

**32.01**19/01/2006  
VC37**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.

To encourage residential development that respects the neighbourhood character.

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

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VC37**Table of uses****Section 1 - Permit not required**

<b>USE</b>	<b>CONDITION</b>
<b>Animal keeping (other than Animal boarding)</b>	Must be no more than 2 animals.
<b>Apiculture</b>	Must meet the requirements of the Apiary Code of Practice, May 1997.
<b>Bed and breakfast</b>	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.
<b>Carnival</b>	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
<b>Circus</b>	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.
<b>Dwelling (other than Bed and breakfast)</b> <b>Home occupation</b> <b>Informal outdoor recreation</b> <b>Mineral exploration</b>	
<b>Mining</b>	Must meet the requirements of Clause 52.08-2.
<b>Minor utility installation</b> <b>Natural systems</b>	

## 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)

<b>USE</b>	<b>CONDITION</b>
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship) Plant nursery	
Service station	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>
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

## Section 3 - Prohibited

<b>USE</b>
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)

## Subdivision

### Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

### Exemption from notice and review

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, 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 and standards of Clause 56.

## 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 the schedule to this zone.

The construction or extension of a dwelling includes a front fence within 3 metres of a street if 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 extend:

- Works normal to a dwelling.
- An open-sided pergola or verandah with a finished floor level not more than 800 mm above natural ground level and a maximum building height not more than 3 metres above natural ground level.
- An outbuilding with a gross floor area not more than 10 square metres and a maximum building height not more than 3 metres above natural ground level.
- A deck with a finished floor level not more than 800 mm above natural ground level.
- A domestic swimming pool or spa and associated mechanical equipment and safety fencing.

This does not apply to the construction or extension of a garage or carport.

## **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 objectives, standards and decision guidelines of Clause 54.

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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 on common property.
- Construct or extend a residential building.

The construction or extension of a dwelling or a residential building includes a front fence within 3 metres of a street if 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 four or more storeys, excluding a basement.

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

### **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 objectives, standards and decision guidelines of Clause 55.

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**Requirements of Clause 54 and Clause 55**

The schedule to this zone may specify the requirements of:

- Standards A3, A4, A5, A10, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B7, B8, B17, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in the schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

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**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.

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**Advertising signs**

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.*