

32.05 TOWNSHIP ZONE

19/09/2017
VC132

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

Purpose

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

To 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.

32.05-1 Neighbourhood character objectives

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

32.05-2 Table of uses

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Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 32.05-3.
Dwelling (other than Bed and breakfast)	Must meet the requirements of Clause 32.05-3.
Home occupation	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres.
Minor utility installation	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Railway	
Residential aged care facility	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 – Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
Agriculture (other than Animal keeping, Apiculture and Intensive animal husbandry)	
Animal boarding	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Dependent person's unit - if the Section 1 condition is not met	Must meet the requirements of Clause 32.05-3.
Industry (other than Transfer station and Refuse disposal)	Must not be a purpose listed in the table to Clause 52.10.
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 bookshop)	
Transfer station	Must meet the threshold distance requirements in the Table to Clause 52.10.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse	Must not be a purpose listed in the table to Clause 52.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex bookshop
Brothel
Dwelling – if the Section 1 condition is not met
Intensive animal husbandry
Motor racing track
Refuse disposal
Saleyard
Stone extraction

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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.

32.05-4 Use for industry and warehouse

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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.

32.05-5 Subdivision

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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.
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.

32.05-6 Construction and extension of one dwelling on a lot

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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.

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

Permit requirement

A permit is required to:

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

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

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

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

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

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

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

32.05-8 Requirements of Clause 54 and Clause 55

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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 Buildings and works associated with a Section 2 use

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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.

32.05-10 Maximum building height requirement for a dwelling or residential building

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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.

32.05-11 Application requirements

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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 (Major Hazard Facilities) Regulations 2000 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 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.

32.05-12 Decision guidelines

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

32.05-13 Advertising signs

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

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

Check whether an overlay also applies to the land.

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