



Victoria Government Gazette

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Planning and Environment Act 1987 VICTORIA PLANNING PROVISIONS

Notice of Approval of Amendment Amendment VC143

The Minister for Planning has approved Amendment VC143 to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment changes the Victoria Planning Provisions and all planning schemes in Victoria by:

- Amending Clause 32.07 (Residential Growth Zone) to remove Food and drink premises and Shop from Section 1 – Permit not required and make them Section 2 – Permit required uses subject to conditions.
- Amending Clause 32.08-4 (General Residential Zone) to enable an area to be exempt from the minimum garden area requirement through a schedule to the zone.
- Amending Clauses 32.08-3 (General Residential Zone) and 32.09-3 (Neighbourhood Residential Zone) to:
 - Exclude the creation of a vacant lot of 400 square metres or greater from the minimum garden area requirement.
 - Clarify that the minimum garden area requirement does not apply to:
 - The creation of a vacant lot less than 400 square metres where there is a precinct structure plan or equivalent strategic plan.
 - The creation of a vacant lot less than 400 square metres where there is an incorporated plan or approved development plan.
 - The creation of a vacant lot less than 400 square metres where there is an approved residential development.
- Amending clauses 32.08-4 (General Residential Zone) and 32.09-4 (Neighbourhood Residential Zone) to:
 - Remove the minimum garden area requirement from applying to the construction or extension of a dwelling or residential building where a planning permit is not required.
 - Remove the reference to garden area being required to be provided at ground level.
 - Clarify that the minimum garden area requirement does not apply to:
 - A medium density housing site in an approved precinct structure plan or equivalent strategic plan.
 - A medium density housing site in an incorporated plan or approved development plan.
 - An existing building that did not meet the minimum garden area requirement prior to approval of Amendment VC110.
- Amending the Garden area definition at Clause 72 (General Terms) to provide greater clarity about garden area inclusions and exclusions.

The Amendment is available for public inspection on the Department of Environment, Land, Water and Planning (DELWP) website, www.planning.vic.gov.au/public-inspection

SIMON COVER
Acting Director
Planning Systems

Department of Environment, Land, Water and Planning

SPECIAL

Planning and Environment Act 1987

Section 7(5)

MINISTERIAL DIRECTION

I, Richard Wynne, Minister for Planning, amend the Ministerial Direction on the Form and Content of Planning Schemes prepared under section 7(5) of the **Planning and Environment Act 1987**, as follows:

1. In Annexure 2 to the Direction
 - 1.1 In the template Schedule to the General Residential Zone introduce an ability for land to be exempted from the minimum garden area requirement in Clause 32.08-4 as at **Attachment 1**.

HON RICHARD WYNNE MP
Minister for Planning

Attachment 1**SCHEDULE [NUMBER] TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**

Shown on the planning scheme map as **GRZ or R1Z or R2Z or R3Z**[number].

NAME OF AREA**1.0 Neighbourhood character objectives**

[Insert objective(s)]

Insert a maximum of 5 objectives

or

Where no objectives are specified insert "None specified"

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?

Where the construction or extension of a dwelling or residential building is not exempt from the minimum garden area requirement insert "No"

or

Where the construction or extension of a dwelling or residential building is exempt from the minimum garden area requirement insert "Yes"

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

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

Where the permit requirement for the construction or extension of one dwelling on a lot remains at 300 square metres insert "No"

or

Where the permit requirement for the construction or extension of one dwelling on a lot is required between 300 and 500 square metres insert "Yes"

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

Where the permit requirement for the construction or extension of a front fence within 3 metres of a street on a lot remains at 300 square metres insert "No"

or

Where the permit requirement for the construction or extension of a front fence within 3 metres of a street on a lot is required between 300 and 500 square metres insert "Yes"

4.0 Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	Insert "None specified" or a quantitative and measurable figure/amount
Site coverage	A5 and B8	Insert "None specified" or a quantitative and measurable figure/amount
Permeability	A6 and B9	Insert "None specified" or a quantitative and measurable figure/amount
Landscaping	B13	Insert "None specified" or a quantitative and measurable figure/amount
Side and rear setbacks	A10 and B17	Insert "None specified" or a quantitative and measurable figure/amount
Walls on boundaries	A11 and B18	Insert "None specified" or a quantitative and measurable figure/amount
Private open space	A17	Insert "None specified" or a quantitative and measurable figure/amount
	B28	Insert "None specified" or a quantitative and measurable figure/amount
Front fence height	A20 and B32	Insert "None specified" or a quantitative and measurable figure/amount

5.0 Maximum building height requirement for a dwelling or residential building

Where no height and number of storeys is specified insert "None specified."

or

Where a height and number of storeys is specified insert "A building used as a dwelling or a residential building must not exceed a height of [insert number] metres and [insert number] storeys."

The schedule must not specify a height and number of storeys lower than the height and number of storeys specified in the zone.

6.0 Application requirements

Where no application requirements are specified insert "None specified."

or

Where application requirements are specified insert "The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- ..."

7.0 Decision guidelines

Where no decision guidelines are specified insert "None specified."

or

Where decision guidelines are specified insert "The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause

32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ...”
-

Planning and Environment Act 1987
VICTORIA PLANNING PROVISIONS
Notice of Approval of Amendment
Amendment VC146

The Minister for Planning has approved Amendment VC146 to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment changes the Victoria Planning Provisions and all planning schemes in Victoria by:

- Implementing the Infrastructure Contributions Plan (ICP) public land contributions model by introducing a new overlay, Clause 45.11 (Infrastructure Contributions Overlay), into the Victoria Planning Provisions. The Amendment includes consequential changes to the State Planning Policy Framework to recognise the new ICP system.

The Amendment is available for public inspection on the Department of Environment, Land, Water and Planning (DELWP) website, www.planning.vic.gov.au/public-inspection

SIMON COVER
Acting Director
Planning Systems
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

Section 7(5)

MINISTERIAL DIRECTION

I, Richard Wynne, Minister for Planning, amend the Ministerial Direction on the Form and Content of Planning Schemes prepared under section 7(5) of the **Planning and Environment Act 1987**, as follows:

1. Replace the Direction (front pages) with the new Direction at **Attachment A**.
2. In Annexure 2 to the Direction:
 - 2.1 Insert the template Schedule to Clause 45.11 Infrastructure Contributions Overlay as at **Attachment B**.
 - 2.2 Replace the template Schedule to Clause 43.01 Heritage Overlay with a new template Schedule to the Heritage Overlay as at **Attachment C**.

HON RICHARD WYNNE MP
Minister for Planning

Attachment A

Planning and Environment Act 1987
Section 7(5)

MINISTERIAL DIRECTION**THE FORM AND CONTENT OF PLANNING SCHEMES**

I, Richard Wynne, Minister for Planning, under section 7(5) of the *Planning and Environment Act 1987* revoke all previous directions under this section and direct as follows:

1. This Direction applies to the form and content of all planning schemes prepared under Part 3 of the *Planning and Environment (Planning Schemes) Act 1996* and any amendment to those planning schemes.
2. Unless prepared and published from the Department of Environment, Land, Water and Planning amendment management platform, a planning scheme or planning scheme amendment must be prepared and presented in accordance with the style guide set out in Annexure 1 and written in plain English.
3. A planning scheme must include the following parts of the Victoria Planning Provisions in the same order:
 - Clauses 1-2 (inclusive)
 - Clauses 9- 10 (inclusive)
 - Clause 11 (as specified in Annexure 4 to this Direction)
 - Clauses 12-19 (inclusive)
 - Clause 20 (if a planning scheme includes a Local Planning Policy Framework)
 - Clauses 30 - 31 (if a planning scheme includes a zone clause)
 - Clause 32 (if a planning scheme includes a residential zone clause)
 - Clause 33 (if a planning scheme includes an industrial zone clause)
 - Clause 34 (if a planning scheme includes a commercial zone clause)
 - Clause 35 (if a planning scheme includes a rural zone clause)
 - Clause 36 (if a planning scheme includes a public land zone clause)
 - Clause 37 (if a planning scheme includes a special purpose zone clause)
 - Clauses 40 and 41 (if a planning scheme includes an overlay clause)
 - Clause 42 (if a planning scheme includes an environmental landscape overlay clause)
 - Clause 43 (if a planning scheme includes a heritage or built form overlay clause)
 - Clause 44 (if a planning scheme includes a land management overlay clause)
 - Clause 45 (if a planning scheme includes any other overlay clause)
 - Clauses 50 - 52 (inclusive)
 - Clause 53 (if a planning scheme covers an area subject to a strategy plan identified in Section 46 Part 3A, Part 3C or Part 3D of the *Planning and Environment Act 1987*)
 - Clauses 54 - 56 (inclusive)
 - Clause 57 (if a metropolitan fringe planning scheme as identified in Part 3AA of the *Planning and Environment Act 1987*)

- Clause 58 (inclusive)
- Clauses 60 - 67 (inclusive)
- Clauses 70 - 74 (inclusive)
- Clause 75
- Clauses 80 - 81
- Clauses 90 - 95 (inclusive).

A planning scheme must not include the list of amendments to the Victoria Planning Provisions.

4. A planning scheme must not include any zone or overlay clause other than a zone or overlay clause selected from the Victoria Planning Provisions.
5. If a provision from the Victoria Planning Provisions is required to be included or selected for inclusion in a planning scheme, the entire provision or clause (including all sub-clauses) must be included in the planning scheme in the same form (without modification) following the same sequence and using the same clause numbers as in the Victoria Planning Provisions.
6. Provisions are to be structured in the following hierarchy:

Victoria Planning Provisions and Local Planning Policy Framework	Format
Clause	XX
Sub-Clause	XX.XX
Section	XX.XX-X
Sub-Section	XX.XX-X.X
Sub-Sub Section	XX.XX-X.X-X

Schedules	Format
Schedule Sub-Clause (Schedule Heading)	X
Schedule Section	X.0
Schedule Sub-Section	X.X
Schedule Sub-Sub Section	X.X-X

Annexure 1 provides a sample layout

7. Where a Clause, Sub-Clause or Section contains no information the words “[no content]” must be included in that Clause, Sub-Clause or Section.
8. Provisions are to be structured with no more than three levels of bullets or numbering within a Clause, Sub-Clause or Section.
9. A provision in the Victoria Planning Provisions or local provision must include the date each clause, sub-clause or section came into operation or was last amended and the corresponding amendment number below the clause, sub-clause or section number.
10. A local provision in a planning scheme (other than the title page of a planning scheme) must include the name of the planning scheme in a header, a page number in a footer and the relevant format and content as specified in Annexures 2 and 3.
11. If a planning scheme includes a provision with a schedule, the:
 - a) Schedule must be included in the planning scheme
 - b) Schedule must be included as a local provision immediately following the clause or provision to which it relates
 - c) Schedule must be in the format set out in Annexure 2, must include any details or information indicated in the clause or provision as being mandatory with no other sections or headings other than specified

- d) Words “None specified” must be included if no specific information is included with a full stop included if in a sentence within a paragraph or with no full stop if only a phrase in a table
 - e) Words in blue colour in the schedules in this Direction either prompt a response or give guidance to the completion of the schedule and must be deleted upon completion of the schedule
 - f) Words in red colour in the schedules in this Direction require information to replace the words in red and must be included.
12. Numeric terminology is to be represented as the complete word in a sentence / dot point or can be abbreviated in a table as follows:

Sentence / dot point format	Table format
square metres	sqm
metre or metres	m
hectare or hectares	ha

13. Unless specified otherwise any requirement to describe land may use a map or maps to describe areas of land. The maps must be described as ‘Map *number* to the Schedule to Clause *number*’. Map codes must only contain the schedule number and not additional alphabetical, numerical or other characters.
14. Any image in a planning scheme ordinance including a map must meet all of the following requirements:
- a) The image cropped and sized to fit the available space on the page with a maximum file size of 3000 kilobytes and 300 pixels per inch (ppi)
 - b) Be the only image on a horizontal line (i.e no images side by side or use of multiple images or layered images to make one single image)
 - c) Have a title, reference number and border
 - d) The image title written as text outside of the image
 - e) Include a legend and source, where applicable
 - f) Include a north arrow and scale, where applicable.

15. A planning scheme must not include a schedule for any provision for which a schedule is not provided in the Victoria Planning Provisions as shown in the following table:

VPP Clause or	Schedule (Y/N)	Number of Schedules	VPP Clause or Sub-	Schedule (Y/N)	Number of Schedules
9	N	N/A	43.03	Y	1 or more
10	N	N/A	43.04	Y	1 or more
11	N	N/A	43.05	Y	1 or more
12	N	N/A	44.01	Y	1 or more
13	N	N/A	44.02	Y	1 or more
14	N	N/A	44.03	Y	1 or more
15	N	N/A	44.04	Y	1 or more
16	N	N/A	44.05	Y	1 or more
17	N	N/A	44.06	Y	1 or more
18	N	N/A	44.07	Y	1 or more
19	N	N/A	45.01	Y	1
21	Y	1 or more	45.02s1	Y	1
22	Y	1 or more	45.02s2	Y	1
32.03	Y	1 or more	45.05	Y	1
32.04	Y	1 or more	45.06	Y	1 or more
32.05	Y	1 or more	45.08s1	Y	1
32.07	Y	1 or more	45.08s2	Y	1
32.08	Y	1 or more	45.09	Y	1 or more
32.09	Y	1 or more	45.10	Y	1 or more
33.01	Y	1	52.01	Y	1
33.02	Y	1	52.02	Y	1
33.03	Y	1	52.03	Y	1
34.01	Y	1	52.05	Y	1
34.02	N	N/A	52.16	Y	1
35.03	Y	1 or more	52.17	Y	1
35.04	Y	1 or more	52.27	Y	1
35.05	Y	1 or more	52.28	Y	1
35.06	Y	1 or more	52.32	Y	1
35.07	Y	1 or more	52.37	Y	1
35.08	Y	1 or more	52.43	Y	1
36.01	Y	1	52.44	Y	1
36.02	Y	1	52.48	Y	1
36.03	Y	1	53.01	Y	1
37.01	Y	1 or more	53.02	Y	1
37.02	Y	1 or more	53.03	Y	1
37.03	Y	1	57.01	Y	1
37.04	Y	1 or more	61.01	Y	1
37.05	Y	1 or more	61.02	Y	1
37.06	Y	1 or more	61.03	Y	1
37.07	Y	1 or more	61.04	Y	1
37.08	Y	1 or more	66.04	Y	1
42.01	Y	1 or more	66.06	Y	1
42.02	Y	1 or more	81.01	Y	1
42.03	Y	1 or more	94	Y	1
43.01	Y	1 or more	95	Y	1
43.02	Y	1 or more			

16. Any schedule which contains a Table of uses (such as a Special Purpose Zone) must:
 - a) Not contain any provision which is inconsistent with State planning policy as expressed in the State Planning Policy Framework
 - b) Be consistent in format with the Table of uses for a zone in the Victoria Planning Provisions
 - c) Must use general terms, land use terms and nesting of land use terms consistent with the Victoria Planning Provisions
 - d) Include “Any use listed in Clause 62.01” in Section 1 with the condition “Must meet the requirements of Clause 62.01.”
17. If a planning scheme includes a Municipal Strategic Statement or a Strategic Statement the planning scheme must include the relevant clause and format specified in Annexure 3.
18. If a planning scheme includes a Local Planning Policy in clause 22 the clause must be in the format specified in Annexure 3.
19. A planning scheme may only include land in a Public Use Zone, Public Park and Recreation Zone or Public Conservation and Resource Zone if the land is Crown land, or is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.
20. If a planning scheme includes land in the City Link Project Overlay, the planning scheme must incorporate the document titled *Melbourne City Link Project - Advertising Sign Locations November 2003*, by including it in the Schedule to Clause 81.01.
21. If a planning scheme includes land in the Airport Environs Overlay or Melbourne Airport Environs Overlay, the planning scheme must include the relevant schedules set out in Annexure 2 and must incorporate the document titled *Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia International Ltd* by including it in the Schedule to Clause 81.01.
22. A road which is declared as a freeway or an arterial road under the *Road Management Act 2004* must be shown as a Road Zone - Category 1 on the planning scheme maps.
23. If a metropolitan Melbourne planning scheme includes a Commercial 1 Zone, the words “None specified” must be inserted into the schedule to the zone. If a rural planning scheme includes a Commercial 1 Zone, either the words “None specified” or details of land and a corresponding maximum leasable floor area for Office and/or Shop must be inserted into the schedule to the zone.

HON RICHARD WYNNE MP

Minister for Planning

Date: 9 April 2017

Commencement Details	
Originally Gazetted	24 May 2017
Amendment Gazetted	19 September 2017
Amendment Gazetted	21 November 2017
Amendment Gazetted	12 December 2017
Amendment Gazetted	15 May 2018

Attachment B**SCHEDULE [NUMBER] TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY**

Shown on the planning scheme map as **ICO[NUMBER]**.

INSERT NAME OF INFRASTRUCTURE CONTRIBUTIONS PLAN [YEAR]**1.0 Permit requirement**

Insert permit requirements or “None specified”

2.0 Monetary component – Standard levy

Class of development	Infrastructure category	Levy rate payable
Insert class of development or “None specified”	Insert infrastructure category or “None specified”	Insert levy rate per unit measurement or “None specified”
	Total standard levy rate payable	Insert total levy rate per unit measurement or “None specified”

3.0 Monetary component – Supplementary levy

Class of development	Infrastructure category	Levy rate payable
Insert class of development or “None specified”	Insert infrastructure category or “None specified”	Insert levy rate per unit measurement
	Total supplementary levy rate payable	Insert levy rate per unit measurement or “None specified”

4.0 Infrastructure Contribution Plan (ICP) land contribution percentage

Class of development	ICP land contribution percentage
Insert class of development or “None specified”	Insert ICP land contribution percentage or “None specified”

5.0 Land component

Precinct Structure Plan (PSP) parcel ID	Class of development	Parcel contribution percentage	Land credit amount	Land equalisation amount
Insert PSP parcel ID	Insert class of development	Insert percentage	Insert \$ amount or N/A	Insert \$ amount or N/A

6.0 Method and timing of indexation – Standard levy rate

Infrastructure category		Indexation method	Timing
Insert category specified	infrastructure or “None”	Insert name of index or “None specified”	Insert timing or “None specified”

7.0 Method and timing of indexation – Supplementary levy rate

Infrastructure category		Indexation method	Timing
Insert category specified	infrastructure or “None”	Insert name of index or “None specified”	Insert timing or “None specified”

8.0 Method and timing of adjustment – Land component

Adjustment method	Timing
Insert adjustment method or “None specified”	Insert timing or “None specified”

9.0 Land or development exempt from payment of an infrastructure contribution

- Insert any additional land or development exempt from imposition of an infrastructure contribution or “None specified.”

Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated infrastructure contributions plan for full details.

Attachment C

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

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 43.01-3	Aboriginal heritage place?
HO[#]	Insert [Address/Place]	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Insert [Name] of Incorporated Plan or "None specified"	Y/N
Interim control									
Expiry Date:									
dd/mm/yyyy									

Notes: Insert Interim control Expiry Date:dd/mm/yyyy; if interim controls apply

See 43.01 for relevant provisions and scope.

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