

## 10.01 INTEGRATED DECISION MAKING

28/03/2018  
VC145

Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social well-being affected by land use and development.

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However in bushfire affected areas, planning authorities and responsible authorities must prioritise the protection of human life over all other policy considerations.

Consistent with the objectives of local government under the *Local Government Act 1989*, municipal planning authorities are required to identify the potential for regional impacts in their decision-making and co-ordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.



**11.07**  
31/03/2017  
VC134

## **REGIONAL VICTORIA**

**11.07-1**  
31/03/2017  
VC134

### **Regional planning**

#### **Objective**

To develop regions and settlements which have a strong identity, are prosperous and are environmentally sustainable.

#### **Strategies**

Identify and assess the spatial and land use planning implications of a region's strategic directions in Regional Strategic Plans.

Ensure regions and their settlements are planned in accordance with any relevant regional growth plan.

Apply the following principles to settlement planning in Victoria's regions, including the peri-urban areas:

#### **A network of integrated and prosperous regional settlements**

Support a network of integrated and prosperous regional settlements by:

- Strengthening networks of settlements by maintaining and improving transport links, digital connectivity, spatial patterns of service delivery, and promoting commercial relationships and community activities.
- Directing growth to locations where utility, transport, commercial and social infrastructure and services are available or can be provided in the most efficient and sustainable manner.
- Ensuring there is a sufficient supply of appropriately located residential, commercial, and industrial land across a region to meet the needs identified at regional level.
- Developing strategies for regional cities that reflect growth opportunities and priorities, including the identification of urban renewal and infill opportunities to optimise infrastructure investment and surplus government land.

#### **Environmental health and productivity**

Maintain and provide for the enhancement of environmental health and productivity of rural and peri-urban landscapes by:

- Managing the impacts of settlement growth and development to deliver positive land-use and natural resource management outcomes.
- Avoiding development impacts on land that contains high biodiversity values, landscape amenity, water conservation values, food production and energy production capacity, extractable resources and minerals, cultural heritage and recreation values, assets and recognised uses.

#### **Regional Victoria's competitive advantages**

Maintain and enhance regional Victoria's competitive advantages by:

- Ensuring that the capacity of major infrastructure (including highways, railways, airports, ports, communications networks and energy generation and distribution systems) is not affected adversely by urban development in adjacent areas.
- Focusing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities.
- Providing adequate and competitive land supply, including urban regeneration, redevelopment and greenfield sites, to meet future housing and urban needs and to ensure effective utilisation of land.
- Strengthening settlements by ensuring that retail, office-based employment, community facilities and services are concentrated in central locations.

### **Climate change, natural hazards and community safety**

Respond to the impacts of climate change and natural hazards and promote community safety by:

- Siting and designing new dwellings, subdivisions and other development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards, such as bushfire and flood.
- Developing adaptation response strategies for existing settlements in hazardous and high risk areas to accommodate change over time.
- Encouraging reduced energy and water consumption through environmentally sustainable subdivision and building design.
- Encouraging a form and density of settlements that support sustainable transport to reduce greenhouse gas emissions.

### **Distinct and diverse regional settlements**

Support the growth and development of distinctive and diverse regional settlements by:

- Encouraging high-quality urban and architectural design which respects the heritage, character and identity of each settlement.
- Ensuring development respects and enhances the scenic amenity, landscape features and view corridors of each settlement.
- Limiting urban sprawl and directing growth into existing settlements, promoting and capitalising on opportunities for urban renewal and infill redevelopment.
- Ensuring that the potential of land that may be required for future urban expansion is not compromised.
- Creating opportunities to enhance open space networks within and between settlements.

### **Liveable settlements and healthy communities**

Promote liveable regional settlements and healthy communities by:

- Responding to changing community needs and facilitating timely provision of, and access to, social infrastructure and services.
- Encouraging the development of compact urban areas which are based around existing or planned activity centres to maximise accessibility to facilities and services.

- Improving the availability of a diverse range of affordable accommodation, including social housing, in regional cities and locations with good access to transport, commercial facilities and community services.
- Supporting innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

### Policy guidelines

Planning must consider as relevant:

- *Central Highlands Regional Growth Plan* (Victorian Government, 2014).
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013).
- *Gippsland Regional Growth Plan* (Victorian Government, 2014).
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014).
- *Hume Regional Growth Plan* (Victorian Government, 2014).
- *Loddon Mallee North Regional Growth Plan* (Victorian Government, 2014).
- *Loddon Mallee South Regional Growth Plan* (Victorian Government, 2014).
- *Wimmera Southern Mallee Regional Growth Plan* (Victorian Government, 2014).

11.07-2  
31/03/2017  
VC134

### Peri-urban areas

#### Objective

To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

#### Strategies

Identify and protect areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.

Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities in the area. These settlements include Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne and Kyneton and other towns identified by Regional Growth Plans as having potential for growth including Wonthaggi, Kilmore, Broadford, Seymour and Ballan.

Strengthen and enhance the character, identity attractiveness and amenity of peri-urban towns.

Prevent dispersed settlement and provide for non-urban breaks between urban areas.

Site and design new development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards such as bushfire and flooding.

Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

Ensure development is linked to the timely and viable provision of physical and social infrastructure and employment.

Improve connections to regional and metropolitan transport services.

### **Policy guidelines**

Planning must consider as relevant:

- *Central Highlands Regional Growth Plan* (Victorian Government, 2014).
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013).
- *Gippsland Regional Growth Plan* (Victorian Government, 2014).
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014).
- *Hume Regional Growth Plan* (Victorian Government, 2014).
- *Loddon Mallee North Regional Growth Plan* (Victorian Government, 2014).
- *Loddon Mallee South Regional Growth Plan* (Victorian Government, 2014).
- *Wimmera Southern Mallee Regional Growth Plan* (Victorian Government, 2014).
- *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* (Department of Environment, Land, Water and Planning, 2017).

## 11.12

31/03/2017  
VC134

## HUME

For the purpose of this Clause, the ‘Hume region’ comprises the municipal areas of Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga, covered in the *Hume Regional Growth Plan* (Victorian Government, 2014).

### Policy guidelines

In considering the policy objectives and strategies for the Hume region, planning must consider as relevant, the *Hume Regional Growth Plan* (Victorian Government, 2014).

## 11.12-1

31/03/2017  
VC134

### A diversified economy

#### Objective

To develop a more diverse regional economy while managing and enhancing key regional economic assets.

#### Strategies

Plan for a more diverse and sustainable regional economy by supporting existing economic activity and encouraging appropriate new and developing forms of industry, agriculture, tourism and alternative energy production.

Support tourism activities, including nature-based tourism, that take advantage of environmental and cultural heritage assets and the rural environment without compromising their future.

Support opportunities for nature-based tourism throughout the region, including those arising from the restoration of the Winton Wetlands and other wetlands of national and regional value such as the Barmah Forest and the lower Ovens River.

Support large commercial tourism uses in urban locations or rural areas of lower agricultural value and away from areas identified as strategic agricultural land.

Facilitate rural tourism activities that support agricultural enterprises such as cellar door and farm gate sales and accommodation in appropriate locations.

Avoid encroachment from rural residential settlement and other land uses that are non-complementary to agriculture in areas identified as strategic agricultural land and direct proposals for settlement to existing centres and townships.

Support agricultural production through the protection and enhancement of infrastructure and strategic resources such as water and agricultural land, including areas of strategic agricultural land.

Support clustering of intensive rural industries and agricultural production to take advantage of locational opportunities, including access to key infrastructure such as transport, power, water, information and communications technology, and separation from sensitive land uses.

Create renewable energy hubs that support co-location of industries to maximise resource use efficiency and minimise waste generation.

Plan for rural areas by considering the location of earth resources, the potential for their future extraction and how to minimise impacts on sensitive uses and the environment.

Support the availability of construction materials locally and consider measures to facilitate and manage their extraction.

Maintain and develop buffers around mining and quarrying activities to manage potential land use conflicts.

#### **11.12-2**

31/03/2017  
VC134

### **Environmental assets**

#### **Objective**

To protect environmental and heritage assets, and maximise the regional benefit from them, while managing exposure to natural hazards and planning for the potential impacts of climate change.

#### **Strategies**

Conserve water and manage waterways and storages as key environmental, social and economic assets to the region.

Protect the Murray River corridor as a key environmental (scenic, biodiversity, riverine), cultural and economic asset.

#### **11.12-3**

31/03/2017  
VC134

### **Planning for growth**

#### **Objective**

To focus growth and development to maximise the strengths of existing settlements.

#### **Strategies**

Facilitate growth and development specifically in the regional cities of Shepparton, Wangaratta and Wodonga, and in Benalla.

Facilitate and strengthen the economic role of Seymour, while supporting population growth.

Support growth and development in other existing urban settlements and foster the sustainability of small rural settlements.

Maintain and enhance the distinctive and valued characteristics of settlements in the region, including townships associated with early settlement and the gold rush.

Support improved access to a range of employment and education opportunities, particularly in key urban locations such as Shepparton, Wangaratta, Wodonga, Benalla and Seymour.

#### **11.12-4**

31/03/2017  
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### **Infrastructure**

#### **Objective**

To improve people and freight movements and plan strategically for future infrastructure needs.



## **Strategies**

Plan for freight connectivity to the network that is flexible and adaptable to changes in the mix of commodities and freight logistic operations.

Support improved east-west transport links including those into Gippsland.

Support the region's network of tracks and trails and activities that complement and extend their use.

Support the development of freight and logistics precincts in strategic locations along key regional freight corridors.

Provide for appropriate settlement buffers around sewerage treatment areas, solid waste management and resource recovery facilities and industrial areas to minimise potential impacts on the environment such as noise and odour.

Avoid locating water treatment plants close to development nodes.

Support provision of adequate facilities to manage the region's solid waste, including resource recovery facilities.

Support opportunities to generate renewable energy from waste.

Facilitate coordinated development of growth areas to ensure required land, infrastructure and services, including education and health services, are provided in a timely manner.

# 11.12-5 Hume Regional Growth Plan

31/03/2017  
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## SETTLEMENT NETWORK

- Major growth location
- Medium to high growth location
- Significant change location
- Designated identified growth centre in Plan Melbourne (1)
- Locations identified as 'Regional Cities' in a statewide context

## OTHER KEY URBAN SETTLEMENTS

<sup>(1)</sup>Plan Melbourne (Chapter 6 – State of Cities) identifies Broadford, Kimore and Seymour as peri-urban towns with potential to attract housing and population growth out of Melbourne

- Cross-border settlements
- Support growth in these urban locations, and lifestyle opportunities
- Towns and areas in the Hume Region within Melbourne's Urban Growth Boundary
- Settlements external to the region

## URBAN GROWTH AND HINTERLAND INFLUENCE

- Hinterland influence
- Areas within 100 km of central Melbourne

## CONNECTIVITY

- National transport corridor (road and rail)
- Other major transport link
- Improved future transport link
- Freight and logistics precinct
- Melbourne metropolitan growth into the Hume Region

## ECONOMIC DEVELOPMENT

- Strategic agricultural land

## ENVIRONMENT

- Alpine resort
- Areas containing high value terrestrial habitat
- Public land
- Key water and tourism assets
- Murray River corridor

## 12.01

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## BIODIVERSITY

### 12.01-1

16/01/2018  
VC142

### Protection of biodiversity

#### Objective

To assist the protection and conservation of Victoria's biodiversity.

#### Strategies

Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.

Use strategic planning as the primary planning tool for the protection and conservation of Victoria's biodiversity, particularly those areas identified as important.

Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity.

Planning should:

- Avoid and minimise impacts of land use and development on important areas of biodiversity, including consideration of:
  - Cumulative impacts.
  - Fragmentation of habitat.
  - The spread of pest plants, animals and pathogens into natural ecosystems.
- Consider impacts of any change in land-use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention), and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).
- Assist in the identification, protection and management of important areas of biodiversity.
- Assist in the re-establishment of links between important areas of biodiversity.

#### Policy guidelines

Planning must consider as relevant:

- *Protecting Victoria's Environment – Biodiversity 2037* (Department of Environment, Land, Water and Planning, 2017).
- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).
- Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the *Catchment and Land Protection Act 1994*).
- Statewide biodiversity information maintained by the Department of Environment, Land, Water and Planning.

## 12.01-2 Native vegetation management

12/12/2017  
VC138

### Objective

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

### Strategies

When making decisions about proposals that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land Water and Planning, 2017):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

### Policy guidelines

Planning must consider as relevant:

- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).
- *Assessor's handbook – applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning).
- Statewide biodiversity information maintained by the Department of Environment, Land, Water and Planning.

## 13.02

## FLOODPLAINS

28/03/2018  
VC145

### 13.02-1

### Floodplain management

16/01/2018  
VC142

#### Objective

To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

#### Strategies

Identify land affected by flooding, including floodway areas, as verified by the relevant floodplain management authority, in planning scheme maps. Land affected by flooding is land inundated by the 1 in 100 year flood event or as determined by the floodplain management authority.

Avoid intensifying the impacts of flooding through inappropriately located uses and developments.

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters and schools) outside the 1 in 100 year floodplain and, where possible, at levels above the height of the probable maximum flood.

Locate developments and uses which involve the storage or disposal of environmentally hazardous industrial and agricultural chemicals or wastes and other dangerous goods (including intensive animal industries and sewage treatment plants) must not be located on floodplains unless site design and management is such that potential contact between such substances and floodwaters is prevented, without affecting the flood carrying and flood storage functions of the floodplain.

#### Policy guidelines

Planning must consider as relevant:

- *State Environment Protection Policy (Waters of Victoria).*
- Regional catchment strategies and special area plans approved by the Minister for Environment and Climate Change.
- Any floodplain management manual of policy and practice, or catchment management, river health, wetland or floodplain management strategy adopted by the relevant responsible floodplain management authority.
- Any best practice environmental management guidelines for stormwater adopted by the Environment Protection Authority.
- *Victoria Floodplain Management Strategy* (Department of Environment, Land, Water and Planning 2016).



## **14.01 AGRICULTURE**

28/03/2018  
VC145

### **14.01-1 Protection of agricultural land**

31/03/2017  
VC134

#### **Objective**

To protect productive farmland which is of strategic significance in the local or regional context.

#### **Strategies**

Ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use.

Prevent inappropriately dispersed urban activities in rural areas.

Limit new housing development in rural areas, including:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Consult with the Department of Economic Development, Jobs, Transport and Resources and utilise available information to identify areas of productive agricultural land.

Take into consideration regional, state and local, issues and characteristics in the assessment of agricultural quality and productivity.

Permanent removal of productive agricultural land from the State's agricultural base must not be undertaken without consideration of its economic importance for the agricultural production and processing sectors.

In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:

- The desirability and impacts of removing the land from primary production, given its agricultural productivity.
- The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.
- The compatibility between the proposed or likely development and the existing uses of the surrounding land.
- Assessment of the land capability.

Subdivision of productive agricultural land should not detract from the long-term productive capacity of the land.

Where inappropriate subdivisions exist on productive agricultural land, priority should be given by planning authorities to their re-structure.

In assessing rural development proposals, planning and responsible authorities must balance the potential off-site effects of rural land use proposals (such as degradation of soil or water quality and land salinisation) which might affect productive agricultural land against the benefits of the proposals.

Planning for rural land use should consider:

- land capability; and
- the potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.

## 14.01-2 Sustainable agricultural land use

29/10/2015  
VC101

### Objective

To encourage sustainable agricultural land use.

### Strategies

Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.

Encourage sustainable agricultural and associated rural land use and support and assist the development of innovative approaches to sustainable practices.

Support effective agricultural production and processing infrastructure, rural industry and farm-related retailing and assist genuine farming enterprises to adjust flexibly to market changes.

Facilitate the establishment and expansion of cattle feedlots, piggeries, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

### Policy guidelines

Planning must consider as relevant:

- *Victorian Code for Cattle Feedlots* (Department of Agriculture, Energy and Minerals, 1995), in considering proposals for use and development of beef cattle feedlots.
- *Victorian Code for Broiler Farms* (Department of Primary Industries, 2009), in considering proposals for use and development of broiler farms.
- *Code of Practice: Piggeries* (Health Commission of Victoria and Department of Food and Agriculture, 1992), in considering proposals for use and development of piggeries.
- *Apiary Code of Practice* (May 2011) and any relevant scientific reports, in considering proposals for apiculture.
- *Planning Guidelines for Land Based Aquaculture in Victoria* (Department of Primary Industries, No. 21, September 2005), in considering proposals for land based aquaculture facilities.

## 14.01-3 Forestry and timber production

29/10/2015  
VC101

### Objective

To facilitate the establishment, management and harvesting of plantations, and harvesting of timber from native forests.

### Strategies

Promote the establishment of softwood and hardwood plantations on predominantly cleared land as well as other areas subject to or contributing to land and water degradation.

Identify areas which may be suitably used and developed for plantation timber production.

Ensure protection of water quality and soil.

Ensure timber production in native forests is conducted in a sustainable manner.

Timber production (except agroforestry, windbreaks and commercial plantations of 5 hectares or less) is to be conducted in accordance with the *Code of Practice for Timber Production* (Department of Environment and Primary Industries, 2014).

Ensuring Victoria's greenhouse sinks are protected and enhanced by controlling land clearing, containing the growth of urban areas and supporting revegetation programs.



## 14.02 WATER

28/03/2018  
VC145

### 14.02-1 Catchment planning and management

16/01/2018  
VC142

#### Objective

To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

#### Strategies

Protect water catchments and water supply facilities to ensure the continued availability of clean, high-quality drinking water.

Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.

Retain natural drainage corridors with vegetated buffer zones at least 30m wide along each side of a waterway to maintain the natural drainage function, stream habitat and wildlife corridors and landscape values, to minimise erosion of stream banks and verges and to reduce polluted surface runoff from adjacent land uses.

Undertake measures to minimise the quantity and retard the flow of stormwater runoff from developed areas.

Encourage measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.

Ensure that works at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.

Ensure land use and development proposals minimise nutrient contributions to waterways and water bodies and the potential for the development of algal blooms.

Require the use of appropriate measures to restrict sediment discharges from construction sites.

Ensure planning is coordinated with the activities of catchment management authorities.

#### Policy guidelines

Planning must consider as relevant:

- *State Environment Protection Policy (Waters of Victoria).*
- Any relevant regional river health program, river and wetland restoration plans or waterway and wetland management works programs approved by a catchment management authority.
- *Murray River Regional Environmental Plan No 2 (REP2) of New South Wales,* for adjoining land.
- Any regional catchment strategies approved under the *Catchment and Land Protection Act 1994* and any associated implementation plan or strategy including any regional river health and wetland strategies.
- Any special areas or management plans under the *Heritage Rivers Act (1992).*
- Any Action Statements and management plans prepared under the *Flora and Fauna Guarantee Act 1988.*
- Any special area plans approved under the *Catchment and Land Protection Act 1994.*
- *Guidelines for planning permit applications in open, potable water supply catchment areas* (Department of Sustainability and Environment, 2012)

## 14.02-2

29/10/2015  
VC101

### Water quality

#### Objective

To protect water quality.

#### Strategies

Protect reservoirs, water mains and local storage facilities from potential contamination.

Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.

Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

Prevent the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments.

Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.

#### Policy guidelines

Planning must consider as relevant:

- Mapped information available from the Department of Environment, Land, Water and Planning to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources of proposed land use or development.
- *Victorian Nutrient Management Strategy* (Government of Victoria, 1995).
- *Construction Techniques for Sediment Pollution Control* (Environmental Protection Authority, 1991).
- *Environmental Guidelines for Major Construction Sites* (Environmental Protection Authority, 1996 - Publication 480).
- *Doing it Right on Subdivisions: Temporary Environment Protection Measures for Subdivision Construction Sites* (Environmental Protection Authority, 2004 - Publication 960).
- *Guidelines for planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)

## 14.02-3

20/09/2010  
VC71

### Water conservation

#### Objective

To ensure that water resources are managed in a sustainable way.

#### Strategies

Encourage the use of alternative water sources such as rainwater tanks, stormwater and recycled water by governments, developers and households.

Ensure the development of new urban areas and green spaces takes advantage of any opportunities for effluent recycling.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

## **19.01 RENEWABLE ENERGY**

28/03/2018  
VC145

### **19.01-1 Provision of renewable energy**

21/11/2017  
VC141

#### **Objective**

To promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.

#### **Strategies**

Facilitate renewable energy development in appropriate locations.

Protect energy infrastructure against competing and incompatible uses.

Develop appropriate infrastructure to meet community demand for energy services and setting aside suitable land for future energy infrastructure.

In considering proposals for renewable energy, consideration should be given to the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

In planning for wind energy facilities, recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year.

#### **Policy guidelines**

Planning must consider as relevant:

- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2017).



**21.05**15/03/2018  
C199**ENVIRONMENT****21.05-1**15/03/2018  
C199**Natural Environment and Biodiversity**

Key biodiversity issues in Greater Shepparton are associated with native vegetation and with the myriad of river, floodplain and wetland systems.

The natural landscape of the municipality and wider region has been modified significantly as a result of pastoral activities and more recently through extensive irrigation activities. As a result, areas of remnant native vegetation are now primarily limited to waterways, road reserves and corridors. These corridors (as well as native vegetation stands on private property) provide important habitat links for flora and fauna and for the fostering of biodiversity.

The development of vast areas for irrigated agricultural activities has resulted in high water tables and salinity which have affected the productivity of the land, local bio-systems and in some instances the ultimate viability of some agricultural enterprises.

The *Goulburn Broken Catchment Management Strategy* provides the blueprint for integrated natural resource management across the municipality (and the wider region) and in part forms the regional component of the state's Biodiversity Strategy. In essence, the strategy seeks to maintain and enhance biodiversity of native flora and fauna communities and protect the region's natural resource base through the management of key threats.

The Regional Rural Land Use Strategy (RRLUS - 2008) notes that:

- Native vegetation is required to be preserved to maintain biodiversity and manage water tables.
- Floodplains and flood events are required to flush waterways and enhance water quality.
- Fauna is required to maintain biodiversity and manage pest plants and animals.

The RRLUS also notes that presently, the application of environmental controls in the region varies with a limited use of available overlays, specifically to manage significant vegetation, landscape and habitat. The application of appropriate zones, overlays and consideration of Biodiversity Action Planning processes being completed by Catchment Management Authorities are acknowledged as critical to decision making.

The RRLUS identifies land of high conservation value south and west of Murchison and around the Dookie Hills. Further strategic work will be undertaken to determine the appropriate zone or overlay to achieve the conservations outcomes envisioned in the strategy.

**Objectives - Natural Environment & Biodiversity**

- To maintain and enhance biodiversity of native flora and fauna communities.
- To protect and manage the natural resources of water, air and land.
- To identify natural landscape features which are to be protected and managed.
- To ensure planning for residential and rural residential growth provides for biodiversity protection and enhancement measures.

**Strategies - Natural Environment & Biodiversity**

- Protect remnant areas of native vegetation, streamlines, wetlands and other environmentally sensitive features.
- Ensure appropriate identification of native vegetation on land to be developed or subdivided.
- Ensure that residential and rural residential developments, and Precinct Structure Plans, address the following biodiversity protection and enhancement measures:

- Site and design development, including service infrastructure, roads and subdivision boundaries, in a manner that minimises the need to remove remnant native vegetation;
- Site and design stormwater disposal and flood mitigation infrastructure to provide for waterway habitat enhancement; and
- Enhance biodiversity values by requiring native vegetation in landscape treatments, in particular within floodways and reserves that link to rivers.

## 21.05-2 Floodplain and Drainage Management

19/09/2013  
C121

The catchments of the various rivers and streams within the municipality include areas of flood prone land, where flooding has historically caused substantial damage to the natural and built environment. Floods are naturally occurring events and the inherent functions of the floodplains to convey and store floodwater should be recognised and preserved to minimise the deterioration of environmental values, the long term flood risk to floodplain production, assets and communities.

Flooding imposes substantial costs on individuals and the community. While significant costs are incurred by direct damage to public and private property, indirect costs to the community such as loss of productivity, displacement of residents, closure of roads, trauma and ill health are also significant. Notwithstanding these significant impacts, natural flooding of floodplains and their associated wetlands provide essential breeding habitats for bird and aquatic species, and promotes the health of rivers and floodplains.

Sound floodplain management is the means by which the economic, social and environmental risks associated with floodplain use and development can be minimised. This level of management is provided by six “local floodplain development plans (LFDP)” incorporated into the scheme at Clause 81.

### Objectives - Floodplain and Drainage Management

- To recognise the constraints of the floodplain on the use and development of land.

### Strategies - Floodplain Management

- Discourage development and subdivision on land subject to flooding.
- Ensure that all new development maintains the free passage and temporary storage of floodwater, minimises flood damage is compatible with flood hazard and local drainage conditions, and minimises soil erosion, sedimentation and silting.
- Prevent tree removal to minimise loss of riparian vegetation as a result of development on the floodplain.

## 21.05-3 Best Practice Land Management

19/09/2013  
C121

Decades of open pasture farming and irrigated agriculture has also changed the natural hydrological balance. Drainage management attempts to reduce the direct costs in terms of loss of stock and damage to property, and the indirect costs of reduced productivity, road rebuilding, and inconvenience. The key issue relating to drainage management is the provision of efficient drainage of land without causing other environmental impacts.

Land use and development should be based on land capability and suitability and be mindful of potential impact of external factors such as reconfiguration of irrigation delivery and drainage infrastructure arising from irrigation water reforms. As such, Council encourages the preparation of whole farm plans to assist farming enterprises to reduce downstream impacts of nutrients on water quality, protection of natural ecosystems, reduce water logging and salinity and sustain viable farming enterprises.

It is noted that Council joined the *Cities for Climate Protection Program* in 2000 and has committed to evaluate and set targets for greenhouse gas emissions for council and

community activities, promote energy efficient subdivision and house design, promote municipal domestic wastewater management and provide corresponding incentives and programs. Council is evaluating and planning for appropriate water saving measures relating to its own water use.

#### **Objectives - Best Practice Land Management**

- To provide a supply of high quality water for urban and agricultural use.
- To minimise the degree of salinity through an integrated regional surface water management program.
- To reduce greenhouse gas emissions.
- To direct development according to identified land capability and suitability.
- To recognise the threat posed to surface water and groundwater quality by non-reticulated domestic wastewater systems.

#### **Strategies - Best Practice Land Management**

- Promote energy efficient and sustainable built form and development.
- Ensure all new developments have adequate reticulated services or effluent disposal systems to protect watercourses and water quality.
- Support innovative methods of effluent disposal such as composting.
- Encourage the development of surface water management systems with run-off into natural systems or into reuse storage for irrigation
- Encourage ecologically sustainable development principles and technologies.
- Assist carbon emission reduction.
- Promote the use of appropriate water saving measures.

#### **21.05-4**

03/10/2013  
C110

#### **Cultural Heritage**

Clause 15.03 of the State Planning Policy Framework (SPPF) identifies the need for cultural heritage policy to guide decisions on development and demolition of all places affected by heritage controls.

The Council aims to ensure that places of pre settlement and post settlement cultural heritage significance within the municipality are preserved for future generations. These places of natural and cultural heritage significance include buildings, collections, streetscapes, remnants of settlements, places of Aboriginal cultural heritage significance, significant landscapes and natural features.

Places of cultural heritage significance are highly valued by the community. The continued conservation, protection and maintenance of these places of cultural heritage significance are important to the Council.

The Council acknowledges the traditional custodians of the land which now comprises Greater Shepparton, whose descendants have a long ancestral history in the area. A number of places of cultural heritage significance have been recognised. However more detailed investigation is needed to ascertain the importance of these places.

Greater Shepparton has a rich and varied built cultural heritage reflecting its origins as a pastoral area during the mid-19<sup>th</sup> century. The Goulburn Valley is one of the more successful settlement areas following the Land Selection Acts. This is reflected in the development of Shepparton, Tatura and Mooropna during the late 19<sup>th</sup> century and into the 20<sup>th</sup> century. This growth was consolidated by Closer Settlement policies, linked with the establishment of irrigation in the region. There is a strong 20<sup>th</sup> century inheritance of built cultural heritage fabric, a consequence of the success of horticultural enterprises and post war migration, as well as the development of Shepparton as an important regional centre.





**21.06**  
03/03/2016  
C162

## **ECONOMIC DEVELOPMENT**

The City of Greater Shepparton services a significantly wider region than that located within the municipal boundaries and has experienced strong growth over the past fifteen years. The local economy is diverse, and includes a range of activities including agriculture, food processing, manufacturing, retail, education, health/community services, transport and warehousing.

**21.06-1**  
19/09/2013  
C121

### **Agriculture**

Irrigated primary production and the processing of that product underpin the municipality and the Region's economy. The level of production is nationally important and the region is responsible for significant parts of the nation's milk production, deciduous canned fruit production, stone fruit crop and tomato processing production.

The region's workforce is heavily dependent on the agricultural sector with many people directly involved in agricultural production on farms, and an estimated similar number involved directly and indirectly in the processing and transport of that product. In both irrigation and dryland production the drivers of future successful agribusinesses, regardless of the scale of enterprise, are likely to be:

- Continuing current trends for significantly increased scale of production which is achieved by expanding the land area of production and/or by increasing the intensity of the production system.
- A shift to individual management of their own business risks such as consolidation into contiguous properties to manage all their own water supply.
- Agribusinesses that seek to minimize the number of neighbours.
- Agribusinesses that expand into land that is priced competitively because it is used for agriculture rather than having inflated land values because it has been subdivided for hobby farms.

It is increasingly evident that prospective agricultural investment is jeopardized, deterred, or completely lost by land uses and developments that have the potential to compromise the scale and location of such investment. In particular, agricultural investment is far less likely where land is already fragmented in ownership with housing dispersed throughout.

A Regional Rural Land Use Strategy 2008 (RRLUS) has been adopted by Moira Shire Council, the City of Greater Shepparton and the Shire of Campaspe. This strategy identifies new categories of farming areas in the municipalities and recommends different subdivision and minimum lot size provisions for dwellings for each category. The categories are as follows.

**Growth areas** being areas for growth and expansion of existing farm businesses and for new investment. Growth areas include those areas that have been retained in larger properties and provide the opportunity for large scale, stand alone new agricultural development as well as for consolidation of existing farm properties wishing to grow. The RRLUS seeks to discourage the establishment of new dwellings and where possible encourage farm tenements and property boundaries to consolidate and enlarge in line with the trends in agriculture associated with productivity and viability. The minimum subdivision size in these areas has been set at 40ha and a dwelling needs a planning permit on all land less than 60ha in area.

**Consolidation areas** being areas that support existing farm businesses to operate and expand. Consolidation areas typically include land with good soils and include many of the former closer settlement areas, but their lot sizes are no longer reflective of current farm sizes. Consolidation areas are considered to provide opportunities for development of growing agricultural enterprises that can, over time, expand and consolidate through a process of property restructure. In this regard 'consolidation' includes the consolidation of

land or the consolidation of farming enterprises through acquisition of non-contiguous land to increase farm size. The development of additional dwellings threatens expanding agricultural enterprises and accordingly, new dwellings within these areas are discouraged. The use of re-subdivision and excisions within consolidation areas will be considered in recognition that the excision of a dwelling from a farm can provide businesses an opportunity to consolidate property holdings based on the value of land for agriculture. The minimum subdivision size in these areas has been set at 40ha and a dwelling needs a planning permit on all land less than 60ha in area.

**Niche areas** being those areas with productive potential based on existing lot configuration and opportunities for smaller scale and specialized agriculture. Niche areas include those rural areas with productive potential due to soil type, property size or water access. The opportunity for properties within these areas to expand in response to general market trends is limited however due to land value and existing development as most lots are smaller with dwellings. Niche areas are productive farming areas and not rural living areas. Niche areas may involve activities such as spraying and frost fans etc. New dwellings within the niche area can be considered where associated with farm business activity. Given the existing size and lot configuration, it is envisaged that subdivision would rarely be required. The minimum subdivision size in these areas has been set at 40ha and a dwelling needs a planning permit on all land less than 40ha in area.

The RRLUS also discusses the conflict which arises when the expectations of the farmer and the rural lifestyle resident differ. It is acknowledged that direction is required to ensure that unplanned rural living is not displacing agriculture or preventing flexibility for farm businesses. In particular, existing minimum lot requirements that allow ‘as of right’ dwellings within the Farming Zone have been reviewed.

Important principles that have been applied in the rural areas are:

- The minimum subdivision size is to be less or equal to the minimum dwelling size in order to avoid expectations and perceptions that there will be an automatic entitlement to erect a dwelling on all newly created lots in the Farming Zone.
- Small lot subdivisions should not create any additional entitlements for a dwelling nor should they create an opportunity for a dwelling without a planning permit.

### **Objectives - Agriculture**

To ensure that agriculture is and remains the major economic driver in the region.

To facilitate growth of existing farm businesses.

To facilitate growth of new agricultural investment.

To provide for small scale, specialized agriculture.

### **Strategies - Agriculture**

- Identify ‘growth’, ‘consolidation’ and ‘niche’ areas in the Farming Zone.
- Encourage growth and expansion of existing farm businesses and new investment in ‘growth’ and ‘consolidation’ areas.
- Encourage opportunities for smaller scale, specialized agriculture in ‘niche’ areas.
- Discourage land uses and development in the Farming Zone, Schedule 1 that would compromise the future agricultural use of the land, including farm related tourism.
- Encourage tourism in the Farming Zone, Schedule 2 that is carefully managed to prevent conflict and impact on agricultural operations.
- Encourage value adding and new enterprises for agricultural production.
- Encourage the preparation of Whole Farm Plans for on farm earthworks.

- Discourage non-agricultural uses on rural land other than rural based industry.
- Discourage non-agricultural development in rural areas except where development is dependent on a rural location, and cannot be accommodated within existing industrial or business zoned land.
- Discourage non-agricultural development along major roads in rural areas especially at the fringe of existing urban areas when it may contribute to ribbon development.
- Buildings for non-agricultural purposes in rural areas should be set back a minimum of 100 metres from any road, be constructed in muted coloured 'colorbond' materials or similar and screened from any road by dense tree and shrub planting.
- Signs for industrial and commercial development in rural areas will be strictly limited in size and number.

**21.06-2**  
19/09/2013  
C121

### **Subdivision in Rural Areas**

Farm holdings in rural areas are becoming larger. Rural dwelling lot excisions continue to pose a threat to the long term viability of the agricultural sector by reducing the size of farms and by causing friction between the expectations of farmers and residents.

The planning scheme provides for a range of subdivision sizes based on the outcomes of the RRLUS. Subdivision of rural land at a density greater than these minimums, especially for personal and financial reasons; or to create lots for "rural lifestyle" purposes, could jeopardise the economic future of the region.

The only circumstance in which Council will contemplate a small lot subdivision is if it leads to the consolidation of rural landholdings so as to promote the viability of agriculture. This is an increasingly important issue in the municipality since the deregulation of the dairy industry. Council wishes to facilitate farm consolidation so as to assist with (among other things) the rationalisation of a sustainable dairy industry. It is acknowledged that in some circumstances, small lot subdivision can assist the process of consolidation as it enables the farming land to be priced at its agricultural value rather than have it distorted by its housing value. While small lot subdivisions are discouraged in the municipality, they will be considered on a case by case basis if the outcome is farm consolidation.

The RRLUS identified new categories of Farming Zone and has included objectives and policies for each with respect to rural subdivision.

### **Objectives - Subdivision in Rural Areas**

To limit the further fragmentation of rural land by subdivision.

To ensure that lots resulting from subdivision are of a sufficient size to be of benefit to agricultural production.

To encourage the consolidation of rural lots.

To provide for the incremental growth of farming enterprises.

To discourage "small lot" subdivision unless the balance lot is at least the minimum lot size and is of a size sufficient to support a viable agricultural enterprise.

To ensure that small lot subdivisions do not prejudice surrounding agricultural activities.

To ensure that small lots have access to adequate infrastructure including access to all weather roads.

To prevent small lot subdivision to meet personal and financial circumstances or to create lots for 'rural lifestyle' purposes.

To prevent the creation of irregular shaped lots.



## 35.07

## FARMING ZONE

16/01/2018  
VC142

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

### Purpose

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

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

## 35.07-1

### Table of uses

16/01/2018  
VC142

#### Section 1 – Permit not required

Use	Condition
<b>Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, Racing dog training, Rice growing and Timber production)</b>	
<b>Animal keeping (other than Animal boarding)</b>	Must be no more than 5 animals.
<b>Bed and breakfast</b>	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.
<b>Cattle feedlot</b>	Must meet the requirements of Clause 52.26. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.07-2.
<b>Dwelling (other than Bed and breakfast)</b>	Must be the only dwelling on the lot. The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares. Must meet the requirements of Clause 35.07-2.
<b>Home based business</b>	
<b>Informal outdoor recreation</b>	
<b>Primary produce sales</b>	Must not be within 100 metres of a dwelling in

Use	Condition
	<p>separate ownership.</p> <p>The area used for the display and sale of primary produce must not exceed 50 square metres.</p>
<b>Racing dog training</b>	Must be no more than 5 animals.
<b>Railway</b>	
<b>Rural industry (other than Abattoir and Sawmill)</b>	<p>Must not have a gross floor area more than 200 square metres.</p> <p>Must not be within 100 metres of a dwelling in separate ownership.</p> <p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:</p> <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 52.10.</li> <li>▪ 30 metres, for a purpose not listed in the table to Clause 52.10.</li> </ul>
<b>Rural store</b>	<p>Must be used in conjunction with Agriculture.</p> <p>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</p> <p>Must be the only Rural store on the lot.</p>
<b>Timber production</b>	<p>Must meet the requirements of Clause 52.18.</p> <p>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</p> <p>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</p> <p>The plantation must not be within 100 metres of:</p> <ul style="list-style-type: none"> <li>▪ Any dwelling in separate ownership.</li> <li>▪ Any land zoned for residential, commercial or industrial use.</li> <li>▪ Any site specified on a permit which is in force which permits a dwelling to be constructed.</li> </ul> <p>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</p>
<b>Tramway</b>	
<b>Any use listed in Clause 62.01</b>	Must meet requirements of Clause 62.01.

## Section 2 – Permit required

Use	Condition
<b>Abattoir</b>	
<b>Animal boarding</b>	
<b>Broiler farm</b>	Must meet the requirements of Clause 52.31.

Use	Condition
<b>Camping and caravan park</b>	
<b>Car park</b>	Must be used in conjunction with another use in Section 1 or 2.
<b>Cattle feedlot – if the Section 1 condition is not met</b>	Must meet the requirements of Clause 52.26. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
<b>Cemetery Crematorium</b>	
<b>Dependent person's unit – if the Section 1 condition is not met</b>	Must meet the requirements of Clause 35.07-2.
<b>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</b>	
<b>Emergency services facility</b>	
<b>Freeway service centre</b>	Must meet the requirements of Clause 52.30.
<b>Group accommodation Host farm Industry (other than Rural industry) Intensive animal husbandry (other than Broiler farm and Cattle feedlot) Landscape gardening supplies Leisure and recreation (other than Informal outdoor recreation) Manufacturing sales Market Place of assembly (other than Amusement parlour, Night club, Carnival and Circus) Primary school</b>	
<b>Racing dog keeping – if the Section 1 condition to Animal keeping is not met</b>	Must meet the requirements of Clause 52.40.
<b>Racing dog training – if the Section 1 condition is not met</b>	
<b>Renewable energy facility (other than Wind energy facility)</b>	Must meet the requirements of Clause 52.42.
<b>Residential hotel Restaurant Rice growing Sawmill Secondary school</b>	
<b>Timber production – if the Section 1 condition is not met</b>	Must meet the requirements of Clause 52.18.
<b>Trade supplies Utility installation (other than Minor utility installation and Telecommunications facility) Warehouse (other than Rural store)</b>	
<b>Wind energy facility</b>	Must meet the requirements of Clause 52.32.

Use	Condition
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**Winery**

Any other use not in Section 1 or 3

**Section 3 – Prohibited**

Use
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Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)

Amusement parlour

Brothel

Child care centre

Cinema based entertainment facility

Education centre (other than Primary school and Secondary school)

Nightclub

Office

Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)

**35.07-2**

19/01/2006  
VC37

**Use of land for a dwelling**

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

**35.07-3**

05/09/2013  
VC103

**Subdivision**

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

**35.07-4**

05/09/2013  
VC103

**Buildings and works**

A permit is required to construct or carry out any of the following:



- A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in a schedule to this zone or, if no setback is specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.
  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

### **35.07-5 Application requirements for dwellings**

19/01/2006  
VC37

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.

### **35.07-6 Decision guidelines**

05/09/2013  
VC103

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### **General issues**

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

### **Agricultural issues and the impacts from non-agricultural uses**

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

### **Dwelling issues**

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

### **Environmental issues**

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

### **Design and siting issues**

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.

**35.07-7 Advertising signs**

19/01/2006  
VC37

*Notes:*

Advertising sign requirements are at Clause 52.05. This zone is in Category 4.

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

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

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



19/09/2013  
C121

**SCHEDULE 1 TO THE FARMING ZONE**

Shown on the planning scheme map as **FZ1**.

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	Land as delineated FZ1 on the planning scheme maps	40 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	Land as delineated FZ1 on the planning scheme maps	60 hectares
Maximum area for which no permit is required to use land for timber production (hectares).	None specified	
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	All land	100 square metres
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	All land	100 square metres
Minimum setback from a road (metres).	A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1	100 metres
	A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	All land	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	All land except for that which an approval or an exemption has been made or granted under the 'Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010' incorporated at Clause 81.  All the land with the exception of Lot 3 PS331755 identified as a component of the Goulburn Valley Freight Logistics Centre at Mooroopna and which is

Permit requirement for earthworks	Land
	<p>subject to the prior preparation of a Flood Management Plan approved by the relevant Floodplain Management Authority and the Responsible Authority.</p> <p>That required for the construction of the Goulburn Valley Highway – Shepparton Bypass and associated works, subject to prior preparation of a Flood Management Plan which is approved by the relevant Floodplain Management Authority and the Responsible Authority.</p>
<p>Earthworks which increase the discharge of saline groundwater.</p>	<p>All land except for that which an approval or an exemption has been made or granted under the 'Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010' incorporated at Clause 81</p> <p>All the land with the exception of Lot 3 PS331755 identified as a component of the Goulburn Valley Freight Logistics Centre at Mooroopna and which is subject to the prior preparation of a Flood Management Plan approved by the relevant Floodplain Management Authority and the Responsible Authority</p> <p>That required for the construction of the Goulburn Valley Highway – Shepparton Bypass and associated works, subject to the approval of the Responsible Authority.</p>

## 44.03

16/01/2018  
VC142

## FLOODWAY OVERLAY

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

### Purpose

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

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

## 44.03-1

16/01/2018  
VC142

### Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependant person's unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

#### **44.03-2 Subdivision**

19/01/2006  
VC37

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

#### **44.03-3 Application requirements**

21/09/2009  
VC60

##### **Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

##### **Flood risk report**

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority, which must consider the following, where applicable:

- The State Planning Policy Framework and the Local Planning Policy Framework.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

#### **44.03-4 Exemption from notice and review**

19/01/2006  
VC37

An application under this overlay 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.

#### **44.03-5 Referral of applications**

19/01/2006  
VC37

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal



satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**44.03-6**

**Decision guidelines**

21/09/2009  
VC60

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.

*Notes:*

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

*Check the requirements of the zone which applies to the land.*

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



25/08/2011  
C138

## SCHEDULE TO THE FLOODWAY OVERLAY

Shown on the planning scheme map as **FO**

1.0  
25/08/2011  
C138

### Permit requirement

A permit is not required to construct or carry out the following buildings or works:

- a single or multiple industrial, retail or office building extension where the combined ground floor area of the extension since 29th July 1999 is not greater than 100 m<sup>2</sup>;
- a single or multiple dwelling extension where the combined ground floor area of the extension since 29th July 1999 is not greater than 20 m<sup>2</sup>;
- an upper storey extension to an existing building within the existing building footprint;
- a pergola, veranda, decking, garage, carport or domestic shed adjacent to an existing dwelling;
- an in-ground swimming pool with open style security fencing adjacent to an existing dwelling;
- a pump shed;
- a wooden or metal paling fence or cyclone mesh fence in a residential, business or industrial zone (not including a brick, masonry, or concrete wall);
- an agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a farming zone with a floor area not more than 100 m<sup>2</sup>;
- a sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure;
- an outdoor advertising sign/structure;
- a mast, antenna, lighting or telecommunications tower;
- an accessway constructed at general natural surface elevations;
- roadworks carried out by a public authority;
- earthworks/dam in accordance with the Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010 at Clause 81 and approved by the responsible authority and the floodplain management authority; and
- earthworks/flood mitigation works in association with the Goulburn Valley Freight Logistics Centre provided such works are in accordance with a Flood Management Plan approved by the responsible authority and the floodplain management authority.

2.0  
25/08/2011  
C138

### Decision Guidelines – Greater Shepparton Local Floodplain Development Plans

In addition to the Decision Guidelines in Clause 44.03-5, before deciding on an application, the responsible authority must consider the following relevant local floodplain development plans, which has been incorporated at Clause 81 of this scheme, as indicated on the attached map:

- Precinct of Lower Goulburn (2006);
- Precinct of Goulburn River (2006);
- Precinct of Broken River (2006);
- Precinct of Broken Creek (2006);

- Precinct of Honeysuckle Creek and Seven Creeks (2006); and
- Precinct of Mosquito Creek (2006).

The Responsible Authority must also consider the 'Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010' incorporated at Clause 81.

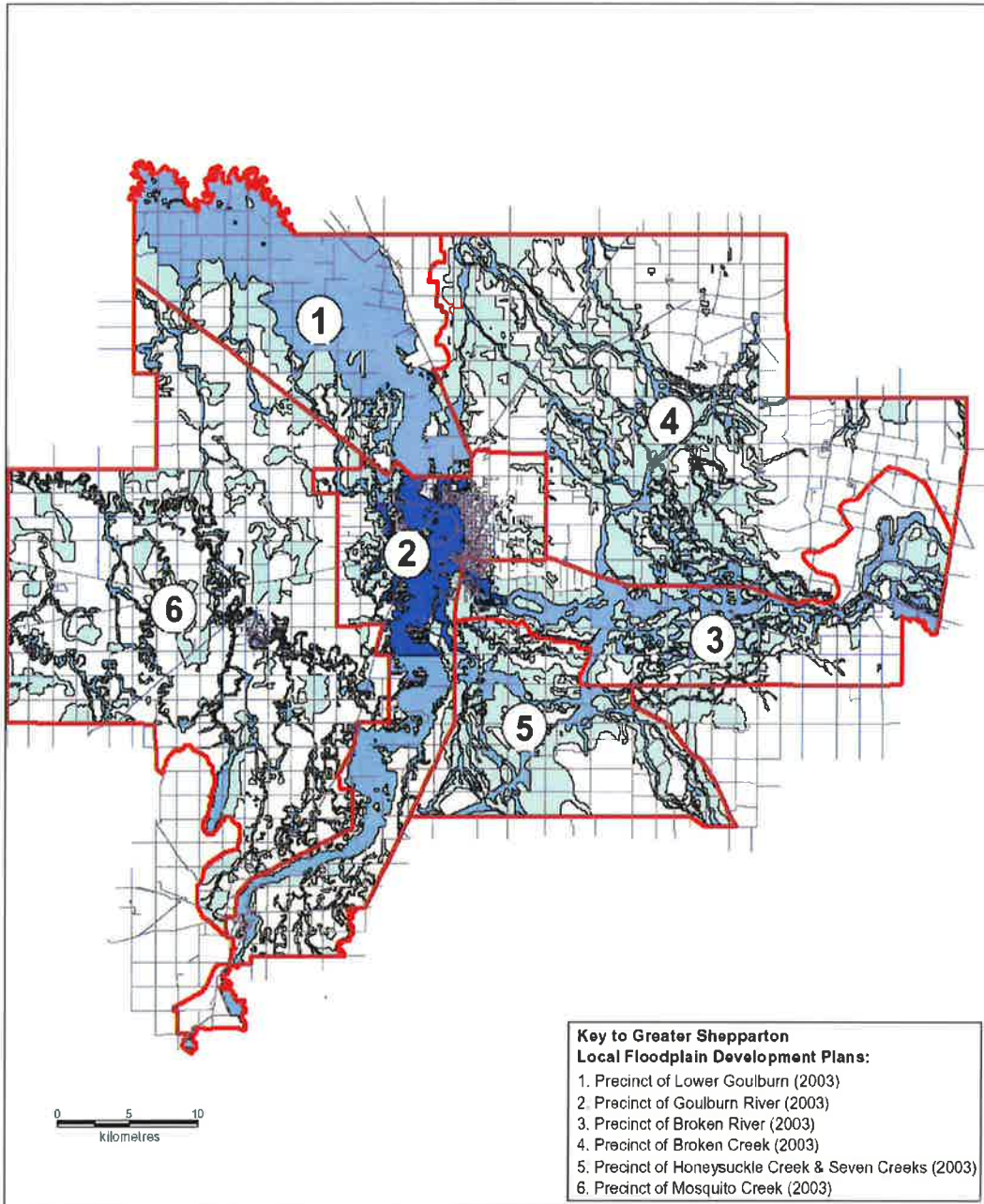
### **3.0**

16/02/2006  
C63

#### **Referral of applications**

An application is not required to be referred to the relevant floodplain management authority pursuant to Section 55 of the *Planning and Environment Act 1987* if the application is in accordance with a local floodplain development plan which has been incorporated at Clause 81 of this scheme.




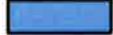

## Greater Shepparton Local Floodplain Development Plans



**Key to Greater Shepparton Local Floodplain Development Plans:**

1. Precinct of Lower Goulburn (2003)
2. Precinct of Goulburn River (2003)
3. Precinct of Broken River (2003)
4. Precinct of Broken Creek (2003)
5. Precinct of Honeysuckle Creek & Seven Creeks (2003)
6. Precinct of Mosquito Creek (2003)

**LEGEND**

-  Roads
-  Precinct Boundary
-  LSIO region
-  FO region
-  UFZ region

PREPARED BY: PLANNING DATA AND MAPPING TEAM  
DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT

The above Greater Shepparton Local Floodplain Development Plans are incorporated documents at Clause 81 of the Greater Shepparton Planning Scheme which contain flood information and specific development requirements.  
These maps showing FO, LSIO & UFZ areas are indicative only and not to be used as a substitute over the planning scheme maps.



FLOODWAY OVERLAY - SCHEDULE

PAGE 2 OF 2



## 44.04

16/01/2018  
VC142

## LAND SUBJECT TO INUNDATION OVERLAY

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

### Purpose

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

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

## 44.04-1

16/01/2018  
VC142

### Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person's unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

#### **44.04-2 Subdivision**

19/01/2006  
VC37

A permit is required to subdivide land.

#### **44.04-3 Application requirements**

19/01/2006  
VC37

##### **Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

#### **44.04-4 Exemption from notice and review**

19/01/2006  
VC37

An application under this overlay 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.

#### **44.04-5 Referral of applications**

19/01/2006  
VC37

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

#### **44.04-6 Decision guidelines**

21/09/2009  
VC60

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

Notes:

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



*Check the requirements of the zone which applies to the land.  
Other requirements may also apply. These can be found at Particular Provisions.*



11/02/2016  
C179**SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY**Shown on the planning scheme map as **LSIO**.**1.0**11/02/2016  
C179**Permit requirement**

A permit is not required to construct or carry out the following buildings or works:

- a single dwelling on an allotment within General Residential Zones, Neighbourhood Residential Zones, Residential Growth Zones where the floor level is at least 300 mm above the 100-year ARI flood level, or a higher level set by the responsible authority;
- a replacement dwelling where the floor level is at least 300 mm above the 100-year ARI flood level, or a higher level set by the responsible authority;
- a single or multiple dwelling extension where:
  - the combined ground floor area of the extension since 29th July 1999 is not greater than 20 m<sup>2</sup>; or
  - the owner can demonstrate to the satisfaction of the responsible authority that the floor height of the proposed dwelling extension/s is at least 300 millimetres above the 100-year ARI flood at the date of enquiry.
- an upper storey extension to an existing building within the existing building footprint;
- a pergola, verandah, decking, garage, carport, domestic shed, spa or swimming pool adjacent to an existing dwelling; including the extension to any of the aforementioned;
- an agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a farming zone with a floor area not more than 130 m<sup>2</sup>;
- a new industrial, retail, or office building within any industrial or business zone of Mooroopna, Shepparton and Tatura where the floor level is at least 300 millimetres above the 100-year ARI flood level, or a higher level set by the responsible authority;
- an extension to an existing industrial, retail or office building provided that the total ground floor area of the building is less than 130 m<sup>2</sup>;
- a fence in a residential, business or industrial zone;
- open type fencing (not including solid fences such as wooden or metal paling fences, cyclone mesh fences or brick, stone or concrete wall);
- an outdoor advertising sign/structure;
- a pump shed;
- a hay shed with open sides;
- a sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure;
- a mast, antenna, lighting or telecommunications tower;
- an accessway constructed at general natural surface elevations;
- roadworks carried out by a public authority;

- earthworks/dam in accordance with the *Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010* at Clause 81 and approved by the responsible authority and the floodplain management authority; and
- earthworks/flood mitigation works in association with the Goulburn Valley Freight Logistics Centre provided such works are in accordance with a Flood Management Plan approved by the responsible authority and the floodplain management authority.

## 2.0

25/08/2011  
C138

### **Decision Guidelines – Greater Shepparton Local Floodplain Development Plans**

In addition to the Decision Guidelines in Clause 44.03-5, before deciding on an application, the responsible authority must consider the following relevant local floodplain development plans, which has been incorporated at Clause 81 of this scheme, as indicated on the attached map:

- Precinct of Lower Goulburn (2006);
- Precinct of Goulburn River (2006);
- Precinct of Broken River (2006);
- Precinct of Broken Creek (2006);
- Precinct of Honeysuckle Creek and Seven Creeks (2006); and
- Precinct of Mosquito Creek (2006).

The Responsible Authority must also consider the '*Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010*' incorporated at Clause 81.

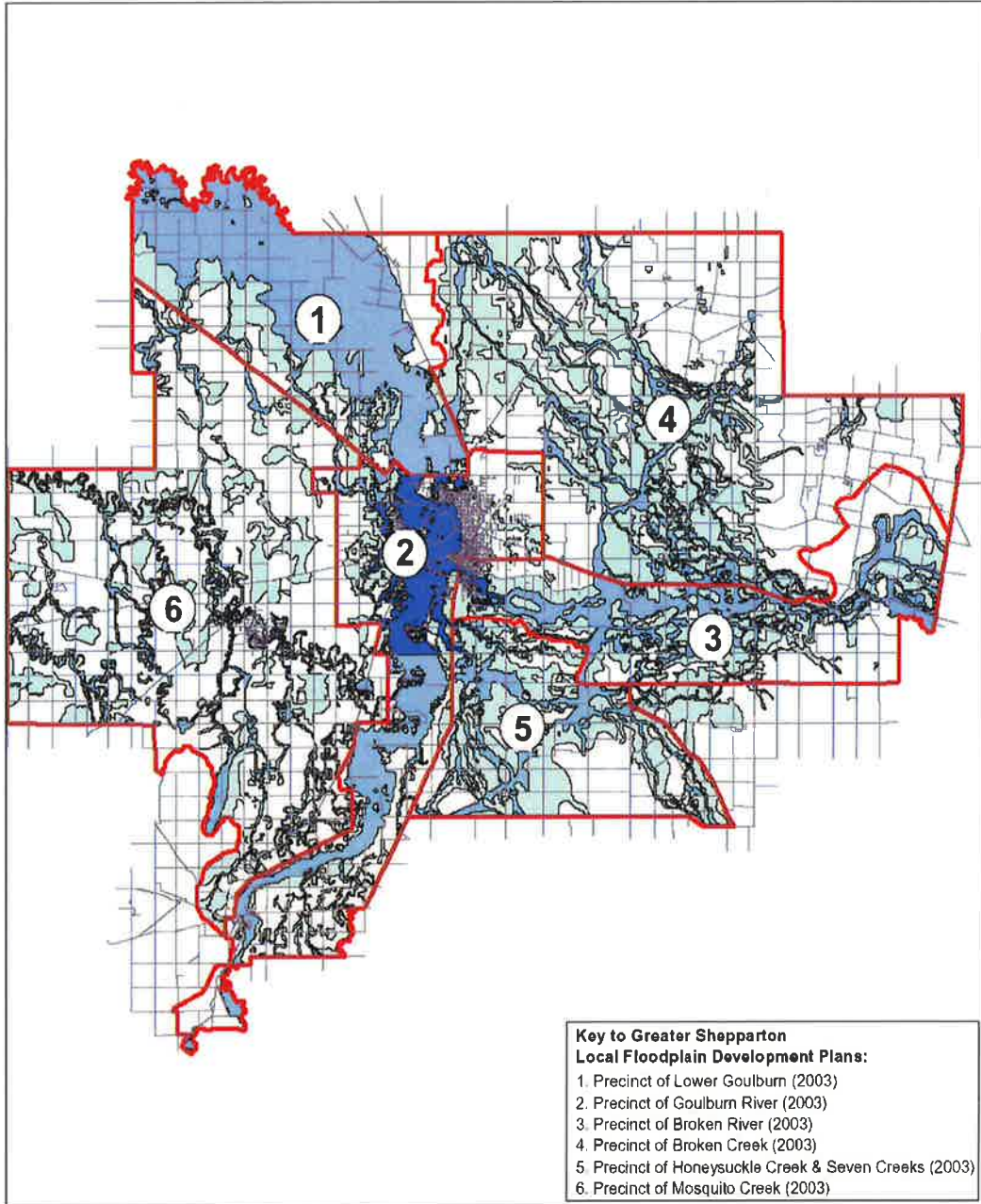
## 3.0

16/02/2006  
C63





### **Referral of applications**

An application is not required to be referred to the relevant floodplain management authority pursuant to Section 55 of the *Planning and Environment Act 1987* if the application is in accordance with a local floodplain development plan which has been incorporated at Clause 81 of this scheme.

## Greater Shepparton Local Floodplain Development Plans



**LEGEND**

-  Roads
-  Precinct Boundary
-  LSIO region
-  FO region
-  UFZ region

PREPARED BY: PLANNING DATA AND MAPPING TEAM  
DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT

The above Greater Shepparton Local Floodplain Development Plans are incorporated documents at Clause 81 of the Greater Shepparton Planning Scheme which contain flood information and specific development requirements

These maps showing FO, LSIO & UFZ areas are indicative only and not to be used as a substitute over the planning scheme maps



LAND SUBJECT TO INUNDATION OVERLAY - SCHEDULE

PAGE 2 OF 2



**52.17**  
02/04/2015  
VC124

## **NATIVE VEGETATION**

### **Purpose**

To ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. This is achieved through the following approach:

- Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.
- Minimise impacts on Victoria's biodiversity from the removal of native vegetation.
- Where native vegetation is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.

To manage native vegetation to minimise land and water degradation.

To manage native vegetation near buildings to reduce the threat to life and property from bushfire.

**52.17-1**  
15/09/2008  
VC49

### **Native vegetation precinct plans**

This clause does not apply if a Native vegetation precinct plan corresponding to the land is incorporated into this scheme.

**52.17-2**  
20/12/2013  
VC105

### **Permit requirement**

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.
- To an area specified in the schedule to this clause.

### **Class of application**

An application to remove, destroy or lop native vegetation must be classified as one of the following risk-based pathways: low, moderate or high, as defined in the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013). The application requirements and decision guidelines included in this clause must be applied in accordance with the classified pathway.

**52.17-3**  
20/12/2013  
VC105

### **Application requirements**

All applications to remove, destroy or lop native vegetation must comply with the General application requirements.

An application in the moderate or high risk-based pathway must also comply with the moderate and high risk-based pathway application requirements.

## General application requirements

All applications to remove, destroy or lop native vegetation must be accompanied by the following information, as appropriate:

- The location of the native vegetation to be removed.
- A description of the native vegetation to be removed, including the area of the patch of native vegetation and/or the number of any scattered trees to be removed.
- Maps or plans containing information set out in the *Permitted clearing of native vegetation – Biodiversity assessment guidelines*, (Department of Environment and Primary Industries, September 2013)
- Recent dated photographs of the native vegetation to be removed.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of native vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.
- Details of any other native vegetation that was permitted to be removed on the same property with the same ownership in the five year period before the application for a permit to remove native vegetation is lodged.
- The strategic biodiversity score of the native vegetation to be removed.
- The offset requirement if the native vegetation is permitted to be removed.

## Moderate and high risk-based pathway application requirements

An application included in the moderate and high risk-based pathway must also be accompanied by the following information, as appropriate:

- A habitat hectare assessment of the native vegetation to be removed.
- A statement outlining what steps have been taken to minimise the impacts of the removal of native vegetation on biodiversity.
- An assessment of whether the proposed removal of native vegetation will have a significant impact on Victoria's biodiversity, with specific regard to the proportional impact on habitat for any rare or threatened species.
- An offset strategy that details how a compliant offset will be secured to offset the biodiversity impacts of the removal of native vegetation.

### 52.17-4

16/03/2006  
VC38

## Property vegetation plans

Any permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan:

- May include conditions which reflect relevant restrictions or obligations contained in that plan.
- Must include the following condition:  
“This permit will expire if one of the following circumstances applies:



- the development or any stage of it does not start within ten years of the date of this permit.
- the development or any stage of it is not completed within ten years of the date of this permit.”

## **52.17-5 Decision guidelines**

20/12/2013  
VC105

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

### **Biodiversity considerations**

#### **For all applications**

- The contribution that native vegetation to be removed makes to Victoria’s biodiversity. This is determined by:
  - The extent and condition of the native vegetation.
  - The biodiversity value of the native vegetation, including whether the native vegetation is important habitat for rare or threatened species.
- Whether the removal of native vegetation is defined as being in the low, moderate or high risk-based pathway, as defined in the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013) and apply the decision guidelines accordingly.

#### **For an application considered under the moderate risk-based pathway**

- Whether reasonable steps have been taken to minimise the impacts of the removal of native vegetation on biodiversity.
- That an offset that meets the offset requirements for the native vegetation that is to be removed as defined in the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013) has been identified.

#### **For an application considered under the high risk-based pathway**

- Whether reasonable steps have been taken to minimise the impacts of the removal of native vegetation on biodiversity.
- Whether the native vegetation to be removed makes a significant contribution to Victoria’s biodiversity.
- That an offset that meets the offset requirements for the native vegetation that is to be removed as defined in the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013) has been identified.

#### **Other matters**

The responsible authority must also consider the following issues, as appropriate:

- The need to remove, destroy or lop native vegetation to create defensible space to reduce the risk of bushfire to life and property, having regard to the other available bushfire risk mitigation measures.

- The role of native vegetation in:
  - Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway and in special water supply catchment areas listed in the *Catchment and Land Protection Act 1994*.
  - Preventing land degradation, including soil erosion, salination, acidity, instability, and water logging, particularly:
    - Where ground slopes are more than 20 per cent.
    - On land which is subject to soil erosion or slippage.
    - In harsh environments, such as coastal or alpine area.
  - Preventing adverse effects on groundwater quality on land:
    - Where groundwater recharge to saline waterbodies occurs.
    - That is in proximity to a discharge area.
    - Which is a known recharge area.
- In the case of timber production, the benefits of including a condition requiring operations to be carried out in accordance with any relevant code of practice under Part 5 of the *Conservation, Forests and Land Act 1987*.
- Managing native vegetation to preserve identified landscape values.
- The conservation of native vegetation protected under the *Aboriginal Heritage Act 2006*.

#### 52.17-6

20/12/2013  
VC105

#### Offset requirements

The biodiversity impacts of the removal of native vegetation are required to be offset, in accordance with the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013). The conditions on the permit for the removal of native vegetation must specify this offset requirement. The offset requirements must take account of:

- The location of the native vegetation to be removed.
- The condition and extent of native vegetation to be removed.
- The strategic biodiversity score of the native vegetation to be removed.
- Whether the native vegetation to be removed is important habitat for rare or threatened species, and the proportional impact of the removal on those species' habitat.

## Table of exemptions

No permit is required to remove, destroy or lop native vegetation to the minimum extent necessary if any of the following apply:

<b>Crown Land</b>	<ul style="list-style-type: none"> <li>▪ To manage Crown land. The works must be:               <ul style="list-style-type: none"> <li>▪ by or on behalf, or with the written permission of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>); and</li> <li>▪ on Crown land managed by or on behalf of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>).</li> </ul> </li> <li>▪ The vegetation is to be removed, destroyed or lopped on Crown land and by a person acting under and in accordance with an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i>.</li> </ul>
<b>Dead vegetation</b>	<ul style="list-style-type: none"> <li>▪ The native vegetation is dead.</li> </ul> <p>This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</p>
<b>Emergency works</b>	<ul style="list-style-type: none"> <li>▪ The native vegetation presents an immediate risk of personal injury or damage to property and only that part of vegetation which presents the immediate risk is removed, destroyed or lopped.</li> <li>▪ By or on behalf of a public authority or municipal council to create an emergency access or to enable emergency works.</li> </ul>
<b>Existing and approved buildings</b>	<ul style="list-style-type: none"> <li>▪ To enable the:               <ul style="list-style-type: none"> <li>▪ Construction of a building approved by a planning permit granted under this planning scheme or by building permit granted under <i>Building Act 1993</i>, before 15 September 2008.</li> <li>▪ Use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by building permit granted under <i>Building Act 1993</i>, before 15 September 2008.</li> </ul> </li> </ul> <p>This exemption does not apply to:</p> <ul style="list-style-type: none"> <li>▪ Enable the operation or maintenance of a fence.</li> <li>▪ Native vegetation located more than 10 metres from a building.</li> </ul>
<b>Existing buildings and works in the Farming Zone and Rural Activity Zone</b>	<ul style="list-style-type: none"> <li>▪ To enable the use or maintenance of a building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway, in the Farming Zone or the Rural Activity Zone.</li> </ul> <p>This exemption does not apply to:</p> <ul style="list-style-type: none"> <li>▪ The use or maintenance of a Dwelling.</li> <li>▪ The operation or maintenance of a fence.</li> <li>▪ Native vegetation located more than 10 metres from a building or works.</li> </ul>

No permit is required to remove, destroy or lop native vegetation to the minimum extent necessary if any of the following apply:

<b>Fences</b>	<ul style="list-style-type: none"> <li>▪ To enable the: <ul style="list-style-type: none"> <li>▪ Construction of a fence on a boundary between properties in different ownership; or</li> <li>▪ Operation or maintenance of an existing fence.</li> </ul> </li> </ul> <p>The combined maximum width of clearing permitted either side of the fence under this exemption is 4 metres.</p>
<b>Fire protection</b>	<ul style="list-style-type: none"> <li>▪ For fire fighting measures, periodic fuel reduction burning, or the making of a fuel break or fire fighting access track up to 6 metres wide.</li> <li>▪ For the making of a fuelbreak by or on behalf of a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>). The maximum width of a fuelbreak must not exceed 40 metres.</li> <li>▪ The native vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.</li> <li>▪ In accordance with a fire prevention notice under: <ul style="list-style-type: none"> <li>▪ Section 65 of the <i>Forests Act 1958</i>.</li> <li>▪ Section 41 of the <i>Country Fire Authority Act 1958</i>.</li> <li>▪ Section 8 of the <i>Local Government Act 1989</i>.</li> </ul> </li> <li>▪ To keep the whole or any part of any native vegetation clear of an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>.</li> <li>▪ In accordance with any code of practice prepared in accordance with Part 8 of the <i>Electricity Safety Act 1998</i> in order to minimise the risk of bushfire ignition in the proximity of electricity lines.</li> <li>▪ To reduce fuel loads on roadsides to minimise the risk to life and property from bushfire of an existing public road managed by the relevant responsible road authority (as defined by the <i>Road Management Act 2004</i>) 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 <i>Conservation, Forest and Lands Act 1987</i>).</li> </ul> <p><i>Note: Further permit exemptions for bushfire protection can be found at Clause 52.48.</i></p>
<b>Geothermal energy exploration and extraction</b>	<ul style="list-style-type: none"> <li>▪ To enable the carrying out of geothermal energy exploration or extraction in accordance with the <i>Geothermal Energy Resources Act 2005</i>.</li> </ul>
<b>Grasses</b>	<ul style="list-style-type: none"> <li>▪ For mowing or slashing of grass for maintenance only.</li> </ul> <p>Under this exemption the grass must be:</p> <ul style="list-style-type: none"> <li>▪ Located within a lawn, garden or other planted area; or</li> <li>▪ Maintained at a height of at least 100 millimetres above ground level.</li> </ul>

No permit is required to remove, destroy or lop native vegetation to the minimum extent necessary if any of the following apply:

<b>Grazing</b>	<ul style="list-style-type: none"> <li>▪ For grazing by domestic stock.</li> </ul> <p>This exemption allows grazing on unused roads specified under Section 400 of the <i>Land Act 1958</i>.</p>
<b>Greenhouse gas sequestration</b>	<ul style="list-style-type: none"> <li>▪ To enable the carrying out of greenhouse gas sequestration in accordance with the <i>Greenhouse Gas Geological Sequestration Act 2008</i>.</li> </ul>
<b>Greenhouse gas sequestration exploration</b>	<ul style="list-style-type: none"> <li>▪ To enable the carrying out of greenhouse gas sequestration exploration in accordance with the <i>Greenhouse Gas Geological Sequestration Act 2008</i>.</li> </ul>
<b>Harvesting for timber production – naturally established native vegetation</b>	<ul style="list-style-type: none"> <li>▪ To enable the carrying out of timber harvesting operations and associated activities which are: <ul style="list-style-type: none"> <li>• Undertaken on public land under a licence issued by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>) under section 52 of the <i>Forests Act 1958</i>; or</li> <li>• Authorised in accordance with Part 5 of the <i>Sustainable Forests (Timber) Act 2004</i>.</li> </ul> </li> </ul>
<b>Land management notices</b>	<ul style="list-style-type: none"> <li>▪ To comply with land management notice issued under the <i>Catchment and Land Protection Act 1994</i>.</li> </ul>
<b>Land use conditions</b>	<ul style="list-style-type: none"> <li>▪ To comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i>.</li> </ul>
<b>Lopping and pruning for maintenance</b>	<ul style="list-style-type: none"> <li>▪ Pruning or lopping for maintenance only and no more than 1/3 of the foliage is removed from any individual plant.</li> </ul> <p>This exemption does not apply to:</p> <ul style="list-style-type: none"> <li>• Pruning or lopping of the trunk of a tree or shrub.</li> <li>• Native vegetation within a road or railway reservation.</li> </ul>
<b>Mineral exploration</b>	<ul style="list-style-type: none"> <li>▪ To enable the carrying out of Mineral exploration.</li> </ul>
<b>Mineral extraction</b>	<ul style="list-style-type: none"> <li>▪ To enable the carrying out of Mineral extraction in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</li> </ul>

No permit is required to remove, destroy or lop native vegetation to the minimum extent necessary if any of the following apply:

**New buildings and works in the Farming Zone and Rural Activity Zone**

- To enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone.

The maximum extent of native 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 native vegetation which does not include a tree.
- 15 native trees if each tree has a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 native trees if each tree has a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply:

- To the construction or operation of a pivot irrigation system or horticultural trellising.

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**New dwellings in the Farming Zone and Rural Activity Zone**

- To enable the construction of a Dwelling, in the Farming Zone or the Rural Activity Zone.

The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period is must not exceed any of the following:

- 300 square metres of native vegetation which does not include a tree.
- 5 native trees if each tree has a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 1 native tree if the tree has a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply:

- To the construction of a tennis court, horse ménage or swimming pool.

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**Personal use**

- Native vegetation removal by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use includes wood used for firewood, the construction of fences and buildings on the same land, and hobbies such as craft.

This exemption does not apply to:

- Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
  - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.
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No permit is required to remove, destroy or lop native vegetation to the minimum extent necessary if any of the following apply:

<b>Pest animal burrows</b>	<ul style="list-style-type: none"><li>▪ To enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone.</li></ul> <p>Unless in accordance with the written agreement of an officer of the Department responsible for administering the <i>Flora and Fauna Guarantee Act 1998</i>, the maximum extent of native 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:</p> <ul style="list-style-type: none"><li>• 1 hectare of native vegetation which does not include a tree.</li><li>• 15 native trees if each tree has a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</li></ul>
<b>Planted vegetation</b>	<ul style="list-style-type: none"><li>▪ The native vegetation has been planted or grown as a result of direct seeding for Crop raising, Extensive animal husbandry, aesthetic or amenity purposes, including: agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like.</li></ul> <p>This exemption does not apply if public funding was provided to assist in planting or managing the native vegetation and the terms of the funding did not anticipate removal or harvesting of the vegetation.</p>
<b>Railways</b>	<ul style="list-style-type: none"><li>▪ To maintain the safe and efficient function of an existing railway or railway access road, in accordance with the written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>).</li></ul>
<b>Regrowth</b>	<ul style="list-style-type: none"><li>▪ For regrowth which has naturally established or regenerated on land lawfully cleared of naturally established native vegetation and is:<ul style="list-style-type: none"><li>• Less than 10 years old; or</li><li>• Bracken (<i>Pteridium esculentum</i>); or</li><li>• Less than ten years old at the time of a Property Vegetation Plan being signed by the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>), and is shown on that Plan as being 'certified regrowth', and is on land that is to be used or maintained for cultivation or pasture during the term of that Plan; or</li><li>• 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.</li></ul></li></ul> <p>This exemption does not apply to land on which native vegetation has been cleared or otherwise destroyed or damaged as a result of flood, fire or other natural disaster.</p>
<b>Road safety</b>	<ul style="list-style-type: none"><li>▪ To maintain the safe and efficient function of an existing road managed by a public authority or municipal council in accordance with the written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>).</li></ul>

No permit is required to remove, destroy or lop native vegetation to the minimum extent necessary if any of the following apply:

<b>Stone exploration</b>	<ul style="list-style-type: none"> <li>▪ To enable the carrying out of the Stone exploration.</li> </ul> <p>The maximum extent of native 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:</p> <ul style="list-style-type: none"> <li>• 1 hectare of native vegetation which does not include a tree.</li> <li>• 15 native trees if each tree has a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</li> <li>• 5 native trees if each tree has a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</li> </ul> <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
<b>Stone extraction</b>	<ul style="list-style-type: none"> <li>▪ To enable the carrying out of Stone extraction in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</li> </ul>
<b>Site area</b>	<ul style="list-style-type: none"> <li>▪ The native vegetation is on land which, together with all contiguous land in one ownership, has an area of less than 0.4 hectare.</li> <li>▪ This exemption does not apply to native vegetation within a road reservation.</li> </ul>
<b>Stock movements on roads</b>	<ul style="list-style-type: none"> <li>▪ As a result of moving stock along a road.</li> <li>▪ This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.</li> </ul>
<b>Surveying</b>	<ul style="list-style-type: none"> <li>▪ To establish sight-lines for the measurement of land by surveyors in the exercise of their profession, and if using hand-held tools.</li> </ul>
<b>Utility installations</b>	<ul style="list-style-type: none"> <li>▪ To maintain a Minor utility installation.</li> <li>▪ To maintain a Utility installation in accordance with a code(s) of practice approved by Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>), incorporated into this scheme and listed in the Schedule to this Clause.</li> <li>▪ To enable the construction of a Utility installation in accordance with a code(s) of practice approved by Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>), incorporated into this scheme and listed in the Schedule to this Clause.</li> </ul>



No permit is required to remove, destroy or lop native vegetation to the minimum extent necessary if any of the following apply:

**Vehicle access  
from public roads**

- To enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road, subject to authorisation from the relevant public land manager.

This exemption only applies to properties which share a common boundary with the road reserve.

The maximum total width of native vegetation permitted to be removed, destroyed or lopped under this exemption is 6 metres.

This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation.

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**Weeds**

- To enable the removal or destruction of a weed listed in the schedule to this clause.

The maximum extent of native 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 native vegetation which does not include a tree.
  - 15 native trees if each tree has a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.
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**52.42**21/09/2009  
VC60**RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY AND GEOTHERMAL ENERGY EXTRACTION)****Purpose**

To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

**52.42-1**21/09/2009  
VC60**Scope**

This clause applies to land used and developed or proposed to be used and developed for a renewable energy facility.

**52.42-2**21/09/2009  
VC60**Application requirements**

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

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.
- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Works Approval or Licence is required from the Environment Protection Authority.
    - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
    - the effect of traffic to be generated on roads.
    - the impact upon Aboriginal or non-Aboriginal cultural heritage.
    - the impact of the proposal on any species listed under the *Flora and Fauna Guarantee Act 1988* or *Environment Protection and Biodiversity Conservation Act 1999*.

- A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
- An environmental management plan including, a construction management plan, any rehabilitation and monitoring.

**52.42-3 Decision guidelines**

21/09/2009  
VC60

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

- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on the natural environment and natural systems.
- Whether the proposal will require traffic management measures.

## 65.01

28/03/2018  
VC145

### APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.

