GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ, R1Z, R2Z or R3Z 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 encourage development that respects the neighbourhood character of the area.

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

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

Table of uses

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under clause 52.06-3.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tramway</td>
<td>Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td><strong>Condition</strong></td>
</tr>
<tr>
<td>Accommodation (other than Dependent person’s unit, Dwelling and Residential aged care facility)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Community market</td>
<td></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>▪ Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>▪ Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>▪ 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Store</td>
<td>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.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
Utility installation (other than Minor utility installation and Telecommunications facility) | Any other use not in Section 1 or 3

**Section 3 – Prohibited**

**Use**

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

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**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.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>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.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>
32.08-3  Construction and extension of one dwelling on a lot

Permit requirement

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

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

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

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

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

32.08-4  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.

32.08-5 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.

32.08-6 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 32.08-1.

32.08-7 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, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

32.08-8 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.

32.08-9 Exemption from notice and review

Subdivision

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

32.08-10 Decision guidelines

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

General

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

Subdivision

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

Dwellings and residential buildings

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

32.08-11 Advertising signs

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.
SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1

SKYLINE AREA

1.0 Design objectives

- To protect areas along the Maribyrnong River from visual intrusion caused by the inappropriate siting or appearance of buildings and works.
- To encourage development in keeping with the character and appearance of the area.
- To protect and enhance the skyline when viewed from the river or its banks.
- To encourage development consistent with any concept plan approved by the Government for the area, the recommendations of the City of Moonee Valley Maribyrnong River Interface Urban Design Guidelines 2001 and the Maribyrnong River Valley Design Guidelines 2010.

2.0 Buildings and works

A permit is required for fences, roadworks and associated street furniture.

A permit is not required:

- to construct a building or to construct or carry out works in a residential zone or on publicly owned land if they are no more than 6 metres above ground level.
- for repairs and routine maintenance to buildings and works.
- to construct a building or to construct or carry out works including fences, roadworks and associated street furniture generally in accordance with a development plan approved under schedule 4 to the Development Plan Overlay.

3.0 Subdivision

A permit is required to subdivide land.

A permit is not required for subdivision of land which is generally in accordance with a development plan approved under schedule 4 to the Development Plan Overlay.

4.0 Advertising signs

Advertising sign controls are at Clause 52.05-9.

5.0 Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the location, bulk and appearance of the buildings or works will be in keeping with the character and appearance of the area.
- Whether the location, bulk, outline and appearance of the building or works will be in keeping with or enhance the skyline when viewed from the river.
- Any concept plan approved for the area.
Reference Documents

SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2

MARIBYRNONG RIVER PROTECTION

1.0 Design objectives

- To protect the significant features of the Maribyrnong River Valley from visual intrusion caused by the inappropriate bulk, outline, setbacks, height, siting and appearance of buildings and works.
- To encourage development that is in keeping with the landscape character and appearance of the Maribyrnong River Valley.
- To maintain publically accessible views into and along the Maribyrnong River Valley.
- To ensure buildings do not create dominant forms on the skyline when viewed from the river or parklands.
- To preserve and reinforce the long views across the floodplain of the Maribyrnong River Valley.

2.0 Buildings and works

Permit requirements

A permit is required for the construction of a fence within 30 metres of the Maribyrnong River, measured from the junction with the top of the bank of the Maribyrnong River.

- The maximum height of a fence where a permit is required must not exceed 1.2 metres in height and be visually permeable.

A permit is required for buildings and works.

- The maximum building height must not exceed 9 metres above natural ground level at any point for properties on Woods Street, Ascot Vale.
- The maximum building height must not exceed 11 metres above natural ground level at any point for all other properties.

A permit is not required for repairs and routine maintenance to buildings and works.

A permit cannot be granted to vary the maximum heights specified in this schedule.

Application requirements

All applications must be accompanied by an urban context report and design response which demonstrates how the proposal meets the objectives specified in this schedule.

Notice Requirements

In accordance with section 52(1)(c) of the Act notice of an application must be given to Melbourne Water.
3.0 Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the bulk, outline, setbacks, height, siting and appearance of the buildings and works will impact on the landscape character and appearance of the Maribyrnong River Valley.

- Whether the bulk, outline, setbacks, height, siting and appearance of the building or works assists in maintaining publicly accessible views into and along the Maribyrnong River Valley.

- Whether setbacks established for a building are appropriate and in keeping with the design objectives of this schedule, as measured from:
  - The junction with the top of the bank of the Maribyrnong River for properties on Woods Street, Ascot Vale; or
  - The landward boundary of the Public Acquisition Overlay 2 ‘Public park and recreation’ adjacent to the Maribyrnong River for all other properties.

- Whether development reinforces the Maribyrnong River Valley floodplain edges and does not create dominant forms on the skyline when viewed from the publically accessible vantage points along the river or parklands environment.

4.0 Reference Documents

Maribyrnong River Valley Design Guidelines 2010

5.0 Expiry

The requirements of this overlay cease to have effect after 30 October 2016.