TOWN PLANNING APPLICATION

SECOND DWELLING AT THE BACK
21 HIGHVIEW CRES. SURF BEACH.

arch idea group

DRAWING SCHEDULE	
SHEET	**TITLE**
TP01	SITE CONTEXT PLAN
TP02	DESIGN RESPONSE PLAN
TP03	GROUND FLOOR & TRAFFIC PLAN
TP04	N&S ELEVATIONS
TP05	W&E ELEVATIONS,STREETSCAPE
TP06	SHADOWS
TP07	FINISHES SCHEDULE
TP08	PERESPECTIVES



3



4



5



6



7



8

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	Drawn: EB	Scale: 1:500@A3	A	ISSUE FOR PLANNING APPROVAL	03.03.20
	95 Lindrum Rd Frankston, VIC 3199 tel: 0425817290 email: gbdesign7@hotmail.com www.archideagroup.com.au.		B	ISSUE FOR PLANNING APPROVAL	10.09.20

Project Name: SECOND DWELLING AT THE BACK

Location : 21 HIGHVIEW CRES. SURF BEACH

Drawing : SITE CONTEXT PLAN

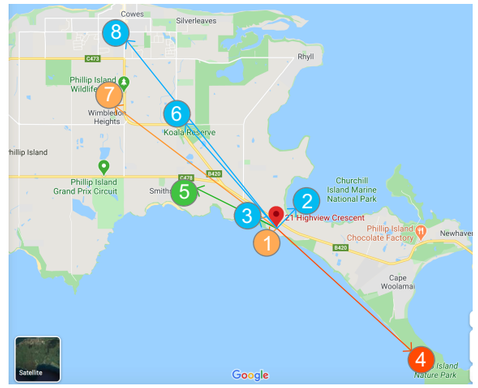
Client : BILL TOOHEY

North

Job No: 2019_12_21 HGHVW

Drawing No: TP01





1. Surf Beach- 0.1 km, South
2. Churchill Island Marine National Park - 1.7 km, NE
3. Shops - 0.5 km, West
4. Phillip Island Nature Park - 6.3 km, SE
5. Smiths Beach - 3.3 km, West
6. Koala Reserve- 3.8 km, NW
7. Philip Island Wildlife Reserve - 6.4 km, NW
8. Shops,Cowes - 8.1 km, NW

SITE SUMMARY

TOTAL SITE AREA	892 m²

SITE COVERAGE

EX. HOUSE(inc. veranda)	158.41 m²
PROPOSED UNIT 2(inc. overhang)	188.91m²
TOTAL	**347.32 m² - 38.94%**

IMPERVIOUS SURFACES

BUILDINGS	347.32 m²
GRAVEL DRIVEWAY	222.61 m²
TOTAL	**569.93 m² - 63.89%**

PERMEABILITY

TOTAL	**322.07 m² - 36.1%**

GARDEN AREA	**322,67 m² - 36,17%**

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SECOND DWELLING AT THE BACK

Location :
21 HIGHVIEW CRES.
SURF BEACH

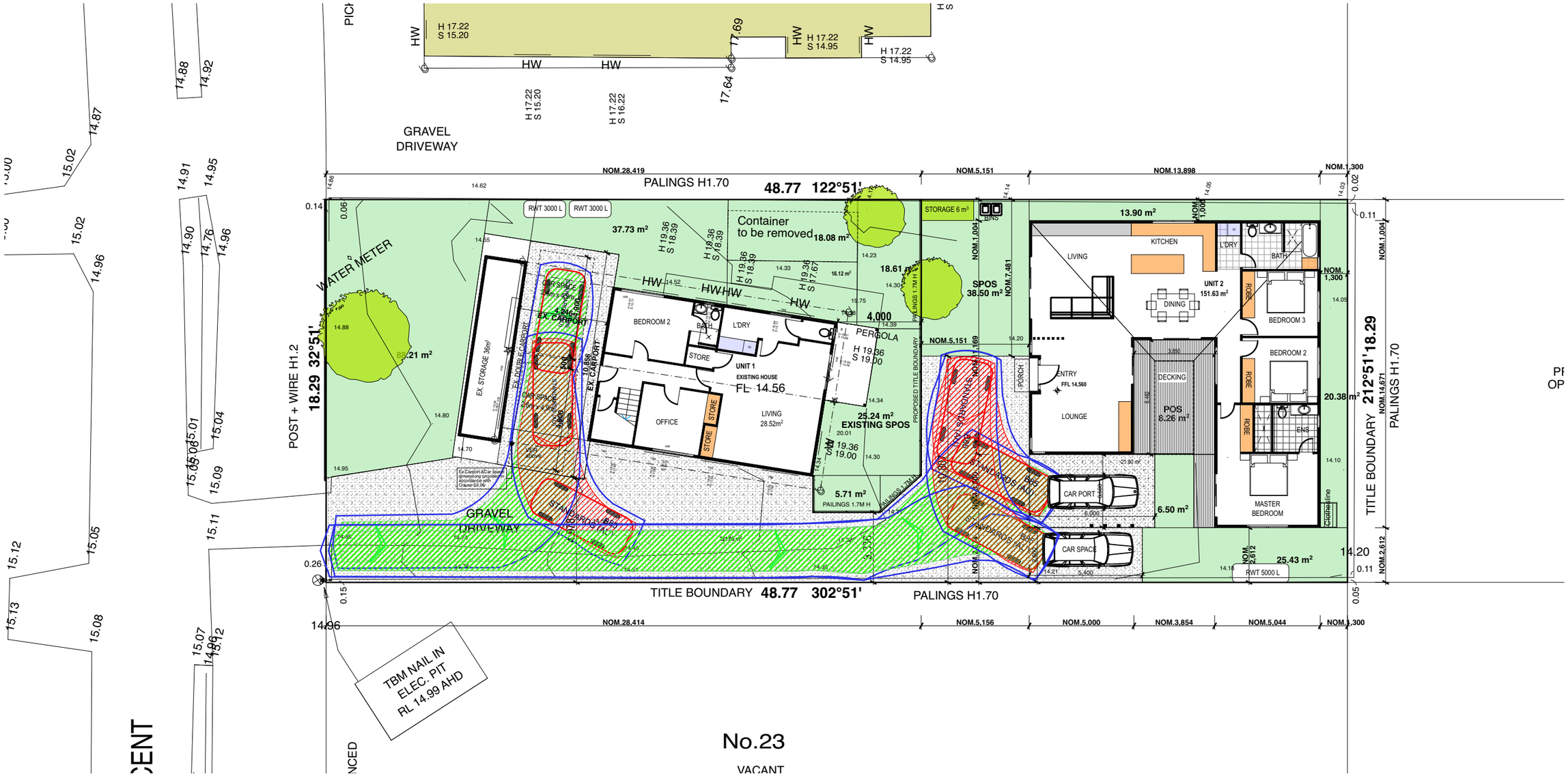
Drawing :
DESIGN RESPONSE PLAN

Client :
BILL TOOHEY

North

Job No:
2019_12_21
HGHVW

Drawing No:
TP02



AREAS :

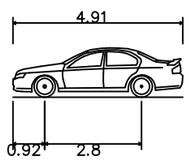
EXISTING UNIT 1
GROUND FLOOR - 158.41 m²

TOTAL: 158.41 m² (17.0sq)

PROPOSED UNIT 2
GROUND FLOOR - 151.63 m²
CARPORT - 21.00 m²

TOTAL: 172.63 m² (18.56sq)

GROUND FLOOR PLAN 1:200



B85 Vehicle (Realistic min radius) (2004)	
Overall Length	4.91m
Overall Width	1.87m
Track Width	1.77m
Kerb to Kerb Turning Diameter	11.5m
Max Speed	5km/h
Vehicle Body Forward	Green
Vehicle Body Reverse	Red
300mm Clearance	Blue

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Project Name: SECOND DWELLING AT THE BACK

Drawing : GROUND FLOOR & TRAFFIC PLAN

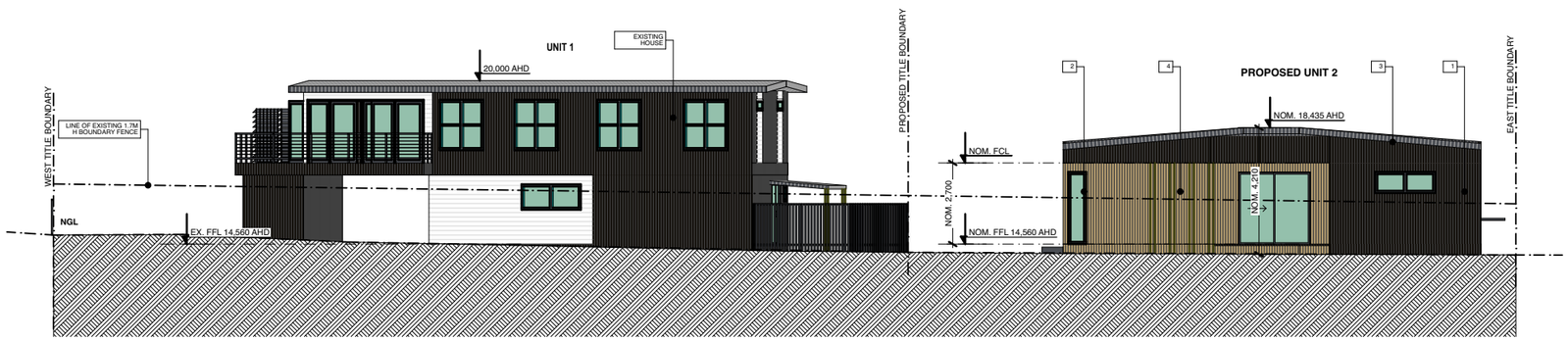
Location : 21 HIGHVIEW CRES. SURF BEACH

Client : BILL TOOHEY

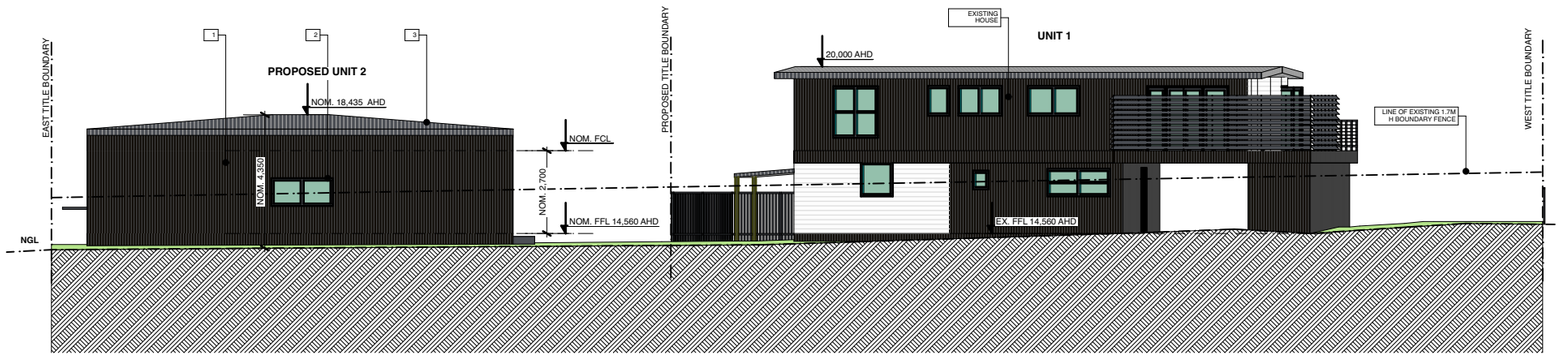
North

Job No: 2019_12_21 HGHVW

Drawing No: TP03



SOUTH ELEVATION



NORTH ELEVATION

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Project Name:
SECOND DWELLING AT THE BACK

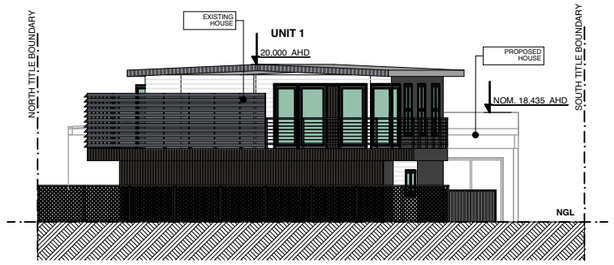
Location :
21 HIGHVIEW CRES.
SURF BEACH

Drawing :
N&S ELEVATIONS

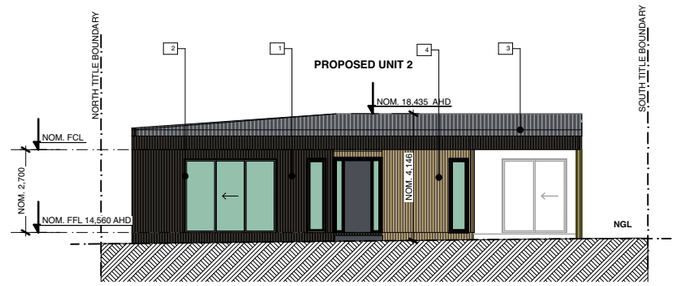
Client :
BILL TOOHEY

North

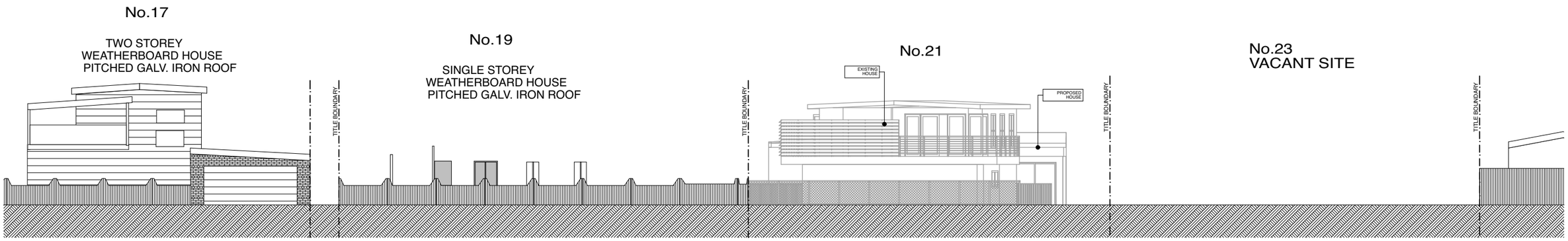
Job No:
2019_12_21
HGHVW
Drawing No:
TP04



UNIT 1 WEST(FRONT) ELEVATION



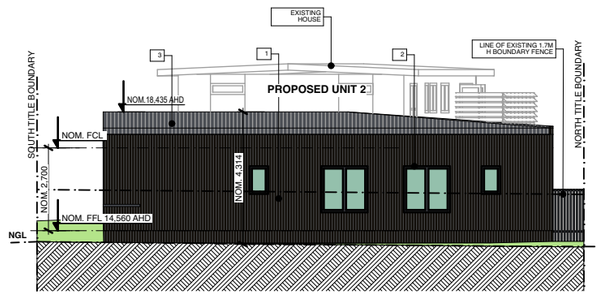
UNIT 2 WEST ELEVATION



HIGHVIEW CRESCENT STREETSCAPE 1:200

DESIGN RESPONSE NOTES:

- The proposed design maximises use of existing infrastructure while traffic impact will be minimal to the surrounding area.
- The design trying to maximise the amount of natural light, having windows which facing East, North and West sides. Private open space exposed to direct sunlight from the North side during the day.
- The design reflects the neighbourhood character, which is demonstrated by a mixture of one and two storey dwellings.
- The proposed development has consistency with the existing area, being a single storey house with sloped roof.
- The finishes and materials of the proposed dwelling are similar to existing surroundings.
- The design allows for significant landscaping opportunities in the site frontage, as well as the rear garden and side setbacks. Site coverage is compiled by Clause 55 standards, but permeability of 36.1% responds to the preferred character for the precinct.
- There will be no unreasonable overshadowing or overlooking;
- There is NO new Front fence proposed for the site.



UNIT 2 EAST ELEVATION

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Project Name: SECOND DWELLING AT THE BACK

Location : 21 HIGHVIEW CRES. SURF BEACH

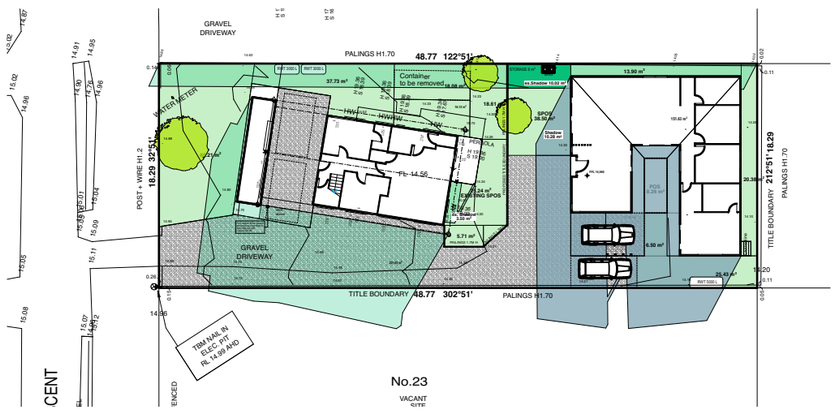
Drawing : W&E ELEVATIONS,STREETSCAPE

Client : BILL TOOHEY

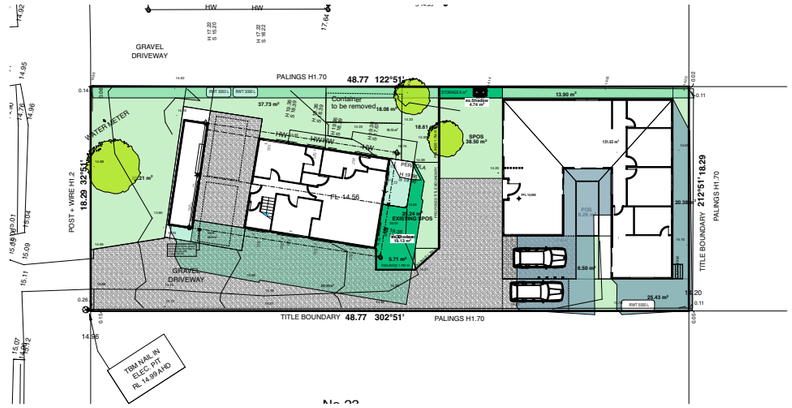
North

Job No: 2019_12_21 HGHVW

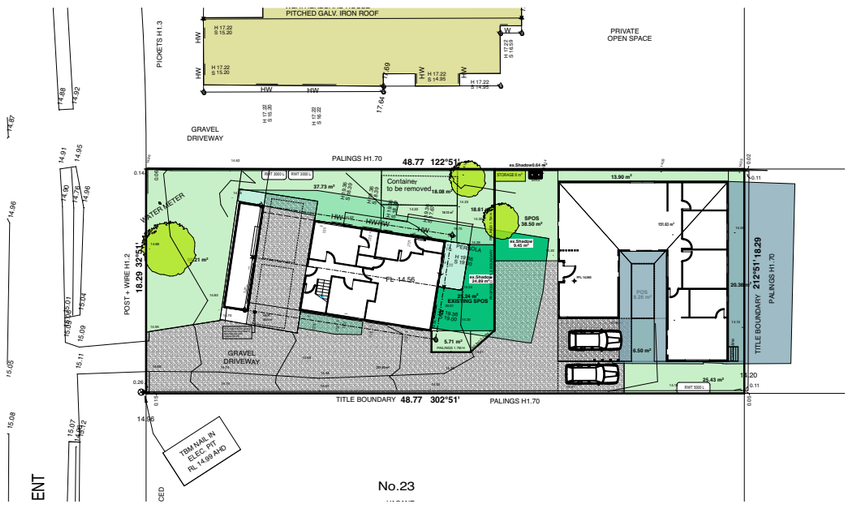
Drawing No: TP05



SHADOW 9.00AM



SHADOW 12 NOON



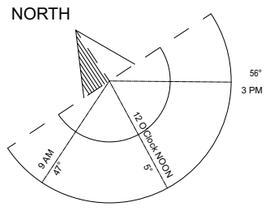
SHADOW 3.00PM

SHADOW TO SECLUDED PRIVATE OPEN SPACE

	EX.UNIT 1	PROPOSED UNIT 2
Shadow	SPOS- 25.24m2-100%	SPOS- 38.50m2-100%
9AM	Ex.shadow 3.50m^2-13.8%	Ex.shadow 10.02m^2 Prop.shadow 10.28m^2= 20.30 -53.0%
12PM	Ex.shadow 19.13m^2-75.7%	Ex.shadow 4.74m^2-12.3%
3PM	Ex.shadow 24.89m^2-98.6%	Ex.shadow10.09m^2-26.2%

LEGEND

SUNLIGHT TO PRIVATE OPEN SPACE



22nd SEPTEMBER

EXISTING SHADOWS

PROPOSED SHADOWS

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Location : 21 HIGHVIEW CRES. SURF BEACH

Drawing : SHADOWS

Client : BILL TOOHEY

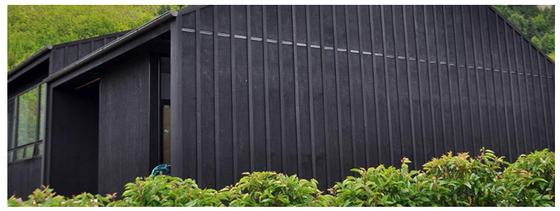
North

Job No: 2019_12_21 HGHVW

Drawing No: TP06

Project:
21 HIGHVIEW CRES. , SURF BEACH
Schedule of External Materials, Colors and Finishes

1



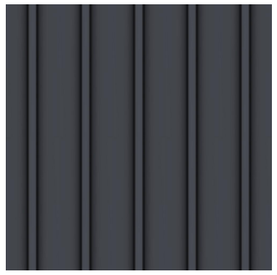
Shadowclad® ULTRA TEXTURE plywood panels or similar as per client selection.

2



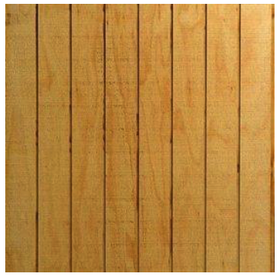
ALUMINIUM WINDOW FRAMES IN COLORBOND "MONUMENT" COLOR

3



ROOF: COLORBOND ROOFING IN MONUMENT COLOR OR SIMILAR

4



Shadowclad® NATURAL GROOVE plywood panels or similar as per client selection.

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Project Name:
SECOND DWELLING AT THE BACK

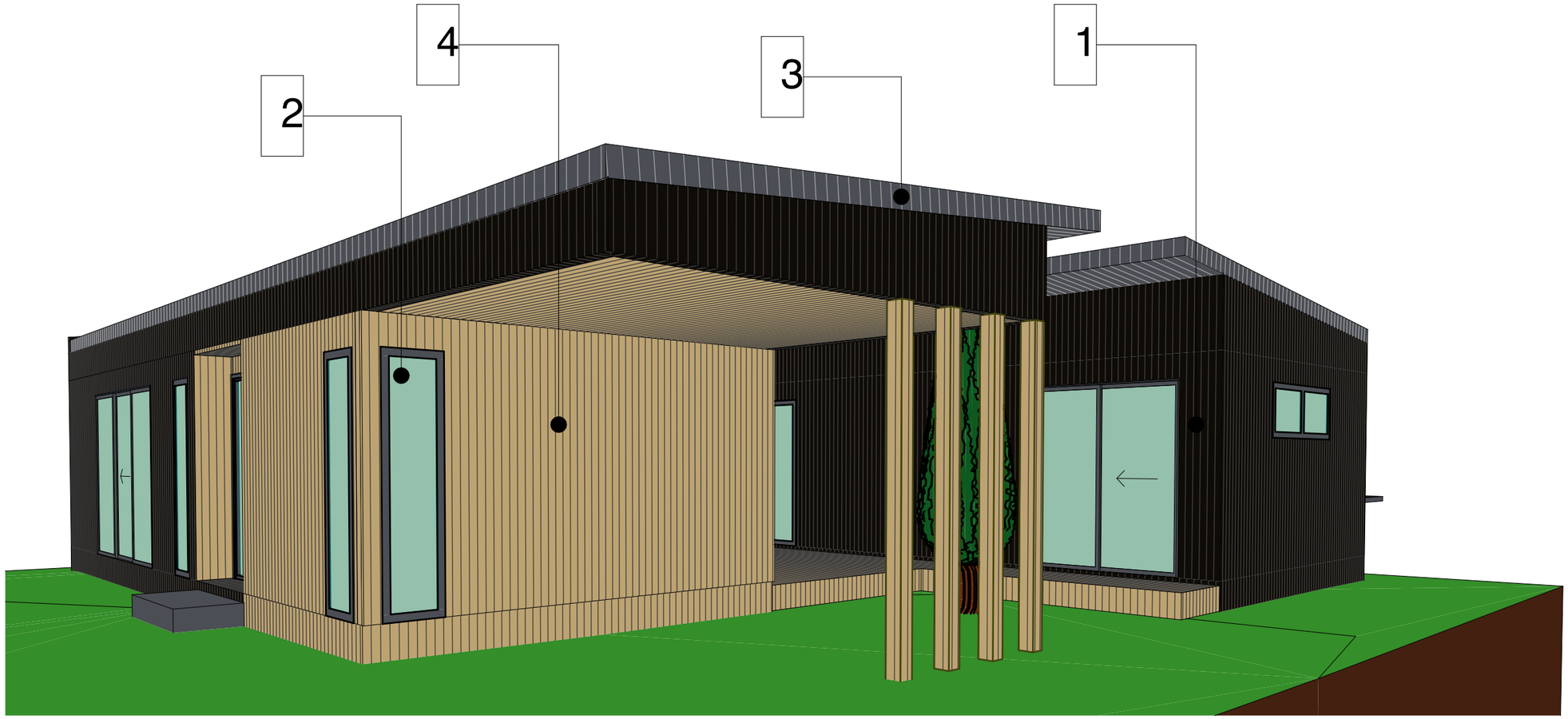
Location :
21 HIGHVIEW CRES.
SURF BEACH

Drawing :
FINISHES SCHEDULE

Client :
BILL TOOHEY

North

Job No:
2019_12_21
HGHVW
Drawing No:
TP07



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Project Name:
SECOND DWELLING AT THE BACK

Location :
21 HIGHVIEW CRES.
SURF BEACH

Drawing :
PERESPECTIVES

Client :
BILL TOOHEY

North

Job No:
2019_12_21
HGHVW
Drawing No:
TP08

32.08 GENERAL RESIDENTIAL ZONE

31/07/2018
VC148

Shown on the planning scheme map as **GRZ**, **R1Z**, **R2Z** or **R3Z** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

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

32.08-1 Neighbourhood character objectives

27/03/2017
VC110

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

32.08-2 Table of uses

24/01/2020
VC160

Section 1 - Permit not required

Use	Condition
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.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast) **Home based business** **Informal outdoor recreation**	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under Clause 52.06-3. The site must adjoin, or have access to, a road in a Road Zone.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.
Racing dog husbandry	Must be no more than 2 animals.
Railway	

Use	Condition
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
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 Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house) **Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)**	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises) **Grazing animal production** **Leisure and recreation (other than Informal outdoor recreation and Motor racing track)** **Market** **Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)** **Plant nursery**	
Service station	The site must either: ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Road Zone. The site must not exceed either:

Use	Condition
	▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
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

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

32.08-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: - The area of either lot is reduced by less than 15 percent. - The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. - 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.	Clause 59.02

Subdivide land into 2 lots if:
- The construction of a building or the construction or carrying out of works on the land:
  – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  – Has started lawfully.
- The subdivision does not create a vacant lot.
	Clause 59.02

32.08-4 Construction or extension of a dwelling or residential building

15/05/2018
VC143

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

32.08-5 Construction and extension of one dwelling on a lot

31/07/2018
VC148

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.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct an outbuilding or extend a dwelling if the development: Meets the minimum garden area requirement of Clause 32.08-4. ▪ Does not exceed a building height of 5 metres. ▪ Is not visible from the street (other than a lane) or a public park. ▪ Meets the requirements in the following standards of Clause 54: – A10 Side and rear setbacks. – A11 Walls on boundaries. – A12 Daylight to existing windows. – A13 North-facing windows. – A14 Overshadowing open space. – A15 Overlooking. For the purposes of this class of 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.	Clause 59.14
Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.	Clause 59.03

32.08-6 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

31/07/2018
VC148

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.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
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 59.03

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.

32.08-7 Requirements of Clause 54 and Clause 55

27/03/2017
VC110

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.

32.08-8 Residential aged care facility

26/10/2018
VC152

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.08-9 Buildings and works associated with a Section 2 use

26/10/2018
VC152

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $100,000 where: ▪ The building or works is not associated with a dwelling. ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – A10 Side and rear setbacks. – A11 Walls on boundaries. – A12 Daylight to existing windows. – A13 North-facing windows. – A14 Overshadowing open space. – A15 Overlooking. For the purposes of this class of 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.	Clause 59.04

32.08-10 Maximum building height requirement for a dwelling or residential building

26/10/2018
VC152

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; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than 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 or contain a greater number of storeys than 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 or contain a greater number of storeys than 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 applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than 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.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply 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.

32.08-11 Application requirements

26/10/2018
VC152

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.08-12 Exemption from notice and review

26/10/2018
VC152

Subdivision

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.

32.08-13 Decision guidelines

24/01/2020
VC160

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

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- 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.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of 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 the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.08-14 Signs

26/10/2018
VC152

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

32.08-15 Transitional provisions

26/10/2018
VC152

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

04/07/2019
C151basc

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ1**.

GENERAL RESIDENTIAL AREA

1.0 Neighbourhood character objectives

04/07/2019
C151basc

None specified.

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

04/07/2019
C151basc

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?
No.

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

04/07/2019
C151basc

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No.
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?
No.

4.0 Requirements of Clause 54 and Clause 55

04/07/2019
C151basc

	Standard	Requirement
Minimum street setback	A3 and B6	None specified.
Site coverage	A5 and B8	None specified.
Permeability	A6 and B9	None specified.
Landscaping	B13	None specified.
Side and rear setbacks	A10 and B17	None specified.
Walls on boundaries	A11 and B18	None specified.
Private open space	A17	None specified.
	B28	None specified.
Front fence height	A20 and B32	None specified.

5.0 Maximum building height requirement for a dwelling or residential building

04/07/2019
C151basc

None specified.

6.0 Application requirements

04/07/2019
C151basc

None specified.

7.0 Decision guidelines

04/07/2019
C151basc

None specified.

42.02 VEGETATION PROTECTION OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **VPO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas of significant vegetation.

To ensure that development minimises loss of vegetation.

To preserve existing trees and other vegetation.

To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.

To maintain and enhance habitat and habitat corridors for indigenous fauna.

To encourage the regeneration of native vegetation.

42.02-1 Vegetation significance and objectives

31/07/2018
VC148

A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

42.02-2 Permit requirement

31/07/2018
VC148

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Remove, destroy or lop one tree.	Clause 59.06

42.02-3 Table of exemptions

09/04/2020
VC178

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act.

The requirement to obtain a permit does not apply to:	
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – Section 65 of the *Forests Act 1958*; or – Section 41 of the *Country Fire Authority Act 1958*. ▪ keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Land management and directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Mineral exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act* 1990: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.

The requirement to obtain a permit does not apply to:	
	In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: ▪ bracken (*Pteridium esculentum*); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Stone exploration	Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

42.02-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

42.02-5 Decision guidelines

31/07/2018
VC148

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
  - Where ground slopes exceed 20 percent.
  - Within 30 metres of a waterway or wetland.
  - On land where the soil or subsoil may become unstable if cleared.
  - On land subject to or which may contribute to soil erosion, slippage or salinisation.
  - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
  - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.

11/07/2019
C156basc

SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO2**.

PHILLIP ISLAND

1.0 Statement of nature and significance of vegetation to be protected

11/07/2019
C156basc

It is estimated that less than 15 per cent of Phillip Island retains a natural cover of vegetation. Given the general lack of vegetation on Phillip Island, it is important to protect indigenous and large native trees in urban areas. It is also important to encourage and facilitate the planting of vegetation indigenous to a particular locality to maintain and enhance the natural environment of the urban areas of Phillip Island and to enhance habitat.

The urban areas of Phillip Island are generally characterised by native vegetation that contribute towards the character of these seaside communities and provide habitat for native fauna. Conservation and enhancement of the natural environment is very important to the character of these urban areas.

2.0 Vegetation protection objectives to be achieved

11/07/2019
C156basc

To protect and enhance existing indigenous and larger native species within the urban area of Phillip Island.

3.0 Permit requirement

11/07/2019
C156basc

A permit is required to remove, destroy or lop any tree or shrub with a girth greater than 30 centimetres (when measured 30 centimetres above ground level) or a height of at least two metres.

This does not apply to introduced species of ornamental shrubs or fruit trees or to species identified as being weeds; or to pruning.

A permit is not required for:

- The pruning of vegetation for maintenance.
- The removal, destruction or lopping of dead vegetation.

4.0 Application requirements

11/07/2019
C156basc

None specified.

5.0 Decision guidelines

11/07/2019
C156basc

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect on the habitat value and long term viability of remnant vegetation in the locality.
- The significance of the vegetation, particularly if it forms part of a recognised wildlife corridor.
- The reason for any removal of native vegetation and whether an alternative option can be developed which conserves the vegetation.
- The effect any removal of vegetation will have on groundwater recharge and discharge areas.
- The purpose of the underlying zone.

43.02 DESIGN AND DEVELOPMENT OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **DDO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are affected by specific requirements relating to the design and built form of new development.

43.02-1 Design objectives

19/01/2006
VC37

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

43.02-2 Buildings and works

31/07/2018
VC148

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.
- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for: ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ An outdoor swimming pool. The buildings and works must be associated with a dwelling.	Clause 59.05

Class of application	Information requirements and decision guidelines
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 59.05
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 59.05

Exemption from notice and review

A schedule to this overlay may specify that an application 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.

43.02-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ 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.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land:	Clause 59.02

Class of application	Information requirements and decision guidelines
– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	

Exemption from notice and review

A schedule to this overlay may specify that an application 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.

43.02-4 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6 Decision guidelines

31/07/2018
VC148

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

11/07/2019
C156basc

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1.**

RESIDENTIAL AREAS NEAR THE COAST

1.0 Design objectives

11/07/2019
C156basc

To protect views from the coast to adjacent residential areas.

To protect views to the coast from adjacent residential areas.

To minimise the impact of development along the coastline.

To protect and enhance the visual amenity and landscape of the coastal area.

To respond to the potential coastal impacts of climate change.

2.0 Buildings and works

11/07/2019
C156basc

Permit not required:

Pioneer Bay, Grantville and Coronet Bay

A permit is not required:

- For a shed,carport or rainwater tank on land below 5 metres Australian Height Datum (AHD).
- On land above 5m AHD for buildings and works that have a height less than 7 metres above ground level.

All other areas

A permit is not required for buildings and works that have a height less than 7 metres above ground level.

Permit requirements

All buildings and works must be located and constructed so as to retain as much as possible existing native vegetation on the site. The proponent must justify the removal of any native vegetation.

An application on land below 5m AHD in Pioneer Bay, Grantville, and Coronet Bay must be accompanied by a Coastal Hazard Vulnerability Assessment

Notice of application must be given to the Department of Environment, Land, Water and Planning in accordance with Section 52(1)(c) of the *Planning and Environment Act 1987* where the land adjoins coastal Crown land as defined under the *Coastal Management Act 1995*.

3.0 Subdivision

11/07/2019
C156basc

None specified.

4.0 Signs

11/07/2019
C156basc

None specified.

5.0 Application requirements

11/07/2019
C156basc

None specified.

6.0 Decision guidelines

11/07/2019
C156basc

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The siting and design of proposed development in response to background documents *Design and Siting Guidelines for Coastal Areas and Rural Hinterland 1999*, and *Siting and Design Guidelines for Structures on the Victorian Coast* (Victorian Coastal Council 1998).
- The risks and coastal impacts associated with climate change, including;
  - Tides;
  - Storm surges;
  - Coastal processes; and
  - Local topography and geology
- Any Coastal Hazard Vulnerability assessment undertaken for the Western Port, Bass Strait and Anderson Inlet coastal areas
- The maintenance and improvement of the visual quality of the coastal landscape.
- The preservation of views from the waters of Western Port, Bass Strait, and Anderson Inlet.
- The protection of views from coastal roads.
- The intensity of human activity that the coastal landscape and environment can sustain.
- The siting, colour and design of buildings.
- The protection of the area for its recreational value.
- The extent of any proposed removal of native vegetation.
- The need for landscaping or vegetation screening.
- The location, dimension and level of any excavation or alteration to the natural surface including works to stabilise buffers in areas of fill or excavation.
- The works to control drainage and stormwater run-off from any building, access road or driveway.
- The impact the provision of physical infrastructure (particularly electricity and telephone) will have on the landscape.
- The location of building envelopes and siting of services in any proposed subdivision.
- The views, if any, of the Department of Environment, Land, Water and Planning.

Background documents

Shire of Woorayl Coastal Landscape Study (Scenic Spectrums Pty. Ltd., Henshall Hansen Associates, School of Environmental Planning University of Melbourne, 1990).

Shire of Phillip Island Draft Landscape Strategy Plan (Shire of Phillip Island & Department of Conservation and Environment - Landscape Architectural Services, 1992).

Western Port Bay Strategy (Westernport Regional Planning and Coordination Committee, 1992).

Victorian Coastal Strategy (Victorian Coastal Council, 2008).