

**32.09**22/08/2013  
VC104**NEIGHBOURHOOD RESIDENTIAL ZONE**

Shown on the planning scheme map as **NRZ** 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 recognise areas of predominantly single and double storey residential development.

To limit opportunities for increased residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

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

**32.09-1**01/07/2013  
V8**Table of uses****Section 1 - Permit not required**

<b>Use</b>	<b>Condition</b>
<b>Animal keeping (other than Animal boarding)</b>	Must be no more than 2 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>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.
<b>Dwelling (other than Bed and breakfast)</b>	
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<b>Medical centre</b>	The gross floor area of all buildings must not exceed 250 square metres.  Must be located in an existing building.  The site must adjoin, or have access to, a road in a Road Zone.  Must not require a permit under clause 52.06-3.
<b>Minor utility installation</b>	
<b>Place of worship</b>	The gross floor area of all buildings must not exceed 250 square metres.  The site must adjoin, or have access to, a road in a Road Zone.

<b>Use</b>	<b>Condition</b>
	Must not require a permit under clause 52.06-3.
<b>Railway</b>	
<b>Residential aged care facility</b>	
<b>Tramway</b>	
<b>Any use listed in clause 62.01</b>	Must meet the requirements of Clause 62.01.

## Section 2 - Permit required

<b>Use</b>	<b>Condition</b>
<b>Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)</b>	
<b>Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)</b>	
<b>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</b>	Must be no more than 5 animals.
<b>Car park</b>	Must be used in conjunction with another use in Section 1 or 2.
<b>Car wash</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Community market</b>	
<b>Convenience restaurant</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Convenience shop</b>	The leasable floor area must not exceed 80 square metres.
<b>Food and drink premises (other than Convenience restaurant and Take away food premises)</b>	
<b>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</b>	
<b>Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub and Place of worship)</b>	
<b>Plant nursery</b>	
<b>Service station</b>	<p>The site must either:</p> <ul style="list-style-type: none"> <li>▪ Adjoin a commercial zone or industrial zone.</li> <li>▪ Adjoin, or have access to, a road in a Road Zone.</li> </ul> <p>The site must not exceed either:</p> <ul style="list-style-type: none"> <li>▪ 3000 square metres.</li> <li>▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</li> </ul>

Use	Condition
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

### Section 3 – Prohibited

Use
Amusement parlour
Animal boarding
Animal training
Brothel
Cinema based entertainment facility
Horse stables
Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Community market, Convenience shop, Food and drink premises and Plant nursery)
Saleyard
Stone extraction
Transport terminal
Warehouse (other than Store)

### 32.09-2

22/08/2013  
VC104

### Subdivision

#### Permit requirement

A permit is required to subdivide land.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

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

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

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

### **32.09-3**

22/08/2013  
VC104

#### **Number of dwellings on a lot**

The number of dwellings on a lot must not exceed the number specified in a schedule to this zone. If no number is specified, the number of dwellings on a lot must not exceed two.

#### **Transitional provisions**

Clause 32.09-3 does not apply to an application to construct two or more dwellings on a lot made before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

### **32.09-4**

01/07/2013  
V8

#### **Construction and extension of one dwelling on a lot**

##### **Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of less than the lot size specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

##### **No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

**32.09-5**  
22/08/2013  
VC104

### **Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

#### **Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

A permit is not required to construct one dependent person's unit on a lot.

#### **Transitional provisions**

Despite the amendments made to Clause 55 by Amendment VC100, Clause 55 does not apply to:

- an application to construct or extend a development of four or more storeys made before the approval date of the planning scheme amendment that introduces those amendments into the planning scheme; and
- an application under section 69 of the Act to extend a permit to construct or extend a development of four or more storeys granted on or before the approval date of Amendment VC100.

**32.09-6**  
01/07/2013  
V8

### **Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**32.09-7**  
01/07/2013  
V8

### **Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-1.

**32.09-8**  
22/08/2013  
VC104

### **Maximum building height requirement for a dwelling or residential building**

The maximum height of a building used for the purpose of a dwelling or residential building must not exceed the building height specified in a schedule to this zone. If no

building height is specified, the height of a building must not exceed 8 metres unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the height of the building must not exceed 9 metres.

This does not apply to:

- An extension of an existing building that exceeds the specified building height provided that the extension does not exceed the existing building height.
- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

### **Transitional provisions**

Clause 32.09-8 does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme. The requirements of clause 54 as they apply to clause 54.03-2 or of clause 55 as they apply to clause 55.03-2 as in force immediately before the said approval date continue to apply.

## **32.09-9**

01/07/2013  
V8

### **Application requirements**

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

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

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

## **32.09-10 Exemption from notice and review**

01/07/2013  
V8

### **Subdivision**

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

## **32.09-11 Decision guidelines**

01/07/2013  
V8

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

### **General**

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of this zone.
- Any other decision guidelines specified in a schedule to this zone.

### **Subdivision**

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

### **Dwellings and residential buildings**

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

### **Non-residential use and development**

In the local neighbourhood context:

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

### **32.09-12 Advertising signs**

22/08/2013  
VC104

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

*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 whether an overlay also applies to the land.*

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



14/11/2013  
C175

## SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ1**.

### Carter Estate and Anne Street Precinct – Garden Suburban 1 and Garden Suburban 2

#### 1.0 Minimum subdivision area

14/11/2013  
C175

500sq.m

#### 2.0 Permit requirement for the construction or extension of one dwelling on a lot

14/11/2013  
C175

Requirement	
Permit requirement for the construction or extension of one dwelling on a lot	A lot less than 500sqm
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified.

#### 3.0 Requirements of Clause 54 and Clause 55

14/11/2013  
C175

	Standard	Requirement
Minimum street setback	A3 and B6	6 metres
Site coverage	A5 and B8	Up to a maximum of 40%
Permeability	A6 and B9	Minimum of 40%
Landscaping	B13	A minimum of two semi-mature canopy tree with a minimum mature height of 8 metres within both the front and rear setbacks.
Side and rear setbacks	A10 and B17	Minimum 1.5 metre setback on at least one side boundary.
Walls on boundaries	A11 and B18	No walls are to be constructed on boundaries except where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls.
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	Front fence maximum height of 600mm.

#### 4.0 Number of dwellings on a lot

14/11/2013  
C175

None specified.

## 5.0 Maximum building height requirement for a dwelling or residential building

14/11/2013  
C175

A building used as a dwelling or a residential building must not exceed a height of two storeys or 8.5m.

## 6.0 Application requirements

14/11/2013  
C175

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme:

- A neighbourhood and site description plan (NSD) which must show:
  - At least three sites or buildings on either side of the proposed development, opposite and to the rear of the proposed development.
  - The built form, scale and character of the area, including front fencing (i.e. height of buildings, front and side setbacks, location and width of vehicle and pedestrian crossovers, vegetation and land topography).
  - A streetscape elevation showing the proposed development in the context of three adjoining dwellings.
- A Design Response plan which must demonstrate:
  - How the proposed development responds to the characteristics identified in the neighbourhood and site description (NSD) plan and should include a written evaluation of how the features of the neighbourhood identified in the NSD influence the design.
- Subdivision of existing lots must be accompanied by a development application, appropriate building envelope or an approved planning permit plans for the site for the construction of the dwellings.

## 7.0 Decision guidelines

14/11/2013  
C175

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Whether the proposal meets the preferred neighbourhood character statement and design objectives and guidelines for the relevant Precinct, as contained within the *Wyndham Housing and Neighbourhood Character Strategy 2015*.
- The extent to which the proposed building or works respects and enhances the character of the area.
- The extent to which the proposed buildings or works retain existing canopy trees and create opportunities for landscaping and adequate space for canopy tree planting.
- The extent to which the proposed built form respects prevailing side setbacks, where applicable.

14/11/2013  
C175

## SCHEDULE 2 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ2**.

### Werribee Grange Kingston Precinct and Little River Precinct – Rural Garden 1 and 2 and Contemporary Garden 1

#### 1.0 Minimum subdivision area

14/11/2013  
C175

Any area specified must be at least:

- 0.4 hectares for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectares for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectares.

#### 2.0 Permit requirement for the construction or extension of one dwelling on a lot

14/11/2013  
C175

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	None specified
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified

#### 3.0 Requirements of Clause 54 and Clause 55

14/11/2013  
C175

	Standard	Requirement
Minimum street setback	A3 and B6	15 metres
Site coverage	A5 and B8	Up to a maximum of 30%
Permeability	A6 and B9	Minimum of 40%
Landscaping	B13	A minimum of two semi-mature canopy tree with a minimum mature height of 8 metres within both the front and rear setbacks.
Side and rear setbacks	A10 and B17	Minimum 2 metre setback for both side boundaries.
Walls on boundaries	A11 and B18	No walls are to be constructed on boundaries.
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	No front fence

#### 4.0 Number of dwellings on a lot

14/11/2013  
C175

None specified.

## **5.0 Maximum building height requirement for a dwelling or residential building**

14/11/2013  
C175

A building used as a dwelling or a residential building must not exceed a height of two storeys or 8.5m.

## **6.0 Application requirements**

14/11/2013  
C175

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme:

- A neighbourhood and site description plan (NSD) which must show:
  - At least three sites or buildings on either side of the proposed development, opposite and to the rear of the proposed development.
  - The built form, scale and character of the area, including front fencing (i.e. height of buildings, front and side setbacks, location and width of vehicle and pedestrian crossovers, vegetation and land topography).
  - A streetscape elevation showing the proposed development in the context of three adjoining dwellings.
- A Design Response plan which must demonstrate:
  - How the proposed development responds to the characteristics identified in the neighbourhood and site description (NSD) plan and should include a written evaluation of how the features of the neighbourhood identified in the NSD influence the design.
- Subdivision of existing lots must be accompanied by a development application, appropriate building envelope or an approved planning permit plans for the site for the construction of the dwellings.

## **7.0 Decision guidelines**

14/11/2013  
C175

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Whether the proposal meets the preferred neighbourhood character statement and design objectives and guidelines for the relevant Precinct, as contained within the *Wyndham Housing and Neighbourhood Character Strategy 2015*.
- The extent to which the proposed building or works respects and enhances the character of the area.
- The extent to which the proposed buildings or works retain existing canopy trees and create opportunities for landscaping and adequate space for canopy tree planting.
- The extent to which the proposed built form respects prevailing side setbacks, where applicable.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

14/11/2013  
C175

## SCHEDULE 3 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ3**.

### Derrimut Heath, Westleigh Gardens and Walls Road Precinct – GARDEN COURT 4

#### 1.0 Minimum subdivision area

14/11/2013  
C175

500sqm

#### 2.0 Permit requirement for the construction or extension of one dwelling on a lot

14/11/2013  
C175

Requirement	
Permit requirement for the construction or extension of one dwelling on a lot	A lot less than 500sqm
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified.

#### 3.0 Requirements of Clause 54 and Clause 55

14/11/2013  
C175

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Up to a maximum of 50%
Permeability	A6 and B9	A minimum of 40%
Landscaping	B13	On sites with a frontage of less than 15 metres, a minimum of one semi-mature canopy tree with a minimum mature height of 8 metres within both the front and rear setbacks.  On sites with a frontage greater than 15 metres, a minimum of two semi-mature canopy trees within both the front and rear setbacks.  Where a side setback is provided, the space must be wide enough to include an area for planting deep root tree.
Side and rear setbacks	A10 and B17	Minimum 1.2 metre setback to both side boundaries.
Walls on boundaries	A11 and B18	No walls are to be constructed on boundaries.

	Standard	Requirement
<b>Private open space</b>	A17	An area of 60 square metres, with one part of the private open space to consist of secluded private open space with a minimum area of 40 square metres and a minimum dimension of 5 metres.  Secluded private open space should not be located in the front setback of a dwelling or residential building and should have convenient access from a living room.
	B28	An area of 60 square metres, with one part of the private open space to consist of secluded private open space with a minimum area of 40 square metres and a minimum dimension of 5 metres.  Secluded private open space should not be located in the front setback of a dwelling or residential building and should have convenient access from a living room.
<b>Front fence height</b>	A20 and B32	No front fences

**4.0 Number of dwellings on a lot**

14/11/2013  
C175

None specified.

**5.0 Maximum building height requirement for a dwelling or residential building**

14/11/2013  
C175

A building used as a dwelling or a residential building must not exceed a height of two storey (8.5 metres).

**6.0 Application requirements**

14/11/2013  
C175

Subdivision of existing lots must be accompanied by a development application, appropriate building envelope or an approved planning permit plans for the site for the construction of the dwellings.

**7.0 Decision guidelines**

14/11/2013  
C175

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Whether the proposal meets the preferred neighbourhood character statement and design objectives and guidelines for the relevant Precinct, as contained within the *Wyndham Housing and Neighbourhood Character Strategy 2015*.

14/11/2013  
C175

## SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ4**.

### Riverbend Estate – GARDEN COURT 3

#### 1.0 Minimum subdivision area

14/11/2013  
C175

1000sqm

#### 2.0 Permit requirement for the construction or extension of one dwelling on a lot

14/11/2013  
C175

Requirement	
Permit requirement for the construction or extension of one dwelling on a lot	A lot less than 1000sqm
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified.

#### 3.0 Requirements of Clause 54 and Clause 55

14/11/2013  
C175

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Up to a maximum of 40%
Permeability	A6 and B9	A minimum of 40%
Landscaping	B13	A minimum of two semi-mature canopy tree with a minimum mature height of 8 metres within both the front and rear setbacks.
Side and rear setbacks	A10 and B17	Minimum 2 metre setback to both side boundaries.
Walls on boundaries	A11 and B18	No walls of dwellings are to be constructed on boundaries.
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	No front fence

#### 4.0 Number of dwellings on a lot

14/11/2013  
C175

None specified.

#### 5.0 Maximum building height requirement for a dwelling or residential building

14/11/2013  
C175

A building used as a dwelling or a residential building must not exceed a height of two storeys (8.5 metres).

## 6.0 Application requirements

14/11/2013  
C175

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme:

- A neighbourhood and site description plan (NSD) which must show:
  - At least three sites or buildings on either side of the proposed development, opposite and to the rear of the proposed development.
  - The built form, scale and character of the area, including front fencing (i.e. height of buildings, front and side setbacks, location and width of vehicle and pedestrian crossovers, vegetation and land topography).
  - A streetscape elevation showing the proposed development in the context of three adjoining dwellings.
- A Design Response plan which must demonstrate:
  - How the proposed development responds to the characteristics identified in the neighbourhood and site description (NSD) plan and should include a written evaluation of how the features of the neighbourhood identified in the NSD influence the design.
- Subdivision application of existing lots must be accompanied by a development application or approved planning permit plans for the site for the construction of the dwellings.

## 7.0 Decision guidelines

14/11/2013  
C175

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Whether the proposal meets the preferred neighbourhood character statement and design objectives and guidelines for the relevant Precinct, as contained within the *Wyndham Housing and Neighbourhood Character Strategy 2015*.
- The extent to which the proposed building or works respects and enhances the character of the area.
- The extent to which the proposed buildings or works retain existing canopy trees and create opportunities for landscaping and adequate space for canopy tree planting.
- The extent to which the proposed built form respects prevailing side setbacks, where applicable.



14/11/2013  
C175

## SCHEDULE 5 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ5**

### Beach Road Precinct – COASTAL GARDEN 1 AND 2

#### 1.0 Minimum subdivision area

14/11/2013  
C175

500 sqm

#### 2.0 Permit requirement for the construction or extension of one dwelling on a lot

14/11/2013  
C175

Requirement	
Permit requirement for the construction or extension of one dwelling on a lot	None specified.
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified.

#### 3.0 Requirements of Clause 54 and Clause 55

14/11/2013  
C175

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Up to a maximum of 50%
Permeability	A6 and B9	A minimum of 40%
Landscaping	B13	A minimum of two semi-mature canopy tree with a minimum mature height of 8 metres within both the front and rear setbacks
Side and rear setbacks	A10 and B17	Minimum 1.2 metre setback to both side boundaries.
Walls on boundaries	A11 and B18	No walls of dwellings are to be constructed on boundaries.
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	No front fences

#### 4.0 Number of dwellings on a lot

14/11/2013  
C175

None specified.

#### 5.0 Maximum building height requirement for a dwelling or residential building

14/11/2013  
C175

A building used as a dwelling or a residential building must not exceed a height of two storeys (8.5 metres).

## 6.0 Application requirements

14/11/2013  
C175

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme:

- A neighbourhood and site description plan (NSD) which must show:
  - At least three sites or buildings on either side of the proposed development, opposite and to the rear of the proposed development.
  - The built form, scale and character of the area, including front fencing (i.e. height of buildings, front and side setbacks, location and width of vehicle and pedestrian crossovers, vegetation and land topography).
  - A streetscape elevation showing the proposed development in the context of three adjoining dwellings.
- A Design Response plan which must demonstrate:
  - How the proposed development responds to the characteristics identified in the neighbourhood and site description (NSD) plan and should include a written evaluation of how the features of the neighbourhood identified in the NSD influence the design.
- Subdivision application of existing lots must be accompanied by a development application or approved planning permit plans for the site for the construction of the dwellings.

## 7.0 Decision guidelines

14/11/2013  
C175

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Whether the proposal meets the preferred neighbourhood character statement and design objectives and guidelines for the relevant Precinct, as contained within the *Wyndham Housing and Neighbourhood Character Strategy 2015*.
- The extent to which the proposed building or works respects and enhances the character of the area.
- The extent to which the proposed buildings or works retain existing canopy trees and create opportunities for landscaping and adequate space for canopy tree planting.
- The extent to which the proposed built form respects prevailing side setbacks, where applicable.

14/11/2013  
C175

## SCHEDULE 6 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ6**

### Infrastructure Constrained Areas – GARDEN COURT 1 and 2

#### 1.0 Minimum subdivision area

14/11/2013  
C175

2000 sqm

#### 2.0 Permit requirement for the construction or extension of one dwelling on a lot

14/11/2013  
C175

Requirement	
Permit requirement for the construction or extension of one dwelling on a lot	A lot less than 2000sqm
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified.

#### 3.0 Requirements of Clause 54 and Clause 55

14/11/2013  
C175

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Up to a maximum of 40%
Permeability	A6 and B9	A minimum of 40%
Landscaping	B13	A minimum of four semi-mature canopy tree with a minimum mature height of 8 metres within the front setback.
Side and rear setbacks	A10 and B17	Minimum 2 metre setback to both side boundaries.
Walls on boundaries	A11 and B18	No walls of dwellings are to be constructed on boundaries.
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	No front fence

#### 4.0 Number of dwellings on a lot

14/11/2013  
C175

None specified.

#### 5.0 Maximum building height requirement for a dwelling or residential building

14/11/2013  
C175

A building used as a dwelling or a residential building must not exceed a height of two storeys (8.5 metres).

## 6.0 Application requirements

14/11/2013  
C175

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme:

- A neighbourhood and site description plan (NSD) which must show:
  - At least three sites or buildings on either side of the proposed development, opposite and to the rear of the proposed development.
  - The built form, scale and character of the area, including front fencing (i.e. height of buildings, front and side setbacks, location and width of vehicle and pedestrian crossovers, vegetation and land topography).
  - A streetscape elevation showing the proposed development in the context of three adjoining dwellings.
- A Design Response plan which must demonstrate:
  - How the proposed development responds to the characteristics identified in the neighbourhood and site description (NSD) plan and should include a written evaluation of how the features of the neighbourhood identified in the NSD influence the design.
- Subdivision application of existing lots must be accompanied by a development application or approved planning permit plans for the site for the construction of the dwellings.

## 7.0 Decision guidelines

14/11/2013  
C175

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Whether the proposal meets the preferred neighbourhood character statement and design objectives and guidelines for the relevant Precinct, as contained within the *Wyndham Housing and Neighbourhood Character Strategy 2015*.
- The extent to which the proposed building or works respects and enhances the character of the area.
- The extent to which the proposed buildings or works retain existing canopy trees and create opportunities for landscaping and adequate space for canopy tree planting.
- The extent to which the proposed built form respects prevailing side setbacks, where applicable.