

32.07**RESIDENTIAL GROWTH ZONE**22/08/2013
VC104

Shown on the planning scheme map as **RGZ** 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 housing at increased densities in buildings up to and including four storey buildings.

To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.

To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.

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

32.07-1**Table of uses**01/07/2013
V8**Section 1 - Permit not required**

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Food and drink premises (other than Convenience restaurant, Hotel and Tavern)	The land must be located within 100 metres of a commercial zone or Mixed Use Zone and must adjoin, or have access to, a road in a Road Zone. The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone. The leasable floor area must not exceed 100 square metres.
Home occupation	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres.
Minor utility installation	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.

Use	Condition
	The site must adjoin, or have access to, a road in a Road Zone.
Railway	
Residential aged care facility	
Shop (other than Adult sex bookshop and Bottle shop)	<p>The land must be located within 100 metres of a commercial zone or Mixed Use Zone and must adjoin, or have access to, a road in a Road Zone.</p> <p>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</p> <p>The leasable floor area must not exceed 100 square metres.</p>
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 – Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Community market	
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop – if the Section 1 conditions to Shop are not met.	
Hotel	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Office (other than Medical centre)	<p>The land must be located within 100 metres of a commercial zone.</p> <p>The land must have the same street frontage as the land in the commercial zone.</p> <p>The leasable floor area must not exceed 250 square metres.</p>

Use	Condition
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub and Place of worship)	
Plant nursery	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Road Zone. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Shop (other than Adult sex bookshop, Bottle shop and Convenience shop) – if the Section 1 conditions are not met	<p>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</p> <p>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</p>
Store	<p>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.</p>
Tavern	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Adult sex bookshop
Amusement parlour
Animal boarding
Animal training
Bottle shop
Brothel
Cinema based entertainment facility
Horse stables
Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Retail premises (other than Community market, Food and drink premises, Plant nursery and Shop)
Saleyard

Use**Stone extraction****Transport terminal****Warehouse (other than Store)****32.07-2**01/07/2013
V8**Subdivision****Permit requirement**

A permit is required to subdivide land.

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

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

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

32.07-301/07/2013
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 less than 300 square metres

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.

32.07-422/08/2013
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. This does not apply to a development of five or more storeys, excluding a basement.

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.

32.07-5

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.

32.07-6

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 32.07-1.

32.07-7

01/07/2013
V8

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.

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.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

If no building height is specified in a schedule to this zone, the maximum building height should not exceed 13.5 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 should not exceed 14.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.

32.07-8

01/07/2013
V8

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

32.07-9

01/07/2013
V8

Application requirements

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

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For residential development of five or more storeys, an urban context report and design response as required in Clause 52.35.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The siting and use of existing and proposed buildings.
 - Adjacent buildings and uses.
 - The building form and scale.
 - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

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

32.07-10

01/07/2013
V8

Exemption from notice and review

Subdivision

An application to subdivide land 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.

32.07-11 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 of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- 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.
- For a development of five or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004).

Non-residential use and development

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

32.07-12 Advertising signs

01/07/2013
V8

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.

13/11/2014
C188

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ1**

Substantial Change Area (PPTN)

1.0

Requirements of Clause 54 and Clause 55

17/10/2013
C179

	Standard	Requirement
Minimum street setback	A3 and B6	At least 3 metres unless parking is not provided.
Site coverage	A5 and B8	Up to 70%
Permeability	A6 and B9	None specified
Landscaping	B13	A minimum of one semi-mature canopy tree with a minimum mature height of 8 metres within the front setback.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	An area of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room, or A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
Front fence height	A20 and B32	None specified

2.0

Maximum building height requirement for a dwelling or residential building

17/10/2013
C179

A building used as a dwelling or a residential building must not exceed 4 storeys or a height of 13.5 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 14 metres.

3.0

Application requirements

17/10/2013
C179

An application to construct two or more dwellings on a lot must include the following information, as appropriate, to the satisfaction of the responsible authority. The responsible authority can waive some or all of these requirements as appropriate:

- Landscape concept design.
- Urban design context report and design response.
- Sustainability assessment.

- Acoustic assessment for development sites that adjoining a Road Zone, Category 1 (RDZ1), land in Schedule 4 to the Public Use Zone (PUZ4) with the potential to cause amenity impacts as a result of noise.
- Waste management plan
- A neighbourhood and site description (NSD) plan which must show:
 - At least three sites or buildings on both sides 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, land topography).
 - Architectural and roof styles.
- A streetscape elevation showing the proposed development in the context of three adjoining dwellings or buildings on each side.

4.0 Decision guidelines

17/10/2013
C179

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in clause 32.07 and elsewhere in the scheme:

- Whether the proposal meets the design objectives and guidelines as contained within the *Wyndham Housing and Neighbourhood Character Strategy 2015*.
- Whether the development provides for an appropriate built form, scale and height transition to an adjoining Neighbourhood Residential Zone, General Residential Zone or commercial zoning.
- The extent to which landscaping softens the appearance of the proposed development and assists in the transition to existing development.
- The layout and appearance of areas set aside for car parking, access and egress, loading and the location of any proposed off street car parking,
- Whether garages and carports visually dominate the proposed development.
- The use of architectural features and building design, rather than screens, as mechanism to protect privacy for adjoining residents.
- The concealment of ancillary services from the front, side and rear boundary views.
- Environmental and sustainability performance of the development.

13/11/2014
C188

SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ2**

Substantial Change Area - Train Station Access

1.0 Requirements of Clause 54 and Clause 55

17/10/2013
C179

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	Up to 80%
Permeability	A6 and B9	Minimum of 10%
Landscaping	B13	A minimum of one semi-mature canopy tree with a minimum mature height of 8 metres within the front setback.
Side and rear setbacks	A10 and B17	None specified.
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

2.0 Maximum building height requirement for a dwelling or residential building

17/10/2013
C179

None specified.

3.0 Application requirements

17/10/2013
C179

An application to construct two or more dwellings on a lot must include the following information, as appropriate, to the satisfaction of the responsible authority. The responsible authority can waive some or all of these requirements as appropriate:

- Landscape concept design.
- Urban design context report and design response.
- Sustainability assessment.
- Acoustic assessment for development sites that adjoining a Road Zone, Category 1 (RDZ1), land in Schedule 4 to the Public Use Zone (PUZ4) with the potential to cause amenity impacts as a result of noise.
- Waste management plan
- A neighbourhood and site description (NSD) plan which must show:
 - At least three sites or buildings on both sides 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, land topography).
- Architectural and roof styles.
- A streetscape elevation showing the proposed development in the context of three adjoining dwellings or buildings on each side..

4.0 Decision guidelines

17/10/2013
C179

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in clause 32.07 and elsewhere in the scheme:

- Whether the proposal meets the design objectives and guidelines as contained within the *Wyndham Housing and Neighbourhood Character Strategy 2015*.
- Whether the development provides for an appropriate built form, scale and height transition to an adjoining Neighbourhood Residential Zone, General Residential Zone or commercial zoning.
- The extent to which landscaping softens the appearance of the proposed development and assists in the transition to existing development.
- The layout and appearance of areas set aside for car parking, access and egress, loading and the location of any proposed off street car parking,
- Whether garages and carports visually dominate the proposed development.
- The use of architectural features and building design, rather than screens, as mechanism to protect privacy for adjoining residents.
- The concealment of ancillary services from the front, side and rear boundary views.
- Environmental and sustainability performance of the development.