

## 32.01 RESIDENTIAL 1 ZONE

Shown on the planning scheme map as **R1Z**.

### Purpose

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

To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.

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

### 32.01-1 Table of uses

#### Section 1 - Permit not required

USE	CONDITION
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast) Home occupation Informal outdoor recreation Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation Natural systems	

## Section 1 - Permit not required (continued)

<b>USE</b>	<b>CONDITION</b>
<b>Place of worship</b>	Must be no social or recreation activities. The gross floor area of all buildings must not exceed 180 square metres. The site must not exceed 1200 square metres. The site must adjoin, or have access to, a road in a Road Zone.
<b>Railway Road</b>	
<b>Search for stone</b>	Must not be costeaning or bulk sampling.
<b>Telecommunications facility</b>	Buildings and works must meet the requirements of Clause 52.19
<b>Tramway</b>	

## Section 2 - Permit required

<b>USE</b>	<b>CONDITION</b>
<b>Accommodation (other than Dependent person's unit and Dwelling)</b> <b>Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables, and Intensive animal husbandry)</b>	
<b>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</b>	Must be no more than 5 animals.
<b>Car park</b>	Must be used in conjunction with another use in Section 1 or 2.
<b>Car wash</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Community market</b>	
<b>Convenience restaurant</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Convenience shop</b>	The leasable floor area must not exceed 80 square metres.
<b>Food and drink premises (other than Convenience restaurant and Take away food premises)</b> <b>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</b> <b>Medical centre</b> <b>Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)</b>	

## Section 2 - Permit required (continued)

USE	CONDITION
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship) Plant nursery	
<b>Service station</b>	The site must either: <ul style="list-style-type: none"><li>• Adjoin a business zone or industrial zone.</li><li>• Adjoin, or have access to, a road in a Road Zone.</li></ul> The site must not exceed either: <ul style="list-style-type: none"><li>• 3000 square metres.</li><li>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</li></ul>
<b>Store</b>	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.
<b>Take away food premises</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Utility installation (other than Minor utility installation)</b>	
<b>Any other use not in Section 1 or 3</b>	

## Section 3 - Prohibited

USE
Amusement parlour
Animal boarding
Animal training
Brothel
Cinema based entertainment facility
Extractive industry
Horse stables
Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Community market, Convenience shop, Food and drink premises, and Plant nursery)
Saleyard
Transport terminal
Warehouse (other than Store)

### 32.01-2 Subdivision

#### Permit requirement

A permit is required to subdivide land.

## **Exemption from notice and appeal**

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

## **Decision guidelines**

Before deciding on an application to subdivide land into residential lots of between 300 square metres and 4,000 square metres (inclusive), in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The Victorian Code for Residential Development - Subdivision and Single Dwellings, April 1992.

### **32.01-3 Construction and extension of single dwellings on lots of at least 300 square metres**

On a lot of at least 300 square metres, one dwelling may be constructed or extended provided the development meets the performance measures for the following elements of the Victorian Code for Residential Development - Subdivision and Single Dwellings, April 1992:

- E2 - Building siting and design.
- E3 - Private open space.
- E4 - Vehicle parking (performance measures 1 and 2 only).
- E11 - Utilities provision (performance measure 1 only).

If the development does not meet one or more of these performance measures, it must comply with the Building Regulations 1994 or any variation granted under those regulations.

### **32.01-4 Construction and extension of medium-density housing and residential buildings**

#### **Permit requirement**

A permit is required to:

- Construct or extend one dwelling on a lot of less than 300 square metres.
- Construct a dwelling if there is at least one dwelling 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 residential building.

This does not apply to the construction of one dependent person's unit on a lot.

#### **Application requirements**

An application must be accompanied by a site analysis and a design response as described in Clause 52.04 and The Good Design Guide for Medium-Density Housing Revision No 2, April 1998.

#### **Satisfactory site analysis before notice and decision**

The responsible authority:

- Must inform the applicant in writing:
  - before notice of an application is given; or
  - if notice of an application is not required to be given, before deciding the application,
 that the site analysis meets the requirements of Clause 52.04 and is satisfactory or does not meet the requirements of Clause 52.04 and is not satisfactory.
 

If the responsible authority decides that the site analysis is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
- Must not require notice of an application to be given or decide an application until it is satisfied that the site analysis meets the requirements of Clause 52.04 and is satisfactory.

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

### **Decision guidelines**

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The Good Design Guide for Medium-Density Housing Revision No 2, April 1998, and any Local Variation incorporated in this scheme. This does not apply to a development of five or more storeys, excluding a basement.

#### **32.01-5 Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.01-1.

#### **32.01-6 Advertising signs**

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

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**Notes:** *Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.*

*Check whether an overlay also applies to the land.*

*Other requirements may also apply. These can be found at Particular Provisions.*