

## 92

19/09/2017  
VC132

# STATE VICSMART APPLICATIONS

### 92.01

19/09/2014  
VC114

#### Purpose

This clause:

- Specifies the classes of application that are State VicSmart applications.
- Specifies the provision in Clause 93 that contains the information requirements and decision guidelines applicable to each class of State VicSmart application.

### 92.02

19/09/2014  
VC114

#### Tables in this clause

The classes of State VicSmart application are listed in three tables to this clause:

- Table 1 lists the classes of State VicSmart application under a zone.
- Table 2 lists the classes of State VicSmart application under an overlay.
- Table 3 lists the classes of State VicSmart application under a particular provision.

Each table in this clause is divided into three columns:

- Column 1 specifies the development.
- Column 2 lists the provision of the scheme that contains the permit requirement applicable to the development. act
- Column 3 specifies the information requirements and decision guidelines in Clause 93 applicable to the class of State VicSmart application.

A class of State VicSmart application means a development specified in Column 1 of the table that requires a permit under a provision listed in Column 2 of the table.

### 92.03

27/07/2017  
VC137

#### Table 1 Classes of application under zone provisions

Class of application	Permit requirement provision	Information requirements and decision guidelines
<b>Residential zones</b>		
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"><li>▪ The area of either lot is reduced by less than 15 percent.</li><li>▪ The general direction of the common boundary does not change.</li></ul>	Clause 32.03-3 (LDRZ) Clause 32.04-4 (MUZ) Clause 32.05-5 (TZ) Clause 32.07-3 (RGZ) Clause 32.08-3 (GRZ) Clause 32.09-3 (NRZ)	Clause 93.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"><li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li><li>▪ 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.</li></ul>	Clause 32.04-4 (MUZ) Clause 32.05-5 (TZ) Clause 32.07-3 (RGZ) Clause 32.08-3 (GRZ) Clause 32.09-3 (NRZ)	Clause 93.02

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land:               <ul style="list-style-type: none"> <li>• Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>• Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 32.04-4 (MUZ) Clause 32.05-5 (TZ) Clause 32.07-3 (RGZ) Clause 32.08-3 (GRZ) Clause 32.09-3 (NRZ)	Clause 93.02
Construct an outbuilding, extend a dwelling or make structural changes to a dwelling if the development: <ul style="list-style-type: none"> <li>▪ Meets the minimum garden area requirement, for a lot in the General Residential Zone or Neighbourhood Residential Zone.</li> <li>▪ Does not exceed a building height of 5 metres.</li> <li>▪ Is not visible from the street (other than a lane) or a public park.</li> <li>▪ Meets the requirements in the following standards of Clause 54:               <ul style="list-style-type: none"> <li>• A10 Side and rear setbacks.</li> <li>• A11 Walls on boundaries.</li> <li>• A12 Daylight to existing windows.</li> <li>• A13 North-facing windows.</li> <li>• A14 Overshadowing open space.</li> <li>• A15 Overlooking.</li> </ul> </li> </ul> <p>For the purposes of this class of State VicSmart application, the Clause 54 standards specified above are mandatory.</p> <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 32.04-5 (MUZ) Clause 32.05-6 (TZ) Clause 32.07-4 (RGZ) Clause 32.08-5 (GRZ) Clause 32.09-5 (NRZ)	Clause 93.14
Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.	Clause 32.05-6 (TZ) Clause 32.08-5 (GRZ) Clause 32.09-5 (NRZ)	Clause 93.03
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 32.04-6 (MUZ) Clause 32.05-7 (TZ) Clause 32.07-5 (RGZ) Clause 32.08-6 (GRZ) Clause 32.09-6 (NRZ)	Clause 93.03
Construct a building or construct or carry out works with an estimated cost of up to \$100,000 where: <ul style="list-style-type: none"> <li>▪ The building or works is not associated with a dwelling.</li> <li>▪ The requirements in the following</li> </ul>	Clause 32.03-4 (LDRZ) Clause 32.04-8 (MUZ) Clause 32.05-9 (TZ) Clause 32.07-7 (RGZ) Clause 32.08-8 (GRZ)	Clause 93.04

Class of application	Permit requirement provision	Information requirements and decision guidelines
<p>standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</p> <ul style="list-style-type: none"> <li>· A10 Side and rear setbacks.</li> <li>· A11 Walls on boundaries.</li> <li>· A12 Daylight to existing windows.</li> <li>· A13 North-facing windows.</li> <li>· A14 Overshadowing open space.</li> <li>· A15 Overlooking.</li> </ul> <p>For the purposes of this class of State 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.</p>	<p>Clause 32.09-8 (NRZ)</p>	
<b>Industrial zones</b>		
<p>Subdivide land to realign the common boundary between 2 lots where:</p> <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	<p>Clause 33.01-3 (IN1Z)            Clause 33.02-3 (IN2Z)            Clause 33.03-3 (IN3Z)</p>	<p>Clause 93.01</p>
<p>Subdivide land into lots each containing an existing building or car parking space where:</p> <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ An occupancy permit or 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.</li> </ul>	<p>Clause 33.01-3 (IN1Z)            Clause 33.02-3 (IN2Z)            Clause 33.03-3 (IN3Z)</p>	<p>Clause 93.02</p>
<p>Subdivide land into 2 lots if:</p> <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land:               <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	<p>Clause 33.01-3 (IN1Z)            Clause 33.02-3 (IN2Z)            Clause 33.03-3 (IN3Z)</p>	<p>Clause 93.02</p>
<p>Construct a building or construct or carry out works with an estimated cost of up to \$1,000,000 where the land is not:</p> <ul style="list-style-type: none"> <li>▪ Within 30 metres of land (not a road) which is in a residential zone.</li> <li>▪ Used for a purpose listed in the table to</li> </ul>	<p>Clause 33.01-4 (IN1Z)            Clause 33.02-4 (IN2Z)            Clause 33.03-4 (IN3Z)</p>	<p>Clause 93.04</p>

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
<p>Clause 52.10.</p> <ul style="list-style-type: none"> <li>Used for a Brothel or Adult sex bookshop.</li> </ul>		
<b>Commercial zones</b>		
<p>Subdivide land to realign the common boundary between 2 lots where:</p> <ul style="list-style-type: none"> <li>The area of either lot is reduced by less than 15 percent.</li> <li>The general direction of the common boundary does not change.</li> </ul>	<p>Clause 34.01-3 (C1Z) Clause 34.02-3 (C2Z)</p>	Clause 93.01
<p>Subdivide land into lots each containing an existing building or car parking space where:</p> <ul style="list-style-type: none"> <li>The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>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.</li> </ul>	<p>Clause 34.01-3 (C1Z) Clause 34.02-3 (C2Z)</p>	Clause 93.02
<p>Subdivide land into 2 lots if:</p> <ul style="list-style-type: none"> <li>The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>Has started lawfully.</li> </ul> </li> <li>The subdivision does not create a vacant lot.</li> </ul>	<p>Clause 34.01-3 (C1Z) Clause 34.02-3 (C2Z)</p>	Clause 93.02
<p>Construct a building or construct or carry out works with an estimated cost of up to \$500,000 where the land is not:</p> <ul style="list-style-type: none"> <li>Within 30 metres of land (not a road) which is in a residential zone.</li> <li>Used for a purpose listed in the table to Clause 52.10.</li> <li>Used for a Brothel or Adult sex bookshop.</li> </ul>	<p>Clause 34.01-4 (C1Z) Clause 34.02-4 (C2Z)</p>	Clause 93.04
<b>Rural zones</b>		
<p>Subdivide land to realign the common boundary between 2 lots where:</p> <ul style="list-style-type: none"> <li>Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</li> <li>The area of either lot is reduced by less than 15 percent.</li> <li>The general direction of the common boundary does not change.</li> </ul>	<p>Clause 35.03-3 (RLZ) Clause 35.04-3 (GWZ) Clause 35.05-3 (GWAZ) Clause 35.06-3 (RCZ) Clause 35.07-3 (FZ) Clause 35.08-3 (RAZ)</p>	Clause 93.01

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
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 35.03-3 (RLZ) Clause 35.04-3 (GWZ) Clause 35.05-3 (GWAZ) Clause 35.06-3 (RCZ) Clause 35.07-3 (FZ) Clause 35.08-3 (RAZ)	Clause 93.12
Construct a building or construct or carry out works with an estimated cost of up to \$250,000 where the land is not: <ul style="list-style-type: none"> <li>▪ Used for Animal keeping, Intensive animal husbandry or Rural industry.</li> <li>▪ Within 30 metres of land (not a road) which is in a residential zone.</li> </ul> Any works must not be earthworks specified in the schedule to the zone.	Clause 35.03-4 (RLZ) Clause 35.04-5 (GWZ) Clause 35.05-5 (GWAZ) Clause 35.06-5 (RCZ)	Clause 93.13
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 35.07-4 (FZ) Clause 35.08-4 (RAZ)	Clause 93.13
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"> <li>▪ Used for Animal keeping, Intensive animal husbandry or Rural industry.</li> <li>▪ Within 30 metres of land (not a road) which is in a residential zone.</li> </ul> Any works must not be earthworks specified in the schedule to the zone.	Clause 35.07-4 (FZ) Clause 35.08-4 (RAZ)	Clause 93.13
<b>Special Use Zone</b>		
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 37.01-3 (SUZ)	Clause 93.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ 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.</li> </ul>	Clause 37.01-3 (SUZ)	Clause 93.02
Subdivide land into 2 lots if:	Clause 37.01-3 (SUZ)	Clause 93.02

Class of application	Permit requirement provision	Information requirements and decision guidelines
<ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>		
<p>Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not:</p> <ul style="list-style-type: none"> <li>▪ Within 30 metres of land (not a road) which is in a residential zone.</li> <li>▪ Used for a purpose listed in the table to Clause 52.10.</li> </ul>	Clause 37.01-4 (SUZ)	Clause 93.04
<b>Comprehensive Development Zone</b>		
<p>Subdivide land to realign the common boundary between 2 lots where:</p> <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 37.02-3 (CDZ)	Clause 93.01
<p>Subdivide land into lots each containing an existing building or car parking space where:</p> <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ 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.</li> </ul>	Clause 37.02-3 (CDZ)	Clause 93.02
<p>Subdivide land into 2 lots if:</p> <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 37.02-3 (CDZ)	Clause 93.02
<p>Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not:</p> <ul style="list-style-type: none"> <li>▪ Within 30 metres of land (not a road) which is in a residential zone.</li> <li>▪ Used for a purpose listed in the table to</li> </ul>	Clause 37.02-4 (CDZ)	Clause 93.04

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
Clause 52.10.		
<b>Capital City Zone</b>		
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 37.04-3 (CCZ)	Clause 93.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ 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.</li> </ul>	Clause 37.04-3 (CCZ)	Clause 93.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 37.04-3 (CCZ)	Clause 93.02
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not used for a purpose listed in the table to Clause 52.10.	Clause 37.04-4 (CCZ)	Clause 93.04
<b>Docklands Zone</b>		
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 37.05-3 (DZ)	Clause 93.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ 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</li> </ul>	Clause 37.05-3 (DZ)	Clause 93.02

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
application for a permit for subdivision.		
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 37.05-3 (DZ)	Clause 93.02
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not used for a purpose listed in the table to Clause 52.10.	Clause 37.05-4 (DZ)	Clause 93.04
<b>Priority Development Zone</b>		
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 37.06-3 (PDZ)	Clause 93.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ 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.</li> </ul>	Clause 37.06-3 (PDZ)	Clause 93.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 37.06-3 (PDZ)	Clause 93.02
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"> <li>▪ Within 30 metres of land (not a road) which is in a residential zone.</li> <li>▪ Used for a purpose listed in the table to Clause 52.10.</li> </ul>	Clause 37.06-4 (PDZ)	Clause 93.04



<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
<b>Activity Centre Zone</b>		
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 37.08-4 (ACZ)	Clause 93.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ 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.</li> </ul>	Clause 37.08-4 (ACZ)	Clause 93.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 37.08-4 (ACZ)	Clause 93.02
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"> <li>▪ Within 30 metres of land (not a road) which is in a residential zone.</li> <li>▪ Used for a purpose listed in the table to Clause 52.10.</li> </ul>	Clause 37.08-5 (ACZ)	Clause 93.04

## 92.04

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**Table 2 Classes of application under overlay provisions**

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
<b>Environmental Significance Overlay</b>		
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 42.01-2 (ESO)	Clause 93.01

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ 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.</li> </ul>	Clause 42.01-2 (ESO)	Clause 93.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land:               <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 42.01-2 (ESO)	Clause 93.02
Construct a fence.	Clause 42.01-2 (ESO)	Clause 93.05
Remove, destroy or lop one tree.	Clause 42.01-2 (ESO)	Clause 93.06
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A rainwater tank.</li> </ul> The buildings and works must be associated with a dwelling.	Clause 42.01-2 (ESO)	Clause 93.05
<b>Vegetation Protection Overlay</b>		
Remove, destroy or lop one tree.	Clause 42.02-2 (VPO)	Clause 93.06
<b>Significant Landscape Overlay</b>		
Construct a fence.	Clause 42.03-2 (SLO)	Clause 93.05
Remove, destroy or lop one tree.	Clause 42.03-2 (SLO)	Clause 93.06
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A rainwater tank.</li> </ul> The buildings and works must be associated with a dwelling.	Clause 42.03-2 (SLO)	Clause 93.05
<b>Heritage Overlay</b>		
Any of the following classes of development: <ul style="list-style-type: none"> <li>▪ Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15</li> </ul>	Clause 43.01-1 (HO)	Clause 93.07

Class of application	Permit requirement provision	Information requirements and decision guidelines
<p>percent and the general direction of the common boundary does not change.</p> <ul style="list-style-type: none"> <li>▪ Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>• 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.</li> </ul> </li> <li>▪ Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>• 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.</li> <li>• The construction or carrying out of the approved building or works on the land has started lawfully.</li> <li>• The subdivision does not create a vacant lot.</li> </ul> </li> <li>▪ 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.</li> <li>▪ Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.</li> <li>▪ Externally alter a non-contributory building.</li> <li>▪ External painting.</li> <li>▪ Construct a fence.</li> <li>▪ Construct a carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ Construct and install domestic services normal to a dwelling.</li> <li>▪ Construct and install a non-domestic disabled access ramp.</li> <li>▪ Construct a vehicle cross-over.</li> <li>▪ Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.</li> <li>▪ Construct a rainwater tank.</li> <li>▪ Construct or display a sign.</li> <li>▪ Lop a tree.</li> <li>▪ Construct or install a solar energy facility</li> </ul>		

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
attached to a dwelling.		
<b>Design and Development Overlay</b>		
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 42.02-3 (DDO)	Clause 93.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ 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.</li> </ul>	Clause 42.02-3 (DDO)	Clause 93.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>· Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>· Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 42.02-3 (DDO)	Clause 93.02
Construct a fence.	Clause 43.02-2 (DDO)	Clause 93.05
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ An outdoor swimming pool.</li> </ul> The buildings and works must be associated with a dwelling.	Clause 43.02-2 (DDO)	Clause 93.05
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 43.02-2 (DDO)	Clause 93.05
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 43.02-2 (DDO)	Clause 93.05
<b>Neighbourhood Character Overlay</b>		
Remove, destroy or lop one tree.	Clause 43.05-2 (NCO)	Clause 93.06

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
Construct, demolish or remove a fence.	Clause 43.05-2 (NCO)	Clause 93.05
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A domestic swimming pool or spa and associated mechanical equipment and safety fencing.</li> <li>▪ A rainwater tank.</li> </ul> The buildings and works must be associated with a dwelling.	Clause 43.05-2 (NCO)	Clause 93.05
Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure).	Clause 43.05-2 (NCO)	Clause 93.05
<b>Erosion Management Overlay</b>		
Construct a fence.	Clause 44.01-1 (EMO)	Clause 93.05
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A rainwater tank.</li> </ul> The buildings and works must be associated with a dwelling.	Clause 44.01-1 (EMO)	Clause 93.05
<b>Salinity Management Overlay</b>		
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A rainwater tank.</li> </ul> The buildings and works must be associated with a dwelling.	Clause 44.02-1 (SMO)	Clause 93.05
<b>Special Building Overlay</b>		
Construct a building or construct or carry out works.	Clause 44.05-1 (SBO)	Clause 93.08
Any of the following classes of subdivision: <ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in</li> </ul> </li> </ul>	Clause 44.05-2 (SBO)	Clause 93.08

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
<p>relation to the buildings within 5 years prior to the application for a permit for subdivision.</p> <ul style="list-style-type: none"> <li>▪ Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>• 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.</li> <li>• The construction or carrying out of the approved building or works on the land has started lawfully.</li> <li>• The subdivision does not create a vacant lot.</li> </ul> </li> </ul>		
<b>Parking Overlay</b>		
Reduce the required number of car parking spaces specified in the schedule to Clause 45.09 by no more than 10 car parking spaces.	Clause 52.06-3	Clause 93.10

## 92.05

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**Table 3 Classes of application under Particular Provisions**

<b>Class of application</b>	<b>Permit requirement provision</b>	<b>Information requirements and decision guidelines</b>
<b>Advertising sign</b>		
<p>Display an advertising sign in an Industrial 1, Industrial 2, Industrial 3, Commercial 1, Commercial 2, Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone if:</p> <ul style="list-style-type: none"> <li>▪ The sign is not within 30 metres of land (not a road) which is in a residential zone.</li> <li>▪ The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated, floodlit, electronic or animated.</li> <li>▪ The total display size of the sign does not exceed 10 square metres.</li> </ul>	Clause 52.05-1	Clause 93.09
<b>Car parking</b>		
Reduce the required number of car parking spaces by no more than 10 car parking spaces.	Clause 52.06-3	Clause 93.10
<b>Loading and unloading of vehicles</b>		
Reduce or waive the requirements for loading and unloading vehicles.	Clause 52.07	Clause 93.11