

Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C99

Authorisation A01187

The Whitehorse City Council has prepared Amendment C99 to the Whitehorse Planning Scheme.

In accordance with section 9(2) of the Planning and Environment Act 1987, the Minister for Planning authorised the Whitehorse City Council as planning authority to prepare the amendment.

The amendment applies to the whole municipality.

The amendment proposes to amend the public open space contribution under the Schedule to Clause 52.01 by requiring subdivisions, whether residential, commercial or industrial, to make a contribution of at least 4%.

The amendment also proposes to introduce a new local policy (Public Open Space Contribution) into the scheme at Clause 22.17. The policy makes reference to the Whitehorse Open Space Strategy (WOSS) and will guide decision making in regards to whether a percentage of the site value, a land contribution or a combination of both should be taken.

The amendment also makes minor changes to the Municipal Strategic Statement and inserts the WOSS as a reference document.

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment at the following locations:

- at the office of the planning authority, 379-397 Whitehorse Road, Nunawading
- at the Whitehorse Service Centres of Forest Hill and Box Hill
- at the Box Hill, Blackburn and Vermont South libraries
- at Council's website www.whitehorse.vic.gov.au/amendmentc99
- at the Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/publicinspection.

This can be done during office hours and is free of charge.

Any person who may be affected by the amendment may make a submission to the planning authority.

The closing date for submissions is Monday 23 March 2009. Submissions must be sent to:
Fiona Stevens, Development, Strategy and Business Services
Whitehorse City Council, Locked Bag 2, Nunawading Delivery Centre, 3110

A submission that seeks to change the amendment and is not accepted by the planning authority will be referred to an independent Panel appointed by the Minister under Part 8 of the *Planning and Environment Act 1987*.

If a submission is referred to a Panel, a Directions Hearing and Panel Hearing are to be held on the following dates:

- Directions Hearing, week of 11 May 2009
- Panel Hearing, week of June 2009

Anyone who has made a submission that has been referred to a Panel has an opportunity to be heard.

All submitters will be formally advised in writing of any Directions or Panel Hearing and the date.

Mr Peter Panagakos
Manager Development, Strategy and Business Services

PRIVACY STATEMENT

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the Planning and Environment Act 1987. The public may view the submissions whilst the Amendment is being considered. In accordance with the "Improving Access to Planning Documents" Practice Note dated December 1999, a copy of your submission may be made upon request. If you fail to provide this information your comments may not be considered. You may access this information by contacting Council on 9262 6315.

WHITEHORSE PLANNING SCHEME

AMENDMENT C99

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the City of Whitehorse, which is the planning authority for this amendment.

The amendment has been made at the request of City of Whitehorse.

Land affected by the amendment.

The amendment applies to the whole municipality.

What the amendment does.

The amendment changes the public open space contribution under the Schedule to Clause 52.01 Public Open Space Contributions and Subdivision. Subdivisions, whether residential, commercial or industrial, will be required to make a public open space contribution of at least 4%. Where the subdivision affects a Strategic site, as defined by the *Whitehorse Open Space Strategy 2007 (WOSS)* or by Council, a minimum contribution of 4% will be required, subject to negotiation of a development plan. For all other sites, a flat rate of 4% will be required. This contribution would be either a percentage of the site value, a land contribution or a combination of both. (In accordance with Section 18(8) of the Subdivision Act, the subdivision of land into two lots is exempt from the open space requirement where Council considers it unlikely that the land will be further subdivided.)

The amendment also introduces a new local policy (Public Open Space Contribution) into the scheme at Clause 22.17. The policy makes reference to the WOSS and identifies areas where a land contribution may be sought over a cash contribution for open space. It also requires development proposals in the areas with an identified open space shortfall to give early consideration to the policy so that if the land or any part of it is suitable for public open space according to certain criteria identified in the policy, early provision can be made for the required contribution if future subdivision of the development occurs.

The amendment also makes minor changes to Clause 21.05 and 21.08 and inserts the WOSS into the list of Reference Documents under those clauses.

Strategic assessment of the amendment

Why the amendment is required?

Demand for public open space in the City of Whitehorse is growing as the population, and consequently development, increases.

The WOSS is a comprehensive review of the existing public open space network within the City of Whitehorse. It provides a strategic basis for Council's future open space program. The Strategy includes an analysis of existing open space, levels of use, gaps in the existing open space network, an analysis of projected future residential growth and how this growth will influence future open space needs. This analysis enabled the identification of areas where new open space is required, where existing open spaces can be improved and the work needed to meet the existing and future open space needs of the community. The Strategy recommends a variety of methods to achieve additional open space over the next 15 years. One such method is via public open space contributions made through the subdivision process.

The public open space contribution requirement under the Schedule to Clause 52.01 is used to procure monies and/or land from new development to contribute to the provision and maintenance of open space. In order for Council to meet its future open space needs, an amended contribution rate for open space will be required. The schedule to Clause 52.01 needs to be varied to include the new rate. Currently, the schedule in the Whitehorse Planning Scheme has a mandatory open space contribution requirement of between 2% and 5%, depending on the number of additional lots being created. This sliding scale was not based on a detailed investigation of open space demand and supply and will not generate the monies required to meet future open space needs.

The WOSS includes an *Open Space Contributions Program*, dated July 2008, which provides background information and explains the method used to establish the recommended contribution rates. The contribution of 4% was calculated by estimating the land area likely to be redeveloped due to anticipated population growth in each suburb and multiplying that by the average residential land value in each suburb, to estimate that the total value of land to be developed across the 15-year strategy is almost \$700 million, which is \$42 million per year. Project costs were then calculated (in 2006 dollars) based on projects contained in the WOSS. These include the costs to obtain land and develop new public open space reserves and open space links, and capital works improvements in existing open space and open space links. A proportion of each project cost was allocated to the new population, the total of which over the life of the 15-year strategy is approximately \$24 million. Therefore, per year a fair allocation of both land and capital works to the new population totals on average \$1.6 million per year. This is significantly more than the \$800 000 per annum currently collected using the existing open space contribution requirement. 4% is the rate needed to generate \$1.6 million per year from the estimated total value of land to be developed of \$42 million. The new contribution rate will remedy the shortfall by more accurately reflecting the cost to Council of providing for the open space needs of the new population. Council will contribute the remaining costs of implementing the Strategy on behalf of the existing population.

The WOSS identifies those areas within the City where additional open space will be needed and therefore where a land contribution may be required. The amendment includes a new local planning policy, Clause 22.17 Public Open Space Contributions, to highlight where a land contribution may in certain circumstances be sought instead of a cash contribution. As many sites proposed for subdivision will be unsuitable for a land contribution due to their size, location or attributes, the policy outlines the criteria to be used to determine if any part of the proposed subdivision site is suitable to be taken as land. Where a land contribution is inappropriate, a cash contribution will be required.

The new policy will also enable early consideration of the open space requirements of the scheme and Council's strategic preferences. As subdivision frequently occurs after development, the policy requires development proposals to set suitable land aside for public open space where subdivision will follow.

How does the amendment implement the objectives of planning in Victoria?

The following objectives of planning in Victoria are particularly relevant to the amendment:

To provide for the fair, orderly, economic and sustainable use and development of land;

To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.

The amendment helps to implement these objectives by:

- Assisting with the strategic management of funds to maintain and improve open space; to meet future need.
- Providing certainty about required open space contributions; and
- Aiding the provision of public open spaces and provision of a pleasant and efficient recreational environment to meet future need.

How does the amendment address the environmental effects and any relevant social and economic effects?

The amendment will result in increased and more accurate financial resources to fund strategic open space projects, providing a strong economic benefit for Council and the community. It will also provide certainty for developers, allowing improved cost planning.

Social benefits include the more equitable provision of open space and the likelihood that greater open space will be procured, increasing the total open space in the municipality. The opportunity for new open space and ability to upgrade existing open space will have positive environmental effects. New open space areas may include high value vegetation that can be conserved and new open space links to improve habitat corridors.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

Minister's Direction No. 9 – Metropolitan Strategy made under Section 12 of the Act affects any amendment undertaken by Council and requires regard to be had to *Melbourne 2030*. The Directions are now included in Clause 12 of the State Planning Policy Framework (SPPF), which is discussed below.

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7 of the Act.

How does the amendment support or implement the State Planning Policy Framework?

Clause 12 provides objectives and strategies for metropolitan Melbourne. The relevant clauses are:

12.05 – A great place to be.

This objective seeks to create better quality, safer and more functional urban environments with more open space. The amendment satisfies this objective by ensuring new development contributes to open space, improving the quality and distribution of open space, providing open space in areas that have an undersupply of parkland and rectifying gaps in the open space network by creating new parks.

12.07 – A greener city

The amendment will help to meet this objective by improving opportunities to conserve areas of valuable native habitat and biodiversity.

Clause 15 sets out more detailed objectives and strategies for the environment. Clause 15.10 prescribes that planning authorities should ensure that land is set aside and developed in residential areas for local recreational use. The WOSS provides a strategic framework for meeting this requirement and the amendment implements the WOSS recommendations.

Clause 19.01 contains objectives for the subdivision of land and specifies that planning schemes should enable '*the placing of open space requirements on development proposals*'. The amendment meets this requirement.

How does the amendment support or implement the Local Planning Policy Framework?

Clause 21.05 outlines the issues affecting and the aims for improving and protecting the city's natural, visual and urban environments. The amendment will help to meet the objectives of environmental protection and strengthen the policy by adding a strategy to ensure '*all new development contributes to the provision of public open space*'.

The amendment will implement and update Clause 21.08 Infrastructure by specifying that contributions may be taken as land where the selection and location criteria in the WOSS are met.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the VPPs by relying on the Schedule to Clause 52.01 to amend the contribution for open space. The addition of a local policy is appropriate to guide decision making in determining whether the contribution should be land or cash in lieu.

How does the amendment address the views of any relevant agency?

The contribution under Clause 52.01 does not require referral to any agency, nor does it affect the views of any agency.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

- Whitehorse City Council, Planning Counter, Civic Offices, 379 Whitehorse Road, Nunawading.
- Whitehorse Council Service Centres at Box Hill and Forest Hill, libraries at Box Hill, Blackburn and Vermont South and on the Internet at www.whitehorse.vic.gov.au/amendmentc99
- Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/publicinspection

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- Directions Hearing, week of 11 May 2009
- Panel Hearing, week of 1 June 2009

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Mr Peter Panagakos Manager Development, Strategy and Business Services

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21.05 ENVIRONMENT

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21.05-1 Overview

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There are issues of natural environment, visual environment and the built environment which are important to the City of Whitehorse. Several areas in the City have special natural, environmental or historic significance while many open space reserves provide habitats for a diverse range of flora and fauna, as well as a range of both active and passive recreation activities. These areas are not merely places for recreation, but conservation. There is an urgency to put appropriate controls into place to protect natural features, buildings and areas of historical significance to avoid further loss of the City's environmental assets.

Council's Whitehorse EcoVision for Ecological Sustainability identifies a wide range of existing and future programs which Council is committed to including those associated with renewable energy; energy audits; biodiversity protection; recycling; waste reduction; water conservation; water quality; sustainable transport; air quality; and human services. These programs and others are aimed at the City achieving ecological sustainability which is a fundamental principle to be implemented by the land use planning system. Ecological Sustainable Development is "using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased" (National Strategy for Ecological Sustainable Development 1992[NSESD]).

The City contains many major thoroughfares of metropolitan significance. The visual amenity of these routes is critical in determining the overall sense of identity and character of the City. The City's 'Gateways' require special treatment in recognition of their impact on first impressions and the image that they project of the City. Main thoroughfares and gateways are prime locations for advertising signs. If not appropriately managed, the proliferation of signage can drastically reduce the visual amenity of an area. Council will facilitate adequate identification of businesses but seeks to minimise visual clutter. Many of the City's industrial areas were developed when planning controls were either non-existent or well below today's standards. Many of these areas are of poor amenity and their streetscapes are dominated by the built form, with little or no landscaping. Council wants to ensure that the streetscape is improved by way of street tree planting and landscaping among other things. It is also essential that all new development provide for appropriate landscaping and high quality design to reinforce the regeneration process.

Council wishes to foster the provision and use of information technology throughout the community. The infrastructure required to provide access to such facilities can have a substantial impact on the streetscape and visual amenity of the City if not sensitively managed. In particular, cabling can seriously affect street trees that can, in turn, have a profound impact on the character of an area. Council has a strong preference for the location of communication cables underground, particularly along major thoroughfares such as Springvale Road, Canterbury Road, Middleborough Road and Whitehorse Road. Greater emphasis on urban design and streetscape appearance has also created an increased awareness and interest in underground power lines.

*Council's **Environment Strategy** is based on the principle that the environmentally sensitive assets of the City will be protected and enhanced.*

21.05-2 Key issues

17/08/2006
C50(Part 1)

- Ecological sustainability.

- Protection of areas of special significance.
- Promotion of vegetation protection.
- Promotion of design excellence.
- Heritage protection.
- Visual amenity.
- Underground cabling.
- Streetscape planting.
- Industrial areas.
- Stormwater Management.
- Promotion of environmental issues including, air, global warming, sustainable transport management and water quality.
- Waste Management and litter reduction.
- Climate change.

21.05-3 Objectives

17/08/2006
C50(Part 1)

- To protect and enhance areas with special natural, environmental, cultural or historic significance for the future enjoyment of the community.
- To facilitate environmental protection and improvements to known assets including water, flora, fauna and biodiversity assets.
- To develop main thoroughfares as attractive boulevards with improved advertising signage, landscaping and building design.
- To protect and enhance air and water quality.
- To reduce automobile dependency and encourage sustainable transport use.
- To reduce energy and water consumption.

21.05-4 Strategies

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Strategies to achieve these objectives include:

- Providing controls to protect and enhance areas of environmental significance.
- Ensuring that tree removal within significant areas requires permission.
- Ensuring that the replanting of tall trees and indigenous vegetation is appropriate to the type of vegetation in the area and enhances and retains biodiversity.
- Encouraging appropriate development that responds to environmental characteristics and infrastructure constraints.
- Ensuring that development along part of Terrara Road remains low density in order to respond to the environmental constraints that exist in this area.
- Identifying those buildings, structures and features of historical significance within the municipality.
- Ensuring development is of a high quality design that is compatible with the character and appearance of the area.

- Providing adequate open space and landscaping for new development.
- Requiring the planting of upper canopy trees and other vegetation that enhances the character of the area.
- Ensuring all new development contributes to the provision of public open space.
- Encouraging underground cabling and the co-location of siting facilities for service and communication infrastructure, including satellite dishes to minimise visual and amenity impacts.
- Reducing the visual impact of on-site car parking from the street by locating parking areas to the side or rear of buildings and the provision of appropriate landscape buffers to soften hard surfaced areas.
- Ensuring advertising signs are well designed and compatible with the area and the building.
- Implementing ecological sustainability principles and Council’s Ecovision Strategy.
- Encouraging development in those areas with adequate infrastructure and excellent public transport links.
- Encouraging water and energy efficient practices through Council’s Energy and Water Action Plans.
- Encouraging waste minimisation and litter management through the implementation of Council’s Waste Management Plan.
- Promote the use of sustainable transport through the implementation of Council’s Integrated Transport Strategy.
- Managing development along the City’s waterways to ensure there is no detrimental impact on water quality.
- Encouraging appropriate construction methods to minimise impact on vegetation, stormwater, litter and neighbourhood amenity.

21.05-5 Implementation

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These strategies will be implemented by:

Zones and overlays

- Applying a Significant Landscape Overlay to the areas surrounding Blackburn Lake Sanctuary and Blackburn/Gardiners Creeks, including large nominated sites.
- Applying a Significant Landscape Overlay to areas around Glenburnie Road, Yarran Dheran, Collina Dell and Somers Trail.
- Applying a Significant Landscape Overlay to areas in Vermont.
- Applying a Neighbourhood Character Overlay to areas adjoining Blackburn Shopping Centre.
- Applying a Neighbourhood Character Overlay to an area around Box Hill.
- Applying a Vegetation Protection Overlay to identified significant vegetation.
- Applying an Environmental Significance Overlay to land at 131-173 Central Road, Nunawading.

- Applying an Environmental Significance Overlay to the land at 15 Virgillia Street, Blackburn North.
- Applying a Heritage Overlay to the buildings and structures listed on the Victorian Heritage Register and identified in City of Whitehorse heritage reviews.
- Applying an Urban Floodway Zone where appropriate to ensure that development and use along the City's waterways is of a nature that does not negatively impact on water quality.
- Applying a Special Building Overlay to areas identified by Melbourne Water as being subject to inundation during a one in one hundred year flood to ensure that development along overland flow paths does not adversely affect the movement of floodwater and water quality.

Policy and the exercise of discretion

- Using Clause 22.03 (Residential Development Policy) and Clause 22.04 (Tree Conservation) to supplement ResCode for the assessment of all residential applications.
- Ensuring that lot sizes in the area affected by the Significant Landscape Overlay are generally in accordance with the prevailing minimum lot size of 650 square metres.
- Ensuring that all tree removal and development complies with the Tree Conservation Policy at Clause 22.04.
- Apply the tall tree ratio in the Significant Landscape Overlay to all applications in the Blackburn, Walker Estate, Glenburnie Road, Somers Trail, Collina Dell, Yarran Dheran and Vermont areas.
- Strongly encouraging the planting of indigenous species where appropriate.
- Using Clause 22.17 to ensure suitable land for public open space is provided by new developments in areas where a land contribution is preferred.
- Ensuring that all applications for signage comply with the Visual Amenity Policy at Clause 22.02.
- Requiring professional landscape plans (including the planting of upper canopy trees) for all new developments.
- Using Clause 22.01 Heritage Buildings and Precincts and Clause 43.01 Heritage Overlay for the assessment of applications in heritage areas.
- Ensuring that all applications for industrial uses comply with the State Environment Protection Policy for Air.
- Requiring the submission of a waste management plan for all multi-dwelling developments.

21.05-6

17/08/2006
C50(Part 1)

Further strategic work

- Develop an Ecological Sustainability Strategy, including a Water Sensitive Urban Design policy.
- Review the key industrial locations to identify and facilitate the establishment of environmentally sustainable business clusters.
- Review further areas for inclusion in Significant Landscape Overlays and Neighbourhood Character Overlays.

- Develop and implement climate change adaptation policies.

21.05-7 Reference documents

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Stormwater Management Plan – February 2003

Guidelines for Areas of Special Significance

Blackburn Lake Surrounds Study, 2002

Walker Estate Special Character Area Urban Character Study, May 1999

Economic Development Strategy 2001-2006

Whitehorse Neighbourhood Character Study 2002/2003

KLM City of Whitehorse, Neighbourhood Character Study Review of areas 14 and 16
February 2004

Whitehorse EcoVision A Strategy for Ecological Sustainability, September 2002

Integrated Transport Study The 2020 Vision for Whitehorse, May 2002

City of Whitehorse Energy Action Plan, August 2004

City of Whitehorse Water Action Plan, August 2004

City of Whitehorse Waste Management Plan, August 2004

Review of Neighbourhood Character Implementation Recommendations, Part 2 Review Areas, July 2004

131 Central Road, Nunawading: Vegetation Assessment by Stephen Mueck, Biosis (November 2007)

Flora, fauna and habitat hectare assessment of 15 Virgillia Street Blackburn North Victoria, Biosis Research, April 2008

Collina Dell SLO Review, October 2007

Whitehorse Open Space Strategy, Thompson Berrill Landscape Design Pty Ltd, in association with Environment & Land Management Pty Ltd, November 2007

21.08 INFRASTRUCTURE

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21.08-1
17/08/2006
C50(Part 1)

Overview

Whitehorse City is committed to providing a high quality transport network for the benefit of all users, including drivers of freight transport, motorists traversing the City, motorists on local trips, pedestrians, cyclists and those in the community with limited mobility. This requires an arterial road network designed to operate at capacity and not beyond, but also a road network that makes safety a priority. The local road network also needs to be protected from traffic that is not generated from the immediate neighbourhood.

Several arterial roads serve the City, with freeways located to the north and south and another link proposed to the east. Completion of the freeway network will have an impact upon the main arterials that traverse the City by possibly reducing traffic on other main roads. It is anticipated that the completion of EastLink will result in a reduction in freight traffic, and to an extent some private vehicle traffic. This will enable the arterial roads in Whitehorse to operate more efficiently and possibly enable greater consideration of local issues in the operation of the network.

Construction of EastLink to the north of the City, while highly desirable from a traffic management viewpoint, must be designed having regard to the sensitivity of adjacent natural environments.

The proposed Healesville Freeway that extends within Whitehorse from Boronia Road to Springvale Road through Vermont is not accorded the same status. This proposed freeway is not supported by the Council as the community benefits of its construction are not clear and it is considered the land would be put to greater use if it became available for residential development given that alternative transport links already exist.

Council acknowledges the important role played by public transport and promotes public transport usage and efficiency. Extension of the tramline along Whitehorse Road to Box Hill Business Centre, mentioned in 'Transporting Melbourne', is strongly supported by the Council. It is envisaged that it will be completed by 2012. The extension of the Burwood Highway tramline through the municipality to the City of Knox is also strongly supported.

Provision has been made in the State Planning Policy Framework for Councils to consider the partial funding of physical and community infrastructure by the use of development contributions. The Council is yet to adopt a fully developed policy, however, the aspects to be covered in the policy are clear.

21.08-2 Key issues

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- To ensure that future roads are only constructed where they provide a net benefit to the community. New roads must be designed and developed in a manner which is environmentally sensitive, whilst minimising impacts on abutting land uses, particularly if they abut residential uses.
- In order to preserve residential amenity, it is vital that non-residential traffic travelling on residential streets is minimised. This is an ongoing and significant issue that faces this Council. Council is therefore committed to investigate and implement traffic management measures that will reduce through traffic.
- Council strongly supports the extension and augmentation of existing public transport facilities. In particular, the extension of the tramline along Burwood Highway to Knox City is seen to have substantial benefits for the City and its population. Development around public transport facilities should also ensure maximum utilisation.

- It is important that the appropriate measures are taken to maximise the capacity of the City's arterial road network, including the introduction of clearways to ensure that the network runs efficiently. To this end, it is vital that the impact of new development with regards to traffic generation, parking provision and the location of accessways is comprehensively assessed and controlled.
- Council needs to further investigate the opportunities to introduce the Development Contributions Plan Overlay to ensure that appropriate facilities are provided where new development is occurring within the City.
- Council has the responsibility to utilise open space contributions to help meet its future open space needs. Land contributions will be taken in certain areas where there is an opportunity to improve existing open space linkages and provision in accordance with Clause 22.17.

21.08-3
17/08/2006
C50(Part 1)

Objectives

- To ensure that adequate road capacity is provided to meet the future needs of the City.
- To obtain appropriate and sustainable developer contributions for infrastructure.
- To ensure that the needs of the community are met by alternative transport services.

21.08-4
17/08/2006
C50(Part 1)

Strategies

Strategies to achieve this objective include:

- Ensuring that land set aside for future roads is put to use where appropriate.
- Developing a road hierarchy that has regard to the abutting land uses and connectivity.
- Maintaining a hierarchy that distributes locally generated traffic onto the arterial road network.
- Discouraging non-locally generated transport activity from using the local road network.
- Developing parking precinct plans for all shopping centres to effectively manage the provision of parking as required.
- Identifying the type of developer contributions required to meet the infrastructure needs resulting from a development.
- Obtaining developer contributions toward cumulative infrastructure needs to which the development will add further demand.
- Providing better bicycle path links throughout the municipality.
- Actively promoting extensions and improvements to the public transport network to service the needs of the community.

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Implementation

These strategies will be implemented by:

Zones and overlays

- Applying a Road Zone Category 1 to major arterial roads to recognise their function and control the impact that new development and use may have on them via generation of parking and location of accessways.

- Applying a Public Acquisition Overlay on arterial road reservations and land where land required for road widening has been identified.

Policy and the exercise of discretion

- Ensuring that new development provides for adequate car parking.
- Ensuring that accessways are appropriately located, while ensuring safety for vehicles and pedestrians.
- Generally taking open space contributions as cash in lieu, except where the contribution as land meets the selection and location criteria under Clause 22.17.

21.08-6

17/08/2006
C50(Part 1)

Further strategic work

Undertaking appropriate traffic management works to discourage through traffic on local roads.

Developing a comprehensive Developer Contributions Policy.

Applying a Development Contributions Plan Overlay in accordance with the findings of the Developer Contributions Policy.

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Reference documents:

Transporting Melbourne, Department of Infrastructure, 1996

City of Whitehorse Bicycle Strategy and Works Program, 1996

Blackburn Station Shopping Centre Parking Strategy and Management Plan, March 2001

Integrated Transport Strategy

Whitehorse Open Space Strategy, Thompson Berrill Landscape Design Pty Ltd, in association with Environment & Land Management Pty Ltd, November 2007

22.17 PUBLIC OPEN SPACE CONTRIBUTION

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This policy applies to all development proposals.

22.17-1 Policy Basis

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The MSS identifies the need for new development to contribute to the provision of public open space.

Public open space is highly valued within the City of Whitehorse and fulfils a wide range of functions. The City has a wide diversity of open space reserves ranging from formal gardens to high quality sporting reserves to bushland reserves with high conservation values. Regional and municipal open space is well provided for across the municipality. However, due to historical development patterns, the western part of the municipality has more areas where some residents have to walk further to access local open space.

The Whitehorse Open Space Strategy, 2007 (WOSS) identifies where there is adequate provision of open space to meet existing residents needs and where there is not. It has also determined where population and development change will drive demand for new open space or upgrades of existing reserves. Public open space contributions from developers are one of a number of potential resources for the acquisition of land for public open space and the improvement of existing facilities on behalf of new populations. The contribution can be either land or cash at Council's discretion and is levied at the time land or buildings are subdivided.

The WOSS has identified areas where additional open space is required to meet the needs of the population and therefore a land contribution may be sought. These areas are shown on Map 1. Where Council does not request a land contribution, a cash contribution will apply.

Because public open space contributions can only be imposed at the subdivision stage, it is important for developers to ascertain at the site analysis stage of the development design process whether any part of the site might be required for public open space purposes where the site:

- is in an area where a land contribution may be sought on Map 1; and
- fits the selection criteria for public open space in clause 22.17-3.

This will ensure that public open space requirements are identified and allowed for at the earliest possible time.

22.17-2 Objectives

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- To implement the Whitehorse Open Space Strategy.
- To identify when and where land contributions for public open space may be sought over cash contributions.
- To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, to satisfy the public open space contribution requirement.

22.17-3 Policy

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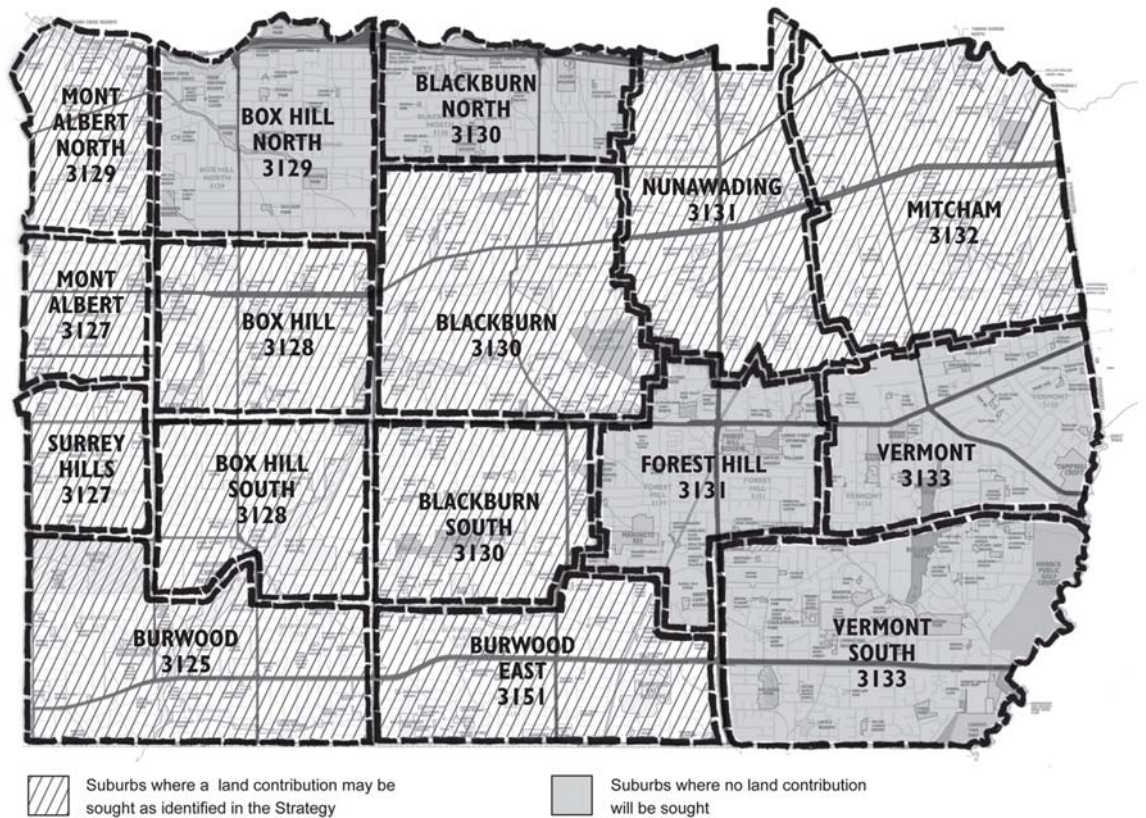
It is policy that:

Location

Land contributions for public open space will generally be preferred over cash contributions for the purposes of Clause 52.01 of the scheme within the areas identified in Map 1. Land will be requested and accepted at Council’s discretion, in accordance with the open space land requirements identified in the WOSS.

In all other areas of the municipality, a cash contribution equal to the amount specified in Clause 52.01 is required.

Map 1 – Whitehorse Open Space Strategy 2007, Sub-precincts



Selection criteria for public open space

In locations where a land contribution may be sought over a cash contribution, it is policy that the following criteria be used to determine whether any part of the land in a development proposal is appropriate to be contributed as public open space at the time of the subdivision of the land or building. Land to be contributed:

- Should meet the minimum size for the site to meet its intended purpose, on its own or in combination with adjoining land. The minimum size parcels for each type of open space is as follows:
 - Regional open space, unlimited

- Municipal open space, minimum 3 hectares
- Neighbourhood open space, minimum 1 hectare
- Local open space, minimum 0.26 hectare (up to 0.99 hectare)
- Small Local open space, 0.03 hectares (up to 0.25 hectare)
- Linking space, minimum 5 metres wide
- Should be in good physical condition (e.g. free of contamination and weed infestation)
- Should not be affected by adjoining land use in a way that diminishes the ecological, social or cultural value of the open space
- Should have existing biodiversity values or the potential to contribute to these values in existing or future habitat corridors
- Should contribute to the wider open space network including forming open space corridor links
- Should enhance any indigenous or non-indigenous heritage values
- Should be accessible or have the potential to be accessible
- Should have the potential to accommodate a range of formal and informal recreational uses
- Should be close to a range of transport options for residents to access the site, including proximity to public transport, linear shared trails and major roads
- Should not be unduly restricted by services or easements.

Land that does not meet all of the above criteria may still be appropriate as open space for the purposes of Clause 52.01.

Design

In locations where this policy has identified a preference for a land contribution rather than a cash contribution, an applicant should consult the responsible authority very early in the site analysis phase of a proposal to ascertain whether any part of the land might be suitable and required for public open space purposes.

The design of a building on land where public open space will be required should accommodate the provision of public open space in a manner that meets the selection criteria for public open space.

If a contribution under Clause 52.01 is likely to be imposed as a land contribution, and the responsible authority is satisfied that an additional part of the land which generally meets the selection criteria for public open space in Clause 22.17-3 should be acquired, the responsible authority should consult with the applicant to determine whether the development application could be modified to enable provision of the additional land to Council at Council's cost.

22.17-4 Reference Documents

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Whitehorse Open Space Strategy, Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd, November 2007

Whitehorse Open Space Strategy: Open Space Contributions Program, Environment & Land Management Pty Ltd in association with Thompson Berrill Landscape Design Pty Ltd, July 2008

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SCHEDULE TO CLAUSE 52.01

Type or location of subdivision	Amount of contribution for public open space
The subdivision of land on a strategic site (as defined by the Whitehorse Open Space Strategy or Council)	Minimum 4% subject to negotiation of a development plan
All other land	4%

LIST OF AMENDMENTS

Amendment number	In operation from	Brief description
VC7	16 AUG 1999	Makes changes to the SPPF relating to Melbourne Airport and brothels; clarifies that land identified in a schedule to the Public Park and Recreation Zone or the Public Conservation and Resource Zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land; introduces a new State Resources Overlay; amends the Airport Environs Overlay to establish the lessee of Melbourne Airport in decision guidelines and as a referral authority; extends the expiry date of major promotion signs displayed in accordance with a permit granted between 19 September 1993, and 18 September 1997; amends definitions in accordance with changes to the Prostitution Control Act 1994.
C1	26 AUG 1999	Rezones land at 197 – 199 Springvale road, Nunawading from Residential 1 Zone to a Mixed Use Zone.
C5	9 SEP 1999	Corrects an error by inserting the appropriate schedule to the Public Use Zone (36.01).
VC9	25 MAY 2000	Makes changes to the Settlement and Housing policies in the State Planning Policy Framework to recognise neighbourhood character.
C6	20 JUL 2000	The Amendment alters the boundary between Wattle Park Primary School and the adjoining retirement village to include all public land in Public Use Zone Education and all privately owned land in Residential 1 Zone.
VC8	17 AUG 2000	Makes changes to the SPPF in relation to biodiversity; introduces an operations clause for the LPPF; amends the rural zones in relation to the construction of outbuildings; amends the residential and rural zones to accommodate the keeping of pet racing dogs; amends the flooding zones and overlays to require the incorporation of local floodplain development plans; amends subdivision and dwelling provisions in the Restructure Overlay; amends clause 52.01 to clarify its relationship with the Subdivision Act 1988; amends clause 52.03 to enable the schedule to prohibit a use or development on specific sites; makes formatting and other changes arising from panel reports and operational experience.
VC10	14 DEC 2000	Makes changes to the Table of uses in the Public Conservation and Resource Zone relating to Utility installation and makes typographical corrections.
C15	11 JAN 2001	Amends the Schedule to Clause 52.03 by incorporating the document "Extension of the Eastern Freeway and Completion of the Ringwood Bypass, October 2000". This document provides for the extension of the Eastern Freeway and completion of the Ringwood Bypass from Springvale Road, Nunawading to Ringwood Street, Ringwood without the need for a permit.
C25	1 FEB 2001	Introduces entry HO9 (318-320 Mont Albert Road, Surrey Hills) in the Schedule to the Heritage Overlay on an interim basis and includes HO9 on Planning Scheme Map No. 1HO.
C11	8 MAR 2001	Corrects errors in Clause 21.07, the Schedule to the Public Use Zone

Amendment number	In operation from	Brief description
		and Schedules 1 and 2 to the Significant Landscape Overlay and makes a consequential change to the Schedule to Clause 81 by deleting Incorporated Document No. 5.
VC11	29 MAR 2001	Introduces ability to require permits for outbuildings larger than a specified size in the Low Density Residential Zone; introduces ability to require permits for restaurants in specified areas in the Business 1 Zone; provides more flexibility in the purpose of the Specific Sites and Exclusions provisions; simplifies the operation of the Advertising Signs provisions; reorganises and clarifies the Car Parking provisions; corrects the referral provisions in Clause 61 relating to construction of building or works on land within 60 metres of a major electricity transmission line; introduces a new definition of Retirement village; and makes various formatting and typographical corrections.
C10	10 MAY 2001	Includes land at 50 Albion Road, Box Hill in a Heritage Overlay.
C17	10 MAY 2001	Includes 9 and 13-25 Jolimont Road, Forest Hill ("the Strathdon Community") in the Development Plan Overlay and introduces a Development Plan Overlay Schedule (Schedule 2). Amends the Schedule to Clause 81 by reinserting the document entitled "Extension of the Eastern Freeway and Completion of the Ringwood Bypass, October 2000"
C22	24 MAY 2001	Rezoning Council Reserve (Certificate of Title Vol 9442 Fol 009) from a Public Park and Conservation Zone to a Residential 1 Zone and rezoning part of Lot 9 on PS 430076R from a Residential 1 Zone to a Public Park and Conservation Zone.
C3 Part 1	7 JUN 2001	Inserts a number of individual buildings and precincts into the Schedule to the Heritage Overlay, includes buildings and precincts on the Planning Scheme maps, inserts and applies a new heritage buildings and precincts policy and deletes interim heritage protection for 'St Josephs Convent' at 318-320 Mont Albert Road, Surrey Hills.
C13	7 JUN 2001	Includes the land at 20 Station Street, Blackburn in a Business 2 Zone. In addition the amendment enables the granting of a permit for buildings and works associated with an office on the land at 20 Station Street, Blackburn.
C28	8 JUN 2001	Applies the Public Acquisition Overlay to various portions of land fronting the northern and southern sides of the Maroondah Highway/Whitehorse Road, generally between Kingsley Crescent, Mont Albert and Shipley Street, Box Hill for the road widening associated with the Mont Albert to Box Hill tram extension. Amends the Schedule to Clause 45.01 by including the Director of Public Transport as the acquisition authority for the road widening of the Maroondah Highway/Whitehorse Road associated with the Mont Albert to Box Hill tram extension.
C32	29 JUN 2001	Provides for an extension until 30 September 2001 of the date by which VicRoads must submit a Project Environment Protection Strategy for the Eastern Freeway extension project to the satisfaction of the Minister for Planning.
VC12	24 AUG 2001	Makes changes to the SPPF, LPPF, Zones, Overlays, Particular Provisions, Definitions and list of Incorporated documents based on the general review of residential development provisions and the

Amendment number	In operation from	Brief description
		recommendations of the ResCode Advisory Committee. The changes include the introduction of schedules to four residential zones, a Neighbourhood Character Overlay, new residential development provisions in Clauses 54, 55 and 56 for dwellings and subdivision, and transitional arrangements for subdivision, medium-density housing and residential buildings. Corrects an inconsistency between Amendment S74 and the VPP in relation to public open space contributions in subdivision. Clarifies the definition of Trade supplies.
C21	30 AUG 2001	Rezones part of land at No. 173-181 Rooks Road, Vermont (CT 8625/433; LP 62003) from an Industrial 1 Zone to a Residential 1 Zone. In addition, the amendment enables the granting of a planning permit for the development of 19 dwellings on the site.
C23	30 AUG 2001	Rezones land at the north east corner of Burwood Highway and Morack Road, Vermont South, (Lots 1 and 2, LP414329E) from Industrial 3 and Urban Floodway Zones to Business 2 and Public Conservation and Resource Zones. Rezones land along the north west boundary of the site from Industrial 3 Zone to Urban Floodway Zone. Removes Public Acquisition Overlay 1 from Planning Scheme Map No. 6PAO.
VC13	27 SEP 2001	Introduces <i>Victorian Code for Broiler Farms</i> as an incorporated document; amends the SPPF and the Rural Zone and introduces a new Particular provision and definition relating to broiler farm; amends the Advertising signs provisions relating to major promotion signs, business logos and street numbers; includes domestic rainwater tanks as exempt buildings and works except in the Heritage Overlay; updates references in the Environmental Audit Overlay to amended sections of the <i>Environment Protection Act 1970</i> , following amendments to that Act; makes corrections to the Residential 1 Zone and Business 1 Zone; and updates the User Guide.
C3 Part 2	11 OCT 2001	Inserts a number of individual buildings and one precinct into the Schedule to the Heritage Overlay, includes buildings and the precincts on the Planning Scheme maps, amends the map by removing two properties and reducing the extent of the Heritage Overlay on one site; amends the heritage buildings and precincts policy; and corrects property details and tree control provision within the Heritage Overlay Schedule.
C37	16 OCT 2001	Applies a Design and Development Overlay to land owned by Deakin University at Burwood and removes reference to the land in the Schedule to the Public Use Zone.
VC14	22 NOV 2001	Makes corrections to the Residential 1 Zone, Clause 54.04 and Clause 55.04.
C12	13 DEC 2001	Corrects an error included in the approved planning scheme and recognises the correct ownership of the land.
C34	13 DEC 2001	Amends the Schedule to Clause 52.01 to provide for open space contributions for subdivisions.
C39	13 DEC 2001	Amends the Schedules to Clauses 52.03 and 81 by incorporating the

Amendment number	In operation from	Brief description
		document 'Whitehorse Road/Maroondah Highway Tram Line Extension to Station Street, Box Hill, December 2001'. This document facilitates the construction of the tram line extension and associated works without the need for a planning permit. Rezones land affected by a Public Acquisition Overlay (PAO) to a Road Zone and deletes the PAO applying to various portions of land fronting the northern and southern sides of Whitehorse Road/Maroondah Highway, generally between Kingsley Crescent, Mont Albert and Shipley Street, Box Hill and makes consequential changes to the Schedule to Clause 45.01.
C16	24 JAN 2002	Rezones a small portion of the Campbell's Croft Reserve from Public Conservation and Resource Zone to Residential 1 Zone, to enable consolidation with the adjacent 5 Madonna Court, Vermont.
C26	24 JAN 2002	Includes land at 50 Albion Road, Box Hill in a Heritage Overlay on a permanent basis.
C19	14 FEB 2002	Rezone the land from Residential 1 Zone to Public Park and Recreation Zone (PPRZ) and remove the Public Acquisition Overlay (PAO1)
C33	27 JUN 2002	Includes an incorporated plan in the Schedule to Clause 43.01 and an incorporated document in the Schedule to Clause 52.03 for land at 300-340 Elgar Road, Box Hill South.
C29	18 JUL 2002	Corrects an error in the planning scheme by including 89 Blackburn Road, 1-25 and 32 Jeffery Street and 21 Alandale Road, Blackburn wholly within a Significant Landscape Overlay.
C27	19 SEP 2002	Inserts new map (4DPO) into the Planning Scheme to include 355 Station Street, Box Hill South ("Kingswood College") in a Development Plan Overlay and introduces a Development Plan Overlay Schedule (Schedule 3).
C42	19 SEP 2002	The amendment makes changes to the Schedules to Clauses 43.01, 52.03 and 81 of the Whitehorse Planning Scheme, consistent with those adopted under Amendment C33 to the Whitehorse Planning Scheme, gazetted on 27 June 2002.
VC16	8 OCT 2002	Restructures Clauses 11, 12 and 13 of the State Planning Policy Framework and amends zone maps of 17 Melbourne metropolitan fringe planning schemes to introduce an Urban Growth Boundary and a legend designation for land outside the Urban Growth Boundary; introduces a renewable energy policy in Clause 15 of the SPPF; introduces a new Particular provision and Land use term for Wind energy facility; includes Wind energy facility in the Table of uses in the Public Conservation and Resource Zone; includes a temporary anemometer in the list of buildings and works not requiring a permit; makes the Minister for Planning the responsible authority in planning schemes for considering Wind energy facilities with a capacity greater than 30 megawatts; and introduces Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria, 2002 as an incorporated document in planning schemes; amends Clause 18 of the SPPF to require the design of transport routes to provide for grade separation at railways.
VC15	31 OCT 2002	Updates reference to tourism guidelines in SPPF; clarifies the nature of "school" in the SPPF and Clause 56.07 and in conditions opposite

Amendment number	In operation from	Brief description
		various uses in the industrial and business zones; introduces a new Particular provision and Land use term for Shipping container storage; includes Shipping container storage in the Table of uses in the Industrial 1, Business 3 and Business 4 Zones; exempts outdoor swimming pools associated with dwellings from permit requirements in the Design and Development Overlay and Neighbourhood Character Overlay; exempts removal of native vegetation from permit requirements in the Heritage Overlay and Public Acquisition Overlay if it presents an immediate risk of injury or damage; amends Clause 52.01 to establish consistency with the <i>Subdivision Act 1988</i> and to clarify the Class 1 exemption for subdivision of residential buildings; extends the expiry date in Clause 52.04-3 for transitional arrangements for residential development; amends Standard C21 in Clause 56.06-4 to facilitate the use of building envelopes on lots in new subdivisions; amends definitions of Wall height, Materials recycling and Store; and makes minor format changes.
C14	5 DEC 2002	Rezones land known as 104-106, 108-110, 112-114 and 116-118 Terrara Road, Vermont South from a Low Density Residential Zone to a Residential 1 Zone.
C36	5 DEC 2002	Rezones 4.7 hectares of land at 16-36 Bedford Street, Box Hill from a Special Use Zone (Schedule 1) to a Residential 1 Zone.
VC17	24 DEC 2002	Provides permit exemption in the Public Acquisition Overlay for proposals that are consistent with the purpose for which the land was or is to be acquired; and provides permit exemptions and introduces an incorporated document for 3 Rail Infrastructure Projects (Rail Gauge Standardisation Project, Regional Fast Rail Project and Fibre Optic Project) in 23 planning schemes.
C24	27 DEC 2002	Applies a Public Use Zone 2 (Education) to land in the north west portion of the Burwood site of the Melbourne campus of Deakin University, applies a Design and Development Overlay to land owned by Deakin University at Burwood within 60 m of the Gardiner's Creek and applies a Design and Development Overlay to land known as the 'Northern Oval' site. It replaces the interim provisions introduced by Amendment C37 with permanent controls.
C4 Part 1	30 JAN 2003	<p>The amendment affects various parts of the municipality and:</p> <p>Introduces Clause 44.05 "Special Building Overlay" (SBO) and its subsequent Schedule into the planning scheme;</p> <p>Defines the land affected by the SBO on the planning scheme maps;</p> <p>Amends Clauses 21.06 and 21.07 of the Municipal Strategic Statement to give strategic effect to the Special Building Overlay; and</p> <p>Makes consequential changes to the Schedule to Clauses 61.01-61.04.</p>
C35	30 JAN 2003	Rezones 5.3ha of land at 606-634 Burwood Highway, Vermont South from a Residential 1 Zone to a Business 4 Zone; a 0.4ha embankment area from a Residential 1 Zone to a Public Conservation and Resource Zone; an area of 1100m ² of land forming part of Council's Waste Transfer Station at 636 Burwood Highway from a Residential 1 Zone to a Public Use Zone – Local Government; and amends the Schedule to Clause 34.04. The amendment also enables a permit to

Amendment number	In operation from	Brief description
		be issued for 'Landscape gardening supplies' at 606-634 Burwood Highway, Vermont South.
C43 Part 1	3 JUL 2003	Inserts fifty-six (56) properties into the Schedule to the Heritage Overlay, includes the properties on the Planning Scheme maps and makes consequential changes to the Municipal Strategic Statement, the local policy and the Schedule to the Heritage Overlay.
VC19	24 JUL 2003	Makes changes to the SPPF and various Overlays and Particular provisions relating to Government policies and strategies on native vegetation management, coastal planning and management, highway management and Development Contributions Plans; introduces a Particular provision for satellite dishes; makes high rise residential development in residential zones subject to car parking requirements in Clause 52.06; provides permit exemptions for direction signs to emergency facilities at hospitals and buildings and works associated with a Dependent person's unit; clarifies that permit exemption for subdivision applies to an authority acquiring land rather than generally to an acquiring authority; amends the definition of Shop to clarify that it includes the sale of bread and other products baked on the premises; updates references to Ministers, Government departments and agencies; updates references to legislation and incorporated documents; and makes various formatting and typographical corrections.
C30	7 AUG 2003	Rezones land known as Lot S2 on Plan of Subdivision No. 433751M at 502-514 Burwood Highway, Vermont South from a Public Use Zone – Transport to a Residential 1 Zone.
C47	21 AUG 2003	The amendment rezones a number of properties from a Public Park and Recreation Zone to a Residential 1 Zone to correct errors that occurred during the approval process for the new format Whitehorse Planning Scheme and to recognise the private ownership of the lots.
VC21	9 OCT 2003	Corrects Clause 52.05-9 to restore provisions relating to High-wall signs deleted in Amendment VC19.
C49	29 JAN 2004	<p>The amendment:</p> <p>Applies the Public Acquisition Overlay (PAO5 & PAO6) over the portions of land required to be acquired for the Vermont South Tram Extension Project.</p> <p>Makes consequential changes to the Schedules to Clauses 43.01, 45.01 and 52.03.</p> <p>Amends the Schedule to Clause 81 by incorporating the document – "Vermont South Tram Extension, Blackburn Road to Vermont South, City of Whitehorse, October 2003", which enables the project to proceed without the need for further planning permission.</p>
C44	11 MAR 2004	The amendment introduces and applies the Significant Landscape Overlay to an area of land in Mitcham, known as the 'Walker Estate'; makes corresponding changes to the Local Planning Policy Framework; and updates the list of maps in the Scheme.
VC24	11 JUN 2004	Introduces the Farming Zone and Rural Activity Zone in the VPP and amends Clause 17.05 in the SPPF, the Low Density Residential Zone and the Rural Living Zone.

Amendment number	In operation from	Brief description
C43 Part 2	24 JUN 2004	<p>The amendment:</p> <p>Includes 22 St Johns Avenue, Mont Albert, 11 Drewett Street, Surrey Hills and 29 Erasmus Street, Surrey Hills in the schedule to the Heritage Overlay and on the Planning Scheme maps.</p> <p>Implements section 48 of the <i>Heritage Act 1995</i> by modifying the existing heritage status of the Box Hill Cemetery Columbarium, 395 Middleborough Road, Box Hill and the Myer Memorial: Box Hill Cemetery by recognising their Victorian Heritage Register status in the schedule to the Heritage Overlay and on the Planning Scheme maps.</p>
VC25	1 JUL 2004	Removes reference to 4 Star energy rating in Standard B10, Clause 55.03-5 to ensure consistency between the VPP and the 5 Star energy rating in the Building Regulations.
VC26	26 AUG 2004	Makes changes to the SPPF to implement recommendations of the Live Music Task Force; removes anomalies that allow dwellings to be constructed or extended on common property and existing dwellings to be internally altered and converted to multiple dwellings without permits; updates references to current transport legislation; makes corrections to the Advertising sign provisions; amends the list of incorporated documents to refer to updated documents; restructures the list of incorporated documents in Clause 81 and the Schedule to Clause 81.
VC27	9 SEP 2004	Establishes all referral and notice requirements in Clause 66 and schedules to Clause 66.
C46 Part 2	16 SEP 2004	The amendment implements the Blackburn Lake Surrounds Study by applying the Neighbourhood Character Overlay and/or Significant Landscape Overlay to land near Blackburn Lake and makes consequential changes to the Local Planning Policy Framework (Clauses 21.04, 21.05, 21.07 and 22.04).
C53	16 SEP 2004	Introduces and applies the Significant Landscape Overlay – Schedule 5 to three institutional sites at 1 Lake Road and 57 – 69 Central Road, Blackburn and 131 – 173 Central Road, Nunawading on an interim basis to expire on 31 December 2005.
VC28	6 OCT 2004	Introduces a Particular provision, Clause 52.34, for Bicycle facilities.
VC29	4 NOV 2004	Makes a change to Clause 52.17 to clarify that the exemption from the need for a planning permit for the removal, destruction or lopping of native vegetation for farm structures does not include the establishment or operation of a central pivot irrigation system.
VC31	25 NOV 2004	Introduces a new Residential 3 Zone; introduces a new Particular provision and amends Clause 19 to require an urban context report and design response for residential development of four (4) or more storeys; includes a reference to <i>Design Guidelines for Higher Density Housing</i> in Clause 19; and amends the ResCode provisions at Clauses 54.03-2 and 55.03-2 to give effect to residential height provisions.
C52 Part 1	23 DEC 2004	Inserts the Thomas Street Precinct in Mitcham, the Mount View Court Precinct in Burwood and an extension to the existing precinct at the corner of Whitehorse Road & High Street in Mont Albert into the Schedule to the Heritage Overlay, removes 12 Beatty Street, Mont

WHITEHORSE PLANNING SCHEME

Amendment number	In operation from	Brief description
		Albert from the Schedule to the Heritage Overlay, includes and deletes the precincts on the Planning Scheme maps and makes consequential changes to the Municipal Strategic Statement and the heritage local policy.
VC32	23 DEC 2004	Makes changes to Clause 15.08 of the SPPF to refer to the land use and development polices expressed in the <i>Great Ocean Road Region – A Land Use and Transport Strategy</i> .
C40	20 JAN 2005	Introduces the Blackburn Station Shopping Centre Policy into the Local Planning Policy Framework.
VC33	1 SEP 2005	Removes the requirement for a Clause 54 assessment for Heritage Overlay applications in a residential zone.
C59	8 SEP 2005	Introduces and applies interim vegetation protection controls (Clause 42.02 - Vegetation Protection Overlay) to 451 properties within the municipality, makes consequential changes to the Schedule to Clauses 61.01-61.04 and introduces an incorporated document into the Planning Scheme to guide decision making on the vegetation, whilst another amendment (to the same effect), to be processed by the Whitehorse City Council, can proceed following due process to finality.
C61	8 SEP 2005	Applies interim heritage controls affecting the land at 520 Mitcham Road, Mitcham by including the land in the Schedule to the Heritage Overlay, whilst another amendment (to the same effect), to be processed by the Whitehorse City Council, can proceed following due process to finality.
VC34	22 SEP 2005	Introduces a new Clause 12 with consequential changes to other clauses in the SPPF, including Clauses 14, 15, 17, 18 & 19; includes reference to <i>Alpine Resorts 2020 Strategy</i> in Clause 15.13 and <i>Activity Centre Design Guidelines</i> and <i>Safer Design Guidelines</i> in Clause 19.03-3; amends subdivision requirements in Clauses 35.04, 35.05, 35.06; makes changes to provisions in Clause 35.06 and Clause 57.01 regarding Wind energy facilities; amends advertising sign controls along railway corridors in Clause 36.01-7; amends Clauses 43.05-3, 55 & 56 to refer to the Residential 3 Zone; amends Clause 44.05 to broaden the range of minor buildings and works that do not require a permit; amends Clauses 44.01, 44.02, 44.03, 44.04, 44.05, 45.01, 45.02 and 45.05 to introduce exemptions from notice and review for permit applications; Clarifies requirements for extractive industry and private tennis courts in Clauses 52.09, 52.21 and 66.05; introduces definition for Metropolitan Melbourne in Clause 72; introduces a "Tramway" definition and deletes reference to "lightrail"; introduces a new incorporated document, <i>Activity Centres and Principal Public Transport Network Plan, 2003</i> in Clause 81.
C52 Part 2	6 OCT 2005	Applies a Heritage Overlay to the Blacks Estate Precinct, Mont Albert, (HO 178) and modifies Map 1HO accordingly. Modifies Clause 22.11 to include a statement of significance for the Blacks Estate Precinct, Mont Albert.
C65	27 OCT 2005	Reinstates interim heritage controls affecting the land at 520 Mitcham Road, Mitcham by including the land in the Schedule to the Heritage Overlay. The controls were inadvertently removed from the Schedule

Amendment number	In operation from	Brief description
		to the Heritage Overlay by Amendment C52 Part 2.
C56	24 NOV 2005	Rezones the land at 27 and 29 Livingstone Close, Burwood from Special Use Zone Schedule 1 to Residential 1 Zone.
C58	1 DEC 2005	Includes former Commonwealth land (residential properties at Nos. 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 20 John Holland Court, Blackburn and Nos. 1, 2, 3, 4, 5, 6, 7, 9, 11, 13, 15, 16, 18, 20 and 22 Meyer Close, Blackburn) in a Residential 1 Zone and a Council owned open space reserve (Reserve No. 1 on PS 339356T) in a Public Conservation and Resource Zone.
VC35	15 DEC 2005	Includes a reference to the <i>Planning Guidelines for Land Based Aquaculture in Victoria</i> in Clause 17; makes Education centre a prohibited use in green wedge areas; includes Emergency services facility as a Section 2 use in Clauses 35.06 and 35.07; makes Business identification signs permissible for private land owners in Clause 45.07; removes the need to consider operational guidelines in Clause 52.17; amends the re-subdivision requirements in Clause 57.01-2; introduces an "Emergency services facility" definition.
C68	22 DEC 2005	Extends the interim Significant Landscape Overlay - Schedule 5 (SLO5) applying to the three institutional sites on land in the Blackburn Lake area until 31 December 2006. The amendment also introduces and applies the Significant Landscape Overlay – Schedule 9 (SLO9) to various properties in the Collina Dell area of Mitcham on an interim basis to expire on 31 December 2007.
VC36	22 DEC 2005	Amends Clause 62 to provide exemption from planning scheme requirements for events on public land.
VC37	19 JAN 2006	Amends the format of the Victoria Planning Provisions and all planning schemes to facilitate the ZAPP electronic amendment administration system.
C63	23 FEB 2006	<p>Rezones land known as the former brickworks site at 78 Middleborough Road, 21 Burwood Highway, 14 Eley Road and a closed road, Burwood East from partly a Special Use Zone 3 (Extractive Industry) and partly a Mixed Use Zone to a Priority Development Zone.</p> <p>Introduces Schedule 1 to the Priority Development Zone.</p> <p>Introduces the Former Brickworks Site Framework Plan, 13 July 2005 and the Former Brickworks Site Building Height Plan, 13 July 2005 as incorporated documents to the Whitehorse Planning Scheme.</p> <p>Introduces a new Local Planning Policy for the Burwood Heights Major Activity Centre (Clause 22.13) on an interim basis.</p> <p>Introduces a new Local Planning Policy for the Former Brickworks Site (Clause 22.14) on an interim basis.</p> <p>Makes consequential changes to the Municipal Strategic Statement to support the introduction of the Priority Development Zone.</p>
VC38	16 MAR 2006	Makes changes to Clauses 15.09, 52.17, 66.02 and 72 to provide for a new approach to native vegetation management.
C51	4 MAY 2006	Implements part of the Whitehorse Neighbourhood Character Study

Amendment number	In operation from	Brief description
		2002/2003 and the Whitehorse Neighbourhood Character Study Review of Areas 14 and 16, February 2004 by including land in Yarran Dheran, Somers Trail, Mitcham and Glenburnie Road, Vermont in the Significant Landscape Overlay (SLO6 and SLO7), making corresponding changes to the Local Planning Policy Framework and amends Schedules 1 to 4 of the SLO to extend the permit exemption to include a protected tree which is dead and dying to the satisfaction of the responsible authority.
C50 Part 1	17 AUG 2006	<p>Implements the review of the Whitehorse Planning Scheme by replacing Clauses 21 and 22 of the Local Planning Policy Framework with a revised Municipal Strategic Statement and a new set of Local Policies.</p> <p>In addition, the amendment implements the recommendations of the <i>Housing Study – City of Whitehorse – Feb, 2003</i> and the <i>Whitehorse Neighbourhood Character Study 2002/2003</i>.</p>
C54	24 AUG 2006	Replaces the interim Significant Landscape Overlay – Schedule 5, which applies to three institutional sites at 1 Lake Road and 57 – 67 Central Road, Blackburn and 131–173 Central Road, Nunawading, with a permanent Significant Landscape Overlay – Schedule 5.
VC40	30 AUG 2006	Makes changes to the Clauses 32.01, 32.02, 32.04, 32.05, 32.06, 34.01, 34.02, 34.03, 34.04, 34.05, 43.01, 44.02, 62, and 72 to exempt various minor works from requiring a planning permit.
VC41	1 SEP 2006	Amends the metropolitan growth areas strategies in Clause 12 of the SPPF by introducing the <i>Growth Area Framework Plans</i> as an incorporated document.
C70	14 SEP 2006	The amendment rezones land at 2-12 Spring Street, Box Hill from a Residential 1 Zone to a Public Use Zone 3 (Health & Community) to facilitate the first stage of the redevelopment of the Box Hill Hospital.
VC42	9 OCT 2006	Introduces the Sustainable Neighbourhoods Provisions for residential subdivision, including changes to Clauses 19, 55.03 and 56 to 56.09; Introduces new transitional arrangements for subdivision at Clause 56.10; modifies subdivision application requirements in the residential zones; applies Clause 56 provisions as subdivision application requirements to the Comprehensive Development Zone, Priority Development Zone, Incorporated Plan Overlay and Development Plan Overlay; Amend the coastal areas policies in Clause 15.08 to give effect to the land use and development strategies of the <i>Victorian Coastal Strategy 2002</i> ; Makes changes to the VPP to provide for geothermal energy extraction in Clauses 35.06, 35.07, 35.08, 42.01, 42.02, 42.03, 44.01, 44.02, 52.08, 52.17, 62, 66, 74 and 75; Amends Clause 52.29 to introduce a decision guideline for road network safety and efficiency regarding access to adjoining properties to respond to the Road Management Act 2004; Introduces a new Particular Provision - Clause 52.36 that includes the Director of Public Transport as a referral authority; and Makes other administrative changes, updates and corrections to the VPP.
VC39	18 OCT 2006	Amends the provisions relating to gaming in clauses 19.02, 52.28 and 72 to implement Government policy and to accord with the Gambling Regulation Act 2003.

Amendment number	In operation from	Brief description
VC43	31 OCT 2006	<p>Introduces provisions for the further protection of green wedges in Clauses 35.04, 35.05 and 35.06; and clarifies the term <i>'in conjunction with'</i> in Clause 64.</p> <p>Amends SPPF Clauses 12 and 16 to introduce state-wide affordable housing policies and makes other administrative corrections to the VPP and various planning schemes.</p>
VC44	14 NOV 2006	<p>Introduces additional exemptions in Clause 52.17 for the removal of native vegetation near buildings used for <i>Accommodation</i> to manage risks to life and property from wildfire.</p>
C50 Part 2	23 NOV 2006	<p>Implements the recommendations of the <i>Blackburn Lake Surrounds Study</i>, 2002, as it relates to three institutional sites at 1 Lake Road and 57 – 67 Central Road, Blackburn and 131–173 Central Road, Nunawading.</p>
C64	23 NOV 2006	<p>The amendment introduces and applies a new Design and Development Overlay (<i>Interim Neighbourhood Activity Centre Height Limit Area</i>) on an interim basis to 53 neighbourhood activity centres throughout the City of Whitehorse and makes consequential changes to the Schedule to Clause 61.03.</p>
C41	30 NOV 2006	<p>The amendment which applies to 14 Federation Street, Box Hill:</p> <p>Rezones the land from an Industrial 1 Zone to partly a Residential 1 Zone and partly a Special Use Zone Schedule 3.</p> <p>Deletes and replaces Schedule 3 (Extractive Industry) to the Special Use Zone with a new Schedule 3 to the Special Use Zone (14 Federation Street, Box Hill).</p> <p>Applies to part of the land a new Schedule 3 to the Special Use Zone that recognises the possible long-term future use for residential purposes pending resolution of environmental issues.</p> <p>Introduces a new Local Planning Policy for the land (Clause 22.15) that seeks to ensure that any future use and development is in accordance with any Statements of Environmental Audit and to recognise its potential for future residential development following the resolution of environmental issues.</p> <p>Enables the planning authority to issue a planning permit (WH/12727) under the provisions of section 96A of the <i>Planning and Environment Act 1987</i> for the development of part of the land for 79 dwellings and the creation of a carriageway easement.</p>
C57 (Part 1)	8 MAR 2007	<p>Implements the <i>Review of Neighbourhood Character Implementation Recommendations, Part 2 Review Areas</i>, July 2004 by:</p> <ul style="list-style-type: none"> • including areas in Blackburn/Nunawading in Schedule 2 to the Significant Landscape Overlay (SLO2); • including areas south of Canterbury Road in Vermont in a new SLO8; and <p>updating the Local Planning Policy Framework at Clauses 21.04, 21.05, 21.06, 22.03 and 22.04 to reflect the application of the SLO to these areas.</p>

Amendment number	In operation from	Brief description
VC30	14 MAY 2007	Amends Clause 18 to update reference to the <i>Australian Noise Exposure Forecast</i> (ANEF) and relevant reference documents and provides in Clause 66.05 for notice of permit applications to be given to the airport lessee of Melbourne airport.
C60	5 JUL 2007	Replaces the interim Vegetation Protection Overlay – Schedule 1 (VPO1), which applies to various properties within the City of Whitehorse, with a permanent VPO1 and includes the document “Incorporated Document No. 10 - City of Whitehorse-Statements of Tree Significance-2005” as an incorporated document in the Scheme.
C71	12 JUL 2007	Rezones part of the land at 185-191 Whitehorse Road, Blackburn from Public Use Zone Schedule 2 to Residential 1 Zone.
C57 (Part 2)	19 JUL 2007	<p>Implements the <i>Review of Neighbourhood Character Implementation Recommendations, Part 2 Review Areas</i>, July 2004 by:</p> <ul style="list-style-type: none"> • including land in Box Hill in a new Schedule 2 to the Neighbourhood Character Overlay (NCO); • updating the Local Planning Policy Framework at Clauses 21.04, 21.05 and 22.03 to reflect the application of the NCO to this area; and <p>updating Clause 61.03 to reflect inclusion of a new map in the Scheme.</p>
C77	23 AUG 2007	The amendment corrects an anomaly in the schedule to the Public Acquisition Overlay (PAO4) by changing the Acquisition Authority from the Minister for Planning and Local Government to the Roads Corporation
C76	6 SEP 2007	Rezones land at 2A Hanover Road, Vermont South from a Public Use 2 Zone (Education) to a Public Use 6 Zone (Local Government).
VC45	17 SEP 2007	Amends Clauses 12, 15, 17, 19, 35.04, 35.05, 43.01, 52.09, 52.17, 52.18, 52.32 & 57 to give effect to the operation of the Aboriginal Heritage Act 2006; amends the schedule to Clause 61.01 to refer to Division 1A of Part 4 of the Act; deletes reference to ‘local provisions page header’ in Clause 61.03; updates reference to the Development Contribution Guidelines in Clause 18.12; corrects reference to the Victorian Commission for Gambling Regulation in Clause 52.28; includes the document relating to Rail Infrastructure Projects in Clause 81.01 of the Ballarat, Greater Geelong and Wyndham planning schemes; updates reference to the amended Mineral Resources (Sustainable Development) Act 1990 in Clauses 17, 42.01, 42.02, 42.03, 44.01, 44.02, 52.08, 52.17 and 66.02; updates list of reference documents relating to soil contamination under Clause 15.06; amends the definition for Restricted retail premises in Clause 74; introduces a new purpose in the Rural Activity Zone, which provides for a specific purpose to be included in a schedule to the zone and amends the schedules in the Mansfield & Bass Coast Planning Schemes to include new purpose statements; amends Clause 52.04 (satellite dish) to include reference to the R3Z; amends Clauses 17.07, 52.18 & 81.01 to reflect the updated Timber Code; makes Veterinary centre a Section 2 use in the Farming Zone; includes new provisions for electronic billboard signage to Clause 52.05, including making VicRoads a referral authority under Clause

Amendment number	In operation from	Brief description
		66.03 and a new definition in Clause 73; extending the expiry date for major promotion signage from 18/09/07 to 18/09/08 under Clause 52.05; and makes other administrative changes, other minor updates and corrections to the VPP and planning schemes.
C67	25 OCT 2007	Introduces an interim Design and Development Overlay to apply a 9 metre building height limit over the Mitcham Activity Centre.
C86	20 DEC 2007	Removes interim heritage controls from land at 520 Mitcham Road, Mitcham by removing the land from the Schedule to the Heritage Overlay and the consequential map change. The amendment also replaces Clause 42.02, Vegetation Protection Overlay to update the reference to the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
C88	20 DEC 2007	Extends the expiry date of the interim height control in Schedules 4 and 5 to the Design and Development Overlay by 12 months to 31 December 2008.
C81	21 DEC 2007	<p>Extends the interim:</p> <ul style="list-style-type: none"> • local planning policy applying to the Burwood Heights Major Activity Centre at Clause 22.13 until 31 December 2008; • local planning policy applying to former Brickworks Site on land at 78 Middleborough Road, East Burwood at Clause 22.14 until 31 December 2008; and <p>Significant Landscape Overlay - Schedule 9 applying to the Collina Dell area of Mitcham until 31 December 2008.</p>
VC46	4 FEB 2008	Introduces an exemption in Clauses 42.01, 42.02, 42.03, 44.01, 44.02 and 52.17 for the removal of native vegetation to construct strategic fuelbreaks of up to 40 metres width for wildfire protection.
C79	28 FEB 2008	The amendment makes map changes to show the new road alignments resulting from road works along Burwood Highway that were done in conjunction with the construction of the Vermont South Tram Extension.
C57 (Part 3)	6 MAR 2008	<p>Implements the recommendations in the review of the area north of Belmore Road, Mont Albert North (May 2007) by:</p> <ul style="list-style-type: none"> • including land in Mont Albert North in a new Schedule 2 to the Vegetation Protection Overlay (VPO).
C74 (Part 1)	6 MAR 2008	Applies the Heritage Overlay to twenty-two (22) additional heritage places in Box Hill, Mont Albert and Surrey Hills and makes consequential changes to the Local Planning Policy Framework and Schedule to the Heritage Overlay.
C75	3 APR 2008	Rezones the land at 64-66 South Parade, Blackburn from a Residential 1 Zone to a Business 1 Zone, updates Clause 22.12-4 – Blackburn Station Shopping Centre to include the land within the boundaries of the policy, allows the development of the site for a supermarket with associated advertisements, car parking waiver and subdivision.
VC47	7 APR 2008	Translates provisions from the <i>Melbourne Docklands Area Planning Provisions, September 2006</i> into Clause 37.05; and introduces new purpose statements and decision guidelines to Clause 52.27 to

Amendment number	In operation from	Brief description
		address cumulative impact of licensed premises.
C73	15 MAY 2008	<p>The amendment:</p> <ul style="list-style-type: none"> • Introduces the Environmental Significance Overlay (ESO) into the Whitehorse Planning Scheme; • Applies Schedule 1 to the ESO to land at 131–173 Central Road, Nunawading. • Makes related changes to Clauses 21.05, 21.06 and 22.03 to support the introduction of the ESO; and <p>Introduces the City of Whitehorse Environmental Weed List 2007 as an incorporated document to the Planning Scheme</p>
C89	22 MAY 2008	Extends the boundary of the interim Significant Landscape Overlay, Schedule 9 (SLO9) to include additional properties in the Collina Dell area of Mitcham.
VC48	10 JUN 2008	Introduces the Urban Growth Zone (UGZ) and accompanying schedule at 37.07 to the VPP and applies the UGZ to five planning schemes (Cardinia, Casey, Hume, Melton & Wyndham); amends reference to Precinct Structure Plans in Clauses 12 and 14 and amends Clause 66.03 to include a referral requirement in the new UGZ.
C95	21 AUG 2008	<ul style="list-style-type: none"> ▪ Introduces and applies a new Schedule 2 to the Environmental Significance Overlay (ESO2) to protect the rare and significant habitat on the land at 15 Virgillia Street, Blackburn North on an interim basis until 31 August 2009, and makes related changes to the Local Planning Policy Framework (LPPF); and ▪ Reinstates words and mapping components inadvertently removed from the LPPF of the Scheme when Amendment C73 and Amendment C89 were approved.
C97	21 AUG 2008	Rezones land at 31 Vision Drive, Burwood East from Commonwealth land to Business 2 Zone.
C98	21 AUG 2008	Rezones the land described as Lot 1 on PS 618408W, Livingstone Road, Vermont South from a Public Use Zone, Schedule 6 to a Residential 1 Zone.
C82	28 AUG 2008	<ul style="list-style-type: none"> ▪ Introduces and applies a Vegetation Protection Overlay to 570 individual properties within the municipality; ▪ Inserts a new Schedule 3 to the Vegetation Protection Overlay (Clause 42.02) which establishes a permit requirement to remove, destroy or lop any vegetation included in the report '<i>City of Whitehorse- Statements of Tree Significance- 2006</i>' (the 'incorporated document') ▪ Updates the Planning Scheme Maps 1VPO, 2VPO, 3VPO, 4VPO, 5VPO and 6VPO to include various parcels of land within a Vegetation Protection Overlay; and ▪ Include the report '<i>City of Whitehorse- Statements of Tree Significance- 2006</i>' as an incorporated document in Clause 81 of the Planning Scheme.
VC49	15 SEP 2008	Exempts further 'minor matters' from requiring a planning permit to streamline Victoria's planning system and improve the workability of provisions; refines referral requirements for Director of Public

Amendment number	In operation from	Brief description
		Transport, Country Fire Authority and VicRoads; introduces new referral requirements under the UGZ for the City of Greater Geelong; Clarifies the notice provisions under the MAEO; introduces the Public Transport Guidelines for Land Use and Development as a reference document; changes the advertising sign provisions under Clause 52.05, including new decision guidelines and application requirements; provides a final extension of time to 31 December 2008 for lodgement of applications for existing Major promotion signs allowed under the continuance provision in Clause 52.05-5; changes the UGZ Part A advertising sign controls from Category 4 to Category 3; introduces new exemptions under the Clause 52.17 native vegetation provisions to improve their operation; introduces a new particular provision for native vegetation precinct plans in Clause 52.16; and makes other administrative changes, updates and corrections to the VPP
C47(Part 2)	2 OCT 2008	Applies the Schedule to Heritage Overlay to 15 additional heritage places in Box Hill and Blackburn and makes consequential changes to the Local Planning Policy Framework of the Planning Scheme.
C104	2 OCT 2008	Rezones the land described as Lots 1 to 8 on LP 15416, 36 Central Road, Blackburn from a Residential 1 Zone to a Public Park and Recreation Zone
C107	4 DEC 2008	Rezones land at 1 Kangerong Road, Box Hill from a Residential 1 Zone to a Public Use Zone 7 (other public use) and includes the site in the Schedule to the Public Use Zone to facilitate the development of a new police station.
VC50	15 DEC 2008	Introduces new provisions for residential aged care facilities in Clause 16, the residential zones and in Clauses 74 and 75; makes certain minor buildings and works associated with an Education centre exempt from the requirement for a planning permit in Clause 62.02; makes corrections and clarifications to the native vegetation provisions; specifies advertising sign requirements for situations where the PUZ4 and RDZ abut each other; introduces new dry stone wall provisions in Clause 52.37 together with decision guidelines for post boxes and dry stone walls and inserts the schedule to Clause 52.37 in all planning schemes and specifies a permit requirement for dry stone walls in 12 planning schemes.
C78	18 DEC 2008	Implements Section 48 of the <i>Heritage Act</i> 1995 to ensure that places in the Planning Scheme are consistently identified with places in the Victorian Heritage Register.
C80	18 DEC 2008	Applies the Significant Landscape Overlay Schedule 6 (SLO6) to the Collina Dell area of Mitcham on a permanent basis and deletes the Significant Landscape Overlay Schedule 9 (SLO9).
VC52	18 DEC 2008	Amends the coastal areas policies in Clause 15.08 of the SPPF to give effect to the land use and development strategies of the Victorian Coastal Strategy 2008.
C116	8 JAN 2009	Extends the expiry date of the interim height control for the municipality's Neighbourhood Activity Centres in Schedules 4 and 5 to the Design and Development Overlay by 3 months to 31 March 2009.
C84	12 FEB 2009	Rezones land at 3 Delany Avenue from Residential 1 Zone to a Public

Amendment number	In operation from	Brief description
		Use Zone 6 (Local Government), to facilitate the redevelopment of the land for the provision of car parking and streetscape improvement as part of the upgrade scheme of Bennettswood Neighbourhood Activity Centre.
C99	DATE to be INSERTED	Inserts a new Public Open Space Contribution Local Planning Policy at Clause 22.17, updates the schedule to Clause 52.01, makes consequential changes to Clauses 21.05 and 21.08 and inserts the Whitehorse Open Space Strategy, 2007 into the list of Reference Documents under those clauses.

Amendment C99

List of changes to the Whitehorse Planning Scheme

Clause / Map Numbers	Change	Comment
TABLE OF CONTENTS (Information to accompany amendment)		
Table of Contents	Following “22.15 14 Federation Street, Box Hill”, insert “22.17 Public Open Space Contribution”	Inserts new Clause into LPPF.
LOCAL PLANNING POLICY FRAMEWORK		
21.05	Replaces Clause 21.05 with a new Clause 21.05 in the form of the attached document.	Updates the environment policy to include reference to public open space contributions and updates the list of reference documents.
21.08	Replaces Clause 21.08 with a new Clause 21.08 in the form of the attached document.	Updates the infrastructure policy to reference Clause 22.17 and the <i>Whitehorse Open Space Strategy 2007</i> .
22.17	Following Clause 22.15, insert a new Clause 22.17 in the form of the attached document.	Inserts a new Public Open Space Contribution policy.
PARTICULAR PROVISIONS		
Schedule to 52.01	Replaces schedule to Clause 52.01 with a new schedule in the form of the attached document.	Updates the amount of contribution for public open space required.
LIST OF AMENDMENTS (Information to accompany amendment)		
List of Amendments	Insert: Amendment number ‘C99’, In operation from, DATE, with the following description: ‘Inserts a new Public Open Space Contribution Local Planning Policy at Clause 22.17, updates the schedule to Clause 52.01, makes consequential changes to Clauses 21.05 and 21.08 and inserts the <i>Whitehorse Open Space Strategy, 2007</i> in the list of Reference Documents under those clauses.’	Updates the list of amendments to the planning scheme.

Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

AMENDMENT C99

The planning authority for this amendment is Whitehorse City Council.

The Whitehorse Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In Local Planning Policy Framework – replace Clause 21.05 with a new Clause 21.05 in the form of the attached document. The details of the changes are as follows:
 - Subclause 21.05-1 has been amended.
 - Subclause 21.05-4 has been amended.
 - Subclause 21.05-5 has been amended.
 - Subclause 21.05-7 has been amended.
2. In Local Planning Policy Framework – replace Clause 21.08 with a new Clause 21.08 in the form of the attached document. The details of the changes are as follows:
 - Subclause 21.08-2 has been amended.
 - Subclause 21.08-5 has been amended.
 - Subclause 21.08-7 has been amended.
3. In Local Planning Policy Framework – insert a new Clause 22.17 in the form of the attached document.
4. In Particular Provisions – Clause 52.01, replace the schedule with a new schedule in the form of the attached document.

End of document