

## 32.04

19/09/2017  
VC132

## MIXED USE ZONE

Shown on the planning scheme map as **MUZ** 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 for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

### 32.04-1

15/07/2013  
VC100

### Objectives

A schedule to this zone may contain objectives to be achieved for the area.

### 32.04-2

15/07/2013  
VC100

### Table of uses

#### Section 1 – Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Food and drink premises	The leasable floor area must not exceed 150 square metres.
Home occupation	
Informal outdoor recreation	
Medical centre	The gross floor area must not exceed 250 square metres.
Minor utility installation	
Office (other than Medical centre)	The leasable floor area must not exceed 250 square metres.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Railway	
Residential aged care facility	
Shop (other than Adult sex bookshop)	The leasable floor area must not exceed 150 square metres.
Tramway	

Use	Condition
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

### Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
Agriculture (other than Animal keeping and Apiculture)	
Animal boarding	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 52.10.
Leisure and recreation (other than Informal outdoor recreation)	
Place of assembly (other than Carnival, Circus and Place of worship)	
Retail premises (other than Food and drink premises and Shop)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse	Must not be a purpose listed in the table to Clause 52.10.
Any other use not in Section 1 or 3	

### Section 3 - Prohibited

Use
Adult sex bookshop
Brothel
Materials recycling
Transfer station
Stone extraction

### 32.04-3

15/07/2013  
VC100

### Use for industry and warehouse

#### Amenity of the neighbourhood

The use of land for an industry or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

**32.04-4**15/07/2013  
VC100**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.

**32.04-5**15/07/2013  
VC100**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 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.

**32.04-6**13/04/2017  
VC136**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.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

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

### **Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

#### **32.04-7**

15/07/2013  
VC100

### **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.

#### **32.04-8**

15/07/2013  
VC100

### **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 32.04-2.

#### **32.04-9**

15/07/2013  
VC100

### **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, Residential Growth 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.

#### **32.04-10**

27/03/2017  
VC110

### **Maximum building height requirement**

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

### **Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

## **32.04-11 Application requirements**

19/09/2017  
VC132

### **General**

Any application requirements specified in a schedule to this zone.

### **Use for industry and warehouse**

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

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

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.

- Setbacks to property boundaries.
- All proposed access and pedestrian areas.
- All proposed driveway, car parking and loading areas.
- Existing vegetation and proposed landscape areas.
- The location of easements and services.

### **32.04-12 Exemption from notice and review**

15/07/2013  
VC100

#### **Subdivision**

An application for subdivision 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.

#### **Other applications**

A schedule to this zone may specify that an application 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.

### **32.04-13 Decision guidelines**

29/08/2017  
VC139

#### **General**

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

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

#### **Use for industry and warehouse**

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

#### **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.

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

- The objectives, standards and decision guidelines of Clause 54.

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

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

#### **32.04-14 Advertising signs**

15/07/2013  
VC100

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

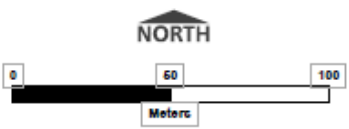
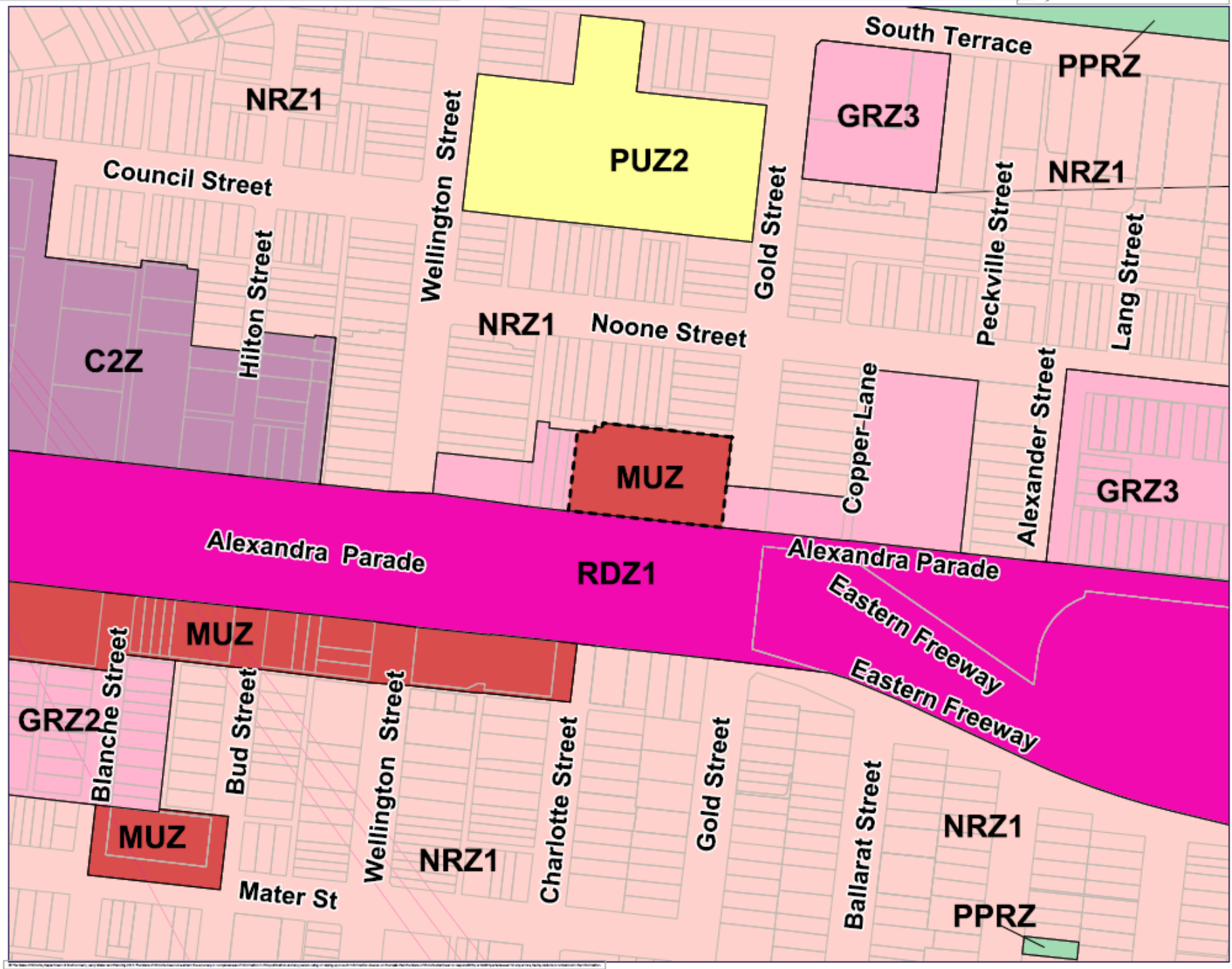
*Notes: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.*

*Check whether an overlay also applies to the land.*

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

# Alexandra, Clifton Hill - Proposed Planning Scheme Zones

-  Alexandra Pde, Clifton Hill Site
-  Property Boundaries
-  Neighbourhood Residential Zone
-  General Residential Zone
-  Commercial 2 Zone
-  Road Zone Category 1
-  Public Use Zone - Education
-  Mixed Use Zone
-  Public Park and Recreation Zone





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## SCHEDULE [NUMBER] TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO[number]**.

### 64 ALEXANDRA PARADE, CLIFTON HILL

#### 1.0

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#### Design objectives

- To facilitate a future development that provides for a mix of commercial uses at street level with residential uses above.
- To facilitate a development that will provide a range of dwelling types, as appropriate, to allow for a diversity of households.
- To enable a scale and density of development which takes advantage of the site's strategic location including its proximity to the CBD, local activity nodes, public transport, other established amenities.
- To provide an appropriate built form response to any recognised heritage features of the site.
- To retain the visual prominence of at least a third of the individually significant Shot Tower from primary views.
- To ensure development appropriately considers the amenity impacts on neighbouring development and achieves a high standard of internal amenity within the development.
- To encourage the development above the street wall to be designed as a series of separate development parts with building separation to enable views to the sky.

#### 2.0

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#### Buildings and works

A permit is required to construct a building or construct or carry out works.

#### Built Form Guidelines

The following Built Form Guidelines should be met:

#### Height and Setbacks

- Buildings on the site should be a preferred maximum 8 storeys (25 metres).
- Future development on the site should provide a consistent street wall height to the public realm along Alexandra Parade and Gold Street of a preferred maximum of 3 storeys (12 metres).
- The maximum height and massing of a future development should be positioned to the south-east corner of Alexandra Parade and Gold Street, responding to the limited sensitivity at these interfaces.
- Future building form should deliver an appropriate interface arrangement and minimise visual bulk and mass when viewed from neighbouring properties.
- Upper levels of development should be appropriately sited so as not to diminish the appreciation of, or impact primary views to at least a third of the height of the Shot Tower from the west on Alexandra Parade.

### **Building Form and Design**

- Avoid repetitive stepped built form at upper levels of development.
- Deliver a high quality architectural response through building form, massing, materials and finishes.
- Ensure activation at ground level of Alexandra Parade and Gold Street through design measures including glazing, active uses and pedestrian entries.
- Avoid a single mass form for development above the street wall.
- Provide passive surveillance to streets and footpaths.
- Locate car parking within the site and be screened from the public realm.

### **Heritage**

- To incorporate reference to the former industrial history of the site and any specific identified heritage values, such as in the form of public artwork, architecture and heritage interpretation.
- Preserve identified primary views to the Shot Tower, particularly from the south west corner of Brunswick Street and Alexandra Parade by providing adequate setback and building separation to retain the prominence of at least the top one third of the height of the structure.
- Preserve identified primary views to at least the top one third of the Shot Tower, particularly from the Eastern Freeway (west of the overpass) by providing clear sky in the backdrop of at least the top one third of the height of the structure.

### **Vehicle Access and Traffic**

- Ensure vehicle entrances do not impact on high traffic flows on Alexandra Parade, by locating entrances to onsite parking on Gold Street.
- Ensure vehicle access is located to limit impact on the pedestrian safety or street amenity.

### **Amenity**

- Provide a good level of onsite amenity for future residents of the development through the layout and orientation of dwellings.
- Ensure the form and scale of proposed development is not the detriment of existing adjacent uses, particularly residences.
- Limit additional shadow cast to neighbouring residential properties to the west and north between 11am and 2pm at 22 September.
- Limit opportunities for overlooking to properties to the north and west.

### **Public Realm**

- Provide streetscape improvements including sufficient footpath width along Alexandra Parade and Gold Street to enable the improved future use by retailers and pedestrians and enable sufficient activation of the street interfaces.
- To provide opportunities for additional tree planting where possible along Alexandra Parade and Gold Street.
- Provide a high quality response to the corner of Alexandra Parade and Gold Street to allow safe pedestrian movement.

### **Application Requirements**

Unless with the written consent of the Responsible Authority, an application for development on the land must provide:

- An Urban Context Report
- Perspectives showing the form, massing, profile, material finishes and detailed design of the proposed building(s).
- A Traffic and Transport Impact Assessment prepared by a suitably qualified traffic engineer.
- A Green Travel Plan prepared by a suitably qualified person outlining site-specific initiatives and actions to encourage the use of more sustainable transport options.
- A Heritage Impact Assessment prepared by a suitably qualified heritage consultant.
- For residential development, an acoustic report prepared by a suitably qualified acoustic engineer.
- A Sustainability Management Plan (SMP) for 10 or more dwellings to Council’s specifications (in accordance with the Application Requirements of Clause 22.17).
- A Waste Management Plan prepared by a suitably qualified waste management expert.
- A Contamination Assessment of the site prepared by a suitably qualified and experienced person and include recommendations and an implementation strategy to be undertaken in the event that any part of the is contaminated. The assessment must be submitted to and approved by and to the satisfaction of the Responsible Authority and make reference to the Department of Sustainability and Environment (DSE), General Practice Note – Potentially Contaminated Land, June 2005.

**3.0 Subdivision**

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None specified

**4.0 Advertising signs**

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None specified




**5.0 Decision guidelines**

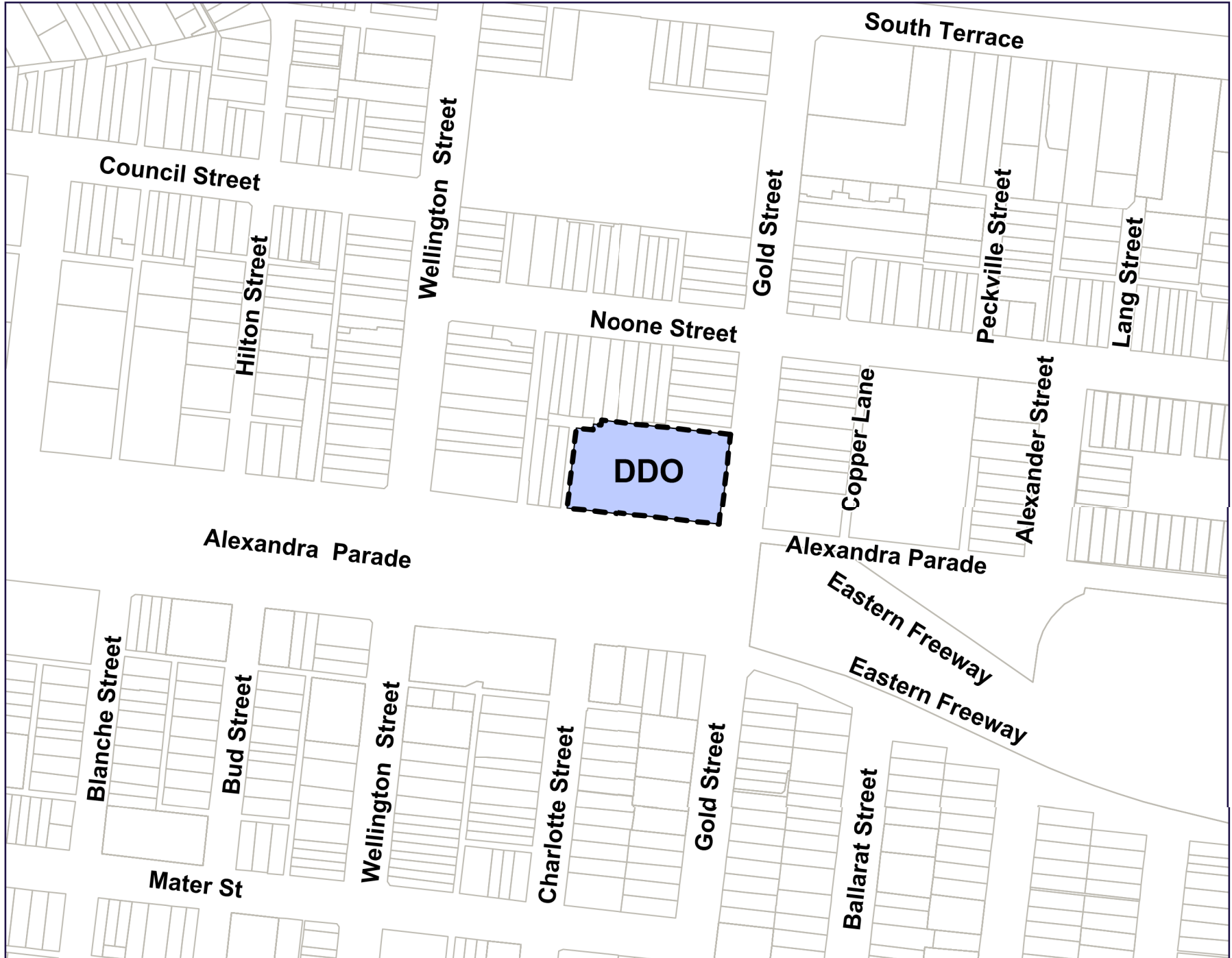
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The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The design, height, massing and scale of the development in relation to the site context.
- The effect of the development on the amenity of neighbouring properties and the public realm.
- How the proposal improves the street environment for pedestrians along street frontages.
- The response to identified heritage values of the site and broader precinct, including primary views to at least a third of the height of the Shot Tower.
- The impact of traffic generated by the proposal.

# Alexandra Pde, Clifton Hill - Proposed Design and Development Overlay

-  Alexandra Pde, Clifton Hill
-  Property Boundary
-  Proposed Design and Development Overlay



NORTH

