parts of re-subdivision where it enables the protection of significant environmental features of a particular site.

21.0620/06/2013
C30**LAND USES****21.06-1**20/06/2013
C30**Housing****Overview**

Provision needs to be made for a diverse range of housing types and tenures to cater for the municipality's varied community. As the population ages a more diverse range of housing is required. Provision also needs to be made for housing that can be adapted to cater for people with disabilities and older persons when the need arises.

Urban consolidation is encouraged in areas that have the physical infrastructure, community facilities and commercial facilities to support the population.

Objectives and Strategies

Objective 1 To increase housing densities and the consolidation of urban areas in appropriate locations to assist in the provision of a range of housing styles that meet the needs of a changing community.

Strategy 1.1 Encourage increased housing densities in existing settlements in proximity to commercial centres, community facilities and services.

Strategy 1.2 Avoid encroachment of residential/rural-residential subdivisions and rezoning on industry, including rural industry, having regard to the threshold distances in Clause 52.10 and the amenity expectations of the community.

Objective To provide a diversity of housing types and lot sizes to meet the needs of all residents and visitors to the municipality.

Strategy 2.1 Ensure older person's accommodation, including retirement villages and nursing homes are provided in proximity to commercial, community and recreational facilities.

Strategy 2.2 Ensure housing is designed and located to be accessible for people with limited mobility.

Objective 3 To provide opportunity for new housing development in existing urban settlements that promotes population growth.

Strategy 3.1 Identify areas in existing settlements that are suitable for residential development.

Strategy 3.2 Encourage new residential development at a range of densities and lot sizes that promote affordability, as well as life style living.

Objective 4 To provide more affordable housing options in the municipality.

Strategy 4.1 Encourage the provision of affordable housing by ensuring that housing:

- Is affordable for different income groups.
- Is of different types and forms.
- Is responsive to the needs of households at different life stages.
- Includes a range of options that will sustain diverse communities.

Strategy 4.2 Explore opportunities to use vacant or under-utilised Council owned land for affordable housing.

Strategy 4.3 Identify areas of land adjoining existing settlements that can be rezoned to provide opportunity for new housing development.

Objective 5 To ensure new residential development contributes to the new and upgraded infrastructure.

Strategy 5.1 Ensure new residential developments provide infrastructure to a standard that meets the needs and aspirations of the community.

Strategy 5.2 Ensure new development provides infrastructure to a standard required by referral agencies.

21.06-220/06/2013
C30**Commercial****Overview**

The role and function of commercial areas is changing as population and work practices change. The commercial centres throughout the municipality provide the day to day needs of the local community as well as acting as a social gathering point. Some businesses are home based which also provide an economic benefit to the municipality.

Objectives and Strategies

Objective 1 To support the development of new and existing businesses within the municipality.

- Strategy 1.1 Provide opportunities for increased business diversification and expansion, including the development of export income streams.
- Strategy 1.2 Facilitate the establishment and further development of new enterprises and provide opportunity for increased business diversification.
- Objective 2 To have attractive, functional, and viable business centres.**
- Strategy 2.1 Encourage commercial and community uses to establish on undeveloped or unoccupied business land throughout the municipality.
- Strategy 2.2 Promote the benefits of the National Broadband Network to the municipality's business community.

21.06-3

20/06/2013
C30

Industry

Overview

Industrial activity provides significant economic benefits for the Shire and is a significant employer of people. Smaller industrial estates can provide a local service industry function.

Objectives and Strategies

- Objective 1 To facilitate the establishment and further development of industry in the Shire.**
- Strategy 1.1 Encourage new industrial development to locate in Edenhope and Kaniva industrial estates to build on the existing infrastructure and industrial base of the towns.
- Strategy 1.2 Encourage new and existing industries to locate within existing and planned industrial estates where all physical infrastructure is available, and which are readily accessible to transport networks.
- Strategy 1.3 Continue to develop and seek to expand the Edenhope and Kaniva industrial estates.
- Strategy 1.4 Investigate the opportunities for establishing industrial estates in Harrow, Apsley and Goroke.
- Objective 2 To promote the development of certain industry in appropriate locations.**
- Strategy 2.1 Encourage the establishment of 'value-adding' industries within the Shire.
- Strategy 2.3 Encourage investment in and development of bio fuel industries.

21.06-4

20/06/2013
C30

Tourism

Overview

The natural assets of the municipality play an important role in tourism in the Shire. There is a growing demand for environmentally sustainable tourism developments, which the municipality can provide. A range of accommodation, eating establishments, and shops contribute to the visitor's experience and to the economy providing local job opportunities, investment, and facilities for residents.

Objectives and strategies

- Objective 1 To encourage new tourist development in appropriate locations.**
- Strategy 1.1 Support new tourist development in appropriate locations.
- Strategy 1.2 Discourage tourist developments on high quality agricultural land and in areas of high environmental and landscape quality.
- Strategy 1.3 Encourage new tourist development to be sited and designed to minimise its impact on the natural environment and landscapes.
- Strategy 1.4 Publicise Edenhope as an alternative route to Adelaide and central to the Great Lakes, the Grampians and the Western District and on the route to the Coonawarra in order to attract tourists to the town.
- Objective 2 To provide diversity in tourist accommodation.**
- Strategy 2.1 Encourage tourist accommodation in appropriately zoned rural areas.
- Strategy 2.2 Encourage the development of short-term tourist accommodation.
- Objective 3 To provide diversity in tourist attractions.**
- Strategy 3.1 Facilitate the development of integrated recreation, cultural heritage or nature based tourist developments at suitable locations.
- Strategy 3.3 Promote local art and craft people to establish home-based cottage industries with either direct sale to the public, through local retail outlets, at community markets, or at major tourist destinations.
- Strategy 3.4 Encourage tourist facilities and services that are compatible with and add value to the existing built and natural attractions of the municipality.

- Strategy 3.5 Facilitate tourist, recreational activities, primary produce sales and tastings, linked to, or dependent upon, agricultural activities in rural areas.

21.06-5

20/06/2013
C30

Agriculture

Overview

The Shire's economic fortunes are almost wholly dependent on agriculture as agriculture is the dominant land use in the West Wimmera Shire and the key economic driver, making agricultural land a key asset. Management of this land touches on a wide range of natural resource management issues. This asset needs to be managed to ensure agricultural land is utilised within its capability, and to maintain and enhance the region's soils, while improving and sustaining profitability of the agricultural sector. The relevant catchment management strategies provide useful direction in this regard.

Just over half the work force of the Shire is employed in this sector and it provides far more jobs than is common for rural Victoria as a whole (12.4% in 1996). Each of the other employment sectors represented in the municipality employs fewer than 10% of the work force.

The northern part of the municipality produces primarily cereal and grain legume crops and to a lesser extent sheep and cattle while the southern part relies predominantly on sheep, cattle and some hay production. This variation is attributable to the differing climate and rainfall regimes.

The southern districts of the municipality have been traditionally grazing areas producing wool and beef. More recently agroforestry has been introduced into the area, with the soil types and rainfall providing suitable conditions for further expansion of this industry. Significant areas of pine plantation are already established and are in various stages of production.

It is recognised that niche agriculture, new and emerging initiatives, such as carbon farming, provide opportunities for new economic activity to become established in rural areas. These new initiatives need to be facilitated as they present a major opportunity for the municipality to prosper from leveraging off of the main economic asset of rural land.

Objectives and Strategies

Objective 1 To establish a strong and vibrant rural agricultural community comprising a range of diversified enterprises that is efficiently managed and ecologically sustainable.

- Strategy 1.1 Prepare a Rural Strategy for the municipality.
- Strategy 1.2 Encourage diversification of agricultural practices including introduction of new crops and animals, use of energy efficient technology, and ecologically sustainable farming techniques.
- Strategy 1.3 Disseminate information on soil types, ground water and surface water resources, drainage and salinity to the agricultural sector.
- Strategy 1.4 Promote the potential benefits from the emerging carbon market.
- Strategy 1.5 Promote intensive animal husbandry in areas where externalities on the community and the environment can be minimised and managed appropriately.

Objective 2 To retain viable rural holdings, particularly on productive agricultural land.

- Strategy 2.1 Ensure that subdivision of productive agricultural land considers the ongoing use of that land for agricultural development.
- Strategy 2.2 Encourage restructuring of existing titles to more adequately respond to sustainable farming operations and environmental objectives.
- Strategy 2.3 Encourage use, development and management of land that is conducive to maintaining options and opportunities for future farming activities.
- Strategy 2.4 Adopt 40ha as the minimum lot size permissible in the Farming Zone, in recognition that farm holdings are generally made up of several parcels of land, and that 40ha will facilitate the restructuring of farm holdings where required.

Objective 3 To prevent land use conflicts in agricultural areas.

- Strategy 3.1 Limit development in rural areas that is not associated with an agricultural land use.
- Strategy 3.2 Protect high value agricultural land for future agricultural production.
- Strategy 3.3 Restrict the non-agricultural use and development of high quality agricultural land.
- Strategy 3.4 Examine the location, extent and use of the Rural Living Zone.

Objective 4 To encourage a range of value-adding rural industries to establish in the Shire.

- Strategy 4.1 Encourage rural industries which package and/or process local primary products in proximity to their raw product.

- Objective 5 To promote land and farm management to address erosion, drainage, nutrient run off and pest control throughout the municipality.**
- Strategy 5.1 Strongly encourage farmers to prepare and implement Farm Management Plans for their properties, particularly as part of a planning permit application for a change in land use or development.
- Strategy 5.2 Encourage the planting of locally indigenous vegetation to provide shelter for livestock, minimise soil erosion and salinity, enhance landscape quality, and provide further opportunities for wildlife corridors.

21.06-6

20/06/2013
C30

Forestry and timber production

Overview

Forestry and timber production is a relatively new and small scale industry for the Shire. The growing of softwood and hardwood timber plantations by farmers to supplement their incomes, or whole properties being used for timber plantations is a legitimate use of rural land, particularly if it is not productive agricultural land and the land is predominantly cleared.

Objectives and Strategies

- Objective 1 To minimise the impact of timber plantations and forestry on the environment and significant landscape.**
- Strategy 1.1 Ensure indigenous vegetation is not removed for the establishment of timber plantations.
- Strategy 1.2 Strongly discourage timber plantations from locating in areas of high landscape and environmental quality.
- Strategy 1.3 Ensure that extensive buffer zones of indigenous vegetation are planted around timber plantations.
- Objective 2 To minimise the impact of timber plantations and forestry on infrastructure.**
- Strategy 2.1 Encourage timber plantations to be developed in proximity to existing infrastructure, including road networks and water supply.

21.06-7

20/06/2013
C30

Rural Industry

Overview

A range of new agricultural opportunities is currently being pursued by the Council and individuals including large scale cattle feedlots, horticultural operations such as commercial cut flowers, herbs, pistachio nuts, onions, potatoes and grape vines. Irrigation industries based on the high quality underground water have also emerged. Less traditional areas of agriculture are also emerging such as the production of wildflowers. The diverse conditions of the Shire offer prospects for these new agricultural activities and provide opportunities for producers relying on the traditional agricultural pursuits.

A key attribute of the Shire's agricultural land is the large land area available for use. Lot sizes are generally large. This presents a unique opportunity for Council to promote new and emerging rural based initiatives, such as carbon farming and renewable energy projects that can make use of this key asset.

- Objective 1 To promote value adding to agricultural products.**
- Strategy 1.1 Ensure rural land holdings are available in a range of sizes to accommodate rural industries.
- Strategy 1.2 Identify areas where infrastructure exists that supports the needs of rural industry.
- Objective 2 To promote intensive agriculture and niche agricultural activities in areas where externalities can be managed.**
- Strategy 2.1 Identify areas where smaller lot sizes may be permitted in rural areas to promote the establishment of intensive and niche agricultural activities.
- Strategy 2.2 Prepare a policy that identifies the circumstances where subdivision to smaller lot sizes will be permitted so as to facilitate intensive and niche agricultural activities.
- Objective 3 To promote intensive animal husbandry where impacts on the community and environmental assets can be managed.**
- Strategy 3.1 Develop a policy that identifies land where land, infrastructure, location and environmental conditions are suitable for intensive animal husbandry.
- Strategy 3.2 Use the policy to promote the municipality as a suitable place to undertake intensive animal husbandry to the agricultural industry and investors.

Strategy 3.3 Provide guidance on siting, design, and management of intensive animal husbandry activity.

21.06-8

20/06/2013
C30

Extractive Industry

Overview

Exploration and mining of mineral sands presents both an opportunity and a constrain for the future development of the Shire. There is one mining licence located in the West Wimmera, which is the mining of mineral sands. There are, however, many mining exploration licences located throughout West Wimmera, which may bring about future development in this industry.

Objectives and Strategies

Objective 1 To ensure the long-term protection of known and potential sand resources.

Strategy 1.1 Discourage incompatible use or development from within or adjacent to buffers of known sand resources.

Strategy 1.2 Advocate for mineral sand mining to occur in a manner that also ensures the protection of the natural environment.

Objective 2 To effectively manage extractive industry in response to surrounding land uses and the natural environment.

Strategy 2.1 Ensure that extraction of stone is carried out in accordance with high environmental standards and does not have a detrimental impact on the environment or significant landscape areas.

Strategy 2.2 Ensure that extensive buffer zones of indigenous vegetation are planted around quarries.

Strategy 2.3 Minimise the impact of extractive industries on the infrastructure capacity of the surrounding area.

Strategy 2.4 Ensure quarries are located or designed so as to minimise impacts on areas of high landscape and environmental quality.

21.0720/06/2013
C30**ENVIRONMENT****Overview**

The West Wimmera Shire contains many areas which have significant natural landscapes and features of environmental value and include the numerous natural wetlands and waterways in the south and the Little Desert in the north. There are also small areas such as narrow reserves along streams, roadsides and railways and nature reserves which retain native vegetation, contribute to nature conservation and are valuable for migratory and nomadic birds and are valuable for flora and fauna habitat and as wildlife corridors for fauna. Approximately 30% of the Shire is Crown land hosting native vegetation and wildlife habitat.

Catchment management is a growing issue within West Wimmera Shire. The municipality lies within the Wimmera, Mallee, and Glenelg catchments.

Although the majority of public land holdings comprise national and state parks, there are smaller parcels of forested and cleared land, lakes, wetlands and reservoirs, and linear roadside reserves. Public land is used for recreation and some grazing and also supports important localised, remnant ecosystems.

The private land in the Shire has been substantially altered during the past 150 years but still contains small pockets of remnant habitat, wetlands and other original features. These areas have become increasingly important with the realisation that only 3% of the original vegetation remains intact. Floodplain management and stormwater management are critical factors affecting the development potential of private land.

Key environmental management issues in the Shire include controlling the loss of native vegetation and habitat, pollution of the water catchment and changes to drainage patterns. Private land holdings can make a substantial contribution to managing these problems.

The Shire contains a range of physiographic features which need to be carefully managed to facilitate the sustainable development of the Shire.

The condition of land, water and biological resources in the region is declining. Human activity exerts pressure on natural resources and changes the state or condition of the resources. Continuous reduction of the region's biodiversity in turn affects our ability to use the natural resources in a sustainable way.

The Catchment Management Authorities are an important source of information regarding natural resource management. The Wimmera Regional Catchment Strategy, the Mallee Regional Catchment Strategy, and the Glenelg Hopkins Catchment Strategy seek to create sustainable land management through the better co-ordination and linkages with government, land and water managers and the community.

21.07-120/06/2013
C30**Biodiversity Conservation and Habitat Protection****Overview**

The decline and fragmentation of indigenous vegetation and loss of biodiversity is a major environmental issue in the Shire, and a contributing factor towards all other land and water degradation issues.

Large areas of the Shire have been cleared for agriculture and the Shire contains limited areas of its natural vegetation cover. There is a risk that scattered trees on farms will die out and the roadside vegetation will be all that remains. The protection and management of the bushland reserves is important to provide a diversity of flora and wildlife refuge areas and habitat. There is particular need to protect habitat for the endangered species, the Red-tailed Black Cockatoo and Jumping Jack Wattle. There is a need for greater revegetation and management of pest plants and animals to address areas of degraded land.

Flora and fauna communities vary throughout the Shire ranging from woodlands and wetlands in the south and desert scrublands in the north. However, with less than 3% of the original Buloke woodlands intact and threats from pest species and development, there is the need to protect existing communities in order to maintain biodiversity.

Objectives and Strategies

- Objective 1 To effectively manage and conserve the Shire's biologically diverse natural environment as an ecologically sustainable resource for present and future generations.**
- Strategy 1.1 Protect and enhance significant habitat on public and private land in order to maintain biodiversity.
 - Strategy 1.2 Support the development of wildlife corridor projects across the municipality, in accordance with a Wildlife Corridor Network.
 - Strategy 1.3 Encourage the revegetation of degraded rural land, including in creeks and waterways.
 - Strategy 1.4 Encourage the establishment, protection and enhancement of lineal vegetation corridors along drainage lines, waterways and roadsides.
 - Strategy 1.4 Investigate appropriate locations within the municipality to set aside land to facilitate the planting of vegetation offsets and provide the opportunity to establish carbon offsets for the Shire.
 - Strategy 1.5 Protect Red Tailed Black Cockatoo and Jumping Jack Wattle habitat within the Shire.
 - Strategy 1.6 Protect and enhance the region's indigenous genetic biodiversity by maintaining the extent and diversity of the various ecosystems.
- Objective 2 To discourage development in locations, which impacts or conflicts with the quality and sensitivity of the natural environment.**
- Strategy 2.1 Reduce fragmentation and isolation of vegetation communities.
 - Strategy 2.2 Minimise land clearing (including native grasslands) and where land clearing is proposed, require a site analysis, management and remediation plan demonstrating the consideration of any rare or threatened species on or adjacent to the site and the continued integrity of the remnant vegetation and habitat.
- Objective 3 To minimise impacts on areas with high habitat value.**
- Strategy 3.1 Encourage developments adjacent to reserves with habitat values to enhance the environmental values of the reserves.
 - Strategy 3.2 Ensure that the boundary between reserves and abutting properties are clearly delineated and that reserves are protected from incursions by adjoining private properties.
 - Strategy 3.3 Control noxious weeds and vermin throughout the Shire.
- Objective 4 To identify and protect good quality vegetation stands throughout the municipality.**
- Strategy 4.1 Encourage the protection and enhancement of remnant indigenous vegetation, including roadside vegetation where possible.
 - Strategy 4.2 Encourage the planting of locally indigenous and native vegetation species, while encouraging the removal of exotic and environmental weed species.
 - Strategy 4.3 Encourage wildlife survival through the establishment of wildlife corridors and biolinks between native vegetation on private and public land.

21.07-2

20/06/2013
C30

Catchment Management

Overview

The widespread clearing of land for agriculture has led to increased pollution of waterways and increased salinity. The natural watercourses have changed, with extensive harvesting and redistribution from the surface water system to sustain agriculture and the rural and township communities. The ground water resources in the Shire are limited both in terms of quality and yield. There is the potential for the further extraction of the ground water resource, although the extent of extraction requires monitoring to ensure that it is not depleted or contaminated from pollution by saline groundwater and nutrients, pesticides and herbicides or any other source.

The natural drainage patterns in the flat parts of the Shire are dramatically affected by activities such as clearing, roads and railway lines and the creation of levee banks and channels. The drainage of agricultural land without regard to adjoining, downstream and upstream land holders also significantly affects natural drainage patterns. Drainage is being undertaken continuously as farmers try to make more land suitable for cropping. The interference with natural drainage patterns also has major implications for the conservation of wetlands.

The lakes system is an important environmental, cultural and economic feature of the Shire. Care is needed to ensure that the qualities of the significant waterways of the municipality are not degraded by upstream activities.

Objectives and Strategies

- Objective 1 To improve water quality and availability.**
- Strategy 1.1 Encourage the incorporation of water sensitive urban design principles into future, and, where practicable, existing urban subdivisions.
- Strategy 1.2 Encourage landowners to revegetate gullies, stream banks and degraded areas to minimise erosion and salinity, and improve water quality.
- Strategy 1.3 Maintain and improve indigenous vegetation and land management practices within Proclaimed Water Catchment Areas.
- Strategy 1.4 Develop and promote greater understanding of the significance of water in maintaining sustainable communities.
- Strategy 1.5 Protect the quality of both ground and surface waters throughout the Shire.
- Objective 2 To ensure new use or development does not cause water pollution, land degradation or pose a threat to the sustainable productive capacity of the Shire's major economic base.**
- Strategy 2.1 Ensure development and associated road infrastructure works minimise impacts on stormwater quality, and sediment and nutrient loads to local waterways.
- Strategy 2.2 Improve water quality by better management of urban stormwater inflows.
- Strategy 2.3 Ensure that drainage of agricultural land has due regard for adjoining, downstream and upstream landholders and is ecologically sustainable.
- Strategy 2.4 Control land fill, excavation and land forming works, such as the construction and maintenance of drains, channels and waterways, likely to affect the flow of surface water having regard to the nature and likelihood of satisfactory resolution of potential drainage problems, conservation values of drained land and possible disposal sites, impacts on wetlands and wetland habitat values, topography, the level of fill and excavation and the effects of such on the subject and adjoining land, and any other matters pertinent to the proposed works such as the impact on any remnant vegetation or habitat and changes to the hydrology on a local and catchment basis.
- Objective 4 To recognise the significance of water courses and bodies such as lakes, wetlands, rivers and streams as areas of environmental significance and sensitivity.**
- Strategy 4.1 Identify and protect the environmental values of significant water courses, lakes and wetlands.
- Strategy 4.2 Reduce erosion and sediment inputs in catchments by encouraging the retention and replacement of riparian vegetation.
- Strategy 4.3 Work to stabilise stream banks and improve the overall condition of waterways.

21.07-3

20/06/2013
C30

Environmental Hazards

Overview

Natural disasters (including fire, flood, storms and drought) have the potential to substantially affect the community economically and socially, in addition to the environmental issues created by these disasters.

There are large areas of grass/cropping land and bushland in the Shire which regularly burn as a result of natural causes, accidents or deliberate action. One of the major issues is that of uncontrolled bushfires. Planning is required to decrease the level of risk to life and property and facilitate the efforts of the emergency services to handling crises.

Some areas within the municipality are subjected to flooding and inundation from storms and flood events. Planning should ensure that the community is protected from risks associated with these events.

Detailed information on the previous use of land may not be available for all areas. It is important to protect the community from health risks that may emerge from being exposed to contamination. Planning should ensure that the history of potentially contaminating uses is considered when making land use decisions.

Objectives and Strategies

- Objective 1 To ensure new development is designed to respond to the risk of fire.**

- Strategy 1.1 Encourage development to be sited, designed and constructed to minimise the impact of emergency conditions arising from fire.
- Strategy 1.2 Encourage the location of access ways, fencing and dams to maximise firefighting potential and minimise the interface with firefighting measures.
- Objective 2 To restrict and control development on land prone to bushfire.**
- Strategy 2.1 Ensure the Bushfire Management Overlay is used to guide development on land prone to wildfire and ensure that development does not increase the risk of an environmental hazard.
- Objective 3 To protect life, health, safety and community well being from flood hazard and to minimise the impact of flooding on the community.**
- Strategy 3.1 Ensure that the capacity of floodplains to store and convey floodwaters is not compromised.
- Strategy 3.2 Encourage the use of "constructed wetlands" or other similar systems, as a means of storing floodwater, improving water quality and adding to natural habitats.
- Strategy 3.3 Identify areas affected by flooding and inundation and ensure that land use and development in those areas protect the community from risks.
- Strategy 3.4 Improve the management of the floodplains by addressing land use and development within the floodplain and areas of inundation, improving data/knowledge currency and availability, updating and improving ageing and poorly managed structures, and increasing the quality of private asset management.
- Objective 4 To ensure potentially contaminated sites are suitable for intended future use or development.**
- Strategy 4.1 Require detailed information on the condition of land that may have previously contained a potentially contaminating use, including agricultural activities, for new development.

21.07-4

20/06/2013
C30

Climate Change

Overview

Climate change is one of the most serious challenges facing the world community. With the West Wimmera Shire's economy heavily reliant on agriculture, the potential risks to the municipality from changes in climate are significant. The West Wimmera Shire Council has a critical role to play in providing leadership and working with local communities to improve the environmental performance of the municipality, and ensure the long-term sustainability of the community, economy and environment of the municipality.

Objectives and Strategies

- Objective 1 Improve the environmental performance of the municipality.**
- Strategy 1.1 Reduce greenhouse gas emissions of the Shire.
- Strategy 1.2 Increase energy efficiency throughout the municipality.
- Strategy 1.3 Encourage the uptake of renewable energy options.
- Strategy 1.4 Halt the process of vegetation clearance.
- Strategy 1.5 Expand the indigenous vegetation cover of the Shire.
- Strategy 1.6 Implement an energy reduction program across all sectors of the community.
- Strategy 1.7 Improve recycling and waste reduction services to reduce methane emissions.
- Strategy 1.8 Encourage the establishment, protection and enhancement of vegetation links between native vegetation communities on public and private land.
- Strategy 1.9 Increase the Council and the community's knowledge and understanding of the effects of climate change in the municipality.
- Objective 2 To protect and conserve existing water reserves and prevent degradation of water catchment areas.**
- Strategy 2.1 Maintain and improve indigenous vegetation and land management practices within Proclaimed Water Catchment Areas.
- Objective 3 To conserve water resources within townships.**
- Strategy 3.1 Encourage developments to minimise stormwater run-off by reusing rainwater and recycling waste water. This should include, but not be limited to, incorporating facilities for the re-use of water, through the use of rainwater tanks, grey water tanks and grey water pipelines.

21.07-5

20/06/2013
C30

Public Land

Overview

The Shire contains significant areas of public land. Accordingly, there is the need to recognise this resource and ensure that it and adjacent private land are properly managed. The mismanagement of public land can affect a broad range of qualities from tourism to the health of the natural ecosystem. Roadside vegetation is very important in maintaining and restoring connectivity to the fragmented parcels of public land, which are important for the survival of many species.

With public land accounting for over 30% of the land in the Shire, there is the need to recognise the significant size of this resource and to ensure that it and adjacent private lands are properly managed.

Objectives and Strategies

Objective 1 To recognise the public land resource in the Shire and ensure that it and adjacent private land are managed in a manner that reflects their environmental qualities.

Strategy 1.1 Ensure that public land and adjacent private land are managed in a compatible and environmentally sustainable manner.

Strategy 1.2 Encourage the phasing out of grazing on all roadsides and public bushland reserves which have a potential for regeneration.

Objective 2 To ensure publicly owned land is identified correctly throughout the West Wimmera Planning Scheme to facilitate its orderly development.

Strategy 2.1 Engage with public land managers to identify public land holdings throughout the municipality.

Strategy 2.2 Ensure all publicly owned land is correctly zoned.

21.0820/06/2013
C30**21.08-1**20/06/2013
C30**BUILT FORM****Design and Built Form****Overview**

It is important that the valued aspects of the municipality's character are promoted and maintained.

Where the built form character of an area is established and valued, new development should respect this character and add to the overall quality of the urban environment and incorporate the principles of Environmentally Sensitive Design.

The strategies and objectives outlined in this clause apply to all forms of development, including residential, commercial and industrial development.

Objectives and strategies

Objective 1 To achieve a high standard of architecture and urban design for built form and public spaces throughout the municipality.

Strategy 1.1 Encourage high quality buildings and public spaces that are environmentally, economically, and socially sustainable.

Strategy 1.2 Design and site development to complement the context in which it sits.

Strategy 1.3 Ensure the siting of buildings contributes positively to the public realm and respects the character of the area.

Strategy 1.4 Ensure a high quality of design in industrial estates.

Objective 2 To maximise energy saving, water conservation, and the principles of Environmentally Sustainable Design.

Strategy 2.1 Ensure development considers energy, water and natural resource efficiency in the construction and operation.

Strategy 2.2 Encouraging passive solar design, especially where there are views to the north or south.

Objective 3 To encourage new residential subdivision estates to integrate with the existing community.

Strategy 3.1 Ensure new residential subdivision estates recognise the surrounding context and township character.

Strategy 3.2 Ensure that new subdivisions maintain and enhance traditional street patterns of the locality.

Objective 2 To protect and enhance the environmental value of the site and surrounding area.

Strategy 2.1 Minimise earthworks.

Strategy 2.2 Minimise soil relocation.

Strategy 2.3 Protect, establish and regenerate wildlife corridors as part of new development.

Strategy 2.4 Encourage new residential subdivision estates to provide permeable fencing or landscaping in areas adjacent to roads and reserves.

21.08-220/06/2013
C30**Landscape Architecture****Overview**

Landscape architecture is an integral component of the built and urban environment. Good landscape design contributes to the character of an area and can enhance the quality of the urban environment. Landscape architecture can also provide continuity and connectivity of local urban character.

When we plan our townships, greater consideration should be given to the value of landscape design.

Objectives and Strategies

Objective 1 To increase vegetation across the municipality.

Strategy 1.1 Increase landscaping within public areas.

Strategy 1.2 Identify and enhance the landscape values in urban areas.

Strategy 1.3 Encourage the use of local native plants in landscaping.

Objective 2 To ensure that development creates and maintains a high quality landscape setting.

Strategy 2.1 Minimise vegetation removal.

Strategy 2.2 Consider landscape architecture as an integral part of an overall concept for development and provide opportunities to enhance the landscape features of the area.

Strategy 2.3 Respect and maintain the landscape character of an area.

- Strategy 2.4 Retain existing mature trees wherever possible. Where mature trees are removed incorporate suitable replacement planting.
- Strategy 2.5 Ensure that long term management of existing vegetation, or areas of newly planted vegetation, is integral to the development of a site.

21.08-3

20/06/2013
C30

Cultural heritage

Overview

The protection of sites of heritage and cultural significance helps to provide character and identity to townships and landscapes and in certain situations contributes to the tourism potential of the municipality. West Wimmera Shire contains a number of places of historic and cultural significance which are important to the local and wider community and must be protected and enhanced for their conservation and tourism potential.

As traditional owners, indigenous communities have a central role in land management across the West Wimmera region. Within the region there are thousands of sites and places of Aboriginal heritage. Catchment restoration and protection works have the potential to impact heavily on these sites. Works on waterways, fencing, revegetation programs and pest plant and animal control can all directly or indirectly destroy or seriously affect sites of importance. Other activities involving ground disturbing works, for example: road works (construction and upgrading), new housing, new industrial estates, new industry (e.g. wind farms), new land clearing, pipeline construction, tree farming, logging, intensive agriculture such as vineyards and olive plantations, all have the potential to impact on sites of Aboriginal cultural significance.

Under the Aboriginal and Torres Strait Islander Heritage Protection Act 1984, all Aboriginal cultural sites and places are protected regardless of the land tenure. Therefore it is important that appropriate consultation be undertaken and partnerships formed with the acknowledged Aboriginal land management group.

Objectives and Strategies

Objective 1 To protect Aboriginal and post European settlement cultural heritage sites.

- Strategy 1.1 Identify locations of important historical significance.
- Strategy 1.2 Manage development in culturally significant areas to lessen or avoid impact on sites.
- Strategy 1.3 Give consideration to the heritage context of sites which adjoin sites of heritage significance.
- Strategy 1.4 Encourage owners to protect, restore and maintain heritage sites.
- Strategy 1.5 Ensure the protection of sites of Aboriginal cultural heritage and, in this regard, give consideration to the Aboriginal cultural resource management grid maps and guidelines produced by Aboriginal Affairs Victoria.

Objective 2 To improve knowledge of the heritage significant sites and why they are important.

- Strategy 2.1 Undertake mapping of areas of remaining Aboriginal cultural heritage.
- Strategy 2.2 Recognise the significance of heritage buildings and sites in contributing to the character of townships within the municipality.

Objective 3 To protect and maintain those places in West Wimmera Shire that are of historic and cultural significance and are important to the community.

- Strategy 3.1 Protect heritage sites through the incorporation and implementation of the Heritage Overlay in the planning scheme.

21.0920/06/2013
C30**INFRASTRUCTURE****Overview**

Infrastructure services are important in providing transport and protecting environmental and community health and should be provided in a cost-effective manner. There is increasing pressure on the existing infrastructure services and on Council for the provision and maintenance of these infrastructure services, particularly for increased road maintenance cost. However, Council is unable to fund the level of infrastructure service which the community expects, owing to the competing demands for other services.

Objectives and Strategies**Objective 1 To provide infrastructure services to meet the needs of the community in a cost effective and sustainable manner.**

- Strategy 1.1 Develop a strategic approach to the development of service infrastructure, particularly within and between established townships.
- Strategy 1.2 Identify, provide for and protect key infrastructure in the Planning Scheme.
- Strategy 1.3 Promote and source energy supply from renewable energy sources such as biofuels from biomass, wind and solar energy.
- Strategy 1.4 Require new developments to be connected to reticulated sewerage systems or to have on site treatment and disposal facilities which will not have an adverse impact on surface or groundwater quality.
- Strategy 1.5 Concentrate development in existing serviced areas.
- Strategy 1.6 Liaise with service authorities to investigate potential for extension of infrastructure to facilitate new development.

Objective 2 To have an effective and efficient road network throughout the municipality.

- Strategy 2.1 Ensure the use and development of land does not prejudice the efficiency and safety of the highway.

Objective 3 To have an efficiently operated airfield that services the needs of the community.

- Strategy 3.1 Ensure that the operation of the Edenhope Aerodrome is not constrained by encroachment of sensitive development.

21.09-120/06/2013
C30**Community Facilities****Overview**

Community facilities incorporates a wide range of infrastructure such as meeting spaces, library services, information services, childcare, maternal child health centres, medical services, sessional service delivery spaces, cultural and performance spaces, places of worship, open space, sports ovals and reserves, indoor recreation centres, primary and secondary schools, preschool, youth centres, neighbourhood houses, senior citizen centres and fire stations.

Objectives and Strategies**Objective 1 To provide a range of readily accessible educational, medical and community services and facilities for all sectors of the community.**

- Strategy 1.1 Encourage district and regional facilities and services to locate in Edenhope and Kaniva.
- Strategy 1.2 Encourage full-time medical services at Edenhope, Kaniva, Apsley, Harrow and Goroke.
- Strategy 1.3 Encourage new community services to be located and integrated within mixed-use hubs close to schools, open space or existing retail and service centres services.
- Strategy 1.4 Provide safe places for social interaction and for residents to gather.
- Strategy 1.5 Encourage pre-school and maternal and child health centres to locate and integrate with other relevant children's services such as pre-schools, long day care and allied health.
- Strategy 1.6 Encourage children's hubs to locate in readily accessible areas and close to other community and entertainment facilities.
- Strategy 1.7 Ensure educational, medical, and community facilities and services are sited to maximise accessibility to the local community.
- Strategy 1.8 Encourage the provision of youth services in the Shire.
- Strategy 1.9 Locate community facilities to help residents to feel safe and involved and promote natural surveillance.
- Strategy 1.10 Require developers of all new subdivisions to assist in the provision of community infrastructure by implementing tools such as Social Impact Assessments and Development Contributions Plans.

- Strategy 1.11 Ensure emergency services are located to maximise their ability to provide services to the community.

21.09-2

20/06/2013
C30

Open Space and Recreation

Overview

There is a wide range of recreational facilities and open space areas available to both residents and visitors for year-round use.

The lakes and wetlands of the Shire are a popular destination for day-trippers and holiday makers, particularly in the summer months. Popular past-times include swimming, boating, fishing, cycling, walking and sightseeing. Local shops, eating establishments, and service industry associated with recreational equipment, meet the needs of day-trippers and holiday makers.

Objectives and Strategies

Objective 1 To provide a range of passive and active recreational facilities that caters for the needs of the local population, as well as tourist, seasonal holiday-makers and day-trippers.

- Strategy 1.1 Provide recreational facilities that provide for year-round activities.
 Strategy 1.2 Ensure recreational activities and facilities have minimal effect on the natural environment.
 Strategy 1.3 Provide recreational facilities and activities that are compatible with the size, role, character, and appearance of the town in which they are located.
 Strategy 1.4 Provide a range of types and sizes of open space that cater for all residents, including large regional spaces for sports, intimate parks for social interaction and open space that offers off-leash exercise for dogs.

Objective 2 To provide a variety of tracks for pedestrians and cyclists that offers recreational opportunities as well as direct paths of travel.

- Strategy 2.1 Link recreation areas by pedestrian and cycle networks within, and between, towns.
 Strategy 2.2 Establish pedestrian and bicycle networks that access natural features, such as bushland reserve and lakes and streams, as well as linking other areas of natural beauty and interest, open space areas, sites of cultural significance. These track networks should provide shade and seating opportunities at regular intervals.
 Strategy 2.3 Encourage public areas of the Shire to be more pedestrian and bicycle friendly.

Objective 3 To maintain and enhance the use of waterways, lakes and reserves.

- Strategy 3.1 Encourage complementary water based recreational activities and facilities in suitable locations.
 Strategy 3.2 Provide well laid out car parks, toilet blocks, shade opportunities and good road access in proximity to popular recreational areas.

Objective 4 To provide local open spaces that caters for a range of users and age groups that encourages physical activity.

- Strategy 4.1 Ensure open spaces are accessible for residents with a disability.
 Strategy 4.2 Provide places to socialise and gather.
 Strategy 4.3 Include of a variety of shade opportunities, shelter, seating and lighting in open space.
 Strategy 4.4 Ensure large new and existing open spaces provide bins, toilets, directional signage, seating, shade (either large canopy trees or structures) and shelter.
 Strategy 4.5 Support the use of treated wastewater for irrigating broad acre recreation areas.
 Strategy 4.6 Ensure small open spaces within urban areas provide a minimum of seating and shade.
 Strategy 4.7 Discourage high or opaque fencing around/along open spaces and walking/cycle tracks to encourage natural surveillance and promote safety.

21.1020/06/2013
C30**LOCAL AREAS****Overview**

The West Wimmera Shire retains a distinctive pattern of urban development based on separate townships and settlements that have developed as a result of historical, locational and environmental factors. The predominant towns in the West Wimmera Shire are Edenhope, Kaniva, Goroke, Apsley, and Harrow. There are also a number of smaller settlements located throughout the Shire. Each retains its own local history and culture, individual character and roles, which contributes to a sense of place and community association. There is a reasonably clear hierarchy among the towns and villages related to their function and the range of services and facilities provided.

The towns and settlements in the Shire have important roles as service and business centres and as community foci for the local community, visitors and the surrounding rural hinterland. Further urban development in the Shire should be directed to the main towns to increase the population to support a wider range of services and facilities.

21.10-120/06/2013
C30**Edenhope**

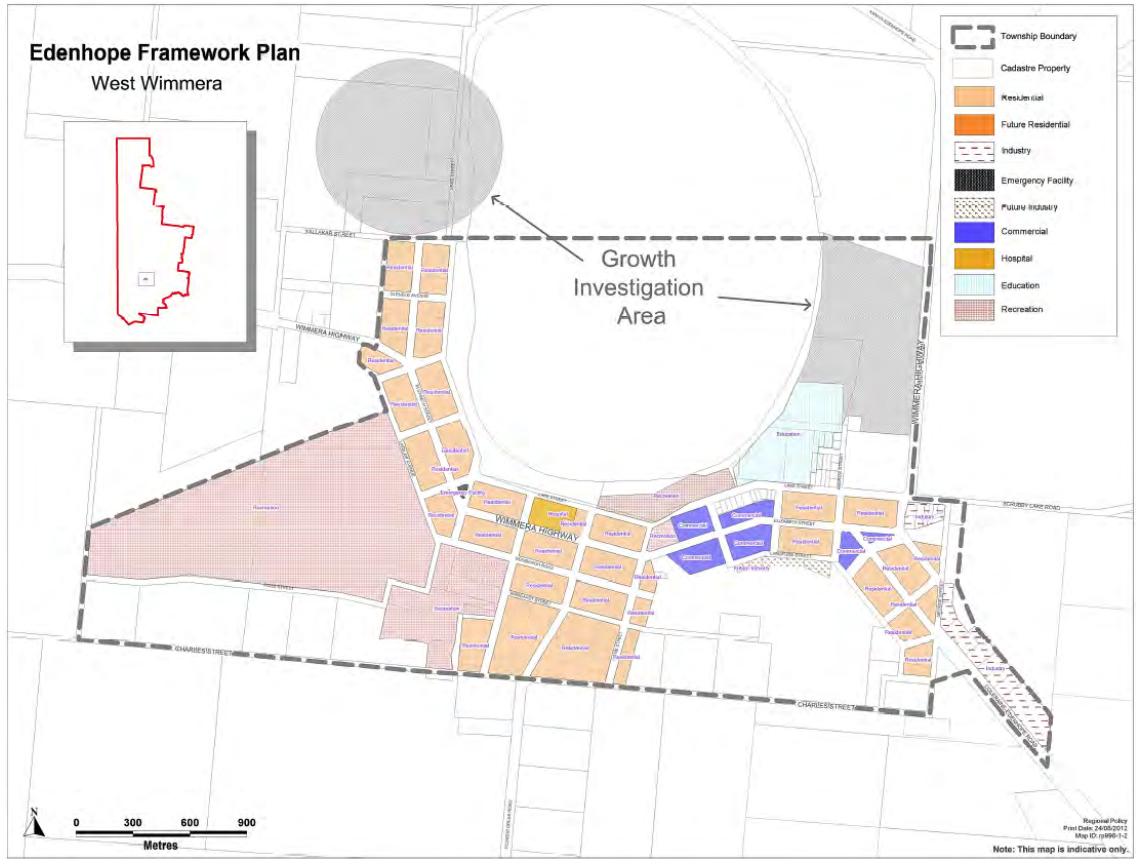
Edenhope is located on the shores of Lake Wallace and was settled in 1845. Edenhope is a major administrative and business centre in the Shire with a population of some 733 people (ABS, 2006). Population decline in the town is a threat to service provision and liveability.

The town is notable for Lake Wallace which is widely considered by the local community as one of Edenhope's greatest assets. Edenhope maintains an important role as a service centre to the surrounding rural area. Lake Wallace has been integral in the formation of the character of the township. The Lake provides recreation opportunities as well as providing a unique residential amenity. The progressive development of the town has been oriented to maximise the location on the Lake.

Objectives and Strategies

- Objective 1 To promote development and investment in Edenhope that achieves the vision of the Edenhope Framework Plan, with a mix of activities and densities to accommodate population growth without compromising existing character.**
- Strategy 1.1 Apply a range of zones to the town available from the Victorian Planning Provisions to give effect to the Edenhope Framework Plan.
- Strategy 1.2 Developing new and active retail frontages within the commercial precinct.
- Objective 2 To promote the opportunity to establish lifestyle living areas outside the town boundary for the purposes of low density and rural living development.**
- Strategy 2.1 Investigate the potential for rezoning of land suitable for new Low Density Residential and Rural Living development in areas show as Growth Investigation Areas on the following Edenhope Structure Plan.
- Strategy 2.2 Engage with landholders in the Growth Investigation Areas to identify opportunities for new development.
- Strategy 2.3 Engage with service providers and referral authorities to identify service requirements for new development.
- Objective 3 To encourage the town to engage with Lake Wallace and its foreshore.**
- Strategy 3.1 Make provision for a pedestrian and cycle trail network for recreational purposes that access near by environmental assets, such as Lake Wallace.
- Objective 4 To promote development of the Edenhope Industrial Estate.**
- Strategy 4.1 Identify land for expansion of the Edenhope Industrial Estate.
- Strategy 4.2 Pursue opportunities for relocation of storage uses out of Elizabeth Street and into the Edenhope Industrial Estate.

Edenhope Framework Plan



21.10-220/06/2013
C30**Kaniva**

Kaniva has a population of approximately 738 people (ABS, 2006) and is located on the Western Highway. Accordingly, Kaniva is a popular stopping place for people travelling between Melbourne and Adelaide. Kaniva is also located on the Melbourne and Adelaide Railway. The Kaniva community recognises the value of the location of the town on the Western Highway in terms of its potential to capture visitors and tourists. The town is also well located to capture freight and logistic oriented activity.

The local community sees the location of the town on the Western Highway and the railway as a major asset, and its location has significantly contributed to the formation of the character of the town. The town is largely oriented to service provision for the surrounding rural area and the Western Highway users including both tourists and truck drivers. Population decline in the town is a threat to service provision and liveability.

Objectives and Strategies

Objective 1 To promote development and investment in Kaniva that achieves the vision of the Kaniva Framework Plan, with a mix of activities and densities to accommodate population growth without compromising existing character.

Strategy 1.1 Apply a range of zones to the town available from the Victorian Planning Provisions to give effect to the Kaniva Framework Plan.

Strategy 1.2 Ensure the Planning Scheme remains responsive to the needs of the community and is capable of facilitating new development, particularly residential development.

Objective 2 To promote development of the Kaniva Industrial Estate.

Strategy 2.1 Identify land for expansion of the Kaniva Industrial Estate.

Strategy 2.2 Continue to promote the Kaniva Industrial Estate to business and industry.

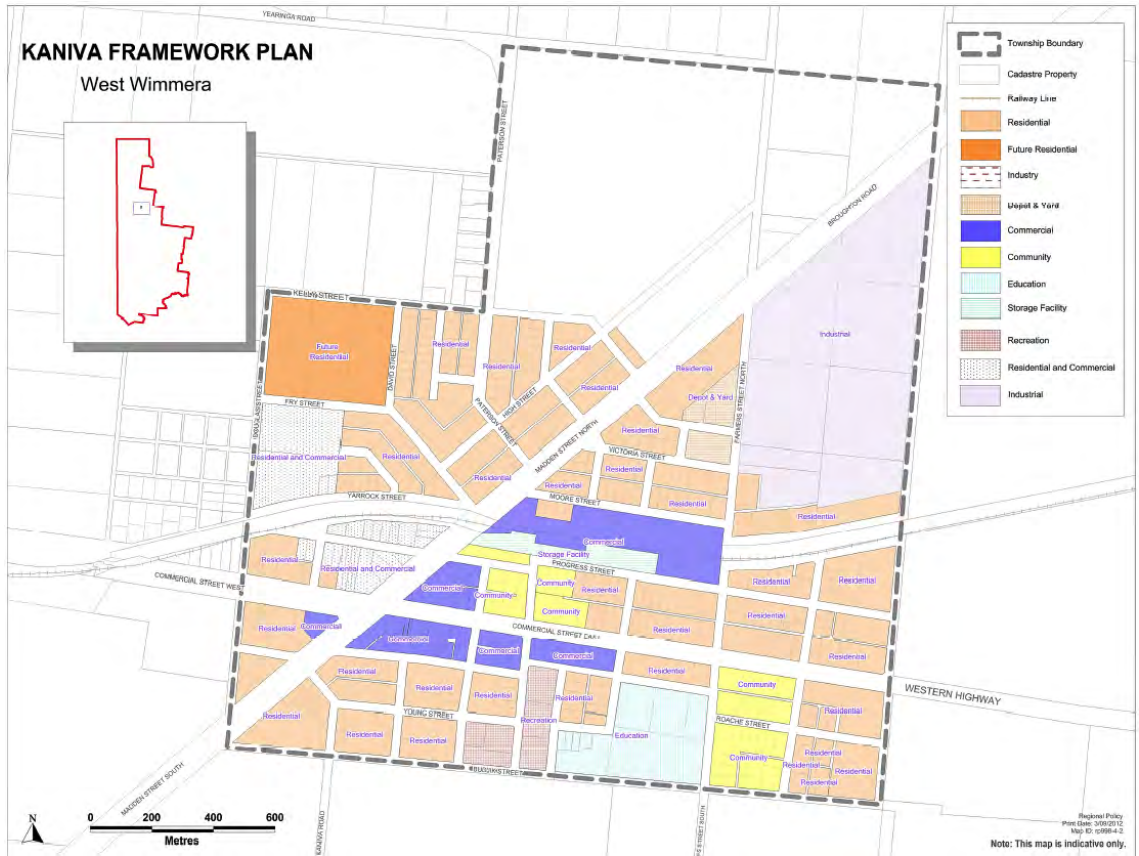
Strategy 2.3 Ensure that the development of the Kaniva Industrial Estate does not impinge on residential growth in the town.

Objective 3 To promote and develop Kaniva as a key service centre in the northern part of the Shire for the local and surrounding rural community.

Strategy 3.1 Encourage Kaniva to develop in accordance with the accompanying Kaniva Framework Plan, and specifically to encourage new residential, commercial and industrial development in those areas indicated on the Framework Plan.

Strategy 3.2 Promote the retention of existing community and commercial facilities in the town.

Kaniva Framework Plan



21.10-3

20/06/2013
C30**Goroke**

Goroke is a quiet township close to numerous lakes with a population of 246 (ABS, 2006), which provide for a various tourist and recreational pursuits including yabbing, fishing, bird and wildlife watching. Lake Charlegrark and Lake Booropki and many other district lakes are located to the west of Goroke and the Little Desert National Park is located approximately 10 kilometres to the north. The Goroke township extends along Main Street with the Community Health Centre and Goroke College well separated from the hub of the township, located some 900 metres east of the centre. Rural land separates the hub of township from the school, health centre and a handful of dwellings.

Goroke is experiencing a declining population, which in turn is placing pressure on the ability of the town to provide services to the region. Employment opportunities are limited in Goroke, with a garage, the school, the community health centre and the grain receiving silo being the major employers in the town.

Objectives and Strategies**Objective 1 To promote Goroke as the local community service centre within the centre of the Shire.**

Strategy 1.1 Encourage Goroke to develop in accordance with the accompanying Goroke Framework Plan, and specifically to encourage new residential, commercial and industrial development in those areas indicated on the Framework Plan.

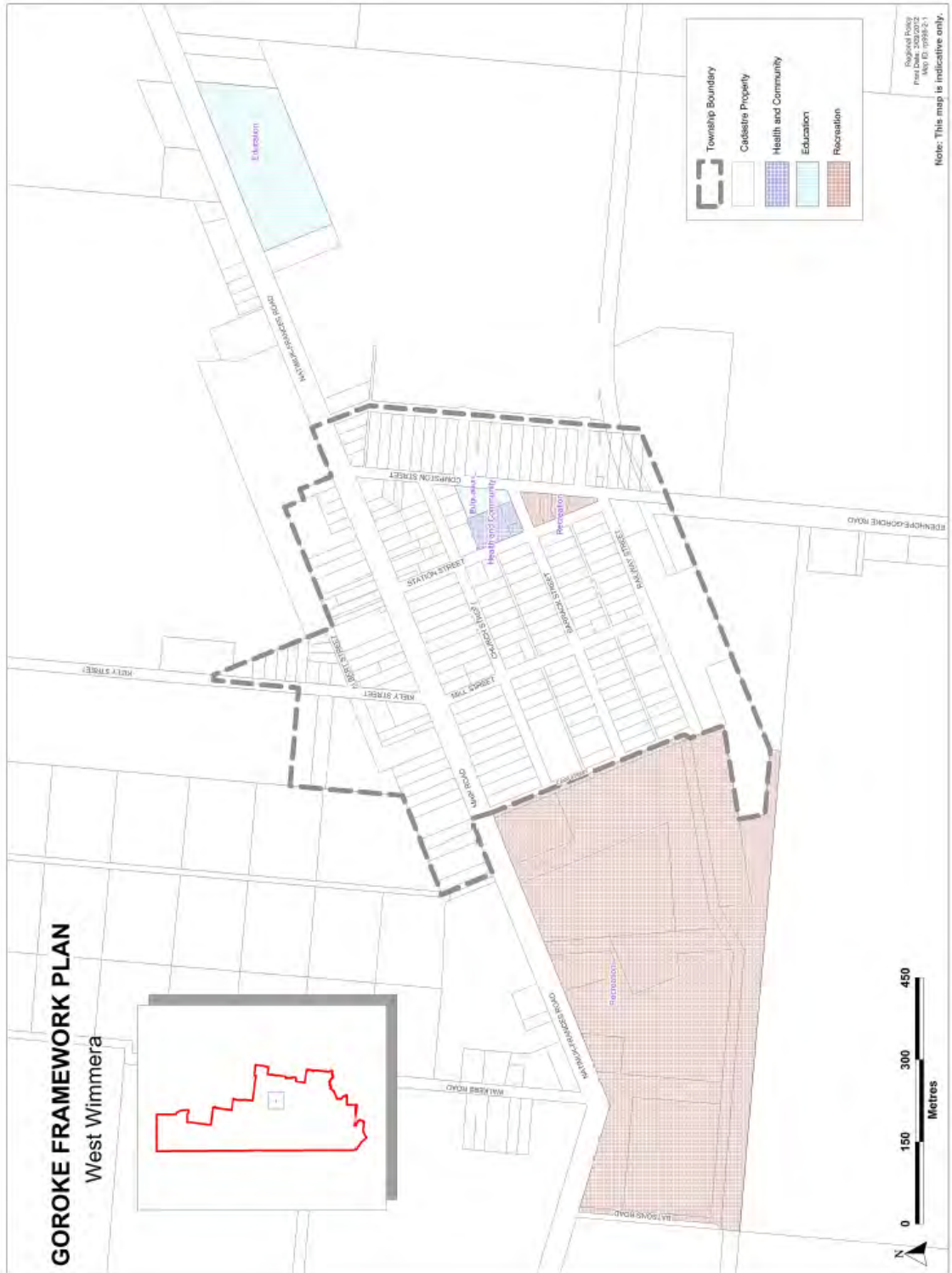
Strategy 1.2 Retain existing services in Goroke.

Strategy 1.3 Encourage commercial and industrial activities to locate in the main street where compatible with the image of the street and nearby uses, or in the vicinity of the grain receiving silo.

Objective 2 To enhance Goroke's attractiveness to visitors to near by lakes and Little Desert National Park.

Strategy 2.1 Establish a walking and bicycle path using the train line that can connect with other rail trails emerging throughout the Wimmera region.

Goroke Framework Plan



21.10-4

20/06/2013
C30**Apsley**

Apsley is located on the Wimmera Highway, approximately 20km from Edenhope, and 7km from the South Australian boarder. The town had its beginnings as a key postal town as roads between the colonies of Victoria and South Australia (Melbourne and Adelaide) merged and crossed here. The town was an important link in the new colonies transport and communication networks from the late 1840's. With the emergence of the wool industry the town flourished as a centre for the passage of wool on the way to Portland from the north.

The present township sits peacefully among the red gums and provides services to the district. The population of Apsley is 156 (ABS, 2006), however this number has been in decline for some time, and is predicted to continue to decline. This declining population is putting pressure on the ability of the town to provide services to its region.

Apsley has the potential to become a dormitory town for Edenhope and Naracoorte, making use of the pleasant treed environment of the town. Unlocking this potential will require new development in Apsley to respond the linear structure of the town, as shown in the following Apsley Framework Plan.

Objectives and Strategies

Objective 1 To promote development and investment in Apsley that achieves the vision of the Apsley Framework Plan, and provides opportunities for service provision, new business initiatives, and housing.

Strategy 1.1 Apply a range of zones to the town available from the Victorian Planning Provisions to give effect to the Apsley Framework Plan.

Strategy 1.2 Ensure the Planning Scheme remains responsive to the needs of the community and is capable of facilitating new development, particularly residential development.

Strategy 1.3 Investigate servicing requirements for land identified as potential residential in the Apsley Framework Plan.

Strategy 1.4 Ensure land suitable for development is available in a range of lot sizes to cater for people of different lifestyles and age groups.

Objective 2 To promote development of a range of accommodation services in Apsley to cater for aged and retired people.

Strategy 2.1 Identify land suitable for an aged care facility, and a retirement facility.

Strategy 2.2 Promote Apsley as a suitable location for these services to developers and operators of these facilities.

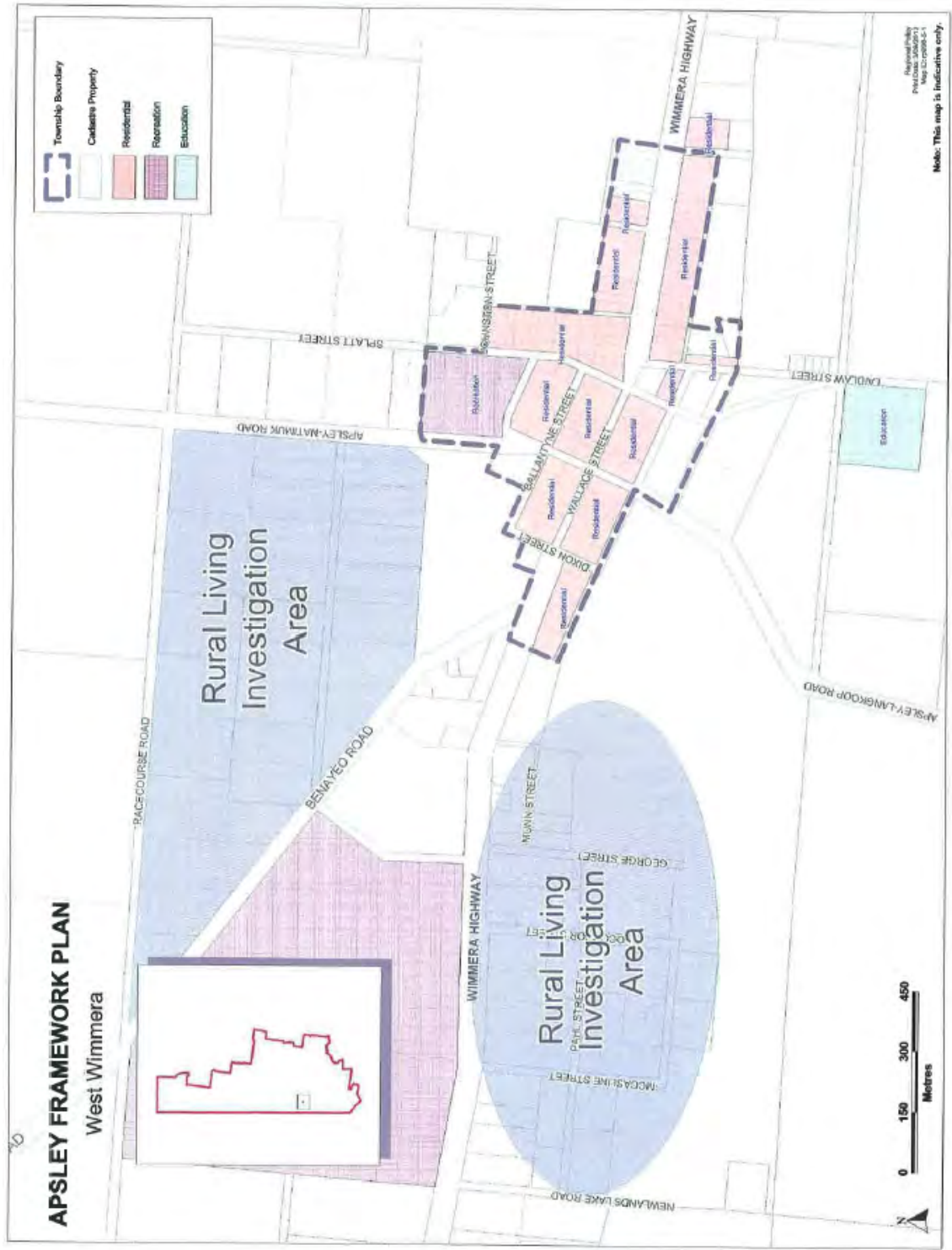
Objective 3 To promote and develop Apsley's liveability for the local and surrounding rural community.

Strategy 3.1 Promote home based businesses and other micro business opportunities for the town.

Strategy 3.2 Promote the retention of existing community and commercial facilities in the town.

Strategy 3.3 Identify cycling and horse riding trails as a way of attracting visitors to the area.

Apsley Framework Plan



21.10-5

20/06/2013
C30**Harrow**

Harrow is a small pastoral town with a population of 92 (ABS, 2006), located on the banks of the Glenelg River, beneath the rolling hills and grand old red gums. It is claimed to be Victoria's oldest inland town, being established around 1842 after the first large pastoral runs had been taken up in the area. Located at the junction of three large properties, it was an important centre for the surrounding farming families, providing them with provisions, schooling, churches, services and transport. The migration of people to the larger centres and the reduced need for farm workers have reduced Harrow's population. Today the town is particularly picturesque, boasting a number of heritage buildings which significantly contribute to the town's beauty and tourist potential.

Objectives and Strategies

Objective 1 To promote development and investment in Harrow that achieves the vision of the Harrow Framework Plan, with a mix of activities and densities to accommodate population growth without compromising existing character.

Strategy 1.1 Investigate the potential for rezoning of land suitable for lifestyle development in areas shown as Growth Investigation Areas on the following Harrow Structure Plan.

Strategy 1.2 Direct development away from locating within the floodplain of the Glenelg River.

Strategy 1.3 Identify land suitable for establishing an industrial estate in Harrow.

Strategy 1.4 Develop a high quality urban environment with a built form that is responsive to Harrow's rural valley setting.

Strategy 1.5 Control new development to ensure that the town's historic character is not lost.

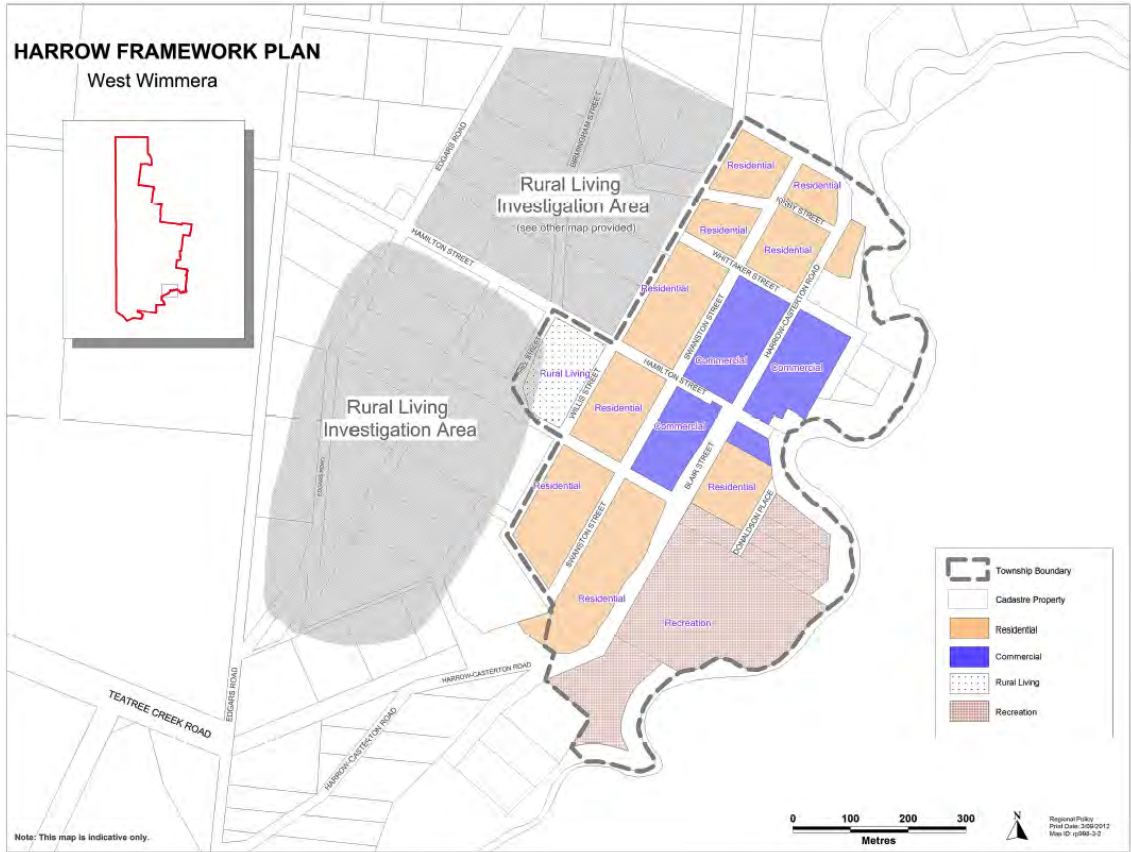
Objective 2 To promote a sustainable lifestyle for Harrow's residents.

Strategy 2.1 Advocate for the ongoing provision of quality, accessible health, and medical services in Harrow.

Objective 3 To promote business and industry opportunities in Harrow.

Strategy 3.1 Identify a suitable location for establishing an industrial estate to service Harrow and its surrounding areas.

Harrow Framework Plan



21.10-6

20/06/2013
C30

Other Townships

There are a number of smaller townships located throughout the Shire which provide local convenience shopping and important community focus. Population decline in these towns and their surrounding areas is a threat to service provision and liveability. Beyond catering for the immediate needs of the local communities, there is little justification for any extension of the shopping facilities within these towns or to the townships generally.

Objectives and Strategies

- Objective 1** **To provide adequate services and facilities to meet the needs of the community.**
Strategy 1.1 Ensure the Planning Scheme remains responsive in order to provide flexibility in the development of services and facilities.

21.1120/06/2013
C30**REFERENCE DOCUMENTS**

The following strategic studies have informed the preparation of this planning scheme. Decisions makers should use these documents for background research only. Material in these documents that potentially provides policy guidance on decision making but is not specifically referenced by the Scheme, should not be given any weight.

- Statements of Significance for Items on the West Wimmera Planning Scheme Heritage Overlay, Wendy Jacobs, October 2002.
- West Wimmera Land Use Strategy 1998
- Wimmera Regional Catchment Strategy, 2003-2008
- Wimmera Regional Salinity Action Plan 2005-2010
- Wimmera Rabbit Management Action Plan 2002-2005
- Wimmera Weed Action Plan 2002
- Mallee Regional Catchment Strategy
- Mallee Dryland Salinity Management Plan
- Draft Wimmera Native Vegetation Plans
- Land Conservation Council Final Recommendations for the Mallee Area 1989
- National Park Management Plans
- The Conservation Status of Roadsides in the Shire of Lowan, 1989
- Draft Regional Catchment Vegetation Plans

FUTURE STRATEGIC WORK

Future Work	Priority
Prepare re-zonings to facilitate development for new housing in existing urban settlements throughout the shire.	High Priority
Identify areas where the Rural Activity Zone, Rural Conservation and the Rural Living Zone can be applied to facilitate population growth, development and new investment.	High Priority
Develop a policy that identifies land where land, infrastructure, location and environmental conditions are suitable for intensive animal husbandry. Use the policy to promote the municipality as a suitable place to undertake intensive animal husbandry to the agricultural industry and investors.	High Priority
Preparing and implementing a Rural Strategy to determine the appropriate application of rural zones across the Shire.	High Priority
Prepare a Rural Strategy for municipality.	Medium Priority
Apply a range of zones to Edenhope available from the Victorian Planning Provisions to give effect to the Edenhope Framework Plan. These zones include the Residential 1 Zone, the Business 1 Zone, and the Industrial 1 Zone.	High Priority
Undertake investigation of land in Harrow for Rural living. Rezone land accordingly	High Priority
Identify locations where the Vegetation Protection Overlay can be used to protect and enhance significant habitat.	High Priority
In conjunction with Catchment Management Authorities, prepare a Floodplain Management Policy to be incorporated into the West Wimmera Planning Scheme.	High Priority
Identify 40ha subdivision minimums in the schedule to Farming zone	High Priority
Undertake a Heritage Study for the Municipality	Medium Priority
Prepare a policy to be included in Clause 22 to guide decision making on Planning Permit for dwellings on small lots in the Farming Zone	Medium Priority
Develop a drainage management strategy for the Shire.	Low Priority
Develop a Bike Plan for the Shire to encourage the increased usage of bicycles.	Medium Priority
Preparation and implementation of a study that identifies significant environmental areas suitable for protection via new Environmental Significance Overlays.	High Priority
Examine flooding risks for the municipality and prepare appropriate flood overlays to address any risks.	High Priority
Prepare and implement a strategy that examines the impacts of climate change for the municipality.	High Priority
Continue to prepare and implement heritage studies for the municipality.	Medium Priority
Examine bush fire risks for the municipality and prepare Bushfire Management Overlays to address any risks.	High Priority
Prepare and implement a study on the location and impacts of salinity in the municipality.	Low Priority
Develop a Roadside Management Strategy that reflects a coordinated approach to protect areas of environmental significance.	High Priority
Utilise available catchment information to identify areas that should and should not be rezoned to the Rural Conservation Zone.	High Priority
Identify highly degraded land or those areas that are subject to significant erosion, with a view to introducing Erosion Management Overlays over these areas.	High Priority

WEST WIMMERA PLANNING SCHEME

Future Work	Priority
Identify land that is prone to moderate or severe salinity, with a view to introducing Salinity Management Overlays over these areas.	High Priority
Develop a Conservation Strategy to protect flora and fauna communities on public and private land in order to maintain biodiversity.	Medium Priority
Identify important wildlife corridors in the Shire.	Medium Priority
Undertake a study of noxious weeds in the Shire.	Medium Priority
Apply the Environmental Significance Overlay to protect significant waterways, wetlands, and vegetation.	High Priority
Examine the location, extent and impacts of timber plantations in light of rapid growth in the timber industry.	Low Priority
Apply the Land Subject to Flooding Inundation Overlay and the Floodway Overlay to identify flood-prone land and prevent inappropriate development in those areas.	High Priority
As information becomes available, introduce further overlays into the Planning Scheme, including additional Environmental Significance Overlays, additional Vegetation Protection Overlays, Rural Floodway Overlays and Salinity Management Overlays.	Medium Priority
Introduce Salinity and Erosion Management Overlays as detailed mapping becomes available.	Medium Priority

LOCAL PLANNING POLICIES

The following local policies are intended to give maximum practical effect to the planning strategies and directions contained in the Municipal Strategic Direction.

22.0119/01/2006
VC37**WESTERN HIGHWAY**

This policy applies to the use and development of land within 100 metres of the Western highway.

Policy Basis

The planning and control of land use and development in the areas through which highways pass should be co-ordinated and integrated. Planning measures to control land use and development can materially assist the efficient performance of highways, and can protect the appearance of the areas through which they pass.

The Western Highway is a principal road linking Melbourne and Adelaide and is a designated National Highway. Land use and development planning should take full account of this National Highway when development occurs in its vicinity.

Objectives

The objectives of this policy are:

- To ensure that the use and development of land does not prejudice the levels of service, safety and amenity of the Western Highway.
- To minimise any adverse effects of noise from traffic using the highway.

Policy

It is policy that an application for use and development, including subdivision, be in accordance with the following:

Noise

- Any new lot created for the purpose of constructing a dwelling should have sufficient space to allow a dwelling to be sited where the noise level does not exceed 70dB(A).
- Dwellings should be designed and constructed to acoustic standards as set out in AS3671-1989 "Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction" where the noise level is in excess of 60dB(A). (Noise levels quoted are free field L, (18 hr)).
- Other buildings providing for noise sensitive uses should be designed and constructed to acoustic standards with interior noise levels not greater than those set out in AS2107-1987 "Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors."
- An application for noise sensitive use and development, including subdivision which will create lots which will be used for noise sensitive uses, will be required to be accompanied by a report prepared by a qualified acoustic consultant outlining the necessary noise control measures which should be undertaken as part of the proposed development.

22.0219/01/2006
VC37**FIRE PROTECTION**

This policy applies throughout the Shire.

Policy Basis

To reduce or minimise the fire risk in the Shire by appropriate design and development standards on use and development of land including subdivision.

Policy

It is policy that:

- Adequate fire protection measures should be employed by requiring that:
 - Dwellings in rural areas should be designed, sited and constructed to minimise the impact and emergency conditions arising from fire.
 - Development associated with residential and public use should incorporate fire prevention measures in accordance with the relevant fire prevention guidelines.
 - Access, fencing and location of dams should maximise firefighting potential and minimise interference with firefighting measures.
 - Adequate water supplies with suitable flow rates should be provided.
 - Plantations should be designed to minimise the risk of fire.

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.

23.0231/07/2018
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

32.0531/07/2018
VC148**TOWNSHIP ZONE**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for residential development and a range of commercial, industrial and other uses in small towns.

To encourage development that respects the neighbourhood character of the area.

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

32.05-127/03/2017
VC110**Neighbourhood character objectives**

A schedule to this zone may contain the neighbourhood character objectives to be achieved for the area.

32.05-226/05/2020
VC175**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 32.05-3.
Domestic animal husbandry	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	Must meet the requirements of Clause 32.05-3.
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.
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	

Use	Condition
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)	
Dependent person's unit - if the Section 1 condition is not met	Must meet the requirements of Clause 32.05-3.
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 Transfer station and Refuse disposal)	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Office (other than Medical centre)	
Place of assembly (other than Carnival, Circus and Place of worship)	
Retail premises (other than Adult sex product shop)	
Transfer station	Must meet the threshold distance requirements in the table to Clause 53.10.
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
Dwelling – if the Section 1 condition is not met
Extractive industry

Use**Motor racing track****Refuse disposal****Saleyard****32.05-3**27/03/2017
VC110**Use for a dwelling or a dependent person's unit**

A lot may be used for a dwelling 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 State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- 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.

32.05-427/03/2017
VC110**Use for industry and warehouse****Amenity of the neighbourhood**

The use of land for an industry or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

32.05-531/07/2018
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
16 or more lots	Clauses 56.02-1, 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4.
3 – 15 lots	Clauses 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4.

Class of subdivision	Objectives and standards to be met
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5 and 56.06-8 to 56.09-2.

Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- A plan which shows a building envelope and effluent disposal area for each 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
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

32.05-6
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 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
Construct an outbuilding or extend a dwelling if the development: <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. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. <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>	Clause 59.14
Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.	Clause 59.03

32.05-731/07/2018
VC148**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.

32.05-827/03/2017
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.

32.05-9

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.

32.05-10

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 32.05-2.

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:

Clause 59.04

- 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:
 - 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.

32.05-11

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 requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

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 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.

32.05-12

26/10/2018
VC152

Application requirements

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 Works Approval or Waste Discharge Licence 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 despatch of materials and goods).
- Any other application requirements specified in a schedule to this zone.

32.05-1324/01/2020
VC160**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:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives set out in a schedule to this zone.
- The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The design, height, setback and appearance of the proposed buildings and works including provision for solar access.
- The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.
- Provision of car and bicycle parking and loading bay facilities and landscaping.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The scale and intensity of the use and development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- 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.
- Any other decision guidelines specified in a schedule to this zone.

Use for industry and warehouse

Before deciding on an application to use land for an industry or warehouse, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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.
- Any other decision guidelines specified in a schedule to this zone.

Subdivision

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 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.
- Any other decision guidelines specified in a schedule to this zone.

Construction and extension of one dwelling on a lot

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, standards and decision guidelines of Clause 54.
- Any other decision guidelines specified in a schedule to this zone.

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

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 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.
- Any other decision guidelines specified in a schedule to this zone.

32.05-14

26/10/2018
VC152

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.

15/07/2013
VC100

SCHEDULE TO CLAUSE 32.05 TOWNSHIP ZONE

Shown on the planning scheme map as **TZ**.

WEST WIMMERA TOWNSHIPS

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

No

1.0

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

2.0

15/07/2013
VC100

Maximum building height requirement for a dwelling or residential building

None specified.

3.0

15/07/2013
VC100

Application requirements

None specified.

4.0

15/07/2013
VC100

Decision guidelines

None specified.

INDUSTRIAL ZONES

33.0131/07/2018
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.

33.01-126/05/2020
VC175**Table of uses****Section 1 - Permit not required**

Use	Condition
Convenience shop	
Crop raising	
Grazing animal production	
Home based business	
Industry (other than Materials recycling and Transfer station)	<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.
Informal outdoor recreation	
Mail centre	
Railway	

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 Road Zone.</p> <p>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</p> <p>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</p> <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
<p>Take away food premises</p> <p>Tramway</p>	
<p>Warehouse (other than Mail centre and Shipping container storage)</p>	<p>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</p>

Use	Condition
	<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)	
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

Use	Condition
	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)

33.01-2
31/07/2018
VC148

Use of land

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.

- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a 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.

33.01-3
31/07/2018
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

Class of application	Information requirements and decision guidelines
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.

15/07/2013
VC100

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

Land	Maximum leasable floor area (m²) for office
None specified	

33.0331/07/2018
VC148**INDUSTRIAL 3 ZONE**

Shown on the planning scheme map as **IN3Z**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

33.03-126/05/2020
VC175**Table of uses****Section 1 - Permit not required**

Use	Condition
Convenience shop	
Crop raising	
Grazing animal production	
Home based business	
Informal outdoor recreation	
Mail centre	
Railway	
Service industry	<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.

WEST WIMMERA PLANNING SCHEME

Use	Condition
Service 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, 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.
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)	<p>Must adjoin, or be on the same lot as, a supermarket when the use commences.</p> <p>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.</p> <p>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</p>
Supermarket	<p>The leasable floor area must not exceed 1800 square metres.</p> <p>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</p> <p>Must be on land within an urban growth boundary and in metropolitan Melbourne.</p>
Take away food premises	
Tramway	
Warehouse (other than Fuel depot, Mail centre or 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 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
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.
Industry (other than Service industry)	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
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)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
Hospital
Intensive animal production
Major sports and recreation facility
Motor racing track

Use**Pig farm****Poultry farm****Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met****Supermarket – if the section 1 conditions are not met****33.03-2**31/07/2018
VC148**Use of land****Amenity of the neighbourhood**

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

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

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a 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.
- The effect on nearby industries.

33.03-3

31/07/2018
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 from 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.

33.03-4
21/09/2018
VC150

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:	Clause 59.04
<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. 	

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.
 - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Decision guidelines

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

- The 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.
- The effect on nearby industries.
- The effect of nearby industries.

Maintenance

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

33.03-5

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 2.

15/07/2013
VC100

SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

Land	Maximum leasable floor area (m²) for office
None specified	

RURAL ZONES

35.0331/07/2018
VC148**RURAL LIVING ZONE**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for residential use in a rural environment.

To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.

To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

35.03-108/08/2019
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.
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 35.03-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 2 hectares. Must be the only dwelling on the lot. Must meet the requirements of Clause 35.03-2.
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.

Section 2 - Permit required

Use	Condition
<p>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</p>	
<p>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry and Timber production)</p>	
<p>Bar</p>	<p>The site must not have direct access to a rural freeway.</p>
<p>Broiler farm - if the Section 1 condition to Poultry farm is not met</p>	<p>Must be no more than 10,000 chickens.</p>
<p>Car park</p>	<p>Must be used in conjunction with another use in Section 1 or 2.</p>
<p>Convenience shop</p>	<p>The leasable floor area must not exceed 80 square metres.</p> <p>The site must not have direct access to a rural freeway.</p>
<p>Dependent person's unit - if the Section 1 condition is not met</p>	<p>Must meet the requirements of Clause 35.03-2.</p>
<p>Domestic animal boarding</p>	
<p>Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met</p>	<p>Must meet the requirements of Clause 35.03-2.</p>
<p>Freeway service centre</p>	<p>Must meet the requirements of Clause 53.05.</p>
<p>Hotel</p>	<p>The site must not have direct access to a rural freeway.</p>
<p>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</p>	
<p>Market</p>	
<p>Medical centre</p>	
<p>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</p>	
<p>Plant nursery</p>	
<p>Postal agency</p>	
<p>Primary produce sales</p>	
<p>Racing dog husbandry – if the Section 1 condition is not met</p>	<p>Must meet the requirements of Clause 53.12.</p>
<p>Restaurant</p>	<p>The site must not have direct access to a rural freeway.</p>

Use	Condition
Rural industry (other than Abattoir and Sawmill)	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Road Zone. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone. <p>The site must not have direct access to a rural freeway.</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>
Timber production	<p>Must meet the requirements of Clause 53.11.</p>
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Abattoir
Amusement parlour
Brothel
Cinema based entertainment facility
Industry (other than Rural Industry)
Intensive animal production
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Bar, Convenience shop, Hotel, Market, Plant nursery, Postal agency, Primary produce sales and Restaurant)
Saleyard
Sawmill
Transport terminal
Warehouse (other than Store)

35.03-2

19/01/2006
VC37

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 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.

35.03-3

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 2 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 and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- 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

35.03-4

08/08/2019
VC159

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 35.03-1. This does not apply to:

- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than 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 is not more than 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 is not more than the area specified in the 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:
 - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
 - The setback from any other road or boundary specified in the schedule to this zone.
 - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
 - 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:	Clause 59.13
<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.	

35.03-5
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:

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.

- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues

- The capacity of the site to sustain the agricultural use.
- Any integrated land management plan prepared for the site.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

Environmental issues

- The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the 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 area.
- 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 impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

35.03-6
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.

SCHEDULE TO THE RURAL LIVING ZONEShown on the planning scheme map as **RLZ**.

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land.	8 hectares
Minimum area for which no permit is required to use land for a dwelling (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	
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	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	
Minimum setback from a road (metres).	None specified	
Minimum setback from a boundary (metres).	None specified	
Minimum setback from a dwelling not in the same ownership (metres).	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.

35.0731/07/2018
VC148**FARMING ZONE**

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

35.07-126/05/2020
VC175**Table of uses****Section 1 – Permit not required**

Use	Condition
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)	
Bed and breakfast	<p>No more than 10 persons may be accommodated away from their normal place of residence.</p> <p>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</p>
Cattle feedlot	<p>Must meet the requirements of Clause 53.08.</p> <p>The total number of cattle to be housed in the cattle feedlot must be 1000 or less.</p> <p>The site must be located outside a special water supply catchment under the <i>Catchment and Land Protection Act 1994</i>.</p> <p>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</p>
Dependent person's unit	<p>Must be the only dependent person's unit on the lot.</p> <p>Must meet the requirements of Clause 35.07-2.</p>
Domestic animal husbandry (other than Domestic animal boarding)	<p>Must be no more than 5 animals.</p>
Dwelling (other than Bed and breakfast)	<p>Must be the only dwelling on the lot.</p> <p>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</p>

WEST WIMMERA PLANNING SCHEME

Use	Condition
	Must meet the requirements of Clause 35.07-2.
Grazing animal production	
Home based business	
Informal outdoor recreation	
Poultry farm	<p>Must be no more than 100 poultry (not including emus or ostriches).</p> <p>Must be no more than 10 emus and ostriches.</p>
Primary produce sales	<p>Must not be within 100 metres of a dwelling in separate ownership.</p> <p>The area used for the display and sale of primary produce must not exceed 50 square metres.</p>
Racing dog husbandry	Must be no more than 5 animals.
Railway	
Rural industry (other than Abattoir and Sawmill)	<p>Must not have a gross floor area more than 200 square metres.</p> <p>Must not be within 100 metres of a dwelling in separate ownership.</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.
Rural store	<p>Must be used in conjunction with Agriculture.</p> <p>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</p> <p>Must be the only Rural store on the lot.</p>
Timber production	Must meet the requirements of Clause 53.11.

WEST WIMMERA PLANNING SCHEME

Use	Condition
	<p>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</p> <p>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</p> <p>The plantation must not be within 100 metres of:</p> <ul style="list-style-type: none"> ▪ Any dwelling in separate ownership. ▪ Any land zoned for residential, commercial or industrial use. ▪ Any site specified on a permit which is in force which permits a dwelling to be constructed. <p>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</p>
Tramway	
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 – Permit required

Use	Condition
Abattoir	
Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must meet the requirements of Clause 53.09.
Camping and caravan park	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cattle feedlot – if the Section 1 condition is not met	<p>Must meet the requirements of Clause 53.08.</p> <p>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</p>
Cemetery	
Crematorium	
Dependent person's unit – if the Section 1 condition is not met	Must meet the requirements of Clause 35.07-2.
Domestic animal boarding	
Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met	Must meet the requirements of Clause 35.07-2.

WEST WIMMERA PLANNING SCHEME

Use	Condition
Emergency services facility	
Freeway service centre	Must meet the requirements of Clause 53.05.
Group accommodation	
Host farm	
Industry (other than Rural industry)	
Landscape gardening supplies	
Leisure and recreation (other than Informal outdoor recreation)	
Manufacturing sales	
Market	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)	
Primary school	
Racing dog husbandry – if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.
Renewable energy facility (other than Wind energy facility)	Must meet the requirements of Clause 53.13.
Residential hotel	
Restaurant	
Rice growing	
Sawmill	
Secondary school	
Timber production – if the Section 1 condition is not met	Must meet the requirements of Clause 53.11.
Trade supplies	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Rural store)	
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

Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)

Amusement parlour

Brothel

Cinema based entertainment facility

Education centre (other than Primary school and Secondary school)

Nightclub

Office

Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)

35.07-2

19/01/2006
VC37

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 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.

35.07-3

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 to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- 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

35.07-408/08/2019
VC159**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 35.07-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than 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 is not more than 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 is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 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:
 - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in a schedule to this zone or, if no setback is specified, 50 metres.
 - The setback from any other road or boundary specified in a schedule to this zone.
 - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
 - 100 metres from a waterway, wetlands or designated flood plain.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production 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 associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to \$500,000. Any works must not be earthworks specified in the schedule to the zone.	Clause 59.13
Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to \$500,000 where the land is not: <ul style="list-style-type: none"> ▪ Used for Domestic animal husbandry, Intensive animal production, 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

35.07-5

19/01/2006
VC37

Application requirements for dwellings

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.

35.07-6

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:

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, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.

- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

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.
- 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.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- 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 locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.

35.07-7

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.

SCHEDULE TO THE FARMING ZONEShown on the planning scheme map as **FZ**.

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	Land in Edenhope described as Lot 2 PS434694 Part CA45 Parish of Edenhope	Minimum area necessary to create a balance lot in the Farming Zone
	All other land.	80 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land.	80 hectares
Maximum area for which no permit is required to use land for timber production (hectares).	None specified	
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	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	
Minimum setback from a road (metres).	A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1	100 metres
	A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

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

36.0131/07/2018
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.

36.01-123/09/2011
VC77**Table of uses****Section 1 - Permit not required**

Use	Condition
Railway	
Railway station	The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.
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

36.01-219/01/2006
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.

36.01-319/01/2006
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.

36.01-4

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

19/01/2006
VC37

Table of public land use

Shown on the planning scheme map	Purpose of public land use
PUZ1	Service & Utility
PUZ2	Education
PUZ3	Health & Community
PUZ4	Transport
PUZ5	Cemetery/Crematorium
PUZ6	Local Government
PUZ7	Other public use

36.01-7

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), 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.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.

19/01/2006
VC37

SCHEDULE TO THE PUBLIC USE ZONE

Public land	Use or development	Conditions
--------------------	---------------------------	-------------------

None specified

Land	Advertising Sign Category
-------------	----------------------------------

None specified

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.

36.02-130/04/2021
VC185**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>Coastal Management Act 1995</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.

36.02-431/07/2018
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.

36.02-531/07/2018
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.

36.02-619/01/2006
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.

36.02-719/01/2006
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.

36.02-831/07/2018
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.

19/01/2006
VC37

SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE

Public land	Use or development	Conditions
--------------------	---------------------------	-------------------

None specified

Land	Advertising Sign Category
-------------	----------------------------------

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.

19/01/2006
VC37

SCHEDULE TO THE PUBLIC CONSERVATION AND RESOURCE ZONE

Public land	Use or development	Conditions
--------------------	---------------------------	-------------------

None specified

Land	Advertising Sign Category
-------------	----------------------------------

None specified

36.0431/07/2018
VC148**ROAD ZONE**

Shown on the planning scheme map as **RDZ1** for a Category 1 road and **RDZ2** for a Category 2 road.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant existing roads.

To identify land which has been acquired for a significant proposed road.

36.04-116/01/2018
VC142**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.

Section 2 - Permit required

Use	Condition
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Nil

36.04-219/01/2006
VC37**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

36.04-331/07/2018
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 views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.

36.04-4

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.

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.

37.01-431/07/2018
VC148**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.

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.

19/01/2006
VC37**SCHEDULE 1 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ1****RACECOURSE****Purpose**

To ensure that use and development of land associated with the Edenhope Racecourse does not prejudice the amenity of surrounding land.

To ensure that development takes place in an orderly and proper manner.

1.019/01/2006
VC37**Table of uses****Section 1 - Permit not required**

Use	Condition
Agriculture (other than animal husbandry)	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Racecourse	
Search for stone	Must not be costeaning or bulk sampling.

Section 2 - Permit required

Use	Condition
Leisure and recreation (other than racecourse)	
Market	
Place of Assembly	
Store (other than freezing and cool storage)	
Any other use not in Sections 1 or 3.	

Section 3 - Prohibited

Use
Adult Sex Bookshop
Brothel
Cemetery
Corrective institution
Fuel Depot
Freezing and cool storage

Use**Intensive animal husbandry****Transport terminal****Utility installation (other than Minor utility installation)****2.0**19/01/2006
VC37**Use of land****Amenity of the neighbourhood**

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

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

Application requirements

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- 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.

3.019/01/2006
VC37**Subdivision****Decision guidelines**

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The effect the subdivision will have on the potential of the land to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- The interface with adjoining land, especially the relationship with residential areas.

4.019/01/2006
VC37**Buildings and works**

A permit is not required to construct a building or construct or carry out works shown on a development plan approved under this schedule.

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. The responsible authority will consult with the Department of Sustainability and Environment prior to approving the development plan.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and details of development of each part of the land.
- A plan which clearly describes how native vegetation on the sites are to be managed.
- The development plan may be amended to the satisfaction of the responsible authority.

19/01/2006
VC37**SCHEDULE 2 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ2**.**GOLF COURSE****Purpose**

To ensure that use and development of land associated with the Harrow Golf Course does not prejudice the amenity of surrounding land.

To ensure that development takes place in an orderly and proper manner.

1.019/01/2006
VC37**Table of uses****Section 1 - Permit not required**

Use	Condition
Agriculture (other than animal husbandry)	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Racecourse	
Search for stone	Must not be costeaning or bulk sampling.

Section 2 - Permit required

Use	Condition
Leisure and recreation (other than racecourse)	
Market	
Place of Assembly	
Store (other than freezing and cool storage)	
Any other use not in Sections 1 or 3.	

Section 3 - Prohibited

Use
Adult Sex Bookshop
Brothel
Cemetery
Corrective institution
Fuel Depot
Freezing and cool storage

Use**Intensive animal husbandry****Transport terminal****Utility installation (other than Minor utility installation)****2.0**19/01/2006
VC37**Use of land****Amenity of the neighbourhood**

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

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

Application requirements

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- 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.

3.019/01/2006
VC37**Subdivision****Decision guidelines**

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The effect the subdivision will have on the potential of the land to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- The interface with adjoining land, especially the relationship with residential areas.

4.019/01/2006
VC37**Buildings and works**

A permit is not required to construct a building or construct or carry out works shown on a development plan approved under this schedule.

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. The responsible authority will consult with the Department of Sustainability and Environment prior to approving the development plan.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and details of development of each part of the land.
- A plan which clearly describes how native vegetation on the sites are to be managed.
- The development plan may be amended to the satisfaction of the responsible authority.

25/09/2008
C13**SCHEDULE 3 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ3**.**EDENHOPE AERODROME****Purpose**

To provide for the use and development of land as an airport and associated activities.

To ensure that any proposed use and development is compatible with the airport and other uses in the vicinity of the airport.

1.025/09/2008
C13**Table of uses****Section 1 - Permit not required**

Use	Condition
Airport	Must be limited to one aircraft hangar. Floor area of buildings, excluding an aircraft hangar, must be less than 324 square metres
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Car park	Must be used in conjunction with the airport
Heliport	Must be limited to one aircraft hangar. Floor area of buildings, excluding an aircraft hangar, must be less than 324 square metres
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Minor utility installation	
Search for stone	Must not be costeaning or bulk sampling
Service industry	Must be used in conjunction with the airport
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Warehouse	Must be used in conjunction with the airport

Section 2 – Permit required

Use	Condition
Airport – if the section 1 condition is not met	
Place of Assembly	
Service industry – if the section 1 condition is not met	Must be associated with aviation
Utility installation	

Section 3 - Prohibited

Use

Any use not in section 1 or 2

2.0

25/09/2008
C13

Use of land

Application requirements

Any application must demonstrate how the proposed use of the land relates to the airport and is compatible with other uses in the vicinity of the airport.

3.0

25/09/2008
C13

Subdivision

Application requirements

Any application must state the intended outcome of the proposed subdivision and its strategic impact on the airport and its associated facilities.

4.0

25/09/2008
C13

Buildings and works

Decision guidelines

Whether the proposed development is compatible with the airport and surrounding land uses.

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

42.0131/07/2018
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.

42.01-131/07/2018
VC148**Environmental significance and objectives**

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

42.01-231/07/2018
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:

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.

19/01/2006
VC37**SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO1.

SIGNIFICANT WETLANDS AND WATERWAYS**1.0**19/01/2006
VC37**Statement of environmental significance**

The Shire's waterways and wetlands are a significant environmental resource which should be protected from inappropriate development. Significant wetlands and waterways should be retained as natural drainage corridors with vegetated buffer areas in order to perform their long-term function as drainage areas, stream habitat, wildlife corridors and landscape areas, and to minimise erosion and reduce polluted surface runoff from adjacent land uses.

2.019/01/2006
VC37**Environmental objective to be achieved**

- To maintain environmental diversity and quality of areas that constitute wetlands, swamplands, lagoons and significant waterways.
- To prevent inappropriate development adjacent to significant wetlands and waterways.
- To prevent pollution of significant waterways and wetlands and the degradation of habitat areas.

3.019/01/2006
VC37**Decision guidelines**

Before deciding on an application for a permit, the responsible authority must consider as appropriate:

- An assessment of the likely environmental impact of the proposal on the water quality of wetlands or waterways.
- Whether the siting and management of the proposal is capable of treating and retaining wastewater without an adverse impact on wetlands or waterways.
- An assessment of the likely impact of the proposal on the flora, fauna and landscape features of wetlands or waterways.
- The availability of alternative sites for the proposal not within the overlay area.
- Whether the proposal will impose any flooding or drainage risk or constraints on land in the vicinity.
- The comments of any environmental or catchment management authority.

03/12/2009
C19**SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO2

RED-TAILED BLACK COCKATOO HABITAT AREAS**1.0**03/12/2009
C19**Statement of environmental significance**

The Red-tailed Black Cockatoo (*Calyptorhynchus banksii graptogyne*) of south-eastern Australia has been classified as an endangered species. The current population is estimated at about 1000 birds with approximately 600- 700 breeding birds. The Red-tailed Black Cockatoo is a highly nomadic species and its population ranges throughout parts of the West Wimmera Shire Council and the Glenelg Shire Council in Victoria, as well as part of the Tatiara District Council, Naracoorte-Lucindale Council, Wattle Range Council, and District Council of Grant in South Australia. The absence of Red-tailed Black Cockatoos from a locality within its range does not mean that the locality does not provide habitat for this species.

The Red-tailed Black Cockatoo's Stringybark feeding habitat is mainly located on public land while its Buloke feeding and eucalyptus nesting habitat is mainly located on private land. Live and dead hollow bearing eucalypts provide suitable nesting sites for the species, while seed producing Buloke (*Allocasuarina leuhmannii*) and Stringybark (*Eucalyptus baxteri*, *Eucalyptus arenacea*) provide feeding habitat for the species. Buloke have separate male and female trees and both male and female trees are required to allow female trees to produce seed. The feeding and nesting habitat of the Red-tailed Black Cockatoo must be protected in order to secure the long term survival of the species.

The aim of the national Red-tailed black cockatoo recovery program is to increase the size of the current population. It is therefore important to ensure that there are adequate nesting and feeding resources available to support an expanded population into the future.

2.003/12/2009
C19**Environmental objective to be achieved**

To protect the habitat of the endangered Red-tailed Black Cockatoo.

To ensure the availability of suitable nesting sites for the Red-tailed Black Cockatoo through the protection of live and dead hollow bearing trees and other suitable trees within the bird's known nesting area.

To protect the feeding habitat of the Red-tailed Black Cockatoo through the retention of Buloke and Stringybark trees.

3.003/12/2009
C19**Permit requirement**

A permit is not required:

- to construct a building or construct or carry out works.
- to remove, destroy or lop vegetation in accordance with a Property Management Plan approved by the responsible authority and endorsed by Department of Sustainability and Environment.
- to remove, destroy or lop any dead vegetation, except dead eucalyptus trees with a trunk diameter greater than 40 centimetres at 1.3 metres above ground level.
- to remove, destroy or lop the minimum extent of native vegetation necessary for the maintenance of farm fences. The combined maximum width of clearing permitted either side of the fence is 4m.
- to remove, destroy or lop any live vegetation, unless the vegetation is:
 - a hollow bearing eucalypt tree.
 - Buloke with a trunk diameter of greater than 20 centimetres at 1.3 metre above ground level.
 - Buloke with a density of more than 1 tree per 10 hectares of development.

- Stringybark with a trunk diameter of greater than 30 centimetres at 1.3 metre above ground level.

4.0

03/12/2009
C19

Application requirements

An application to remove vegetation must be accompanied by a report which;

- provides full details of the vegetation to be removed, destroyed or lopped, including species, age, dimensions and number of plants to be removed, destroyed or lopped.
- identifies whether any Buloke or Stringybark trees:
 - are in close proximity to other Bulokes to facilitate pollination;
 - produce large seed crops or have a history of producing large seed crops; and
 - are known or have been recorded as having been used by Red-tailed Black Cockatoo for feeding.
- includes a detailed, scaled site map showing the location of vegetation proposed to be removed.
- demonstrates conclusively that the vegetation removal is essential.
- provides details of the native vegetation offset planned to mitigate the loss of the vegetation.

5.0

03/12/2009
C19

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- whether the proposal conflicts with the objectives of the overlay.
- the significance of the vegetation identified for removal as nesting and/or feeding sites for the Red-tailed Black Cockatoo.
- the significance of vegetation to be removed in relation to the levels of Buloke and Stringybark in the vicinity.
- whether the proposed development can be accommodated on land where no Buloke or Stringybark are required to be removed.
- whether proposed vegetation offsets are commensurate with the significance of vegetation to be removed, and particularly if the offset includes the protection of large old trees consistent with the large old tree objectives of Appendix 4 of *Victoria's Native Vegetation Management – A Framework for Action, 2002*.
- whether there are statutory requirements under the *Environment Protection and Biodiversity Conservation Act 1999* or the *Flora and Fauna Guarantee Act 1988*.

6.0

03/12/2009
C19

Referrals

All applications must be referred in accordance with Section 55 of the Act to the referral authority as specified in the schedule to Clause 66.04.

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.

The requirement to obtain a permit does not apply to:

<p>Fire protection</p>	<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>
<p>Geothermal energy exploration and extraction</p>	<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>
<p>Greenhouse gas sequestration and exploration</p>	<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>
<p>Land management and directions notice</p>	<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>
<p>Land use conditions</p>	<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>
<p>Mineral exploration and extraction</p>	<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>
<p>Noxious weeds</p>	<p>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>).</p>
<p>Pest animal burrows</p>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p>

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).

42.02-431/07/2018
VC148**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

42.02-531/07/2018
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 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.

19/01/2006
VC37**SCHEDULE 1 TO THE VEGETATION PROTECTION OVERLAY**Shown on the planning scheme map as **VPO1****JUMPING JACK WATTLE – ROADSIDE PROTECTION AND CONSERVATION****1.0**19/01/2006
VC37**Statement of nature and significance of vegetation to be protected**

The Jumping Jack Wattle is a rare and threatened species.

2.019/01/2006
VC37**Vegetation protection objective to be achieved**

- To identify and protect roadsides within the Shire which contain the Jumping Jack Wattle.
- To maintain habitat corridors for indigenous fauna.
- To ensure development minimises loss of indigenous vegetation.

3.019/01/2006
VC37**Permit requirement**

A permit is required to remove, destroy or lop Jumping Jack Wattle and other indigenous vegetation where such vegetation occurs along these roadsides. An application for this purpose should:

- Specify the reason why the vegetation concerned should be removed, destroyed or lopped.
- Demonstrate that the need for removal, destruction or lopping of the vegetation concerned has been reduced to the maximum extent that is reasonable and practicable.
- Specify revegetation proposals.

4.019/01/2006
VC37**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The value of the vegetation in terms of physical condition, rarity or variety.
- The purpose of removing, destructing or lopping the vegetation concerned, and whether there are alternative options.
- The likely effect of removal, destruction or lopping of vegetation on resident and migratory fauna.
- The need to maintain the connectivity in a local or regional context of linear remnants and biolinks.
- Whether it is appropriate to include conditions requiring planting, replanting or other treatment of any part of the land as a condition of the approval.

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.

- 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. 	

43.01-221/11/2017
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*.

28/02/2019
GC117

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0

Application requirements

28/02/2019
GC117

None specified.

2.0

Heritage places

28/02/2019
GC117

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?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
Harrow									
HO1	Former Log Lockup, 2-6 Blair Street	-	-	-	-	Yes Ref No H306	Yes		No
HO2	Kout Norien Estate, 47 Harrow-Clear Lake Road	-	-	-	-	Yes Ref No H307	Yes		No
HO3	Mullagh Memorial, Johnny Mullagh Park Blair St. Harrow	No	No	No	No	No	No	-	No
HO4	Harrow Cemetery, Harrow-Clear Lake Rd. Harrow	No	No	No	No	No	No	-	No
HO5	Primary School No. 2049, Hill St. Harrow	No	No	No	No	No	No	-	No
HO6	Hamilton Street Steps, Hamilton St. Harrow	No	No	No	No	No	No	-	No
Kaniva									
HO7	Kaniva Railway Station, Moore Street	-	-	-	-	Yes Ref No H1569	Yes		No
HO8	State Emergency Services building (former courthouse). Commercial St. Kaniva	No	No	No	No	No	No	-	No

WEST WIMMERA 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?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
H011	Former Kaniva Shire Hall and Municipal offices on the corner of Commercial Street and Baker Street, Kaniva	Yes	Yes	No	No	No	No		No
Miram South									
HO9	Public Hall, Bill's Gully, N. Allens Rd. Miram South	No	No	No	No	No	No	-	No
Serviceton									
HO10	Serviceton Railway Station, Elizabeth Street, Serviceton	-	-	-	-	Yes Ref No H1592	Yes		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.

14/01/2016
C32**SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO1**.

EDENHOPE INDUSTRIAL ESTATE**1.0**14/01/2016
C32**Design objectives**

To foster a distinct urban character that identifies the area as the main entrance to Edenhope.

To improve the attractiveness of the corridor.

To encourage new development to contribute to the urban character of the street.

To ensure new development is of a high standard of urban design.

To ensure new development contributes to a consistent landscape for the street.

To ensure advertising signs do not dominate the streetscape or create visual clutter.

To ensure that new development manages any interface with adjoining residential areas.

2.014/01/2016
C32**Buildings and works****Permit requirements**

A permit is required for any front or side fence that does not meet the design requirements of this Schedule.

No permit is required for:

- Internal alterations.
- Repairs or routine maintenance that do not change the appearance of the existing buildings and works. The repairs must be undertaken to similar details, specifications and materials.

Site Design

All new developments must:

- Provide an active frontage to the street.
- Have a set back that is consistent with existing buildings in the corridor.

Site Layout

Where new development abuts residential land, new development will provide acoustic screen fencing, and landscaped buffers.

New development will ensure adjoining residential land is not affected by light spill.

Car Parking

The front set back of all new buildings shall contain visitor parking areas.

Staff parking and loading bays shall be to the side or rear of the building.

Those parts of the frontage not required for car parking or driveways will be landscaped.

Fencing

New buildings must include fencing along all lot boundaries, including boundaries that have a frontage to the street.

Fences must be black in color and constructed of a cyclone mesh material.

Landscaping

The front setback of all buildings shall be landscaped to the satisfaction of the responsible authority. Incorporation of existing native vegetation into landscape plans is encouraged.

3.0

14/01/2016
C32

Subdivision

Permit requirements

None specified.

4.0

14/01/2016
C32

Advertising Signs

In addition to any requirement in the zone, the following requirements must be met:

- New development will be limited to 1 business identification pole sign.
- Signage shall not dominate the facades of buildings.
- Signage shall not obscure the glazed portions of building facades.
- Signage shall not be attached to fences.
- Signs should not unreasonably obscure the identity of adjoining businesses.

5.0

14/01/2016
C32

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 43.02, the responsible authority must consider:

- The West Wimmera Planning Scheme Municipal Strategic Statement.
- The consistency of the proposal with the design objectives contained in this Schedule.
- The likelihood that the new building will contribute positively to the streetscape.
- The siting, design and massing of proposed buildings and works and the impact on the amenity of adjoining residential areas.
- Access into and from the site, the location of car parking, and the likely impact of traffic on local amenity.
- The appropriateness of landscaping proposed for the site.
- Whether the advertising signage integrates with the building and does not detract from the visual amenity of the streetscape.

14/01/2016
C32**SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO2**.

KANIVA INDUSTRIAL ESTATE**1.0**14/01/2016
C32**Design objectives**

To ensure a high standard of built form and visual amenity is achieved in the Kaniva Industrial Estate.

To ensure the design and layout of buildings enables efficient vehicle movements and provides adequate on-site parking.

To ensure advertising signs do not dominate the streetscape or create visual clutter.

To ensure new development minimises any interface issues with nearby land uses.

To facilitate economic development through efficient and functional industrial development.

To ensure that all new developments include fencing that achieves a consistently high visual amenity.

2.014/01/2016
C32**Buildings and works****Permit Requirements**

A permit is required for any front or side fence that does not meet the design requirements of this Schedule.

No permit is required for:

- Internal alterations.
- Repairs or routine maintenance that do not change the appearance of the existing buildings and works. The repairs must be undertaken to similar details, specifications and materials.

Site Design

All new developments must:

- Provide an active frontage to the road.
- Be of a contemporary design that contributes positively to the amenity of the area.
- Demonstrate how any proposed loading bay, dock, or service area adjacent to residential land manages noise, smells, light spill, dust and vibration to the satisfaction of the responsible authority.

Site Layout

New buildings will provide an active frontage to the street.

Buildings and works should include measures that minimise adverse amenity impacts on nearby residential areas with respect to visual presentation, noise and external lighting.

The design and location of external security lighting, rubbish storage and collection areas, and loading and unloading facilities should minimise potential adverse amenity impacts.

Car Parking

The front set back of all new buildings shall contain visitor parking areas.

Staff parking and loading bays shall be to the side or rear of the building.

All driveways and car parking in the setback area between a road frontage and the building line must be constructed of an impervious all-weather seal coat such as concrete or bitumen. Pervious surfaces that reduce the rate of rainfall run-off and have a structural standard comparable to concrete or bitumen will be accepted for all other driveway, parking and loading areas.

Fencing

New buildings must include fencing along all lot boundaries, including boundaries that have a frontage to the street.

Fences must be black in color and constructed of a cyclone mesh material.

Landscaping

Those parts of the frontage not required for car parking or driveways will be landscaped.

The front setback of all buildings shall be landscaped to the satisfaction of the responsible authority. Incorporation of existing native vegetation into landscape plans is encouraged.

Existing vegetation should be retained where practical.

Landscaping areas should be designed to be low maintenance, including selection of hardy landscape species that require minimal ongoing maintenance and have low water usage.

The quality and quantity of landscaping should reflect the scale of the building and car park area in order to address screening and softening of visual bulk.

3.0

14/01/2016
C32

Subdivision

Permit requirements

None specified.

4.0

14/01/2016
C32

Advertising signs

In addition to any requirement in the zone, the following requirements must be met:

- New development will be limited to 1 business identification pole sign.
- Signage shall not dominate the facades of buildings.
- Signage shall not obscure the glazed portions of building facades.
- Signage shall not be attached to fences.
- Signs should not unreasonably obscure the identity of adjoining businesses.

5.0

14/01/2016
C32

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 43.02, the responsible authority must consider:

- The West Wimmera Planning Scheme Municipal Strategic Statement.
- The consistency of the proposal with the design objectives contained in this Schedule.
- The likelihood that the new building will contribute positively to the streetscape.
- The siting, design and massing of proposed buildings and works and the impact on the amenity of adjoining residential areas.
- Access into and from the site, the location of car parking, and the likely impact of traffic on local amenity.
- The appropriateness of landscaping proposed for the site.

WEST WIMMERA PLANNING SCHEME

- Whether the advertising signage integrates with the building and does not detract from the visual amenity of the streetscape.

LAND MANAGEMENT OVERLAYS

44.0431/07/2018
VC148**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 land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the *Water Act, 1989* where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain 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.

44.04-214/05/2021
VC198**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 non-domestic 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

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.
- 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.
- 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.

WEST WIMMERA PLANNING SCHEME

- The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.
- Any other matters specified in a schedule to this overlay.

19/01/2006
VC37

SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO**.

1.0

19/01/2006
VC37

Permit requirement

No permit is required to construct a building and/or works, including a fence, if the land on which the buildings and works are to be situated has been filled in accordance with the requirements of a planning permit relating to an approved plan of subdivision affecting the land, or other planning permit issued in relation to the land.

No planning permit is required if appropriately detailed information is submitted to the satisfaction of the responsible authority showing the natural level of the land on which the buildings and works are proposed to be situated is situated above the 1 in 100 year flood level.

2.0

19/01/2006
VC37

Application requirement

The application should be accompanied by flood level information where the responsible authority does not have access to such information in relation to the land.

Where the responsible authority has accurate flood level information, the responsible authority will advise the applicant of the appropriate floor level for any proposed buildings.

44.0631/07/2018
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.

44.06-119/09/2017
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.

44.06-208/08/2019
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.

44.06-311/04/2019
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.

44.06-431/07/2018
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.

44.06-531/07/2018
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.

45

19/01/2006
VC37

OTHER OVERLAYS

45.0131/07/2018
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.

45.01-128/10/2013
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.

45.01-231/07/2018
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.

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

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

45.01-431/07/2018
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.

45.01-519/01/2006
VC37**Land not to be spoiled or wasted**

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

45.01-619/01/2006
VC37**Reservation for public purpose**

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the *Planning and Environment Act 1987*, the *Land Acquisition and Compensation Act 1986* or any other act.

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

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

25/09/2014
C31

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

PS Map	Acquiring Authority	Purpose of Acquisition
PA01	Roads Corporation	Rest Area

45.03

31/07/2018
VC148

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.

45.03-1

19/01/2006
VC37

Requirement

Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*, or
- An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

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

51.0131/07/2018
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.

51.01-131/07/2018
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.

51.01-231/07/2018
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

31/07/2018
VC148

Specific sites and exclusions

Address of land	Title of incorporated document
None specified	None specified

PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT

52.0105/11/2020
VC191**COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS****Purpose**

To facilitate the rectification of combustible cladding on buildings.

52.01-105/11/2020
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.

52.01-205/11/2020
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.

19/01/2006
VC37

SCHEDULE TO CLAUSE 52.02

1.0

19/01/2006
VC37

Under Section 23 of the Subdivision Act 1988

Land	Easement or restriction	Requirement
None specified		

2.0

19/01/2006
VC37

Under Section 24A of the Subdivision Act 1988

Land	Person	Action
None specified		

3.0

19/01/2006
VC37

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.

52.03-314/05/2021
VC198**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 Road Zone, Category 1, or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 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.

WEST WIMMERA PLANNING SCHEME

- 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**

- 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.

52.05-631/07/2018
VC148**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 Road Zone or 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:

- 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.

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

25/05/2017
VC133

SCHEDULE TO CLAUSE 52.05 ADVERTISING SIGNS

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.

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	Rate	Car Parking Measure
	Column A	Column B	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

WEST WIMMERA 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

WEST WIMMERA 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

52.06-616/01/2018
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.

52.06-725/05/2017
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.

- 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

19/09/2017
VC132

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 Road Zone, 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 Road Zone.
- 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 Road Zone, 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
45°	3.5 m	2.6 m	4.9 m

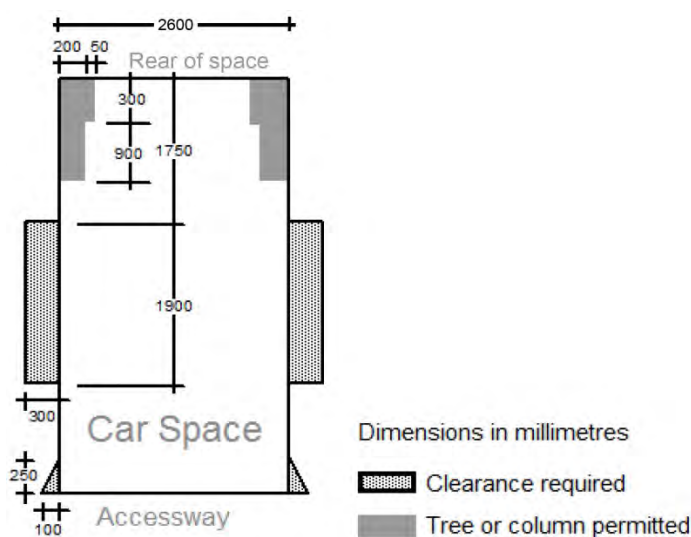
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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.

52.06-1025/05/2017
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.

52.06-1125/05/2017
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

WEST WIMMERA PLANNING SCHEME

- 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.

52.0711/03/2020
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.

52.07-114/12/2020
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.

52.07-211/03/2020
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.

52.07-311/03/2020
VC177**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 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* 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

24/01/2020
VC160

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:

WEST WIMMERA PLANNING SCHEME

- 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.

52.1006/05/2020
VC179**BUSHFIRE RECONSTRUCTION****Purpose**

To facilitate the reconstruction of buildings damaged or destroyed by a bushfire.

To facilitate the re-establishment of businesses and services following a bushfire.

To facilitate the continued use of land for dwellings after a bushfire.

52.10-106/05/2020
VC179**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 for a dwelling if the following requirements are met:

- A dwelling on the land must have been damaged or destroyed by a bushfire 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.
- 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.

52.10-206/05/2020
VC179**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) for or in association with a use that was lawfully carried out on the land immediately before a building on the land was damaged or destroyed by a bushfire 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 building was damaged or destroyed by a bushfire after 1 January 2019.
- The application was 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 by a bushfire.
 - The application must only be for the number of dwellings that were damaged or destroyed.

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

WEST WIMMERA PLANNING SCHEME

- 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.

52.14-211/04/2019
VC156**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 Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 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.

52.1529/10/2015
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.

52.15-130/04/2021
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	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: <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	The helicopter landing site where either: <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.

52.15-218/12/2012
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.

52.16-612/12/2017
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.

52.16-731/07/2018
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.

52.16-830/04/2021
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>

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	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: <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	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 in 2016</i> (1 May 2017).
Utility installations	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary: <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>).

15/09/2008
VC49

SCHEDULE TO CLAUSE 52.16

1.0

15/09/2008
VC49

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.

15/09/2008
VC49

SCHEDULE TO CLAUSE 52.17

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

2.0

15/09/2008
VC49

Scheduled weed

Area	Description of weed
------	---------------------

None specified

3.0

15/09/2008
VC49

Utility installation code of practice

Name of code of practice

None specified

52.1821/10/2020
VC193**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 restaurants and other food and drink businesses.

52.18-121/10/2020
VC193**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;
- **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.

52.18-321/10/2020
VC193**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 the preparation or sale of food or drink for immediate consumption on, or off, the land, or for the consumption of food or drink, 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 preparation, sale or consumption of food or drink on the land during the exemption period if the requirements of clause 52.18-7 are met.

52.18-4

21/10/2020
VC193

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 the preparation or sale of food or drink for immediate consumption on, or off, the land, or for the consumption of food or drink, during the exemption period if the use is associated with the existing use of adjoining land for a food and drink premises, function centre 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 the preparation or sale of food or drink for immediate consumption on, or off the land, or for the consumption of food or drink, during the exemption period if the requirements of clause 52.18-7 are met.

52.18-5

21/10/2020
VC193

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 or winery, during the exemption period.

52.18-6

21/10/2020
VC193

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 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 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.

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 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 during the exemption period if the requirements of clause 52.18-7 are met.

52.18-7

21/10/2020
VC193

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.

WEST WIMMERA PLANNING SCHEME

- 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 unless an existing permit allows otherwise. 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.

52.20-101/12/2020
VC190**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.
- A use or development to which clauses 51.01 or 45.12, 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.

52.20-201/12/2020
VC190**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 52.20 applies to if requirements of clause 52.20 are met.

This exemption does not apply to a requirement in clauses 44.06, 45.03, 45.07, 45.08, 51.03 or 52.02, or in any schedule to those clauses.

52.20-301/12/2020
VC190**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.

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.

52.20-401/12/2020
VC190**Consultation requirements**

Before the use or development commences:

- Public consultation, and consultation with the relevant municipal council, must be undertaken.
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the responsible authority.

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

01/12/2020
VC190

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 responsible authority:

- Written confirmation from the Department of Health and Human Services 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 purposes, objectives, 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. The report must address how a proposed use that is not a dwelling or residential building is in conjunction with that use.
- 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 52.20-6.14 and 52.20-6.18 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.
- 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

01/12/2020
VC190

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.

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
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 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 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 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>

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 Road Zone 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 Road Zone, 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 Road Zone.
- 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

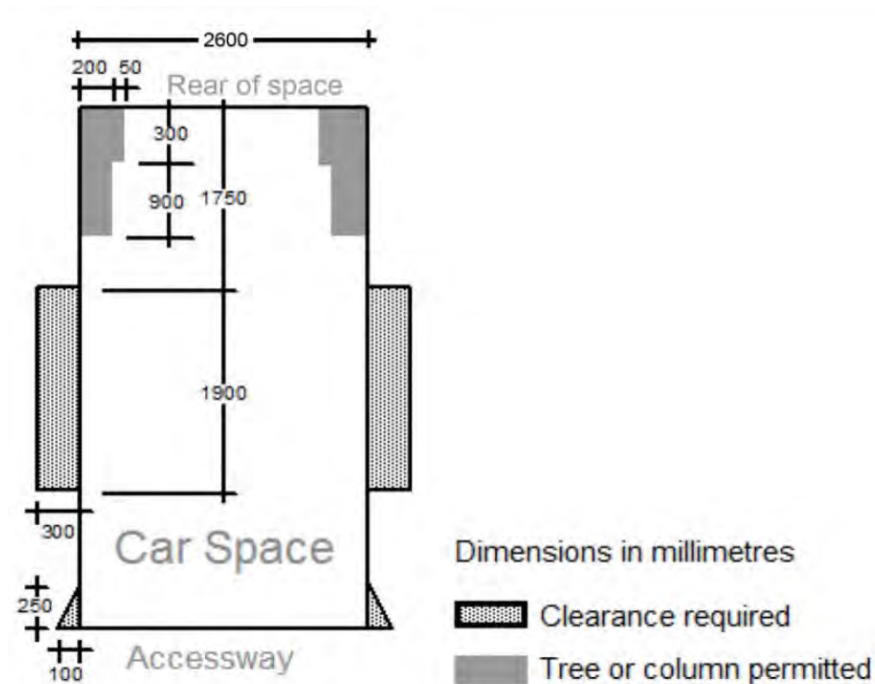
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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.

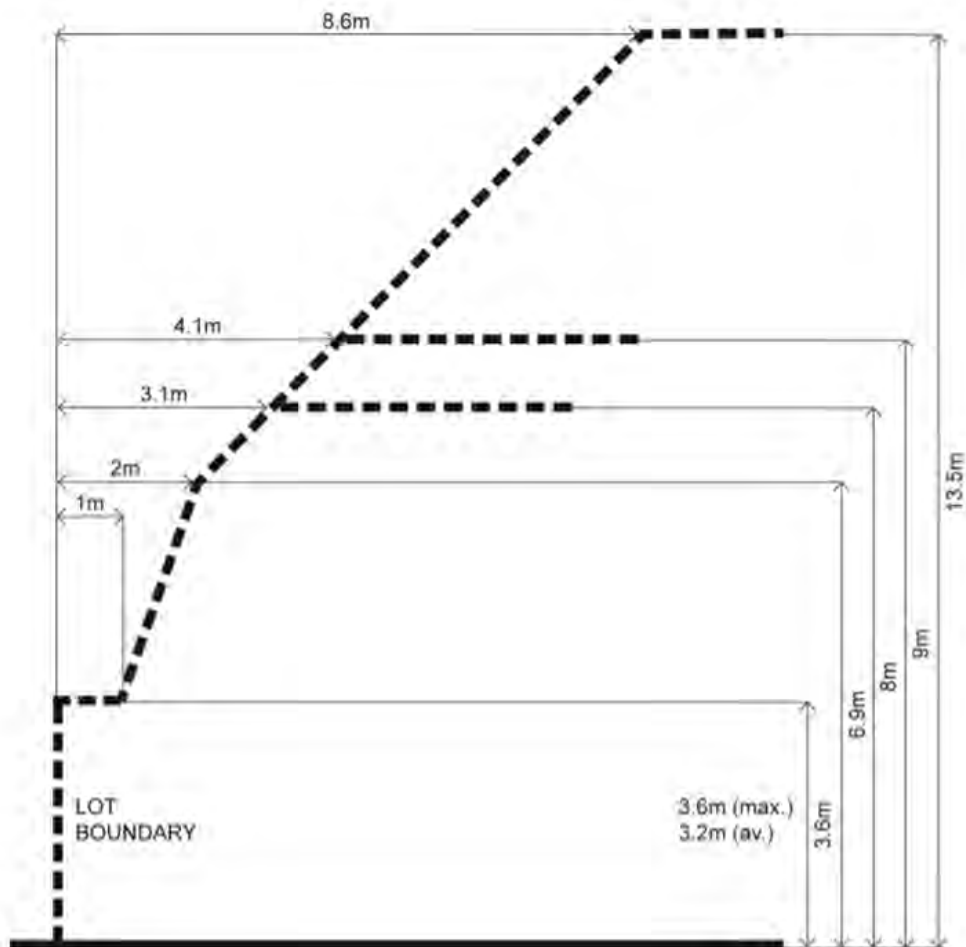
52.20-6.8 Side and rear setbacks

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.

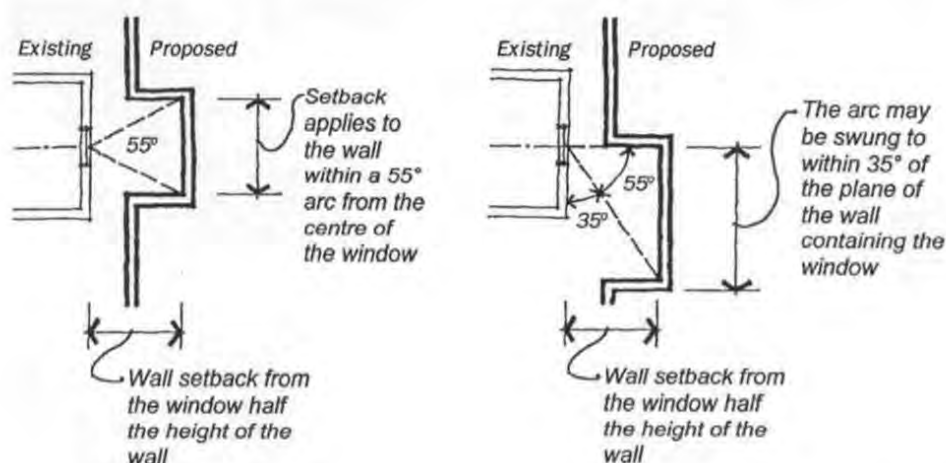
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

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.

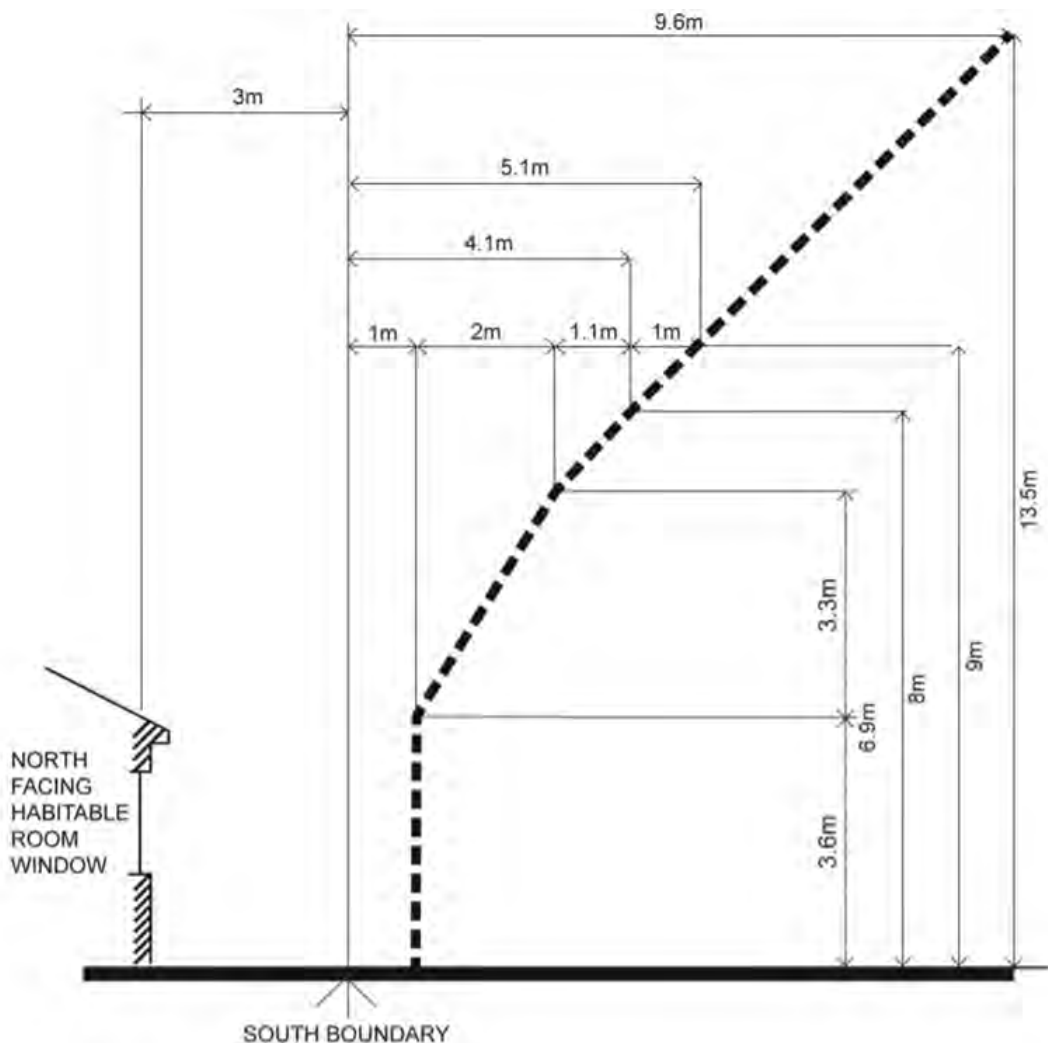
Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

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.

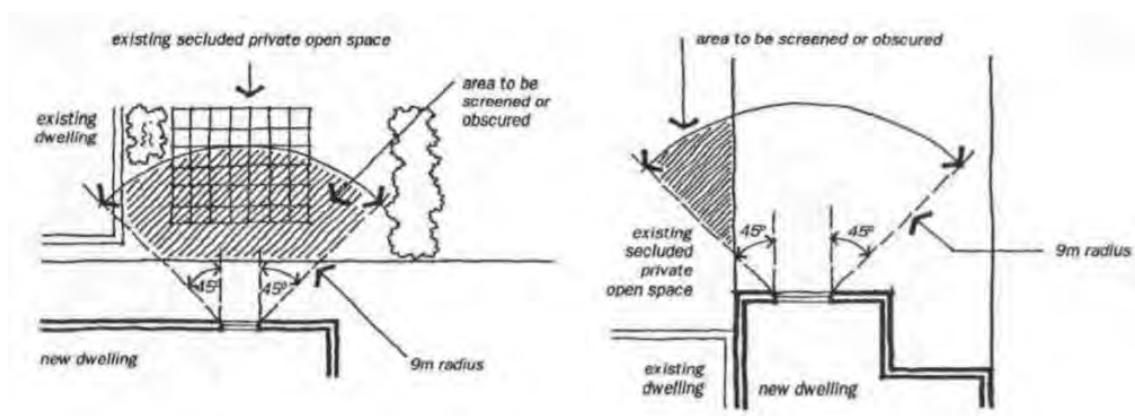
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

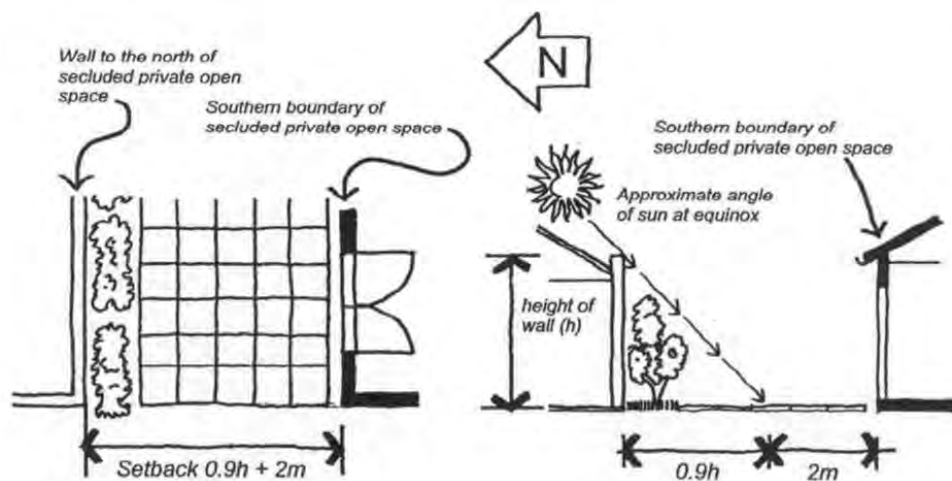
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

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 Road Zone, Category 1, 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

01/12/2020
VC190

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/M2 per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22

NatHERS climate zone	NatHERS maximum cooling load MJ/M2 per annum
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

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- 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.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

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 Deep soil areas and canopy trees

The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in the Table 5.

If the development cannot provide the deep soil areas and canopy trees specified in Table 5 an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table 5 Deep soil areas and canopy trees

Site area	Deep soil areas	Minimum tree provision
750 - 1000 square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil
1001 - 1500 square metres	7.5% of site area (minimum dimension of 3 metres)	1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil
1501 - 2500 square metres	10% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil
>2500 square metres	15% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

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 6 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 6 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 7.

Table 7 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. <p>The circulation area for the toilet and shower can overlap.</p>	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. <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:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table 8 and convenient access from a living room, or
- A roof-top area 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 balcony should provide an additional area of 1.5 square metres.

Table 8 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

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 9.

Table 9 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 10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table 10 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 11.

Table 11 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

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.

52.20-8

01/12/2020
VC190**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 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*.

52.2131/07/2018
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.

52.21-131/07/2018
VC148**Application**

This clause applies to any private tennis court which is used in association with a dwelling.

52.21-219/01/2006
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.

52.21-319/01/2006
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]

52.2731/07/2018
VC148**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.

WEST WIMMERA PLANNING SCHEME

- 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.

19/01/2006
VC37

SCHEDULE TO CLAUSE 52.27

1.0

19/01/2006
VC37

Permit not required

Land	Type of licence
None specified	

2.0

19/01/2006
VC37

Permit may not be granted

Land	Type of licence
None specified	

52.2831/07/2018
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.

52.28-231/07/2018
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.

52.28-331/07/2018
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.

52.28-431/07/2018
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.

52.28-531/07/2018
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.

52.28-631/07/2018
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.

25/05/2017
VC133

SCHEDULE TO CLAUSE 52.28 GAMING

1.0

25/05/2017
VC133

Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine as specified in Clause 52.28-3 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
None specified	

2.0

25/05/2017
VC133

Prohibition of a gaming machine in a strip shopping centre

A gaming machine as specified in Clause 52.28-4 is prohibited in all strip shopping centres on land covered by this planning scheme.

52.29
31/07/2018
C148

LAND ADJACENT TO A ROAD ZONE, CATEGORY 1, OR A PUBLIC ACQUISITION OVERLAY FOR A CATEGORY 1 ROAD

Purpose

To ensure appropriate access to identified roads.

To ensure appropriate subdivision of land adjacent to identified roads.

52.29-1
31/07/2018
VC148

Application

This clause applies to land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

52.29-2
31/07/2018
VC148

Permit requirement

A permit is required to:

- Create or alter access to:
 - A road in a Road Zone, Category 1.
 - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.
- Subdivide land adjacent to:
 - A road in a Road Zone, Category 1.
 - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

52.29-3
14/05/2021
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.

52.29-4
14/05/2021
VC198

Referral of applications

An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the *Road Management Act 2004*, land owned by the 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 for the land, must be referred to the Head, Transport for Victoria under section 55 of the Act.

Any other application must be referred to the owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1, or the Public Acquisition Overlay.

52.29-5
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.

52.29-6
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:

WEST WIMMERA PLANNING SCHEME

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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:

- 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.

52.32-131/07/2018
VC148**Application**

This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

52.32-221/11/2017
VC141**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.

52.32-321/11/2017
VC141**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

24/01/2020
VC160

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*
 - 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 IXD, Section 53V of the *Environment Protection Act 1970* by an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970*. 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

24/01/2020
VC160

Mandatory condition

If a mandatory noise assessment must accompany an application under Clause 52.32-4, any permit or amended permit issued with respect to that application must include the following conditions:

- A post-construction noise assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the Responsible Authority. If the wind energy facility is constructed in stages, additional post-construction noise assessment reports for each stage must be submitted to the Responsible Authority.
- Each post-construction noise assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the *Environment Protection Act 1970* by an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970*. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the post-construction noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

52.32-6

24/01/2020
VC160

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, March 2019).
- The New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise.

52.32-7

04/10/2018
VC149

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.

52.32-8

11/03/2021
VC195

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.

52.32-9

11/03/2021
VC195

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

52.3431/07/2018
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.

52.34-119/01/2006
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.

52.34-231/07/2018
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.

52.34-331/07/2018
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.

52.34-431/07/2018
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.

52.34-508/08/2019
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.

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

52.34-631/07/2018
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.

52.3514/05/2021
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.

52.35-214/05/2021
VC198**Application**

This clause applies to the use and development of land for a project carried out by or on behalf of 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.

52.35-314/05/2021
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 52.35 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.

52.35-414/05/2021
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.

52.36-414/05/2021
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 52.36, 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 Road Zone, Category 1, or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 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

31/07/2018
VC148

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
None specified	

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA 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

WEST WIMMERA 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)		>10-15	>15-20
		>0-5	>5-10		
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 .

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	The following design and construction requirements apply: <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	A turning area for fire fighting vehicles must be provided close to the building by one of the following: <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.

53.04-231/07/2018
VC148**Decision guidelines**

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
 - Amenity of the neighbourhood.
 - Proximity of the land to non-residential uses and zones.
 - Effect of the use on heritage and environment features.
 - Capacity of the land to contain significant off-site effects.
 - Access to land in a Road Zone.
 - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
 - Massing and proportions of any building.
 - Ground floor height above ground level.
 - Ceiling heights.
 - Roof form and pitch.
 - Facade articulation.
 - Window and door proportions.
 - Building features including 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.
 - Avoid disruption to traffic flow on land in a Road Zone.
 - Prevent inappropriate use of local residential streets.

WEST WIMMERA PLANNING SCHEME

- 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.

53.06-328/09/2020
VC183**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 State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).

- 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 (Schedule B1 of SEPP N2 does not apply).

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.

53.07-131/07/2018
VC148**Decision guidelines**

Before deciding on an application to use land for shipping container storage, or construct a building or construct or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
 - The zoning of the land.
 - Amenity of the neighbourhood.
 - Proximity of the land to residential uses and zones or other sensitive uses.
 - Access to a road in a Road Zone.
 - Access to rail facilities.
 - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
 - Capacity of the site to accommodate the proposed use.
- The effect on the environment and the amenity and character of the neighbourhood having regard to:
 - Existing and planned use of land in the neighbourhood.
 - Location, height and setback of shipping container stacks, particularly near road boundaries.
 - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
 - Hours of operation.
 - Design, construction and maintenance of external storage and vehicle movement areas.
 - Treatment and disposal of wastewater.
- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.
- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.
- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.
- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.
- The adequacy of traffic measures to:
 - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
 - Prevent inappropriate use of local residential streets.

WEST WIMMERA PLANNING SCHEME

- 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

53.09-521/09/2018
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.

53.09-621/09/2018
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

WEST WIMMERA 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

WEST WIMMERA 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
<hr/>	
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
<hr/>	
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
<hr/>	
Manufacture of milk products, exceeding 200 tonnes per year	300
<hr/>	
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
<hr/>	
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
<hr/>	

WEST WIMMERA PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
▪ between 5,000 and 150,000 tonnes per year	500
▪ 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:	
▪ involving combustion of sulphur or sulphur containing materials	5,000
▪ from semi-processed materials	100
▪ from prepared cellulose and rags	200
▪ 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:	

WEST WIMMERA PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
▪ up to 250 tonnes per year	300
▪ 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:	
▪ with fixed roofs	300
▪ 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:	
▪ accepting organic wastes	500
▪ other	200
Used plastics treatment or processing	500

WEST WIMMERA 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.

- 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).

53.13-231/07/2018
VC148**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 Works Approval or Licence 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.

53.13-317/09/2019
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).

53.13-417/09/2019
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.

53.14-231/07/2018
VC148**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.
 - Consideration of whether a works approval or licence 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).

WEST WIMMERA 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.

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

1.0

31/07/2018
VC148

Incorporated statement

Land	Incorporated Document
None specified	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 crossovers.
- 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

24/01/2020
VC160

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 Road Zone, Category 1, and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. 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

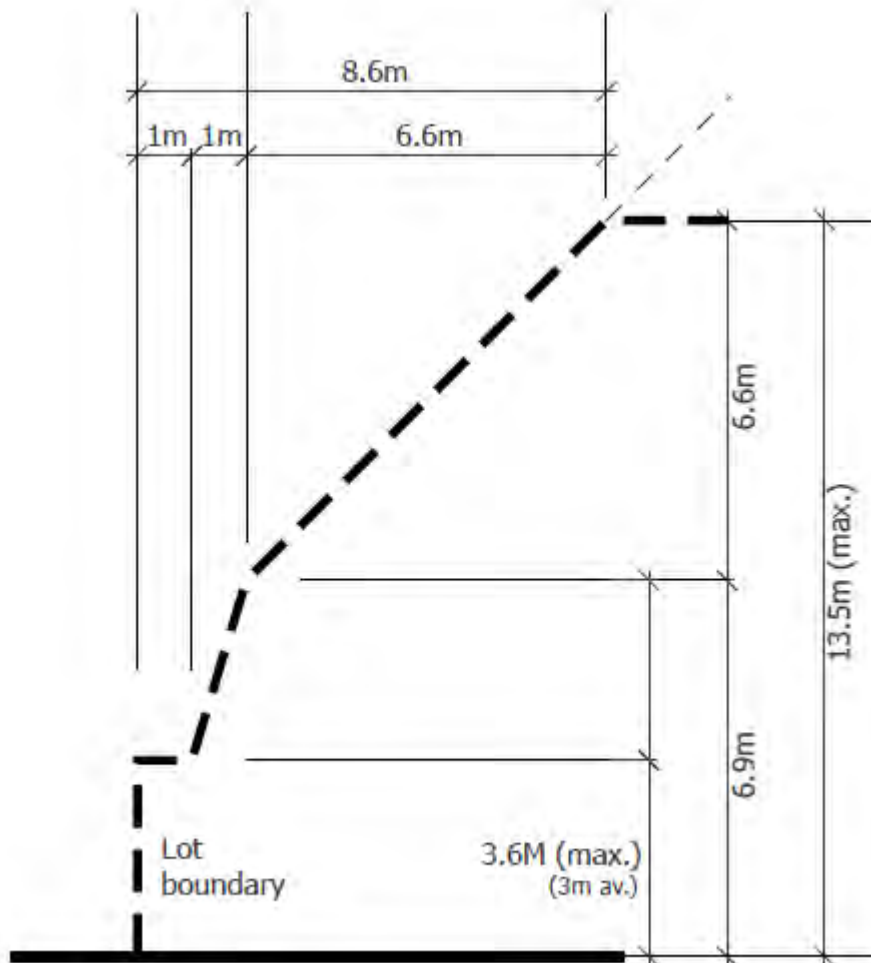
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	allotment facing the side street or 4 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.

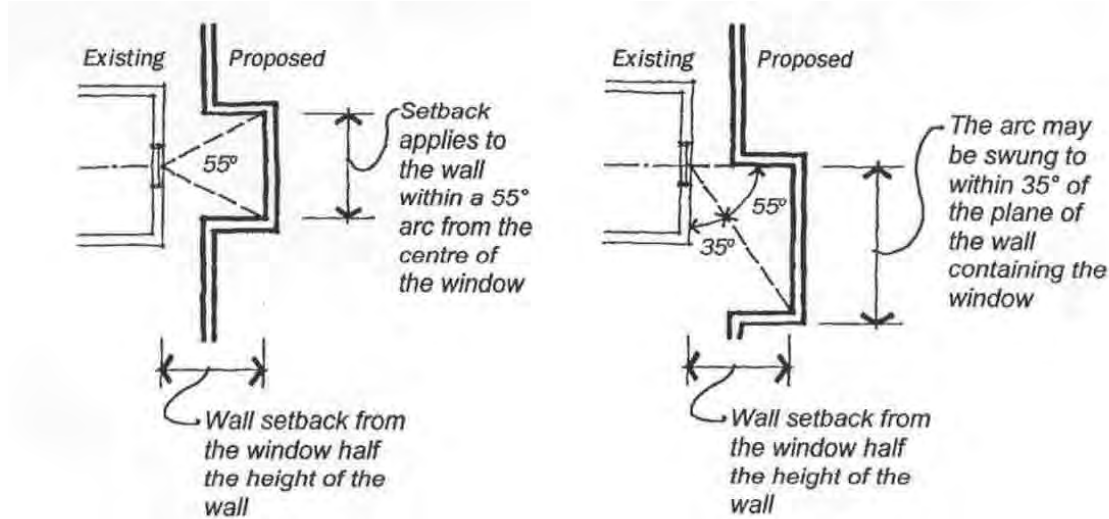
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

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.

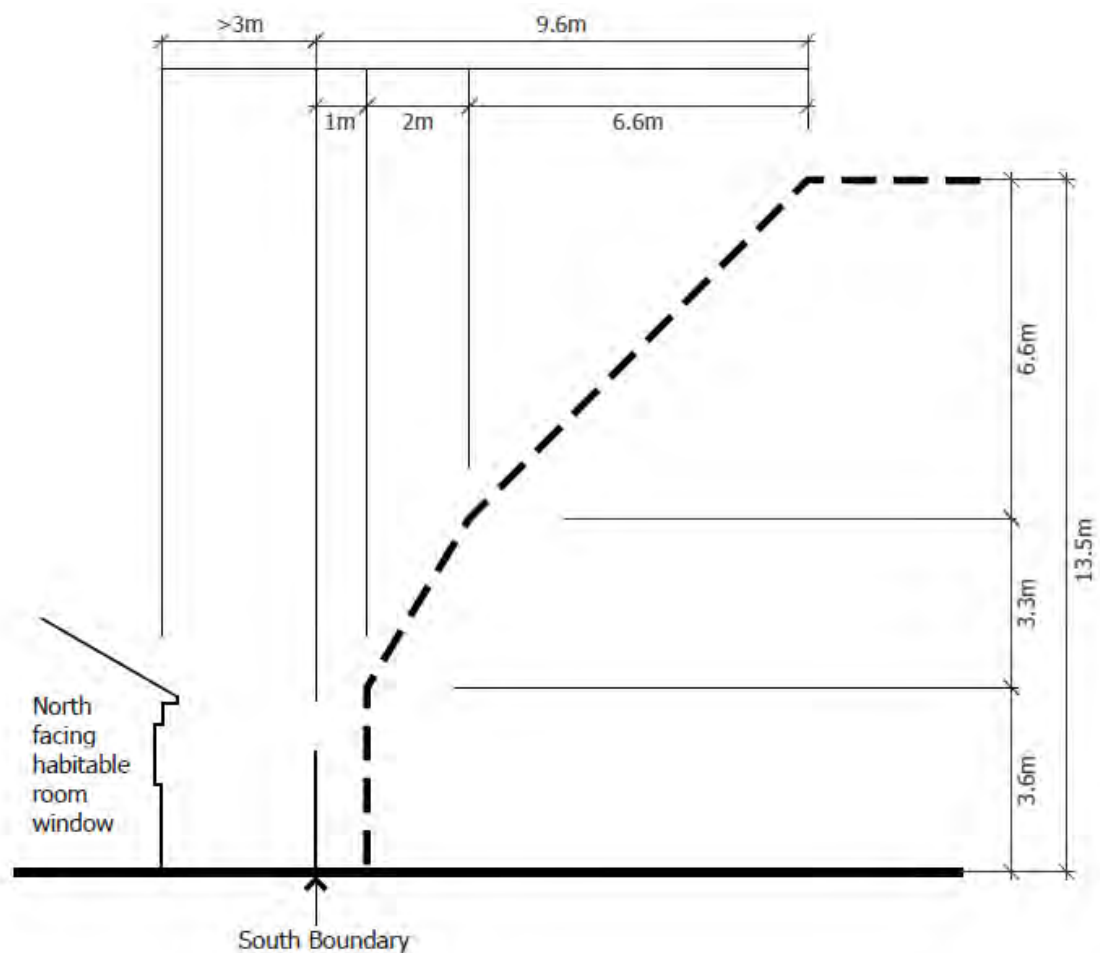
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the 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.

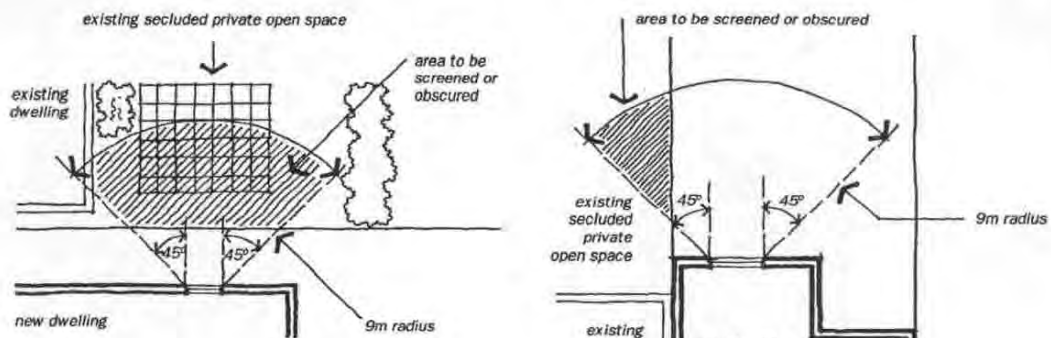
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

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 Road Category 1; 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.

53.18-126/10/2018
VC154**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, Road Zone, 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*.

53.20-201/12/2020
VC187**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 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.

53.20-301/12/2020
VC187**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.

53.20-401/12/2020
VC187**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(2) of the Act.

53.20-501/12/2020
VC187**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 the Department of Health and Human Services 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.

53.20-601/12/2020
VC187**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 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 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 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</p>

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
---------------------	--	---

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

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

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 Road Zone, 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 Road Zone.
- 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

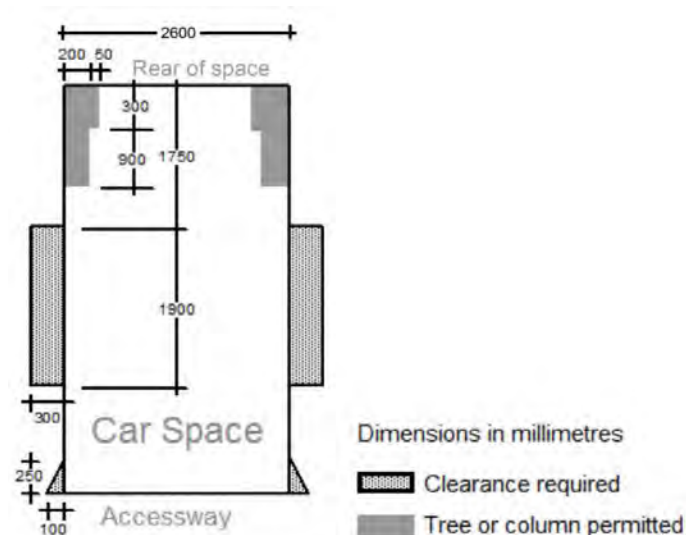
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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.

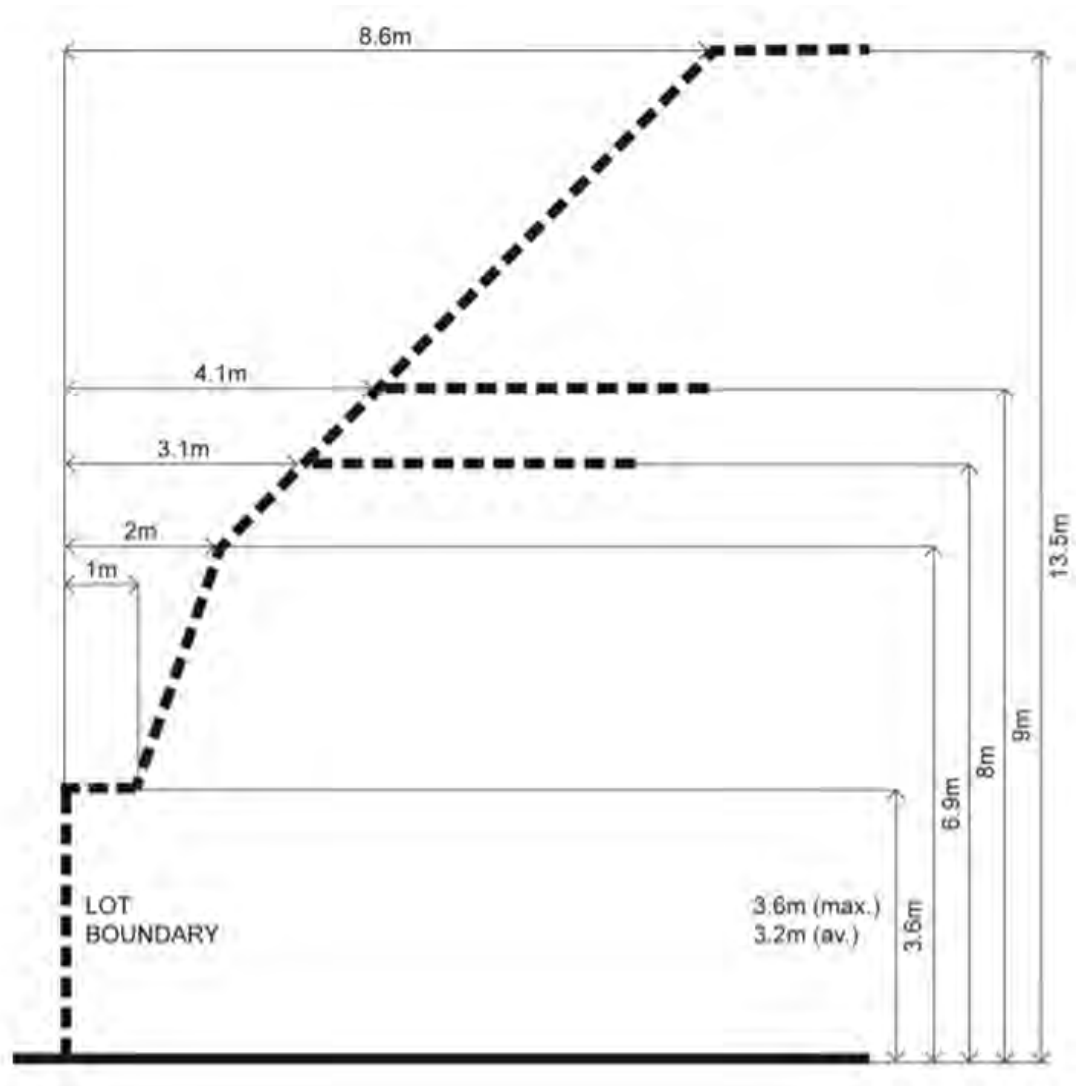
53.20-6.10 Side and rear setbacks

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.

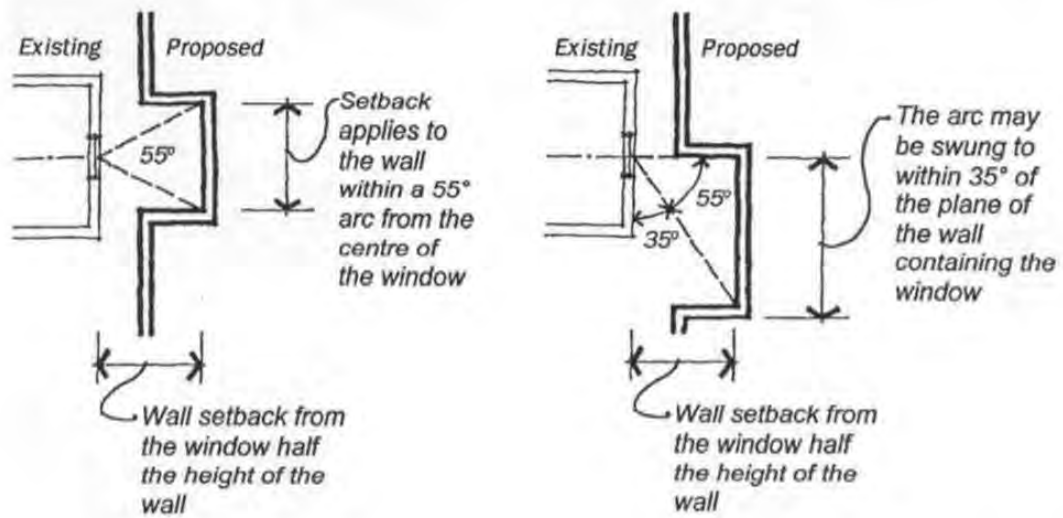
53.20-6.12 Daylight to existing windows

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.

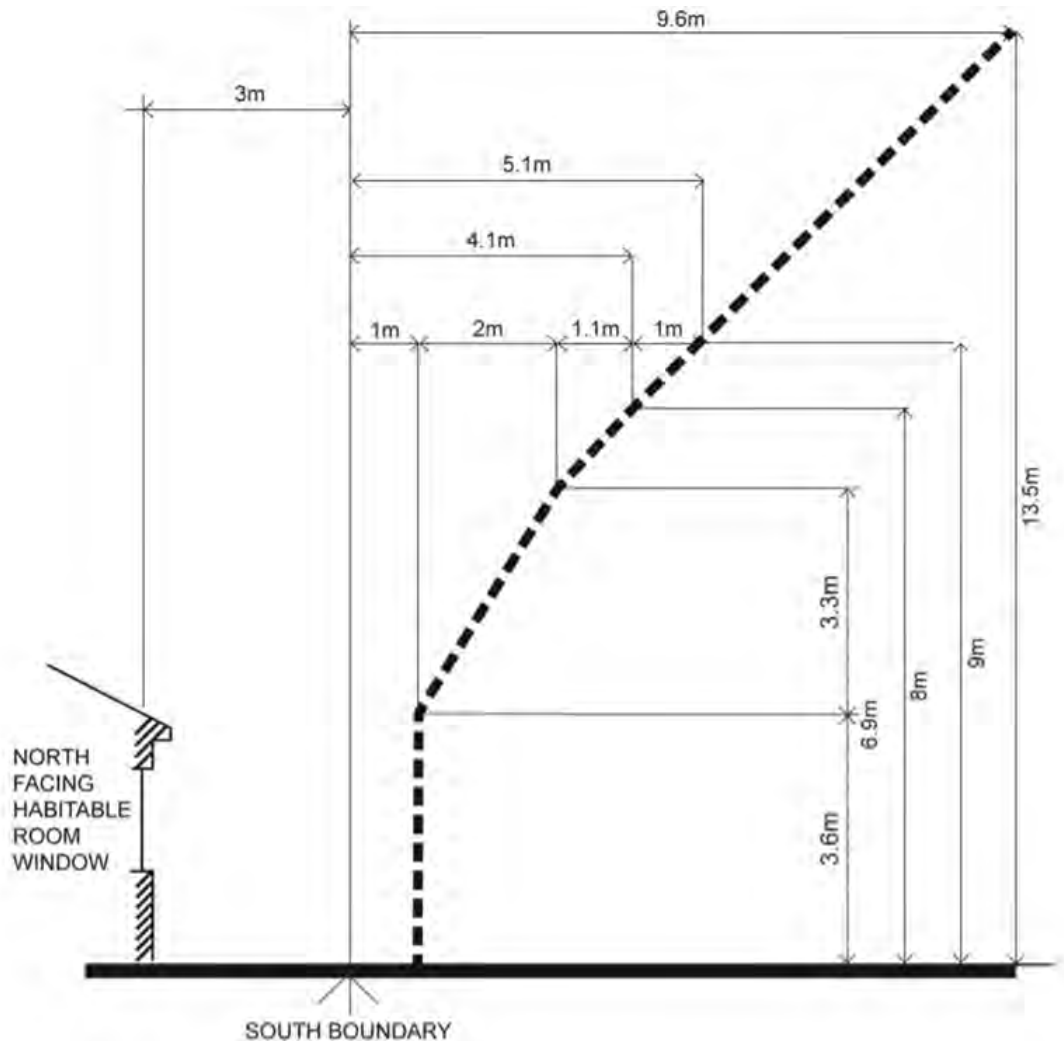
Diagram 3 Daylight to existing windows



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.

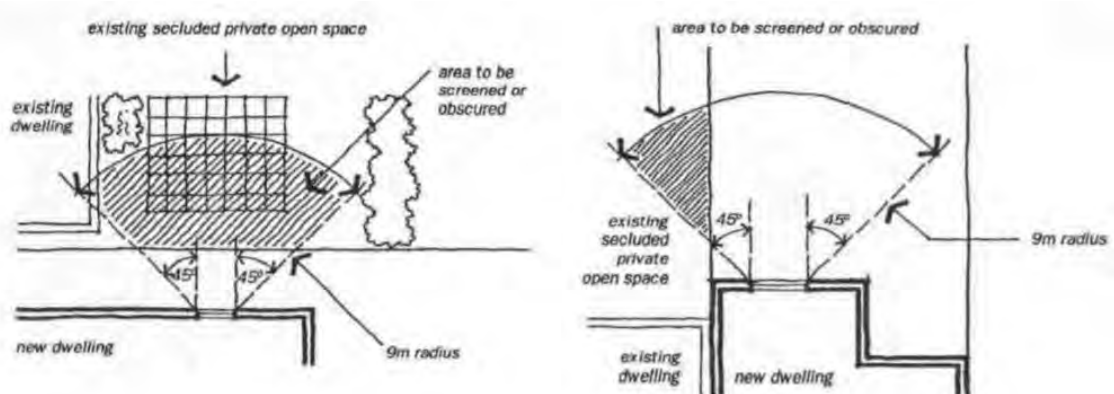
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

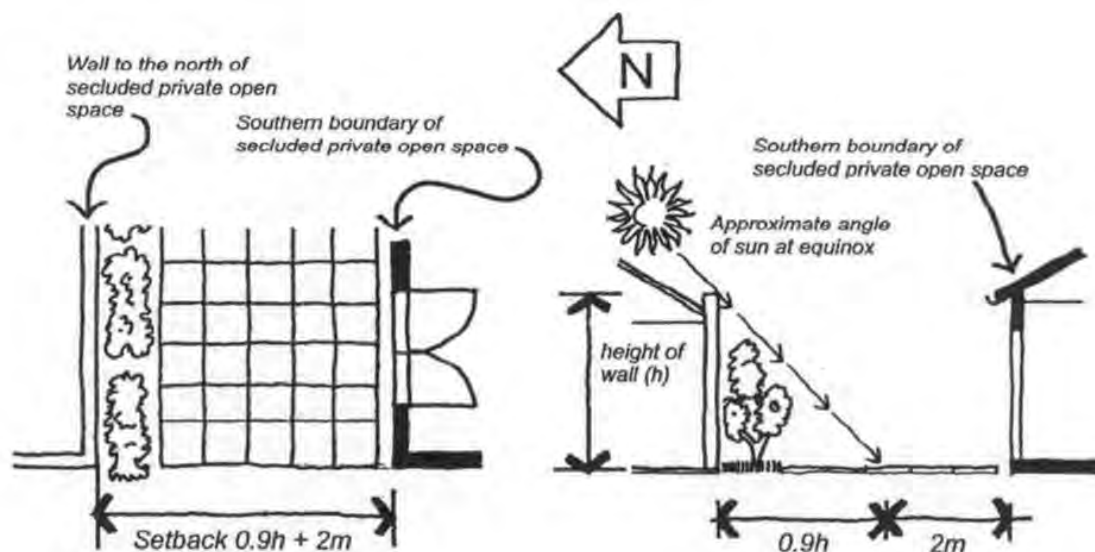
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

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 Road Zone, Category 1.
- 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

The design and layout of dwellings 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.

53.20-7 Development standards for apartments

01/12/2020
VC187

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/M2 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

NatHERS climate zone	NatHERS maximum cooling load MJ/M2 per annum
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

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- 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.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

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 Deep soil areas and canopy trees

The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in the Table 5.

If the development cannot provide the deep soil areas and canopy trees specified in Table 5 an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table 5 Deep soil areas and canopy trees

Site area	Deep soil areas	Minimum tree provision
750 - 1000 square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil
1001 - 1500 square metres	7.5% of site area (minimum dimension of 3 metres)	1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil
1501 - 2500 square metres	10% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil
>2500 square metres	15% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

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 6 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 6 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 7.

Table 7 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:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table 8 and convenient access from a living room, or
- A roof-top area 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 balcony should provide an additional area of 1.5 square metres.

Table 8 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

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 9 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 10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table 10 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 11.

Table 11 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm

Dwelling type	Minimum width	Minimum area
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

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.

53.20-8

01/12/2020
VC187

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

WEST WIMMERA PLANNING SCHEME

- 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:

WEST WIMMERA 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.

54.0219/01/2006
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.

54.02-219/01/2006
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**15/07/2013
VC100**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 Road Zone, Category 1, and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, 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.

54.0410/12/2013
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.

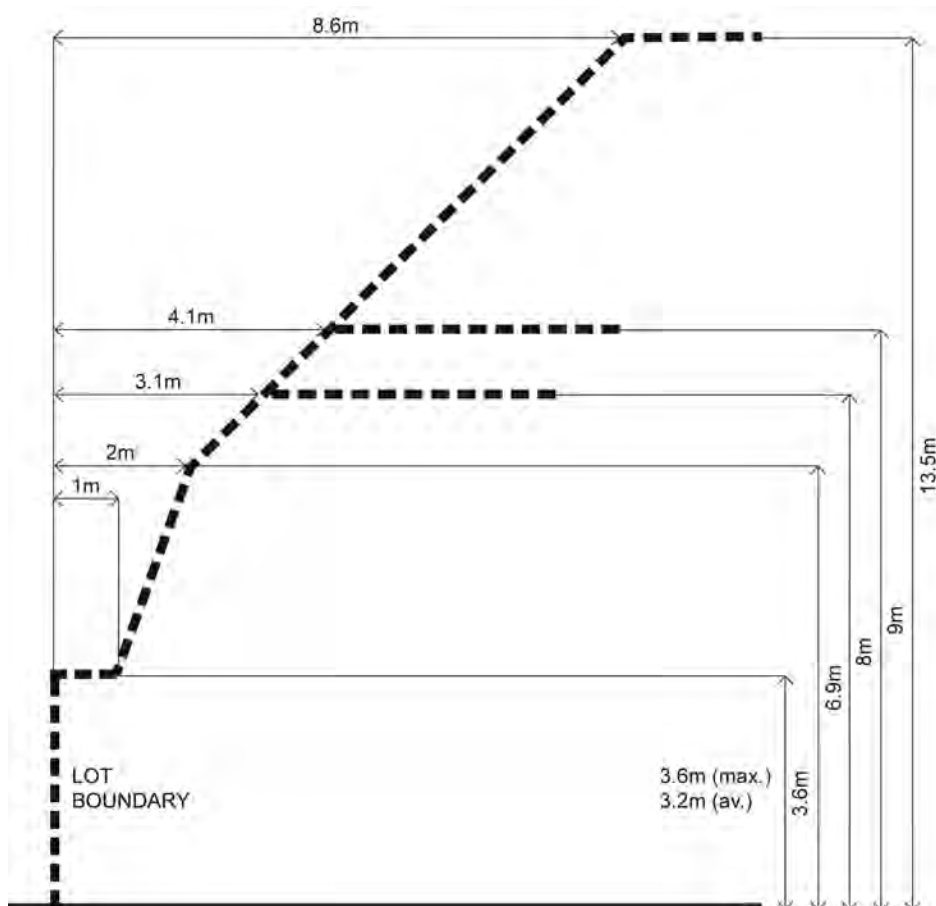
Standard A10

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.

54.04-319/01/2006
VC37**Daylight to existing windows objective**

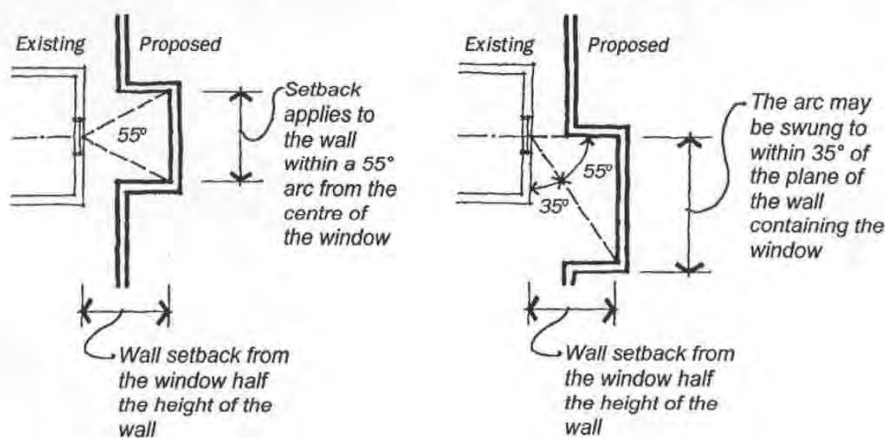
To allow adequate daylight into existing habitable room windows.

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.

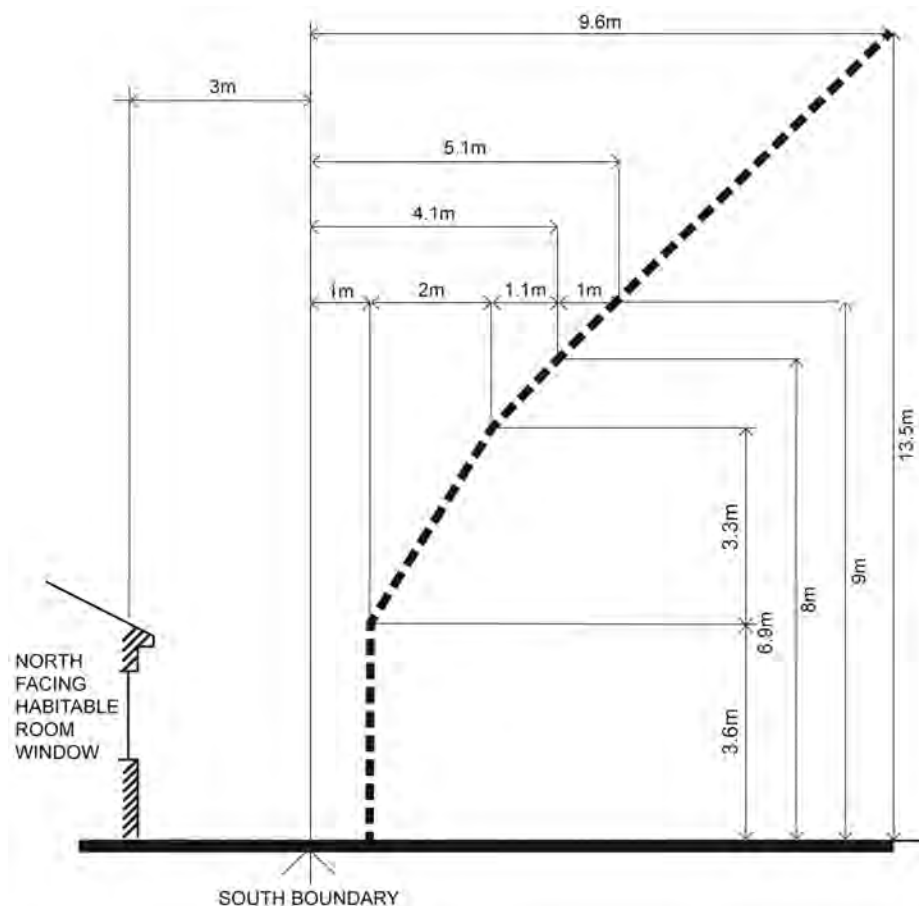
54.04-410/12/2013
VC99**North-facing windows objective**

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.

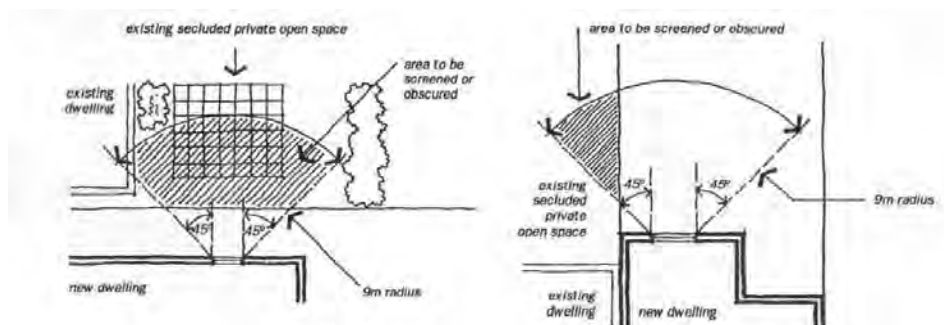
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

WEST WIMMERA 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**

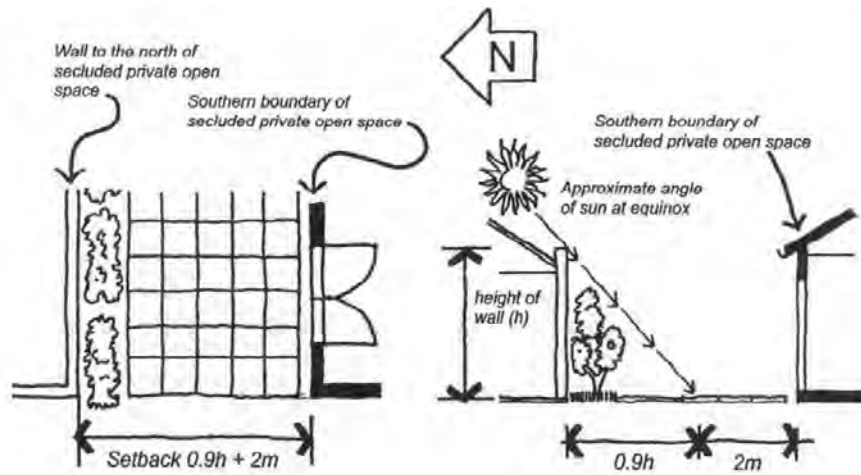
To allow solar access into the secluded private open space of a new dwelling.

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.

54.06-215/07/2013
VC100**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 Road Zone, Category 1	2 metres
Other streets	1.5 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.

WEST WIMMERA 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 55.04-8, 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

19/01/2006
VC37

Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

55.0231/07/2018
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.

55.02-419/01/2006
VC37**Infrastructure objectives**

To ensure development is provided with appropriate utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standard B4

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or 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.

55.0331/07/2018
VC148**55.03-1**15/07/2013
VC100**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 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>

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.

55.03-215/07/2013
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.

55.03-315/07/2013
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 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.

55.03-426/10/2018
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.

55.03-509/04/2020
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

19/04/2013
VC95

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 Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the neighbourhood character.
- The 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

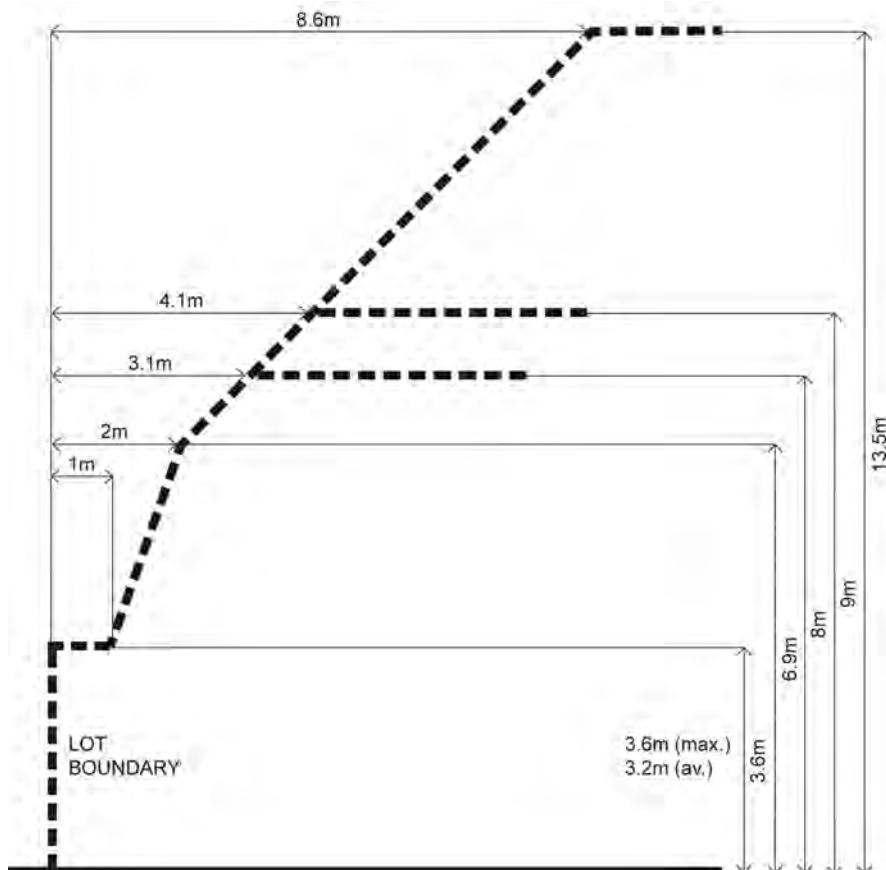
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- 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.

55.04-210/12/2013
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.

55.04-319/01/2006
VC37**Daylight to existing windows objective**

To allow adequate daylight into existing habitable room windows.

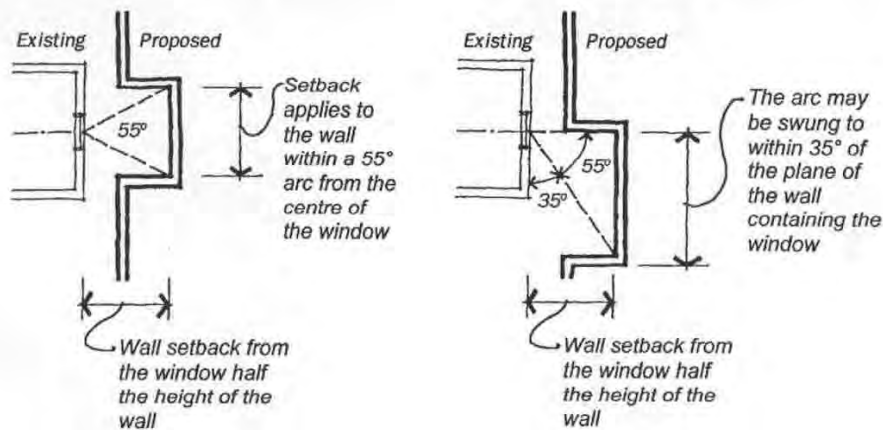
Standard B19

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

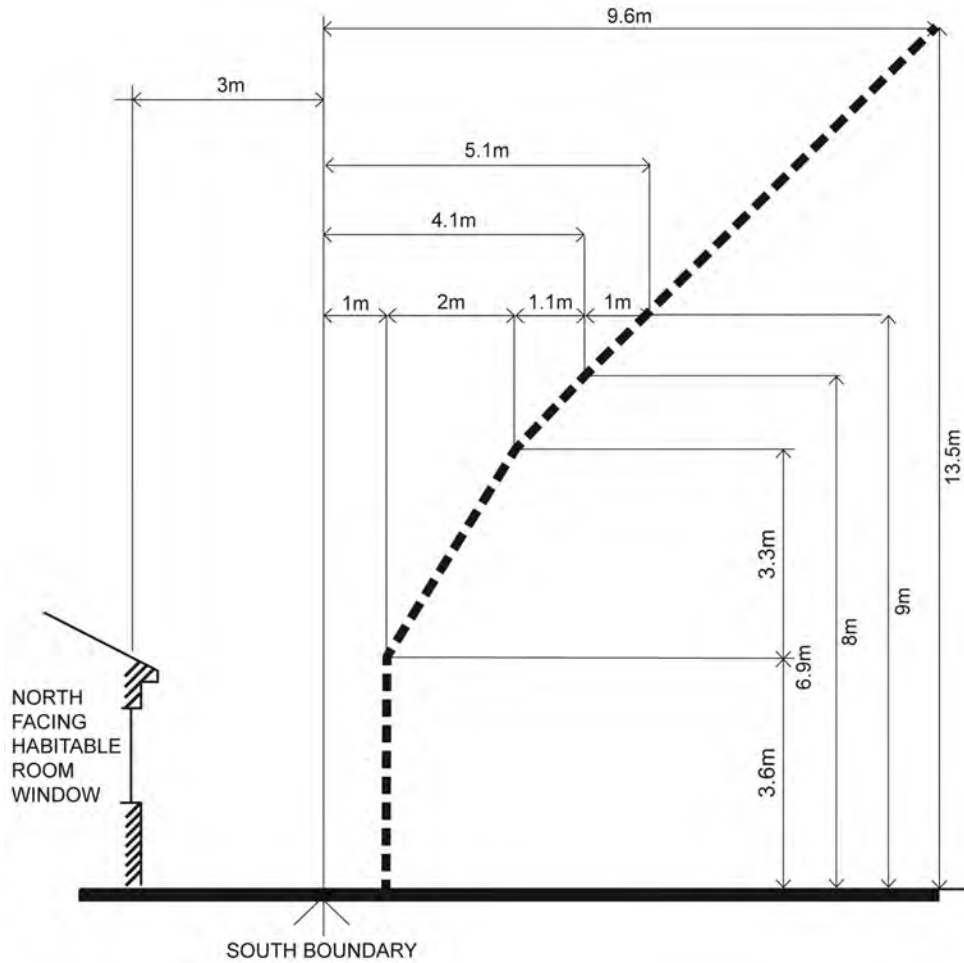
North-facing windows objective

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.

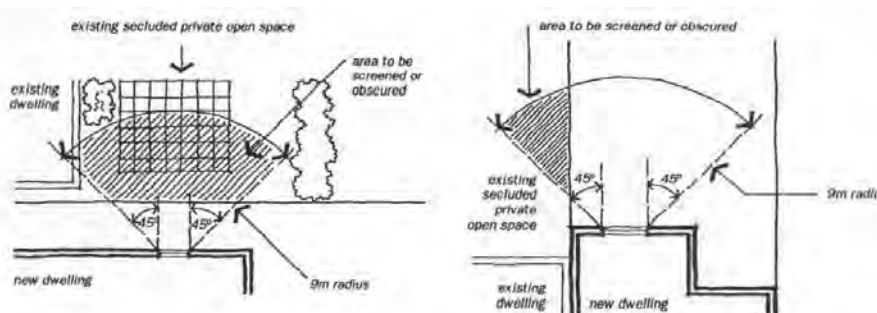
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

55.0513/04/2017
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.

55.05-219/01/2006
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.

55.05-319/01/2006
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.

55.05-413/04/2017
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

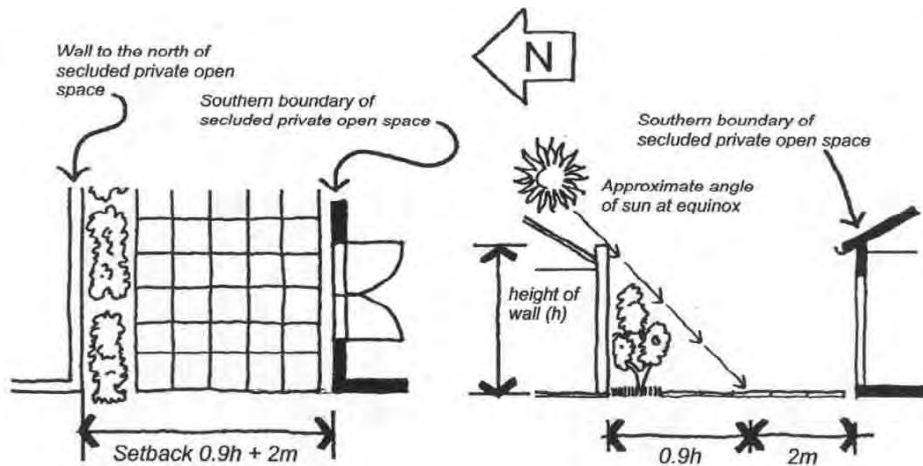
To allow solar access into the secluded private open space of new dwellings and residential buildings.

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.

55.06-215/07/2013
VC100**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 Road Zone, Category 1	2 metres
Other streets	1.5 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.

- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

55.06-3

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

13/04/2017
VC136

Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard B36

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, which ever is lesser.

Communal open space should:

- 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.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

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 useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- 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

31/07/2018
VC148

Deep soil areas and canopy trees objective

To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.

Standard B38

The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table B5 Deep soil areas and canopy trees

Site area	Deep soil areas	Minimum tree provision
750 - 1000 square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil
1001 - 1500 square metres	7.5% of site area (minimum dimension of 3 metres)	1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil
1501 - 2500 square metres	10% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil
>2500 square metres	15% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

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

13/04/2017
VC136

Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.

Standard B40

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 B6 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 B6 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 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.

55.07-713/04/2017
VC136**Accessibility objective**

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B41

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 B7.

Table B7 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.

55.07-813/04/2017
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 B42

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.

55.07-9

13/04/2017
VC136

Private open space above ground floor 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:

- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table B8 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.

Table B8 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

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, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

55.07-1013/04/2017
VC136**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 B9.

Table B9 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.

55.07-1124/01/2020
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

13/04/2017
VC136

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 B10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table B10 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 B11.

Table B11 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.

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:

WEST WIMMERA 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.

56.06-609/10/2006
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.

56.06-715/09/2008
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.

WEST WIMMERA PLANNING SCHEME

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.
-----------------------------	---

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.

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.

56.0729/10/2015
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.

56.07-229/10/2015
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.

56.07-309/10/2006
VC42**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 any relevant approved domestic waste water management plan.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-426/10/2018
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.

56.0922/08/2014
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.

56.09-209/10/2006
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.

56.09-315/09/2008
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.

56.09-409/10/2006
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.

58.0116/01/2018
VC142**URBAN CONTEXT REPORT AND DESIGN RESPONSE****58.01-1**13/04/2017
VC136**Application requirements**

An application must be accompanied by:

- An urban context report.
- A design response.

58.01-216/01/2018
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

13/04/2017
VC136

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.
- 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.

58.0231/07/2018
VC148**URBAN CONTEXT****58.02-1**13/04/2017
VC136**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.

58.02-231/07/2018
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.

58.02-313/04/2017
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.

58.02-413/04/2017
VC136**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, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

58.02-5

13/04/2017
VC136

Integration with the street objective

To integrate the layout of development with the street.

Standard D5

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 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.

58.03-213/04/2017
VC136**Communal open space objective**

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- 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.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

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 useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- 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.

58.03-413/04/2017
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

31/07/2018
VC148

Landscaping objectives

To encourage development that respects the landscape character of the area.

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.

To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

Standard D10

The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- 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.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

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 provide the deep soil areas and canopy trees specified in Table D2.

If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table D2 Deep soil areas and canopy trees

Site area	Deep soil areas	Minimum tree provision
750 - 1000 square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil
1001 - 1500 square metres	7.5% of site area (minimum dimension of 3 metres)	1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil
1501 - 2500 square metres	10% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil
>2500 square metres	15% of site area (minimum dimension of 6 metres)	1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability 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 area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

58.03-6

13/04/2017
VC136

Access objective

To ensure the number and design of vehicle crossovers respects the urban context.

Standard D11

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

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.

58.0413/04/2017
VC136**AMENITY IMPACTS****58.04-1**13/04/2017
VC136**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.

58.04-213/04/2017
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.

58.04-313/04/2017
VC136**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 D3 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 D3 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.

WEST WIMMERA PLANNING SCHEME

- 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.

58.0513/04/2017
VC136**ON-SITE AMENITY AND FACILITIES****58.05-1**13/04/2017
VC136**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 D4.

Table D4 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. <p>The circulation area for the toilet and shower can overlap.</p>	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. <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.

58.05-213/04/2017
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

13/04/2017
VC136

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:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area 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 balcony should provide an additional area of 1.5 square metres.

Table D5 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

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, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

58.05-4

13/04/2017
VC136

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 D6.

Table D6 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.

58.0613/04/2017
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.

58.06-213/04/2017
VC136**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 D22

The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

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.

58.06-324/01/2020
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.

58.0713/04/2017
VC136**INTERNAL AMENITY****58.07-1**13/04/2017
VC136**Functional layout objective**

To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 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 D8.

Table D8 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.

58.07-213/04/2017
VC136**Room depth objective**

To allow adequate daylight into single aspect habitable rooms.

Standard D25

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

13/04/2017
VC136

Windows objective

To allow adequate daylight into new habitable room windows.

Standard D26

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

13/04/2017
VC136

Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard D27

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.

WEST WIMMERA 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**31/07/2018
VC148**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 assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- 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.
 - Appropriately accommodate any existing or proposed easements on the lots.

WEST WIMMERA PLANNING SCHEME

- 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**31/07/2018
VC148**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 assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- 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.
 - Appropriately accommodate any existing loading bay and vehicle storage area.

WEST WIMMERA PLANNING SCHEME

- 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.

59.0331/07/2018
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.

59.03-231/07/2018
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.

WEST WIMMERA 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.

59.0631/07/2018
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.

59.06-231/07/2018
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 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.

WEST WIMMERA 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.

59.1031/07/2018
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.

59.10-231/07/2018
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.

WEST WIMMERA 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.

- 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.

31/07/2018
VC148

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
--------------------------------------	-----------------------------	-------------------------------------	---

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
--	-----------------------------	-------------------------------------	---

None specified

3.0

31/07/2018
VC148

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
-------------------------------------	-----------------------------	-------------------------------------	---

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.

31/07/2018
VC148

**SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION
GUIDELINES FOR LOCAL VICSMART APPLICATIONS**

1.0

Information requirements

31/07/2018
VC148

None specified

2.0

Decision guidelines

31/07/2018
VC148

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.

62.02-115/03/2019
VC157**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 Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the *Environment Protection Act 1970*.
- 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.

62.0428/03/2018
VC145**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.

64.0328/03/2018
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.

65.0131/07/2018
VC148**APPROVAL OF AN APPLICATION OR PLAN**

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The 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 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.

This clause does not apply to a VicSmart application.

65.0228/03/2018
VC145**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.

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.

66.02-125/05/2017
VC133**Works approval or licence**

Kind of application	Referral authority	Type of referral authority
For a use or development requiring any of the following: <ul style="list-style-type: none"> ▪ Works approval in accordance with Section 19A of the <i>Environment Protection Act 1970</i>. ▪ A licence to discharge or emit waste in accordance with Section 20 of the <i>Environment Protection Act 1970</i>. ▪ Amendment of a licence under Section 20A of the <i>Environment Protection Act 1970</i>. 	Environment Protection Authority	Determining referral authority

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

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

66.02-814/05/2021
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

WEST WIMMERA 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. 	<p>Secretary to the Department administering the <i>Flora and Fauna Guarantee Act 1988</i></p>	<p>Determining referral authority</p>
<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. 	<p>Secretary to the Department administering Section 201 of the <i>Water Act 1989</i></p>	<p>Determining referral authority</p>
<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. 	<p>Environment Protection Authority</p>	<p>Determining referral authority</p>
<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. 	<p>Head, Transport for Victoria</p>	<p>Determining referral authority</p>

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

66.02-1116/01/2018
VC142**Integrated Public Transport Planning**

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA 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 PAO if the Head, Transport for Victoria is the acquiring authority for the land, subject to exemptions specified in the clause.	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 Road Zone, Category 1 or the PAO	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

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.

29/10/2015
VC101

SCHEDULE TO CLAUSE 66.04**1.0**

29/10/2015
VC101

Referral of permit applications under local provisions

Clause	Kind of application	Referral authority	Type of referral authority
Schedule 2 to Clause 42.01 (ESO)	Removal, destruction or lopping of native vegetation	Secretary to the Department of Environment, Land, Water and Planning	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 45.08-6	An application to use or subdivide land, or to construct a building or construct or carry out works.	The airport lessee company of Melbourne Airport in accordance with the Commonwealth <i>Airports Act 1996</i>
Clause 52.09-8	<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 an application to extend a building or works.</p>	The Secretary of the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i>
Clause 52.21	An application to construct, use or illuminate a private tennis court under any provision of this scheme.	The owners and occupiers of adjoining and opposite properties
Clause 52.27	An application in association with a bar, hotel or nightclub that is to operate after 1am.	Chief Commissioner of Victoria Police
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	An application for a permit which, except for the provisions of Clause 67, would be made to the Minister in accordance with section 96 of the Act. This does not apply to an application for a sign or advertisement, or to remove, destroy or lop native vegetation under Clause 52.17 of this scheme.	<p>The owners and occupiers of adjoining land</p> <p>The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust</p>
Clause 67.03	An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under section 55 of the Act.	The Secretary to the Department administering the <i>Flora and Fauna Guarantee Act 1988</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.

19/01/2006
VC37

SCHEDULE TO CLAUSE 66.06

1.0

19/01/2006
VC37

Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
None specified		

67

28/03/2018
VC145

APPLICATIONS UNDER SECTION 96 OF THE ACT

This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.

67.01

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

28/03/2018
VC145

NOTICE REQUIREMENTS

In accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- For a sign or advertisement.
- To remove, destroy or lop native vegetation under Clause 52.17 of this scheme.
- If a permit is only required under any of the following overlays:
 - Salinity Management Overlay
 - Floodway Overlay
 - Land Subject to Inundation Overlay
 - Special Building Overlay
 - Bushfire Management Overlay

67.03

28/03/2018
VC145

NOTICE REQUIREMENTS - NATIVE VEGETATION

In accordance with Section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under Clause 52.17 of this scheme must be given to the Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988*.

This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.

67.04

28/03/2018
VC145

NOTICE EXEMPTION

In accordance with Section 52(4) of the Act, an application for a sign or advertisement on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of Clause 52(1)(a) of the Act.

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

71.0131/07/2018
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.

71.01-231/07/2018
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.

71.01-331/07/2018
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 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 West Wimmera Shire 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

31/07/2018
VC148

Responsible authority for administering and enforcing a provision of this planning scheme:

None specified.

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 West Wimmera Shire 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 West Wimmera Shire 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:

The whole of the municipal district of West Wimmera Shire Council.

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. 'C1Z' 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'.

31/07/2018
VC148**SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?****1.0**31/07/2018
VC148**Maps comprising part of this planning scheme:**

- 1, 1BMO
- 2, 2BMO
- 3, 3ESO2, 3PAO, 3BMO
- 4, 4ESO2, 4HO
- 5, 5ESO2
- 6, 6ESO2, 6VPO, 6BMO
- 7, 7DDO, 7ESO2, 7HO
- 8
- 9, 9ESO2, 9BMO
- 10, 10ESO2, 10BMO
- 11, 11ESO2, 11HO, 11BMO
- 12, 12BMO
- 13, 13ESO2, 13BMO
- 14, 14ESO2, 14BMO
- 15, 15ESO2, 15BMO
- 16, 16ESO2
- 17, 17ESO2, 17BMO
- 18, 18ESO2, 18BMO
- 19, 19ESO2, 19BMO
- 20, 20ESO2, 20BMO
- 21, 21ESO2, 21BMO
- 22, 22ESO2, 22BMO
- 23, 23ESO2, 23BMO
- 24, 24ESO1, 24ESO2, 24BMO
- 25, 25ESO2, 25BMO
- 26, 26ESO1, 26ESO2, 26BMO
- 27, 27DDO, 27EAO, 27ESO2, 27BMO
- 28, 28ESO2, 28BMO
- 29, 29ESO2, 29BMO
- 30, 30ESO2, 30BMO
- 31, 31ESO1, 31ESO2, 31BMO
- 32, 32ESO1, 32ESO2, 32LSIO, 32BMO
- 33, 33ESO1, 33ESO2, 33LSIO, 33BMO
- 34, 34ESO1, 34ESO2, 34LSIO
- 35, 35ESO1, 35ESO2, 35HO, 35BMO

WEST WIMMERA PLANNING SCHEME

- 36, 36ESO1, 36ESO2, 36HO, 36LSIO, 36BMO
- 37, 37ESO1, 37ESO2, 37BMO
- 38, 38ESO2, 38BMO
- 39, 39ESO1, 39ESO2, 39LSIO, 39BMO
- 40, 40ESO1, 40ESO2, 40LSIO, 40BMO
- 41, 41ESO2, 41BMO

72.0421/09/2018
VC150**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
Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991	NPS1
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 Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)	VC132
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

WEST WIMMERA PLANNING SCHEME

Name of document	Introduced by:
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
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

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0

31/07/2018
VC148

Incorporated documents

Name of document	Introduced by:
None specified	

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:

17 February 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

31/07/2018
VC148

Background documents

Name of background document	Amendment number - clause reference
None specified	

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.

General term	Definition
Gaming machine	Has the same meaning as it has in the <i>Gambling Regulation Act 2003</i> .
Garden area	<p>Any area on a lot with a minimum dimension of 1 metre that does not include:</p> <p>a) a dwelling or residential building, except for:</p> <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; <p>b) a driveway; or</p> <p>c) an area set aside for car parking.</p>
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	<p>Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:</p> <p>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</p> <p>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.</p>
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.

WEST WIMMERA 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	<p>Any substance which occurs naturally as part of the earth's crust, including:</p> <ul style="list-style-type: none"> a) oil shale and coal; and b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes. <p>It does not include water, stone, or petroleum.</p>
Movable building	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.
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.

General term	Definition
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.
Sustainable agriculture	The use of farming practices and systems which maintain or enhance: <ul style="list-style-type: none"> a) the economic viability of agricultural production; b) the natural resource base; and c) other ecosystems which are influenced by agricultural activities.

General term	Definition
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	<p>Land comprised in:</p> <p>a) a lot which does not adjoin another lot in the same ownership; or</p> <p>b) lots in the same ownership and which adjoin each other.</p> <p>Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.</p>
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.
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;

WEST WIMMERA PLANNING SCHEME

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.

73.0324/01/2020
VC160**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	

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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.	<p>Animal production</p> <p>Animal training</p> <p>Apiculture</p> <p>Domestic animal husbandry</p> <p>Horse husbandry</p> <p>Racing dog husbandry</p>	Agriculture
Animal production	Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.	<p>Grazing animal production</p> <p>Intensive animal production</p> <p>Pig farm</p> <p>Poultry farm</p> <p>Poultry hatchery</p>	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.		

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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	

WEST WIMMERA PLANNING SCHEME

Land use term	Definition	Includes	Included in
		<p>Geothermal energy extraction</p> <p>Mining</p> <p>Mineral exploration</p> <p>Petroleum exploration</p> <p>Petroleum production</p> <p>Stone exploration</p>	
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.	<p>Renewable energy facility</p> <p>Waste-to-energy facility</p>	
Equestrian supplies			Restricted retail premises
Exhibition centre	Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.	<p>Art gallery</p> <p>Museum</p>	Place of assembly
Extractive industry	<p>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.</p> <p>It includes:</p> <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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA PLANNING SCHEME

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

WEST WIMMERA 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

WEST WIMMERA 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

WEST WIMMERA 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

WEST WIMMERA 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	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

WEST WIMMERA 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

WEST WIMMERA 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

WEST WIMMERA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	<p>b) service or repair plant, or equipment, used in agriculture; or</p> <p>c) manufacture mud bricks.</p>		
Rural store	Land used to store unprocessed agricultural produce, or products used in agriculture.		Store
Saleyard	Land used to hold, sell, and buy farm animals.		
Sawmill	Land used to handle, cut, and process timber from logs.		Rural industry
Secondary school			Education centre
Service industry	Land used to launder, repair, service or wash articles, machinery, or vehicles.	<p>Car wash</p> <p>Dry cleaner</p> <p>Motor repairs</p>	Industry
Service station	<p>Land used to sell motor vehicle fuel from bowsers, and lubricants. It may include the:</p> <p>a) selling of motor vehicle accessories or parts;</p> <p>b) selling of food, drinks and other convenience goods;</p> <p>c) hiring of trailers;</p> <p>d) servicing or washing of motor vehicles; and</p> <p>e) installing of motor vehicle accessories or parts.</p>		
Shipping container storage	Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.		Store
Shop	<p>Land used to sell goods or services, or to hire goods. It includes:</p> <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; 	<p>Adult sex product shop</p> <p>Beauty salon</p> <p>Bottle shop</p> <p>Convenience shop</p> <p>Dry cleaning agent</p> <p>Department store</p> <p>Hairdresser</p> <p>Laundromat</p>	Retail premises

WEST WIMMERA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	<ul style="list-style-type: none"> ▪ gambling premises; ▪ landscape gardening supplies; ▪ manufacturing sales; ▪ market; ▪ motor vehicle, boat, or caravan sales; ▪ postal agency; ▪ primary produce sales; or ▪ trade supplies. 	<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
Store	Land used to store goods, machinery, or vehicles.	<p>Boat and caravan storage</p> <p>Freezing and cool storage</p> <p>Rural store</p> <p>Shipping container storage</p> <p>Vehicle store</p>	Warehouse

WEST WIMMERA PLANNING SCHEME

Land use term	Definition	Includes	Included in
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; f) the medical profession; g) primary production; or h) local government, government departments or public institutions.	Timber yard	Retail premises

WEST WIMMERA PLANNING SCHEME

Land use term	Definition	Includes	Included in
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.	Airport Bus terminal Heliport Railway station Road freight terminal Wharf	
Travel agency			Office
Utility installation	Land used: a) for telecommunications; b) to transmit or distribute gas or oil; c) to transmit, distribute or store power, including battery storage; d) to collect, treat, transmit, store, or distribute water; or e) to collect, treat, or dispose of storm or flood water, sewage, or sullage. It includes any associated flow measurement device or a structure to gauge waterway flow.	Data centre Minor utility installation Reservoir Telecommunications facility	
Vehicle store	Land used to park or store vehicles in connection with a goods or passenger transport business.		Store
Veterinary centre	Land used to: a) diagnose animal diseases or disorders; b) surgically or medically treat animals; or c) prevent animal diseases or disorders. It may include keeping the animals on the premises for treatment.		

WEST WIMMERA PLANNING SCHEME

Land use term	Definition	Includes	Included in
Warehouse	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.	Commercial display area Fuel depot Mail centre Milk depot Store	
Waste-to-energy facility	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.		Energy generation facility
Water retarding basin	Land used to store storm or flood water on a temporary basis.		Minor utility installation
Wharf	Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.		Transport terminal
Wind energy facility	Land used to generate electricity by wind force. It includes land used for: <ul style="list-style-type: none"> a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force b) an anemometer. <p>It does not include turbines principally used to supply electricity for domestic or rural use of the land.</p>		Renewable energy facility
Winery	Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.		
Zoo			Outdoor recreation facility

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.

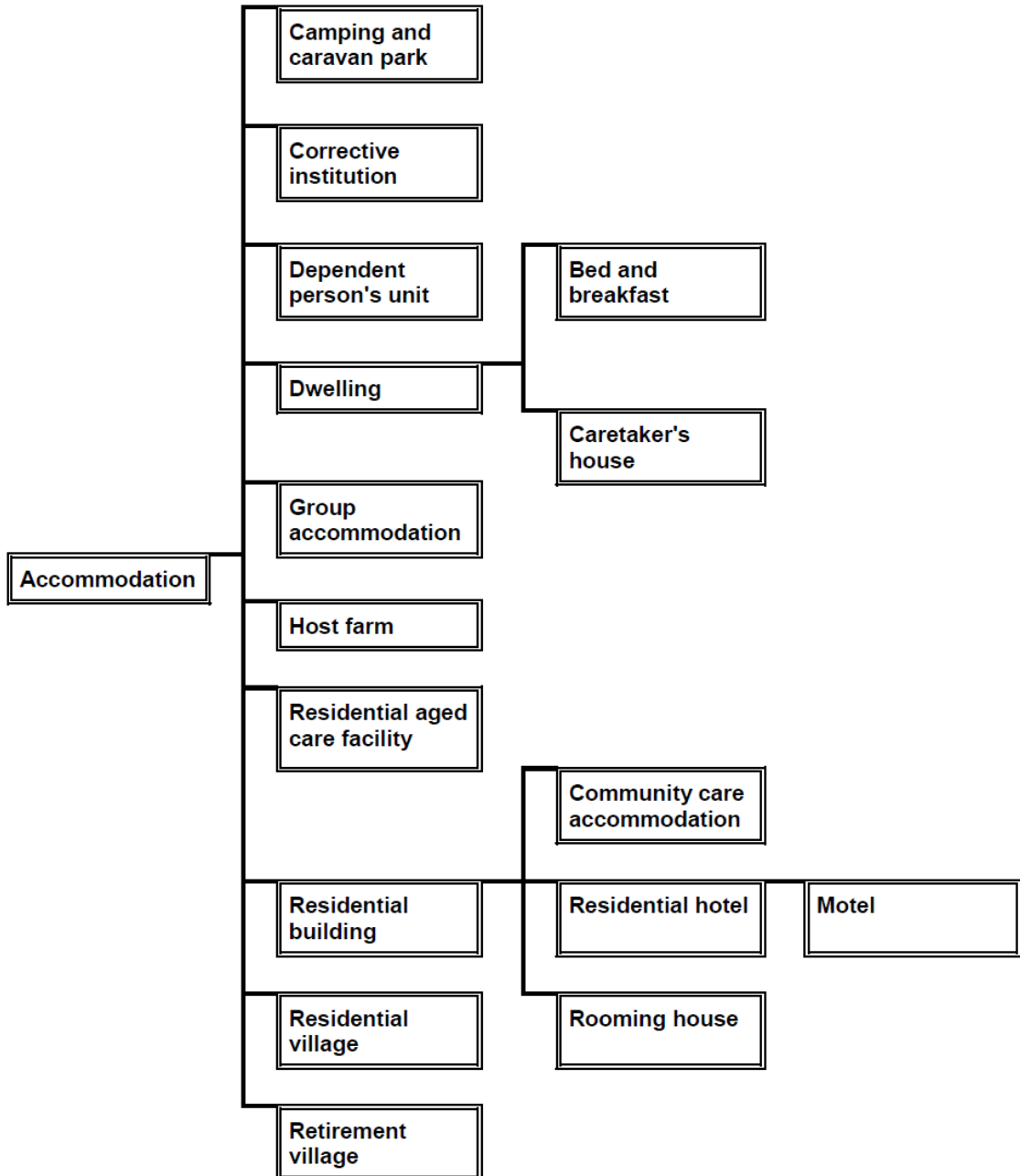
Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

73.04-1

08/08/2019
VC159

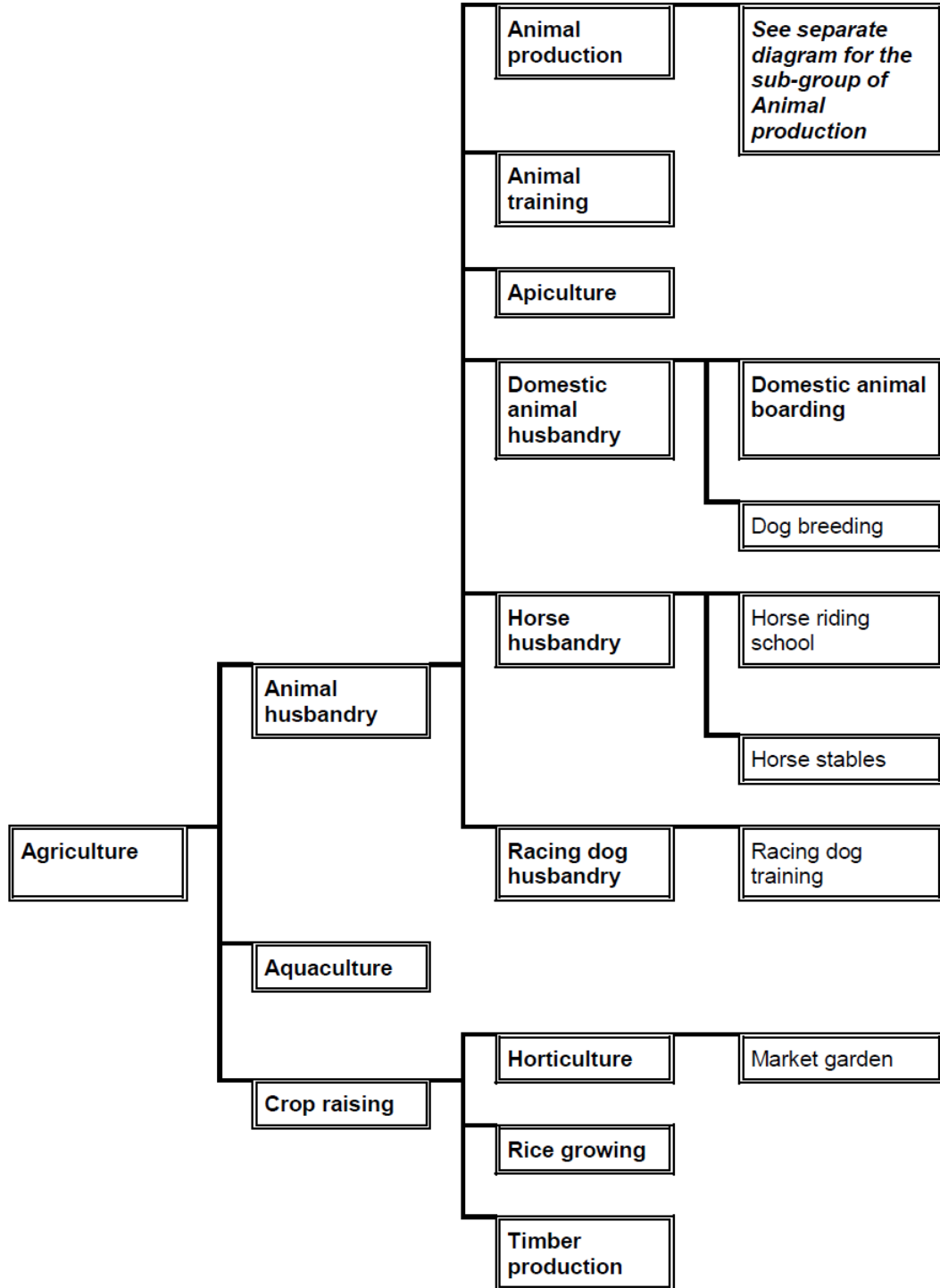
Accommodation group



73.04-2

08/08/2019
VC159

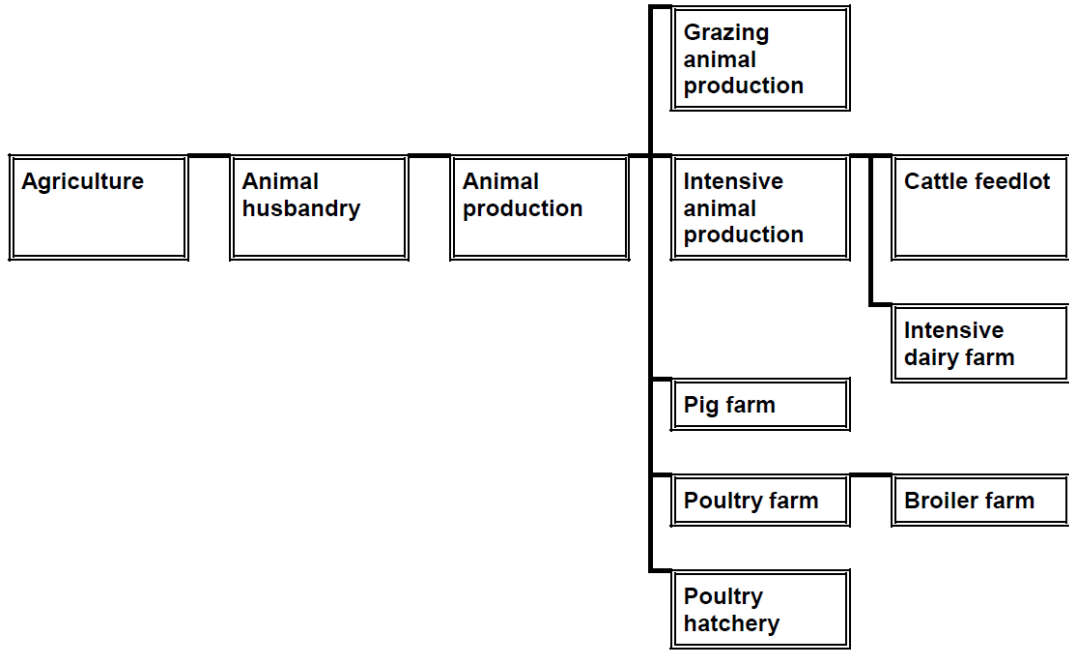
Agriculture group



73.04-3

24/01/2020
VC160

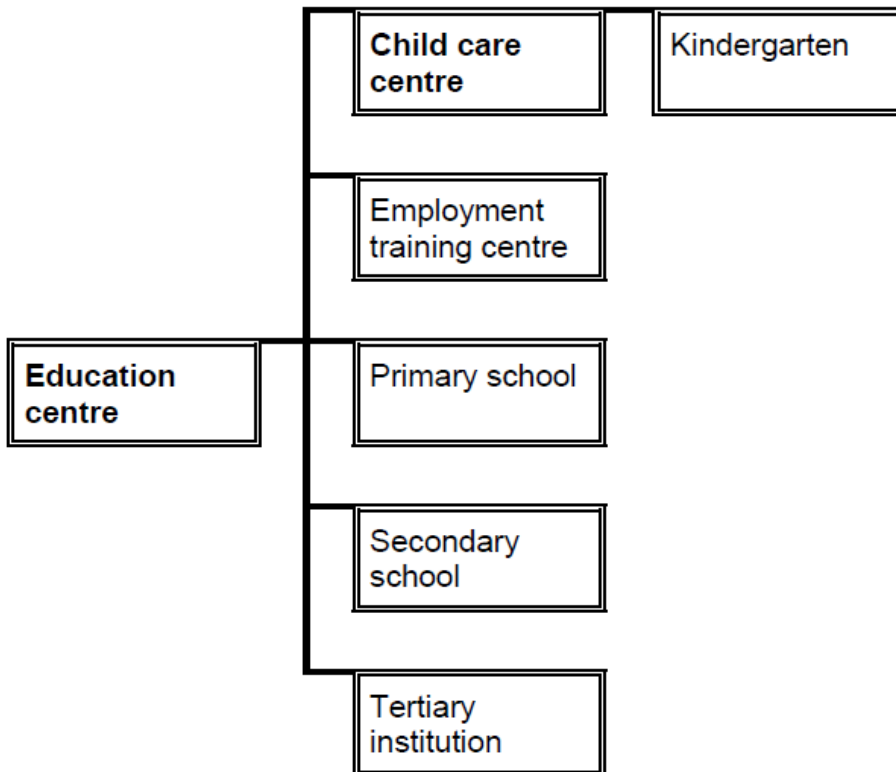
Agriculture group (sub-group of Animal production)



73.04-4

24/01/2020
VC160

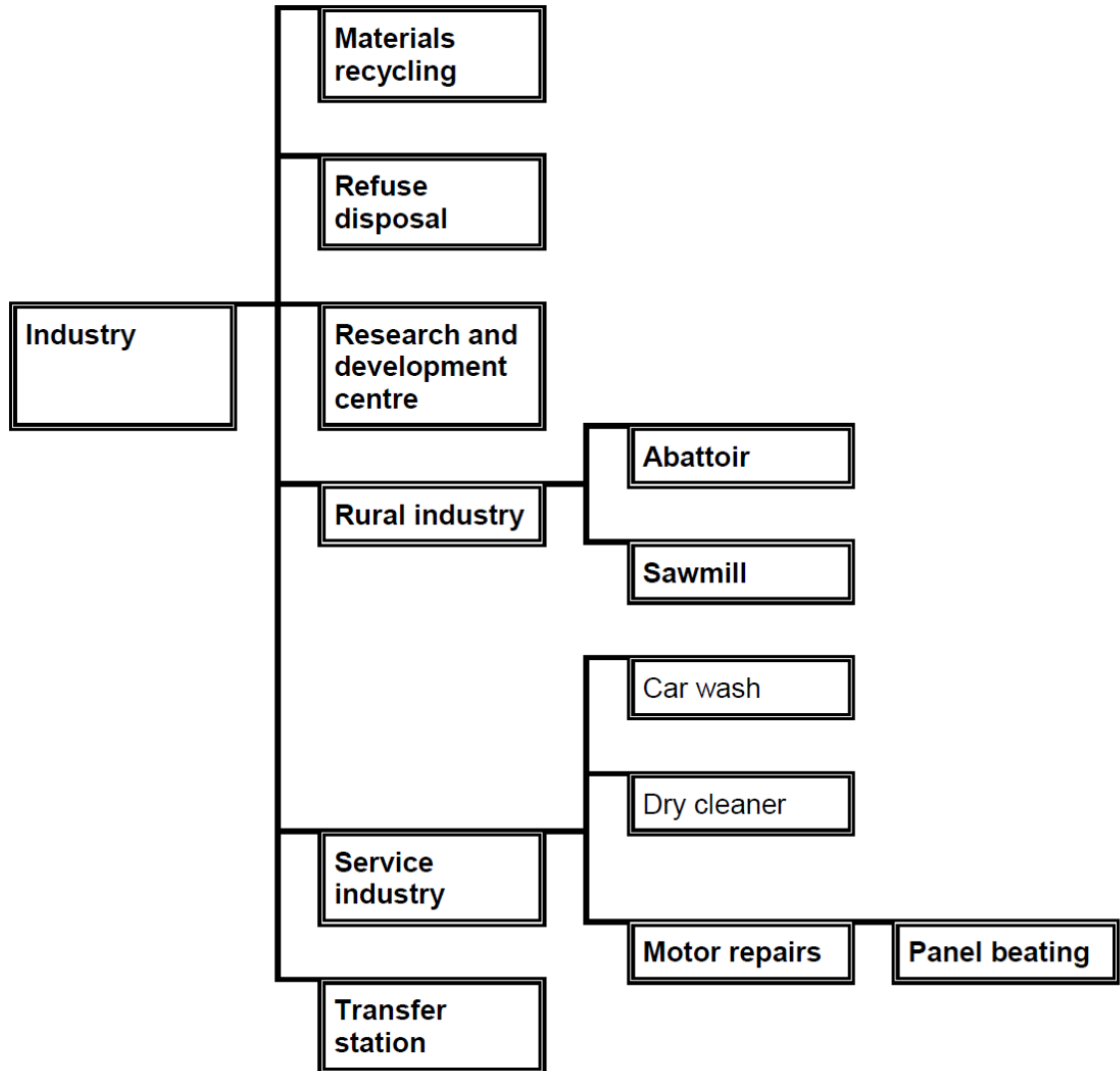
Education centre group



73.04-5

08/08/2019
VC159

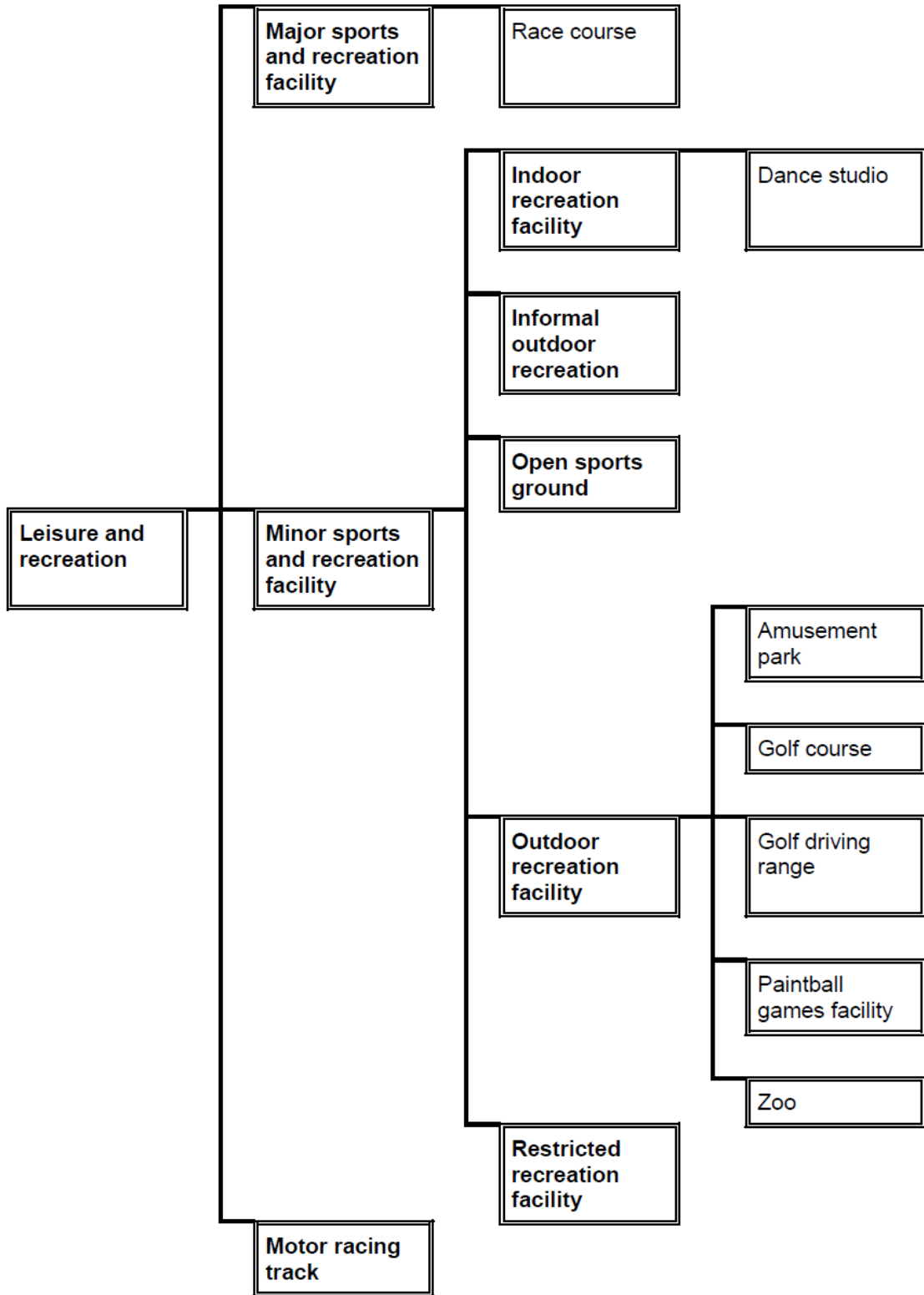
Industry group



73.04-6

16/08/2019
VC163

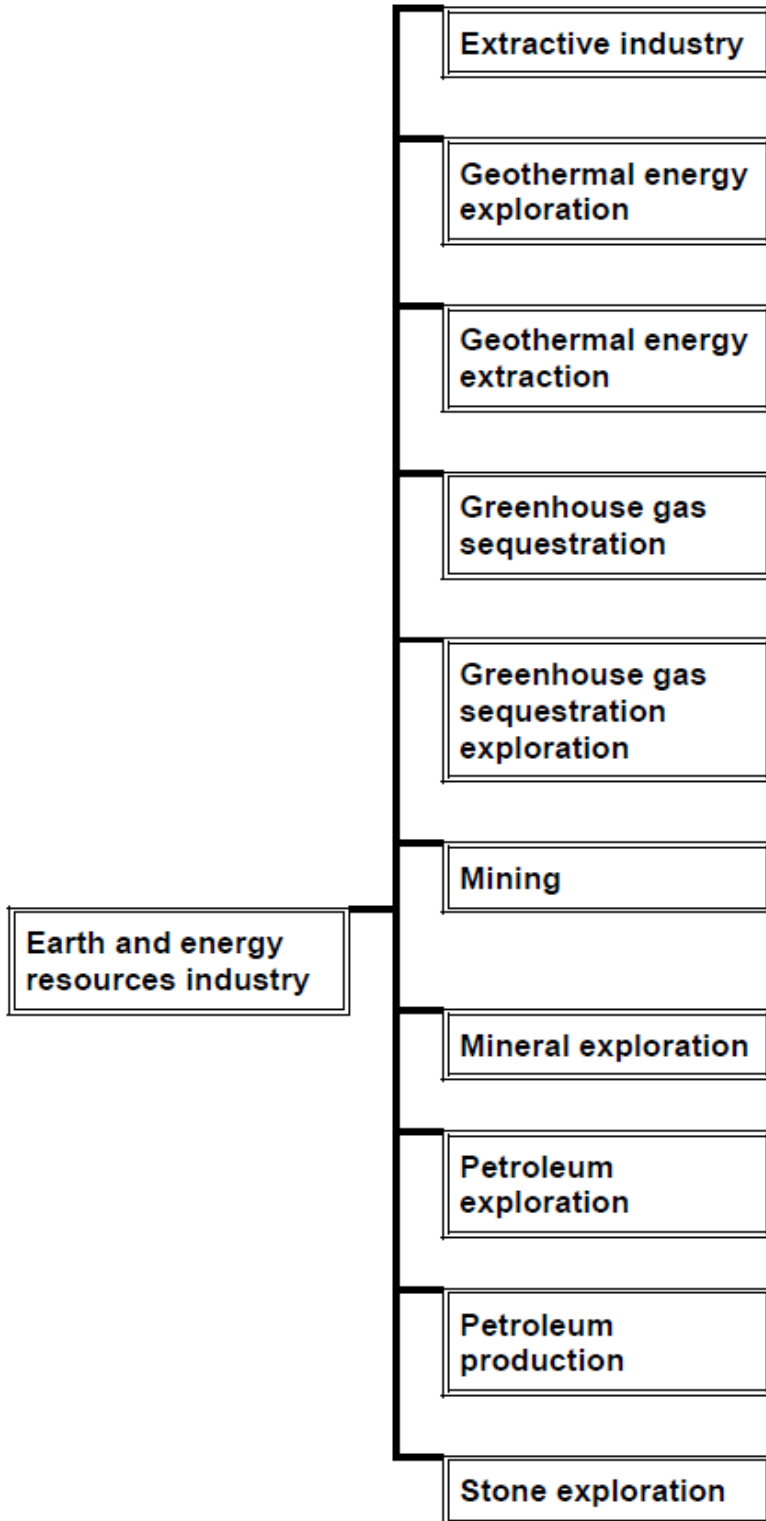
Leisure and recreation group



73.04-7

24/01/2020
VC160

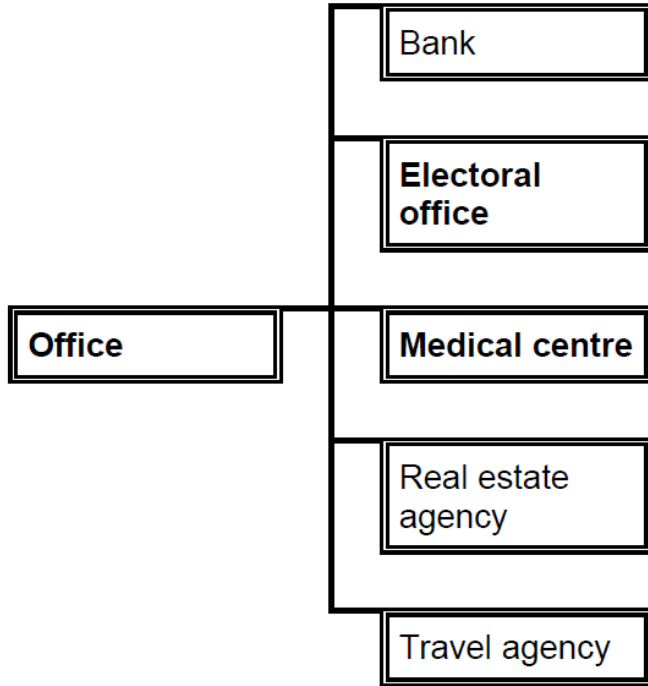
Earth and energy resources group



73.04-8

24/01/2020
VC160

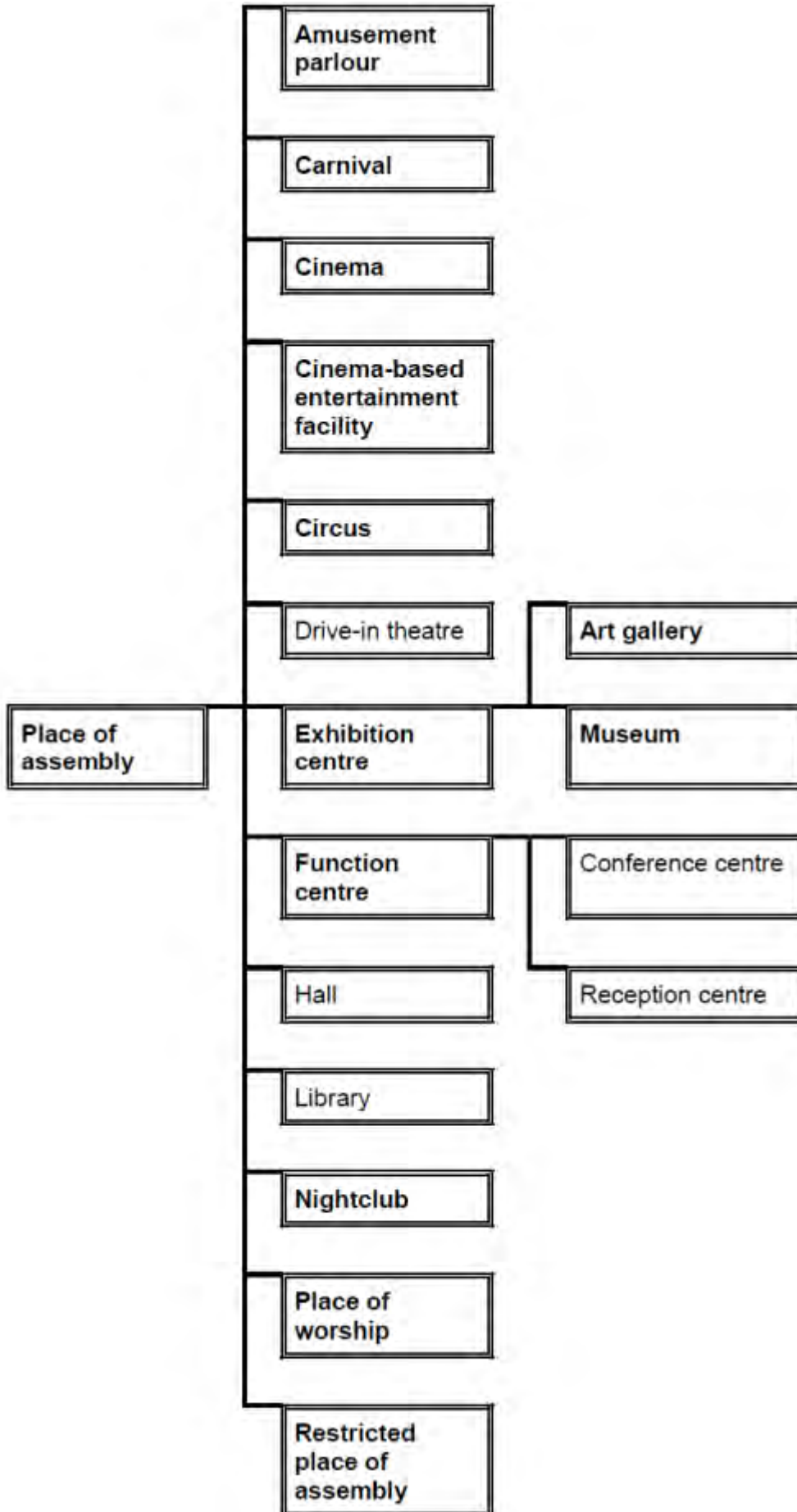
Office group



73.04-9

16/08/2019
VC163

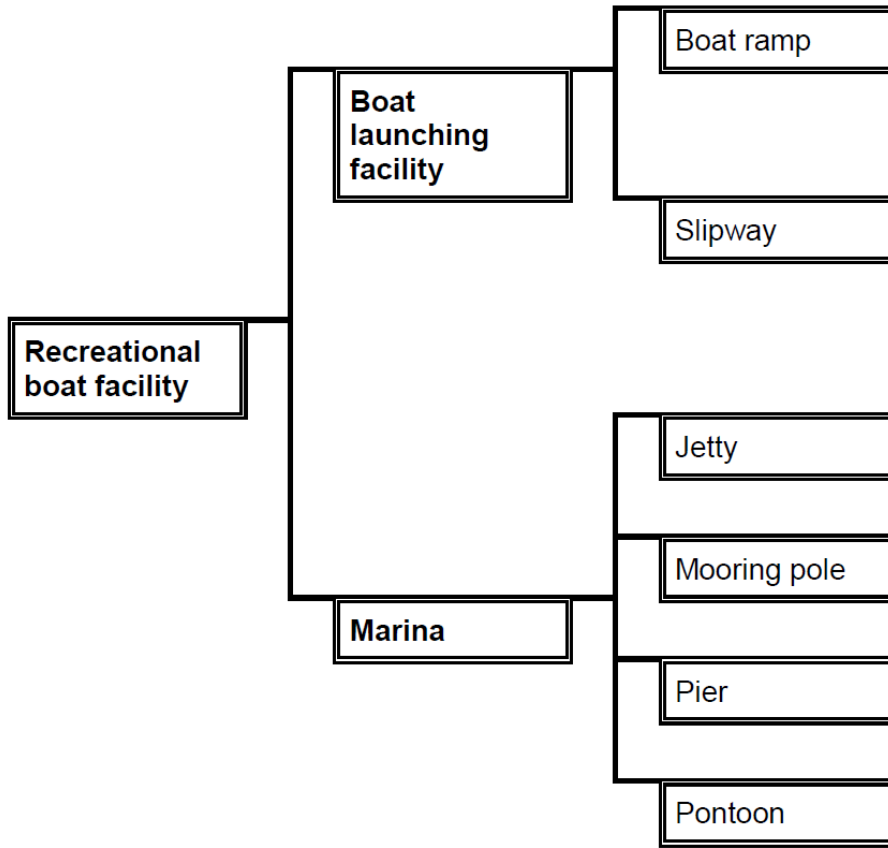
Place of assembly group



73.04-10

24/01/2020
VC160

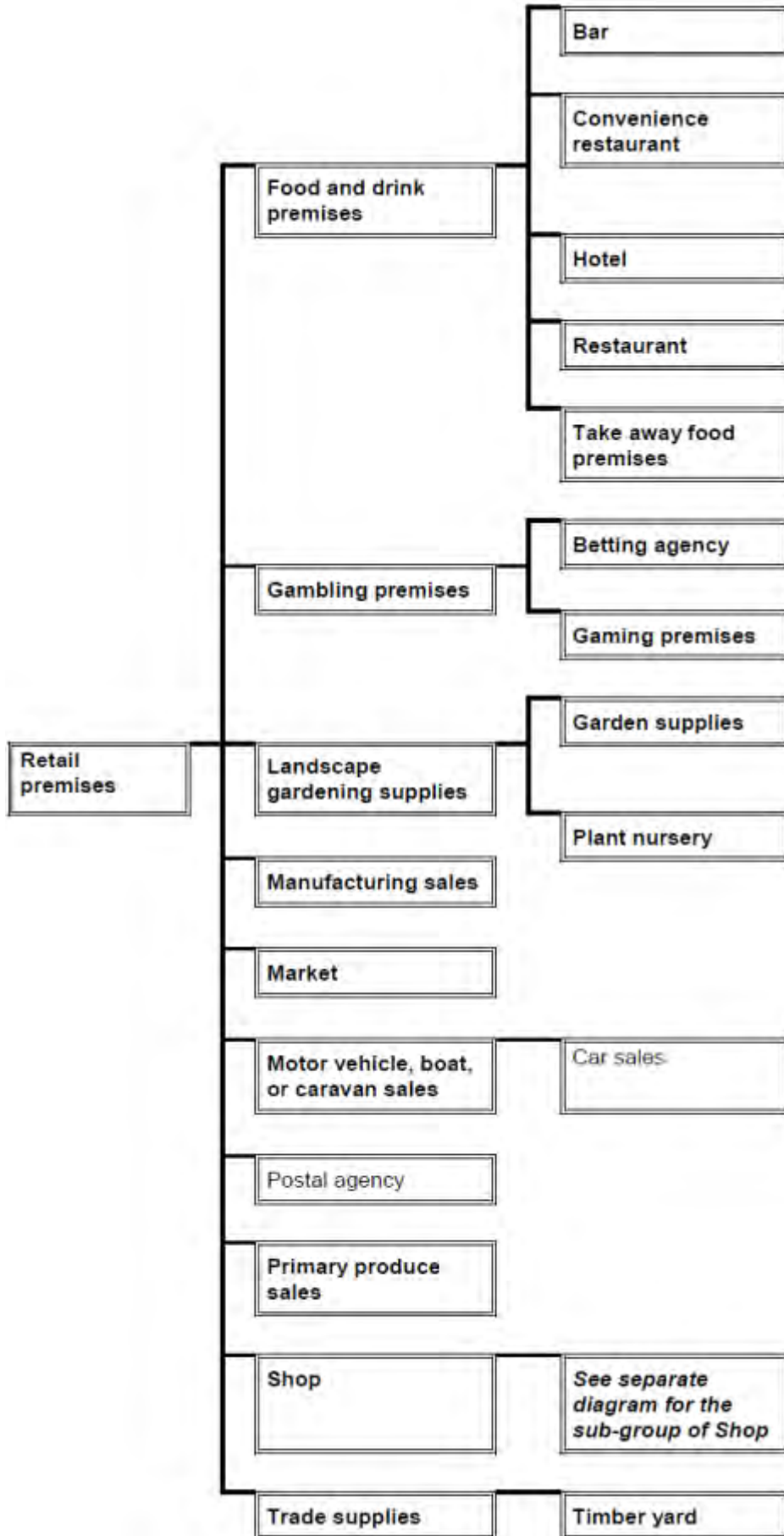
Recreational boat facility group



73.04-11

Retail premises group

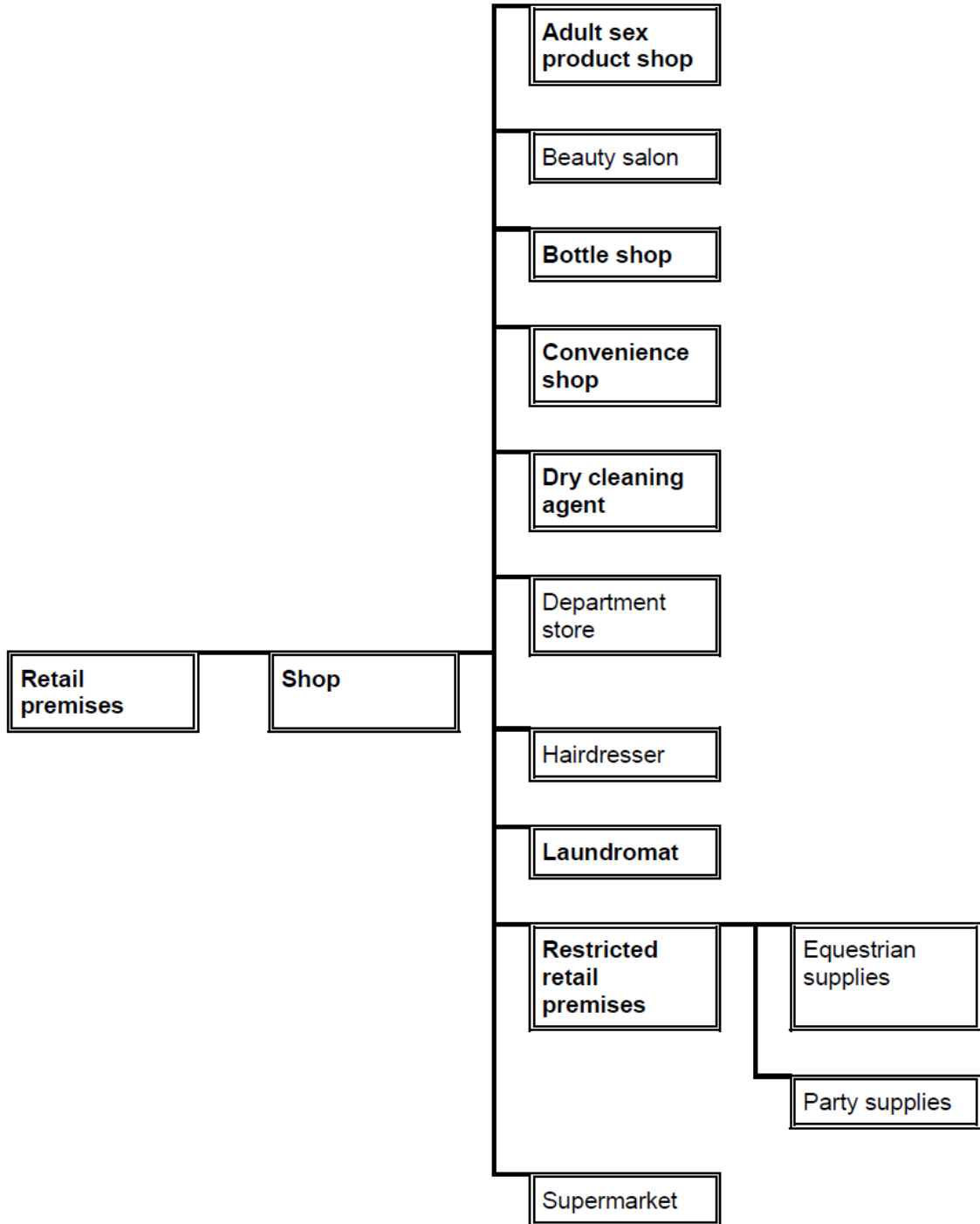
16/08/2019
VC163



73.04-12

08/08/2019
VC159

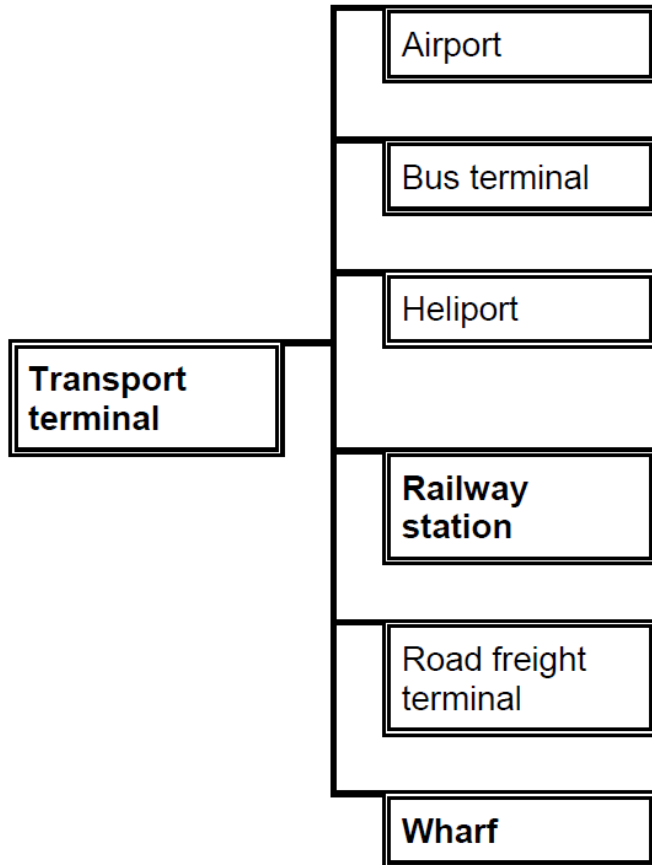
Retail premises group (sub-group of Shop)



73.04-13

24/01/2020
VC160

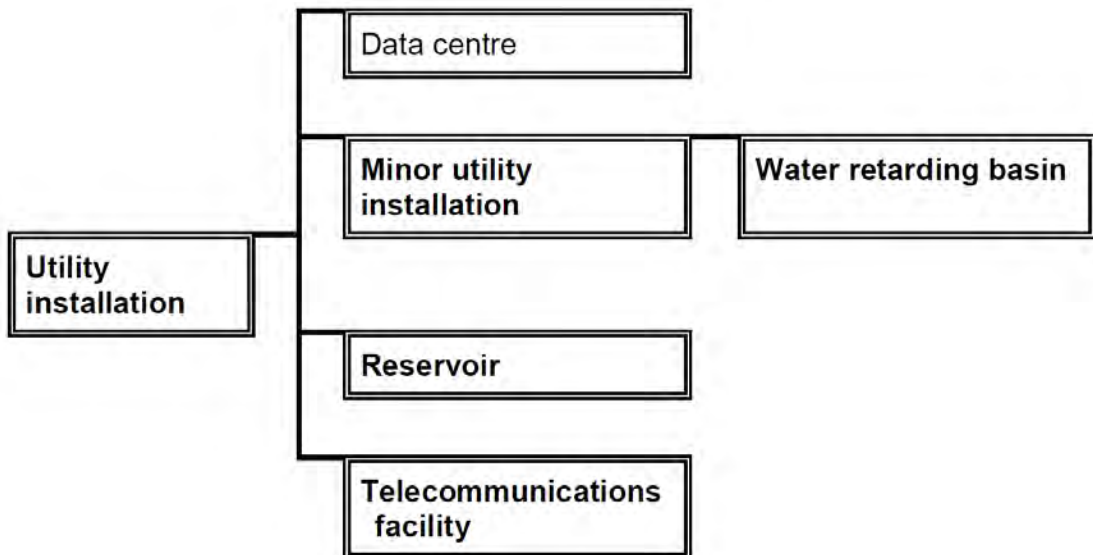
Transport terminal group



73.04-14

08/08/2019
VC159

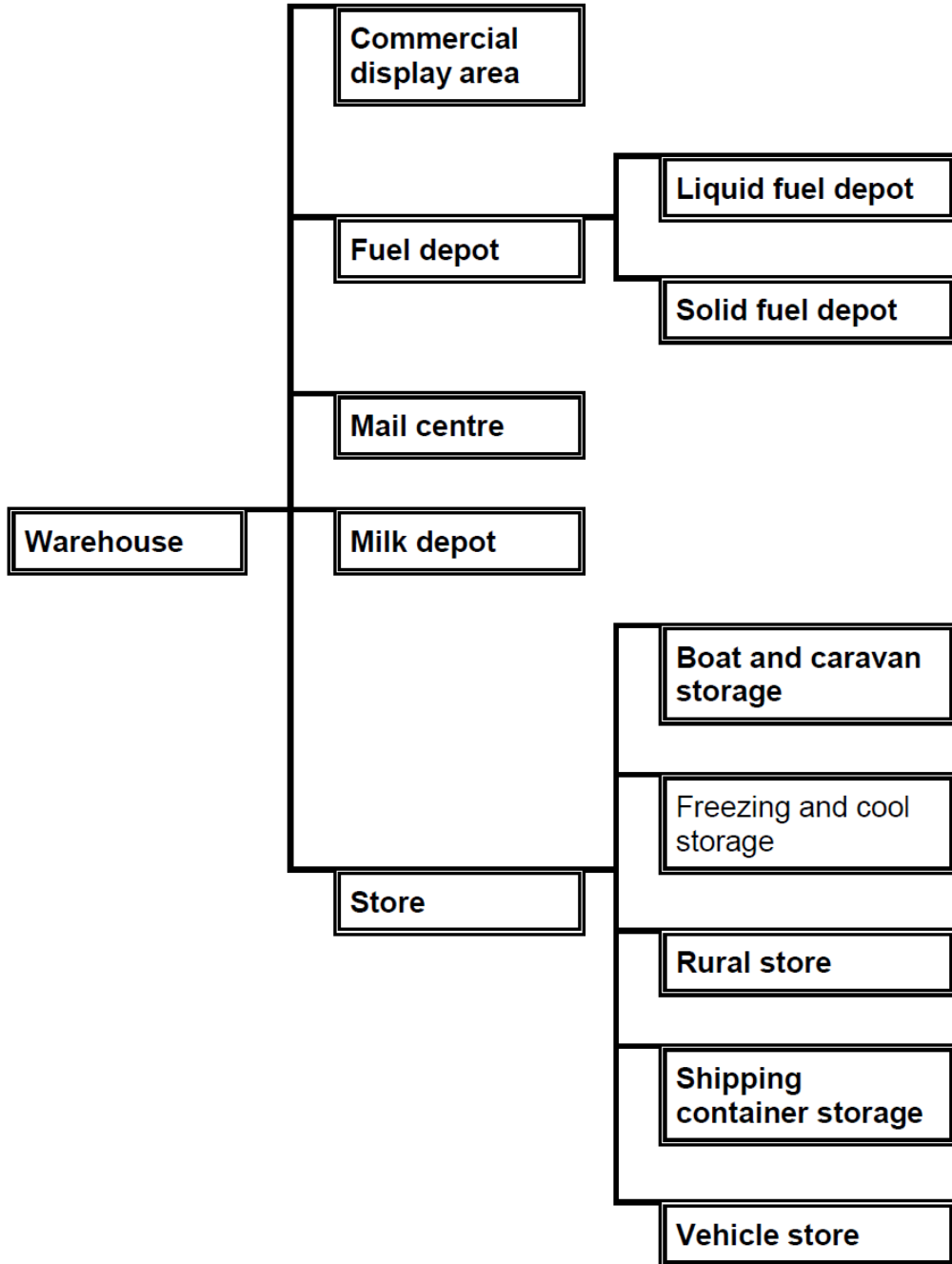
Utility installation group



73.04-15

24/01/2020
VC160

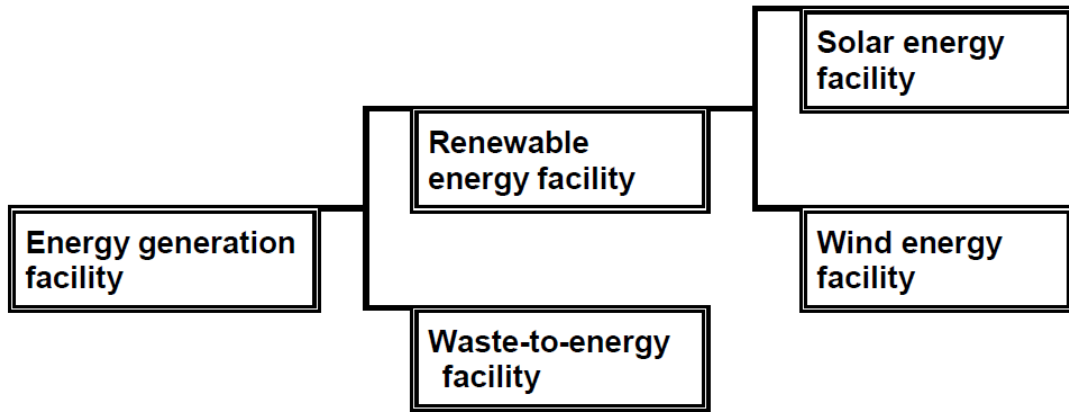
Warehouse group



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.