

**37.06**  
31/07/2018  
VC148

## PRIORITY DEVELOPMENT ZONE

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

### Purpose

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

To recognise or provide for the use and development of land for projects and areas of regional or State significance.

To provide for a range of uses and the development of land in accordance with a plan incorporated in this scheme.

**37.06-1**  
19/01/2006  
VC37

### Table of uses

#### Section 1 - Permit not required

| Use                                               | Condition                                                                 |
|---------------------------------------------------|---------------------------------------------------------------------------|
| Any use in Section 1 of the schedule to this zone | Must comply with any condition in Section 1 of the schedule to this zone. |

#### Section 2 - Permit required

| Use                                                              | Condition                                                                 |
|------------------------------------------------------------------|---------------------------------------------------------------------------|
| Any use in Section 2 of the schedule to this zone                | Must comply with any condition in Section 2 of the schedule to this zone. |
| Any other use not in Section 1 or 3 of the schedule to this zone |                                                                           |

#### Section 3 - Prohibited

| Use                                               |
|---------------------------------------------------|
| Any use in Section 3 of the schedule to this zone |

**37.06-2**  
19/01/2006  
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### Use of land

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

**37.06-3**  
14/12/2023  
VC253

### Subdivision

#### Permit requirement

A permit is required to subdivide land.

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

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

## VICTORIA PLANNING PROVISIONS

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

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

Any requirement in the 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: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>                                                                                                                                                                                                                                                          | Clause 59.01                                     |
| Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</li> </ul> | Clause 59.02                                     |
| Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>– Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>                                                                               | Clause 59.02                                     |

**37.06-4**20/04/2026  
VC307**Buildings and works****Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

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

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: <ul style="list-style-type: none"> <li>▪ Within 30 metres of land (not a road) which is in a residential zone.</li> <li>▪ Used for a purpose listed in the table to Clause 53.10.</li> </ul> | Clause 59.04                                     |

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clause 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**37.06-5**13/04/2017  
VC136**Application requirements**

An application to use land, to subdivide land or to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**37.06-6**19/01/2006  
VC37**Exemption from notice and review**

An application under any provision of this scheme which is generally in accordance with the incorporated plan 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 the schedule to this zone specifies otherwise.

**37.06-7**31/07/2018  
VC148**Decision guidelines**

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

## VICTORIA PLANNING PROVISIONS

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives and standards of Clause 56.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58
- Any guidelines in the schedule to this zone.

### **37.06-8**

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#### **Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

### **37.06-9**

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#### **Other provisions of the scheme**

The schedule to this zone may specify that other provisions of the scheme do not apply.