

37.10
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VC274

PRECINCT ZONE

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

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To facilitate substantial change, public benefits and a new urban form that reflects the role of the precinct.
- To facilitate land uses, subdivision patterns, buildings and works in accordance with a use and development framework plan.
- To support sustainable urban outcomes that maximise the use of public and active transport, and reduce car dependence.

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Statement of role and use and development objectives

A schedule to this zone must contain a statement of the role of the precinct or any land within the precinct with a specific role, function or built form outcome.

A schedule to this zone may contain use and development objectives for the precinct or any land within the precinct.

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Use and development framework plan

A schedule to this zone must contain a use and development framework plan for the land to which the schedule applies.

A use and development framework plan must identify any land to which the master plan requirements in clause 37.10-3 apply.

A use and development framework plan may:

- Identify land to which outcomes, standards, provisions and requirements contained in a schedule to this zone apply.
- Include information that supports, or shows the spatial application of, the statement of role, or any use and development objectives, contained in a schedule to this zone.
- Identify existing and proposed public and active transport infrastructure.
- Show any other features or information related to existing and potential future use and development of land to which the schedule applies.

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Master plan requirements

Requirement before a permit is granted

If the use and development framework plan contained in a schedule to this zone identifies land to which the master plan requirements in clause 37.10-3 apply, a permit must not be granted to use or subdivide the land, or to construct a building or construct or carry out works on the land, until a master plan has been prepared in accordance with this clause to the satisfaction of the responsible authority.

This does not apply if a schedule to this zone specifically states that a permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority.

A permit granted must be generally in accordance with the master plan.

Preparation of a master plan

A master plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A master plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any staging or sequencing of development needed.

- How the plan responds to the use and development framework plan contained in a schedule to this zone.
- How the plan responds to any concept plan for the land contained in a schedule to this zone.
- Any other requirements specified for the plan in a schedule to this zone.

The master plan may be amended to the satisfaction of the responsible authority.

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Operation

In this zone and any schedule to this zone, precinct means the land in this zone.

Application of provisions

A schedule to this zone may contain provisions that apply to:

- All, or any part of, the land to which the schedule applies.
- Land to which the master plan requirements in clause 37.10-3 apply.

Outcomes and standards

A schedule to this zone may include:

- **Outcomes** . An outcome sets out the expectations of what will be achieved in a development.
- **Standards** . A standard contains a measure or condition related to the corresponding outcome.
- **Decision guidelines** . Decision guidelines set out the matters that the responsible authority must consider before deciding if an outcome is met.

A standard included in a schedule to this zone must be identified as:

- a **discretionary standard** expressed using ‘should’ or labelled as ‘discretionary’; or
- a **mandatory standard** expressed using ‘must’ or labelled as ‘mandatory’.

A standard (whether a mandatory or discretionary standard) may also be nominated as a **deemed to comply standard** , using ‘complies if’ or labelled as ‘deemed to comply’.

If a mandatory or discretionary standard is met, the corresponding outcome may be met.

If a deemed to comply standard (whether a mandatory or discretionary standard) is met, the corresponding outcome is deemed to have been met and the responsible authority must not consider, and is exempt from considering, any decision guidelines corresponding to that outcome.

Requirements to be met

The construction of a building and the construction and carrying out of works:

- Must meet the outcomes specified in a schedule to this zone.
- Must meet any mandatory standard specified in a schedule to this zone.
- Should meet any discretionary standard specified in a schedule to this zone. However, if the responsible authority is satisfied that an application for an alternative design solution meets the outcome, the alternative design solution may be considered acceptable.
- Can meet a deemed to comply standard, and if it does, it is deemed to meet the corresponding outcome for that standard.

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Public benefit uplift framework

A schedule to this zone may specify a limit or standard that can only be exceeded if a public benefit is provided.

A schedule may set out public benefits and how they are to be calculated.

Public benefits may include:

- Affordable housing.
- Public realm works.
- Public open space.
- Strategic land uses.
- Any other works, services or facilities that benefit the community living in, working in or visiting the precinct.

Note: Public benefits under this provision are calculated over and above any requirements set out in clause 45.01 (Public Acquisition Overlay), clause 45.06 (Development Contributions Plan Overlay), clause 45.09 (Parking Overlay), clause 45.10 (Infrastructure Contributions Plan Overlay), clause 45.11 (Infrastructure Contributions Overlay) or clause 53.01 (Public open space contribution and subdivision) in this planning scheme.

Permit condition requirement

In deciding to grant a permit for a use or development that exceeds a limit or standard on the basis that a public benefit will be provided, the responsible authority must include a condition that requires the provision of the benefit to be secured by an agreement made under section 173 of the Act.

The above requirement to include a condition does not apply to a decision to grant an amendment to a permit if the amendment does not increase the extent to which the permitted use, buildings or works exceed a limit or standard.

Use of land

Table of Uses

Section 1 - Permit not required

Use	Condition
Any use in Section 1 of a zone applied by a schedule to this zone. This does not apply if a schedule to this zone varies the applied zone by specifying that the use is in Section 2 or 3.	Must comply with any condition specified for the use in Section 1 of the applied zone. This does not apply if a schedule to this zone specifies the condition does not apply. Must comply with any condition specified for the use in a schedule to this zone.
Any use in Section 2 or 3 of a zone applied by a schedule to this zone if that schedule varies the applied zone by specifying that the use is in Section 1.	Must comply with any condition specified for the use in the applied zone. This does not apply if a schedule to this zone specifies the condition does not apply. Must comply with any condition specified for the use in a schedule to this zone.
Any use in Section 1 of a schedule to this zone	Must comply with any condition in Section 1 of a schedule to this zone.

Section 2 - Permit required

Use	Condition
Any use in Section 2 of a zone applied by a schedule to this zone. This does not apply if a schedule to this zone varies the applied zone by specifying that the use is in Section 1 or 3.	Must comply with any condition specified for the use in Section 2 of the applied zone. This does not apply if a schedule to this zone specifies the condition does not apply. Must comply with any condition specified for the use in a schedule to this zone.

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Use	Condition
Any use in Section 1 or 3 of a zone applied by a schedule to this zone if that schedule varies the applied zone by specifying that the use is in Section 2.	Must comply with any condition specified for the use in the applied zone. This does not apply if a schedule to this zone specifies the condition does not apply. Must comply with any condition specified for the use in a schedule to this zone.
Any use in Section 2 of a schedule to this zone.	Must comply with any condition in Section 2 of a schedule to this zone.
Any use not in Section 1 or 3 of a schedule to this zone.	

Section 3 - Prohibited

Use
Any use in Section 3 of a zone applied by a schedule to this zone. This does not apply if a schedule to this zone varies the applied zone by specifying that the use is in Section 1 or 2.
Any use in Section 1 or 2 of a zone applied by a schedule to this zone if that schedule varies the applied zone by specifying that the use is in Section 3.
Any use in Section 3 of a schedule to this zone.

Variation to an applied zone

If a schedule to this zone specifies an applied zone, it may also vary the table of uses in the applied zone in one or more of the following ways:

- Specify that a use, together with any condition opposite that use, is included in a different section.
- Specify that a condition opposite a use does not apply.
- Specify a condition for a use.

Use of land requirements

Any requirement in a schedule to this zone must be met.

Subdivision

Permit requirements

A permit is required to subdivide land.

This does not apply if a schedule to this zone specifies a permit is not required.

Any requirement in a schedule to this zone must be met.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

VicSmart applications

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

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent.	Clause 59.01

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Class of application	Information requirements and decision guidelines
The general direction of the common boundary does not change.	
Subdivide land into lots each containing an existing building or car parking space where: - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: - The construction of a building or the construction or carrying out of works on the land: - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. - The subdivision does not create a vacant lot.	Clause 59.02

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Buildings and works

Permit requirements

A permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this zone specifically states that a permit is not required.

A permit is required to construct a fence if specified in a schedule to this zone.

Any requirement in a schedule to this zone must be met.

A schedule to this zone may specify that any other provision or requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply.

An apartment development must meet the requirements of clause 58.

VicSmart applications

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

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$700,000 and the land is not: - Within 30 metres of land (not a road) which is in a residential zone. - Used for a purpose listed in the table to clause 53.10.	Clause 59.04

Application requirements**Use**

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

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- Plans drawn to scale and dimensioned which show:
 - The siting and use of buildings.
 - Areas not required for immediate use.
 - Adjacent buildings and uses.
- The likely effects, if any, to or from adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access, glare, air-borne emissions and emissions to land and water.
- The anticipated levels of demand for infrastructure.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
 - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 is exceeded.
- Any other information specified in a schedule to this zone.

Subdivision

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

- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The pattern of subdivision of the surrounding area.
 - Easements.
 - Location of drainage and other utilities.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Access points.
 - Any natural features.
- Any other information specified in a schedule to this zone.

Building and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and use of buildings and works on adjoining land.
 - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
 - Any contaminated soils and filled areas, where known.

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- The layout of existing and proposed buildings and works.
- The internal layout and use of the proposed development.
- All access and pedestrian areas.
- All driveway, car parking, bicycle parking and loading areas.
- Existing vegetation and proposed landscape areas.
- All external storage and waste treatment areas.
- The location of easements and services.
- Elevation plans drawn to scale and dimensioned which show:
 - The building form and scale.
 - Setbacks to property boundaries.
 - Finished floor levels and building heights to a defined point at the site boundaries or to the Australian Height Datum (AHD).
- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.
- A written statement providing an assessment of the proposal against the relevant provisions of the Planning Policy Framework, this zone and the applicable schedule to this zone.
- An assessment of the characteristics of the area including:
 - Any environmental features such as vegetation, topography and significant views.
 - Street design and landscape.
 - The pattern of development.
 - Building form, scale and rhythm.
 - Architectural style, building details and materials.
 - Connection to the public realm.
 - Any significant noise, odour, fume and vibration sources to and/or from the development.
- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- An urban context report and design response as required in clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
- For land to which the master plan requirements in clause 37.10-3 apply, a report that explains how:
 - the proposed use or development is generally in accordance with any master plan prepared for the land in accordance with clause 37.10-4; or
 - if a master plan has not been prepared, how the proposed use or development will not prejudice the future use and development of the land having regard to any relevant concept plan contained, and any other requirement specified for the land, in a schedule to this zone.
- Any other information specified in a schedule to this zone.

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Exemption from notice and review

An application under any provision of this planning scheme 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 unless a schedule to this zone specifies otherwise.

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Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65 and any decision guidelines specified in a schedule to this zone, the responsible authority must consider the decision guidelines set out in this clause, as appropriate.

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The use and development framework plan contained in a schedule to this zone.
- The role of the precinct contained in a schedule to this zone.
- The use and development objectives contained in a schedule to this zone.
- Any public benefit uplift framework contained in a schedule to this zone.
- Any master plan that has been prepared to the satisfaction of the responsible authority for the land.
- Any relevant concept plan contained in a schedule to this zone that applies to the preparation of a master plan for the land.
- The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that existing uses are not compromised by a new development.
- The extent that the layout and design of the new use or development addresses the potential for adverse amenity impacts from existing off-site uses.

Access

- Movement systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

Use

- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- Whether the use makes the most of nearby services, amenities and infrastructure.
- The availability of services.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- The ability for service and emergency vehicles to access lots.
- The proximity of the lots to services, amenities and infrastructure.
- For subdivision of land for residential development, the objectives and standards of clause 56.

Buildings and works

- The design, scale, height, setback, appearance and material of the proposed buildings and works.
- The provision for solar access to the building and on the public realm.
- The design of the public realm.
- The relationship between the proposed building and the public realm.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The interface with adjoining zones, especially the relationship with residential zones.
- For an apartment development, the objectives, standards and decision guidelines of clause 58.
- The storage of rubbish and materials for recycling.
- The drainage of the land.

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Mandatory permit conditions

The responsible authority must include any mandatory condition specified in this zone or in a schedule to this zone in deciding to grant a permit under this zone or for land for which a master plan has been prepared in accordance with clause 37.10-3.

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Signs

Sign requirements are at clause 52.05. This zone is in Category 1 unless a schedule to this zone specifies a different category.

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Required bicycle facilities

A schedule to this zone may specify bicycle space requirements for the purposes of clause 52.34-5.

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Transitional provisions

A schedule to this zone may specify transitional provisions.