

**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**

<b>Use</b>	<b>Condition</b>
<b>Animal keeping (other than Animal boarding)</b>	Must be no more than 2 animals.
<b>Bed and breakfast</b>	No more than 10 persons may be accommodated away from their normal place of residence.  At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.
<b>Dwelling (other than Bed and breakfast)</b>	
<b>Food and drink premises (other than Convenience restaurant, Hotel and Tavern)</b>	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.
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<b>Medical centre</b>	The gross floor area of all buildings must not exceed 250 square metres.
<b>Minor utility installation</b>	
<b>Place of worship</b>	The gross floor area of all buildings must not exceed 250 square metres.

<b>Use</b>	<b>Condition</b>
	The site must adjoin, or have access to, a road in a Road Zone.
<b>Railway</b>	
<b>Residential aged care facility</b>	
<b>Shop (other than Adult sex bookshop and Bottle shop)</b>	<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>
<b>Tramway</b>	
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01.

## Section 2 – Permit required

<b>Use</b>	<b>Condition</b>
<b>Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)</b>	
<b>Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)</b>	
<b>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</b>	Must be no more than 5 animals.
<b>Car park</b>	Must be used in conjunction with another use in Section 1 or 2.
<b>Car wash</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Community market</b>	
<b>Convenience restaurant</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Convenience shop – if the Section 1 conditions to Shop are not met.</b>	
<b>Hotel</b>	
<b>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</b>	
<b>Office (other than Medical centre)</b>	<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
<b>Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub and Place of worship)</b>	
<b>Plant nursery</b>	
<b>Service station</b>	<p>The site must either:</p> <ul style="list-style-type: none"> <li>▪ Adjoin a commercial zone or industrial zone.</li> <li>▪ Adjoin, or have access to, a road in a Road Zone.</li> </ul> <p>The site must not exceed either:</p> <ul style="list-style-type: none"> <li>▪ 3000 square metres.</li> <li>▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</li> </ul>
<b>Shop (other than Adult sex bookshop, Bottle shop and Convenience shop) – if the Section 1 conditions are not met</b>	<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>
<b>Store</b>	<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>
<b>Tavern</b>	
<b>Utility installation (other than Minor utility installation and Telecommunications facility)</b>	
<b>Any other use not in Section 1 or 3</b>	

### Section 3 – Prohibited

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

**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.

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

**32.07-3**01/07/2013  
V8**Construction and extension of one dwelling on a lot****Permit requirement**

A permit is required to construct or extend one dwelling on a lot 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.

**32.07-4**22/08/2013  
VC104**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings****Permit requirement**

A permit is required to:

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

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

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

A development must meet the requirements of Clause 55. 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.*



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## SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

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

### SUBSTANTIAL CHANGE B

#### 1.0 Requirements of Clause 54 and Clause 55

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	Standard	Requirement
<b>Minimum street setback</b>	A3 and B6	5 metres
<b>Site coverage</b>	A5 and B8	None specified.
<b>Permeability</b>	A6 and B9	20%
<b>Landscaping</b>	B13	Plant at least one canopy tree with a minimum mature height of 8 metres in the setback from the rear boundary of the site.
<b>Side and rear setbacks</b>	A10 and B17	Provide a minimum 1 metre setback from at least one side boundary.
<b>Walls on boundaries</b>	A11 and B18	Walls should only be constructed on one side boundary. A new wall should only abut a side boundary where it is setback a minimum of 3 metres behind the front façade of the building fronting the street.
<b>Private open space</b>	A17 and B28	Provide one ground level area with minimum dimensions of 5 metres by 5 metres, except for apartments.
<b>Front fence height</b>	A20 and B32	1.2 metres, or 1.8 metres with at least 20% permeability if adjoining a Category 1 (RDZ1) or 2 (RDZ2) road.

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

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A building used as a dwelling or a residential building must not exceed 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 an additional 1 metre in height.

Rooftop services may exceed the abovementioned mandatory height requirements by no more than 1.2 metres provided they are hidden from view from any adjoining public space and/or designed as architectural roof top features. Rooftop services includes but is not limited to plant rooms, air conditioning, lift overruns and roof mounted equipment.

#### 3.0 Application requirements

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The following application requirements 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:

- Plans showing existing vegetation and any trees proposed to be removed.
- Plans showing proposed landscaping works and planting including tree species and mature height.

#### 4.0 Decision guidelines

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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 development provides for an appropriate visual transition to residential properties in the Neighbourhood Residential Zone and General Residential Zone.
- Whether the proposal meets the preferred neighbourhood character statement and design objectives and guidelines for the relevant Precinct.

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