

# **Maroondah Planning Scheme Review 2024**

## **Volume 2**

### **Policy and procedural inputs**

# Document Control

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## Document History

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2	7 December 2023	Jackie Bernoth	Updated to reflect gazettal of Amendment C144maro and respond to contributor feedback.
3	19 December 2023	Jackie Bernoth	Minor updates. Councillor briefing issue.
4	23 January 2024	Jackie Bernoth	Minor amendments to reflect gazettal of VC249, VC250, VC253 and C146maro and current calendar year. Council agenda issue.

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## Approval

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# 1. Preamble

This document contains detailed considerations of the form and content of the Maroondah Planning Scheme as well as changes to state and local policies and the Victoria Planning Provisions since a review was last conducted in 2013. It includes reviews of:

- Changes made to the Maroondah Planning Scheme since 2013.
- The impact of Planning Practice Notes on the Maroondah Planning Scheme.
- Decisions made by the Victorian Civil and Administrative Tribunal.
- Planning panel reports.
- Regional and Council policies.

## 2. Changes made to the Scheme since 2013

Between the completion of the last planning scheme review in August 2013 and 15 January 2024, a total of 184 amendments have been gazetted to the Maroondah Planning Scheme. This includes 44 amendments that relate solely to Maroondah. This report details each of these amendments and their implications for Maroondah.

Amendments with significant impact on the Maroondah Planning Scheme include those introducing and applying the Planning Policy Framework, new format residential zones and VicSmart Planning Provisions in Victoria generally. Locally, amendments of significance to this review include:

- Amendments C96 and C97, which introduced planning provisions for the Ringwood East and Heathmont Activity Centres.
- Those relating to bushfire preparedness and recovery.
- Amendment C116, which introduced the Jubilee Park planning provisions.

Detailed discussions of the implications of these amendments on current and future planning within Maroondah are contained in Volume 1.

As a result of the amendments made to the Scheme since August 2013, the following changes and future strategic work are recommended to the Maroondah Planning Scheme:

### Planning for local places

- L01 Update the Heathmont Structure Plan and prepare a planning scheme amendment to implement it.
- L02 Update the Ringwood East Structure Plan and prepare a planning scheme amendment to implement it.

### Planning for heritage

- H01 Consider the need for identifying additional exemptions for planning permits associated with heritage places, including whether there are some sites affected by the Heritage Overlay where the installation of a solar energy system should not require a planning permit.

### Planning for the environment and environmental risks

- E01 Implement the Maroondah Vegetation Strategy 2020-2030, including application of the Environmental Significance Overlay to areas of identified biological significance.
- E02 Work with Forest Fire Management Victoria, Fire Rescue Victoria and public land managers to review the extent of the Bushfire Management Overlay in light of up-to-date information on the risk of bushfire to properties within Maroondah.
- E03 Develop a mapped register of known potentially contaminated land in commercial and residential zones, including uses with high potential for contamination in Planning Practice Note 30.

### Planning for the residential framework

- R01 Develop a Neighbourhood Character Strategy which builds on the Neighbourhood Character Study Review, State policy with respect to housing, and the provisions of the Housing Strategy: 2022 Refresh.
- R02 Prepare a planning scheme amendment to implement the Neighbourhood Character Strategy.

- R03 Amend Schedule 5 to the Neighbourhood Residential Zone to include variations to ResCode Standards relating to Side and Rear Setbacks (A10, B17), Private Open Space (A17, B28) and Front Fence Height (A20, B32) that correspond with those in Schedule 1 to the General Residential Zone.

### Process and administrative improvements

- P01 Investigate the potential to insert local VicSmart provisions into the Maroondah Planning Scheme.
- P02 Insert Schedule 1 to Clause 44.06 (Bushfire Management Overlay) in a form that is consistent with the Ministerial Direction and other Bushfire Management Overlay Schedules which were initially introduced by Amendment GC13.
- P03 Amend maps 1BMO, 2BMO, 4BMO and 6BMO to refer to BMO1 rather than BMO.
- P04 Alter Schedule 3 to Clause 43.05 (Neighbourhood Character Overlay) to correct formatting and typographical errors, including deletion of superfluous text.
- P31 Amend the Schedule to Clause 72.08 to include reference to the 2022 Housing Strategy Refresh in place of the 2016 Housing Strategy, and to refer to the Vegetation Strategy 2020-2030, and supporting documents to Amendments C104 and C110.

## 2.1 Details of gazetted amendments

As of 14 November 2023 the following amendments had been approved since the Maroondah Planning Scheme was last reviewed in August 2013:

Table 1: Key to gazetted amendments

	Amendments affecting planning schemes across Victoria
	Amendments affecting a number of planning schemes, including the Maroondah Planning Scheme
	Amendments affecting the Maroondah Planning Scheme alone

Amendments have been grouped by the year they were gazetted to assist navigation.

### 2.1.1 2013

Table 2: Amendments gazetted between August and December 2013

No.	Gazetted	Brief description	Implications for Maroondah
VC104	22 Aug 2013	<p>The amendment changes the <i>Victoria Planning Provisions</i> and planning schemes by amending Clause 32.07 - Residential Growth Zone, Clause 32.08 - General Residential Zone and Clause 32.09 - Neighbourhood Residential Zone to include transitional provisions to exempt an existing application to construct or extend a residential development of four storeys from the requirements of clause 55 gazetted in Amendment VC100.</p> <p>Amending Clause 32.09 – Neighbourhood Residential Zone to include transitional provisions ensuring that approved development is not prohibited from being subdivided (Clause 32.09-2) and that existing applications lodged, but not yet decided, are not subject to the maximum number of dwellings (Clause 32.09-3) and maximum building height provisions (Clause 32.09-8).</p> <p>Amending Clause 32.01 - Residential 1 Zone and Clause 32.02 - Residential 2 Zone to update the reference for development exempted from Clause 55 from four to five storeys to be consistent with other residential zones.</p> <p>Amending Clause 34.01 - Commercial 1 Zone to ensure that neighbourhood and site description and design response plans are provided for residential development subject to Clause 55 and to delete an unnecessary reference to precinct structure plans.</p>	<p><b>Limited impact.</b></p> <p>Increases transitional provisions for pre-ResCode applications and provides clarity on application of ResCode for five storey development.</p>
VC103	5 Sept 2013	<p>The amendment changes the <i>Victoria Planning Provisions</i> (VPP) and planning schemes to introduce reformed rural zones. It amends Clause 35.03 – Rural Living Zone, Clause 35.04 – Green Wedge Zone, Clause 35.05 – Green Wedge A Zone, Clause 35.06 – Rural Conservation Zone and schedules to 49 planning schemes, Clause 35.07 – Farming Zone and Clause 35.08 – Rural Activity Zone.</p> <p>Makes consequential changes to Clause 11 and Clause 16 of the State Planning Policy Framework to support the reformed rural zones.</p> <p>Amends Clause 57 of the Particular Provisions to align with the provisions of the reformed rural zones and to give affect to changes applying to green wedge land.</p> <p>Amends Clause 62 of the General Provisions to exempt crop support and protection structures from permit requirements.</p>	<p><b>Limited impact.</b></p> <p>The amendment makes adjustment to, rather than creates, the Green Wedge A Zone and Farming Zone, both of which were already in use in the Maroondah Planning Scheme.</p>



No.	Gazetted Brief description	Implications for Maroondah
	Amends Clause 74 relating to the definitions of host farm, rural industry and primary produce sales.	
C56	<p>12 Sept 2013</p> <p>The amendment implements the Croydon Town Centre Structure Plan, 2006 through a revised local policy, the Croydon Major Activities Area Development Policy; a new Schedule 10 to the Design and Development Overlay; and references to the structure plan in various provisions of the Municipal Strategic Statement and local policies. Minor changes to Schedules 3 and 4 of the Significant Landscape Overlay have also been made.</p>	<p><b>Significant impact.</b></p> <p>Implementation of the Croydon Town Centre Structure Plan.</p> <p>Changes to the SLO3 and SLO4 were minor (correction of document reference)</p>
VC102	<p>28 Oct 2013</p> <p>The amendment changes the <i>Victoria Planning Provisions</i> (VPP) and all planning schemes by:</p> <ul style="list-style-type: none"> <li>• amending Clause 52.01 – Public open space contribution and subdivision</li> <li>• amending Clause 52.29 – Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road</li> <li>• amending Clause 66 – Referral and notice provisions.</li> </ul> <p>The amendment changes the VPP and some planning schemes by amending Clause 45.01 – Public Acquisition Overlay.</p> <p>The amendment changes all planning schemes by amending the schedule to Clause 66.04 – Referral of permit applications under local provisions.</p> <p>The amendment changes the schedule to Clause 45.01 – Public Acquisition Overlay in 69 planning schemes.</p>	<p><b>Limited geographical impact.</b></p> <p>Introduced the distinction between Recommending and Determining Referral Authorities. This allows all referrals to be located in a single area of the Scheme, deleting the need for separate decision guidelines that refer to considering the views of various bodies.</p> <p>Development Plan Overlay Schedule 6 should be amended as a result. See Volume 3.</p>
C90	<p>28 Nov 2013</p> <p>The amendment rezones land at 6-8 Sturt Street South, Croydon from Public Park and Recreation Zone to the Industrial 1 Zone.</p>	<p><b>Limited geographical impact.</b></p> <p>Rezoning of land to reflect its private ownership.</p>
VC99	<p>10 Dec 2013</p> <p>The amendment changes the Victoria Planning Provisions and all planning schemes by modifying Standards A10, A11 and A13 in Clauses 54.04-1, 54.04-2 and 54.04-4 and Standards B17, B18 and B20 in Clauses 55.04-1, 55.04-2 and 55.04-4 to:</p> <ul style="list-style-type: none"> <li>• Increase the distance between a wall and a side or rear boundary threshold from 150mm to 200mm for the wall to be considered a wall on boundary.</li> <li>• Increase the average maximum height of a wall on boundary from 3.0 metres to 3.2 metres.</li> <li>• Update Diagrams A1 and B1 – Side and rear setbacks and Diagrams A3 and B3 – North-facing windows to include dimensions up to 13.5 metres.</li> </ul>	<p><b>Limited impact.</b></p> <p>Increase in height allowable on the property boundary has some impact on the amenity of adjoining properties.</p>
VC105	<p>20 Dec 2013</p> <p>The amendment implements reforms to Victoria's native vegetation and biodiversity provisions by:</p> <ul style="list-style-type: none"> <li>• Amending Clause 12.01 (Biodiversity) to reflect the new 'no net loss' approach rather than the previous 'net gain' approach.</li> <li>• Amending Clause 52.16 (Native vegetation precinct plan) to reflect the intent of the native vegetation and biodiversity reform package; and</li> <li>• Amending Clause 52.17 (Native vegetation) to rationalise information requirements, implement the new risk-based assessment pathways, include a simplified approach for applications under a low-risk based pathway and streamline the determination of offset requirements.</li> <li>• Amending Clause 66.02-2 (Native Vegetation - Referral and Notice Provisions) to require the class of application in the high risk pathway as defined in the document 'Permitted clearing of native vegetation – Biodiversity assessment guidelines' (Department of Environment and</li> </ul>	<p><b>Limited impact.</b></p> <p>The majority of tree removal/lopping applications within Maroondah are as a result of planning scheme overlays, rather than [the then] Clause 52.17.</p>

No.	Gazetted	Brief description	Implications for Maroondah
		<p>Primary Industries, September 2013) be referred to the Secretary to the Department of Environment and Primary Industries as a recommending referral authority; and</p> <ul style="list-style-type: none"> <li>Amending Clause 81.01 (Table of incorporated documents in this scheme) to replace 'Victoria's Native Vegetation – Framework for Action' with a new incorporated document 'Permitted clearing of native vegetation – Biodiversity assessment guidelines' (Department of Environment and Primary Industries, September 2013).</li> </ul> <p>The amendment also updates outdated references to the Department of Sustainability and Environment to reflect the department's new name, the Department of Environment and Primary Industries in relevant clauses.</p>	

## 2.1.2 2014

Table 3: Amendments gazetted during 2014

No.	Gazetted	Brief description	Implications for Maroondah
C88	20 Mar 2014	Rezones part of the land at 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77a, 79, 81 and 83 Diane Crescent, Croydon from Public Use Zone 4 to Residential 1 Zone.	<p><b>Limited geographical impact.</b></p> <p>Rezoning of land that had been previously set aside as a railway buffer, but since sold to adjoining residents.</p>
VC115	4 Apr 2014	<p>Changes the Victoria Planning Provisions and relevant planning schemes by:</p> <ul style="list-style-type: none"> <li>providing that the permit exemptions at Clauses 62.01, 62.02-1 and 62.02-2 do not apply to permit requirements in Clause 36.03 'Public Conservation and Resource Zone';</li> <li>amending Clause 36.03-1 'Tables of Uses' to require a use listed in Clause 62.01 be subject to conditions that a use must be conducted by, on behalf of a public land manager or be specified in an incorporated plan; and</li> <li>amending Clause 36.03-3 to require an application for a permit to be accompanied by the written consent of the Secretary to the Department of Environment and Primary Industries where there is no public land manager for the subject land.</li> </ul>	<p><b>Limited impact.</b></p> <p>Increases the number of applications required within the PCRZ. The zone affects only 1.1% of land in Maroondah, limiting the impact of this change.</p>
VC108	16 Apr 2014	<p>Amends Clause 52.38 (2009 Bushfire recovery) to extend the timeframe for continued use of a building for temporary accommodation without a planning permit to 30 April 2015.</p> <p>Amends Clause 52.39 (2009 Bushfire – Replacement buildings) to extend the timeframe for submitting a site plan to the responsible authority for rebuilding a dwelling, dependent person's unit or building used for agriculture to 30 April 2015.</p>	<b>Little/no impact.</b>
VC111	16 Apr 2014	The amendment changes the Victoria Planning Provisions (VPP) and all planning schemes that have applied the Urban Growth Zone, being the Ballarat, Cardinia, Casey, Greater Bendigo, Greater Geelong, Hume, Melton, Mitchell, Whittlesea, Wodonga and Wyndham Planning Schemes, by amending Clause 37.07 - Urban Growth Zone. VC111 also changes the Victoria Planning Provisions (VPP) and all planning schemes in Victoria by amending Clause 66 - Referral and Notice Provisions to replace Growth Areas Authority with Metropolitan Planning Authority to reflect the creation of the new planning authority.	<b>Little/no impact.</b>

No.	Gazetted Brief description	Implications for Maroondah
VC106	<p>30 May 2014 The <i>Victoria Planning Provisions</i> (VPP) and all planning schemes are amended to recognise <i>Plan Melbourne</i> and Victoria's regional growth plans by:</p> <ul style="list-style-type: none"> <li>• Inserting a new clause 9, which requires any references in the planning scheme to <i>Melbourne 2030</i> and <i>Melbourne 2030: A planning update Melbourne @ 5 Million</i> (Department of Planning and Community Development, 2008) to be disregarded and requires planning and responsible authorities to consider and apply <i>Plan Melbourne</i>.</li> <li>• Deleting clauses 11.04-1 to 11.04-5 in the State Planning Policy Framework (SPPF), which set out planning objectives and strategies from <i>Melbourne 2030</i>, and introducing new clauses 11.04-1 to 11.04-6 which set out objectives and strategies taken from the vision in <i>Plan Melbourne</i>. Existing clauses 11.04-6 to 11.04-8 have been renumbered as 11.04-7 to 11.04-9 respectively.</li> <li>• Inserting clauses 11.06 – 11.13 in the SPPF which set out the objectives and strategies of Victoria's eight regional growth plans.</li> <li>• Removing references to <i>Melbourne 2030</i>, <i>Melbourne 2030: A planning update Melbourne @ 5 Million</i>, the Activity Centres and Principal Public Transport Network Plan, 2010 and <i>Ready for Tomorrow – a Blueprint for Regional and Rural Victoria</i> from the following clauses in the State Planning Policy Framework: <ul style="list-style-type: none"> <li>○ clause 11 (Settlement);</li> <li>○ clause 16 (Housing);</li> <li>○ clause 17 (Economic Development);</li> <li>○ clause 18 (Transport); and</li> <li>○ clause 19 (Infrastructure).</li> </ul> </li> <li>• Deleting the Activity Centres and Principal Public Transport Network Plan, 2010 from the list of incorporated documents in clause 81.01.</li> </ul>	<p><b>Significant impact</b> Reshaping of state policy to reflect the implementation of <i>Plan Melbourne</i>.</p>
C93	<p>19 Jun 2014 Updates the Maroondah Planning Scheme to introduce the reformed residential and commercial zones to the entire municipality.</p>	<p><b>Significant impact</b> Zones were applied based on the existing planning scheme, and the amendment did not go through public exhibition as a result.</p>
VC116	<p>1 Jul 2014 Amendment VC116 changes the VPP and all planning schemes by replacing the User Guide and Clauses 52.04, 52.06, 52.35, 54, 55 and 56 to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone; deletes Clause 32.01 - Residential 1 Zone from the VPP and 24 planning schemes; deletes Clause 32.02 - Residential 2 Zone from the VPP and 6 planning schemes; deletes Clause 32.06 - Residential 3 Zone from the VPP and 3 planning schemes; amends Clause 32.08 - General Residential Zone to include the following words "shown on the planning scheme map as GRZ, R1Z, R2Z and R3Z with a number (if shown)" in the VPP and 59 planning schemes; amends Clause 43.03 – Incorporated Plan Overlay to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone from the VPP and 24 planning schemes; amends Clause 43.04 – Development Plan Overlay to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone from the VPP and 71 planning schemes; amends Clause 43.05 – Neighbourhood Character Overlay to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone from the VPP and 14 planning schemes; amends Clause 57 to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone from the VPP and 17 planning schemes; changes the Ararat, Ballarat, Banyule, Brimbank, Darebin, Greater Geelong, Greater Shepparton, Knox, Latrobe, Maribyrnong, Moonee Valley, Moorabool, Moreland, Nillumbik, Port Phillip, Southern Grampians, Whitehorse and Yarra planning schemes by</p>	<p><b>Limited impact</b> Formally removed reference to the residential zones which had been replaced by the reformed zones. The Maroondah Planning Scheme had been amended by C93 to refer to the new zones only.</p>

No.	Gazetted Brief description	Implications for Maroondah
	<p>introducing Clause 32.08 - General Residential Zone and inserting Schedules to the General Residential Zone which replicate Schedules for any of the deleted Residential 1, Residential 2 and Residential 3 Zones; changes the Cardinia, Frankston, Greater Geelong, Kingston, Melton, Mornington Peninsula and Whittlesea planning schemes by inserting or amending Schedules to the General Residential Zone to replicate Schedules for any of the deleted Residential 1, Residential 2 and Residential 3 Zones.</p>	
C91	<p>11 Jul 2014 The amendment makes policy neutral changes to the Municipal Strategic Statement of the Maroondah Planning Scheme by updating local information and data, references to state and local policy, removing anomalies, simplifying language, and updating formatting and layout.</p>	<p><b>Limited impact</b> Policy neutral amendment resulting from the 2013 Planning Scheme Review.</p>
VC109	<p>31 Jul 2014 The amendment changes the <i>Victorian Planning Provisions</i> (VPP) and all Victorian planning schemes by amending:</p> <ul style="list-style-type: none"> <li>• Clause 44.06 'Bushfire Management Overlay' (BMO) to move the application requirements to Clause 52.47 and include a new mandatory condition for bushfire bunkers.</li> <li>• Clause 52.17 'Native Vegetation' to enable the clearing of native vegetation to be undertaken by private landholders on Crown land with the written permission of the Secretary of the Department of Environment and Primary Industries for the purposes of maintaining wild dog exclusion fences.</li> <li>• Clause 52.47 'Planning for bushfire' to provide approved and alternative bushfire safety measures for new single dwellings, replacement or extension to an existing dwelling and other buildings.</li> <li>• Clause 52.48 'Bushfire Protection: Exemptions' to provide exemptions for the provision of defensible space for a dwelling approved under the BMO.</li> <li>• Clause 66 'Referral and Notice Provisions' to change the referral authority status for relevant fire authorities for some development from determining to recommending referral authority.</li> </ul>	<p><b>Limited impact</b></p>
VC113	<p>31 Jul 2014 The amendment changes the <i>Victoria Planning Provisions</i> (VPP) and all planning schemes by amending Clause 52.32 – Wind energy facility to enable minor amendments to be made to a Wind energy facility planning permit issued prior to 15 March 2011.</p>	<p><b>Little/no impact</b></p>
VC117	<p>22 Aug 2014 The amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes in Victoria by introducing a new Clause 11.14 – Planning for distinctive areas and including the <i>Mornington Peninsula Localised Planning Statement</i> (Victorian Government, 2014) as a policy guideline.</p>	<p><b>Little/no impact</b></p>
VC118	<p>22 Aug 2014 The amendment changes the <i>Victoria Planning Provisions</i> (VPP) and all Victorian planning schemes by:</p> <ul style="list-style-type: none"> <li>• Amending Clause 52.09 to correct errors.</li> <li>• Replacing references to the "Prostitution Control Act 1994" with the "Sex Work Act 1994" in Clause 52.46 and Clause 72 in the to reflect the change to the name of that Act.</li> <li>• Replacing the reference to "Clause 55.09-1" with "Clause 56.09-1" in Clause 56.09.</li> <li>• Deleting the expired Clause 56.10</li> <li>• Replacing the number "3" with the word "three" in Clause 62 to improve the grammatical form of that clause.</li> <li>• Amending Clause 66 to correct outdated references to planning scheme provisions and to update references to regulations.</li> <li>• Deleting the reference to "Laundromat" from the definition of "Service Industry" in Clause 74. Amendment VC87 moved "Laundromat" to the</li> </ul>	<p><b>Limited impact</b> Administrative changes.</p>

No.	Gazetted Brief description	Implications for Maroondah
	<p>“Shop” definition but omitted to remove it from the “Service Industry definition”.</p> <ul style="list-style-type: none"> <li>Amending the list of land uses under the definition of “Earth and Energy Industry” in Clause 74 to remove minor technical errors.</li> </ul> <p>Amends a condition in the use ‘Supermarket’ in the section 2 table to Clause 34.02-1 in the VPP and all relevant planning schemes to remove an inadvertent error.</p> <p>Deletes the reference to ‘Clause 52.05-6’ in Clause 37.04-5 of the Capital City Zone in the VPP and all relevant planning schemes because Clause 52.05-6 does not specify a category of advertising control.</p> <p>Updates and corrects the descriptions of people, bodies or departments in:</p> <ul style="list-style-type: none"> <li>The schedule to Clause 66.04 - Referral of permit applications under local provisions, in the Latrobe, South Gippsland and Wellington planning schemes.</li> <li>Schedule 1 to the State Resource Overlay (SRO) in the Latrobe and Wellington Planning Schemes.</li> </ul>	
VC120	<p>4 Sept 2014</p> <p>The Amendment changes the Victoria Planning Provisions and all planning schemes by introducing a new Clause 52.43 Live music and entertainment noise.</p>	<p><b>Limited impact.</b></p> <p><i>Amendments VC120, VC152, VC183 and GC175 all relate to live music venues.</i></p> <p>There are a limited number of live music venues within the municipality, and these are often well separated from sensitive uses. The impact of the clause is anticipated to grow as development in activity centres increases. This may result in a need to maintain up-to-date information on premises to assist decision making. At present site inspections during application processing is sufficient.</p>
VC114	<p>19 Sept 2014</p> <p>The amendment changes the <i>Victoria Planning Provisions</i> (VPP) and all planning schemes by :</p> <ul style="list-style-type: none"> <li>Introducing a new Clause 90 to create a new section in the VPP for the VicSmart planning assessment provisions.</li> <li>Introducing a new Clause 91 which sets out the planning assessment process for VicSmart applications.</li> <li>Introducing a new Clause 92 which sets out the classes of application that are a State VicSmart application and the relevant provision of Clause 93 that contains the information requirements and decision guidelines that apply to each class of State VicSmart application.</li> <li>Introducing a new Clause 93 which sets out the information requirements and decision guidelines for each class of State VicSmart application.</li> <li>Introducing a new Clause 94 to provide the ability to specify classes of local VicSmart applications and the relevant clause or schedule that contains the information requirements and decision guidelines that apply to each class.</li> </ul>	<p><b>Significant impact.</b></p> <p>Introduced the VicSmart application stream into Victorian Planning Schemes. Includes both state-wide VicSmart provisions and the ability to create local VicSmart provisions.</p>

No.	Gazetted Brief description	Implications for Maroondah
	<ul style="list-style-type: none"> <li>Introducing a new Clause 95 which sets out the information requirements and decision guidelines for each class of local VicSmart application.</li> <li>Amending the Schedules to Clause 61.01 to specify the Chief Executive Officer of the council as the responsible authority for deciding a VicSmart application in the planning scheme. For the French Island and Sandstone Island Planning Scheme, Port of Melbourne Planning Scheme and Alpine Resorts Planning Scheme specify the Minister for Planning as the responsible authority for deciding a VicSmart application in the planning scheme.</li> <li>Making consequential changes to the VPP User Guide to recognise the new VicSmart provisions and to turn off consideration of Clause 65 decision guidelines for a VicSmart application.</li> </ul> <p>The amendment changes the Ballarat Planning scheme by:</p> <ul style="list-style-type: none"> <li>Introducing a schedule to Clause 94 to create local VicSmart classes of application for buildings and works and subdivision affected by Clause 42.02-2 Design and Development Overlay Schedules 1 and 3-16 (inclusive).</li> <li>Introducing a schedule to Clause 95 to create information requirements and decision guidelines for the local VicSmart classes of application.</li> </ul> <p>The amendment changes the Greater Geelong Planning scheme by:</p> <ul style="list-style-type: none"> <li>Introducing a schedule to Clause 94 to create additional local VicSmart classes of application for applications under the Activity Centre Zone.</li> <li>Introducing a schedule to Clause 95 to create information requirements and decision guidelines for the local VicSmart classes of application: <ul style="list-style-type: none"> <li>Buildings and works up to \$250,000</li> <li>Licensed premises.</li> </ul> </li> <li>The State information requirements and decision guidelines set out in Clause 93 are used for the other local VicSmart classes of application.</li> </ul>	
C92	<p>25 Sept 2014</p> <p>The amendment introduces a new local planning policy into the Maroondah Planning Scheme that aims to ensure all new development proposals for buildings, works and signage along land adjacent to or with exposure to EastLink, which require a planning permit, take into account or do not conflict with the design aesthetic achieved along the motorway corridor.</p>	<p><b>Limited geographic impact.</b></p> <p>Urban Design policy related to sites which abut EastLink or have immediate proximity to it.</p>
VC123	<p>13 Nov 2014</p> <p>The amendment changes the <i>Victoria Planning Provisions</i> and most planning schemes in Victoria by amending Clause 34.02 – Commercial 2 Zone to make small scale supermarkets (up to 1800 square metres) adjoining, or with access to, a Road Zone not requiring a planning permit in the City of Greater Geelong (consistent with the treatment of supermarkets in this zone in metropolitan Melbourne). Supermarkets greater than 1800 square metres will require a planning permit in the City of Greater Geelong (consistent with metropolitan Melbourne). Other non-metropolitan planning schemes supermarkets larger than 1800 square metres are prohibited in the C2Z.</p>	<p><b>Little/no impact.</b></p>
C85	<p>20 Nov 2014</p> <p>The amendment and associated planning permit facilitate and provide for the use and redevelopment of the land for a shopping centre incorporating a discount department store, supermarkets, shops, office and associated commercial uses, the residential use and development of land, the sale and consumption of liquor, a reduction in the number of statutory car parking spaces required, alteration of access to a Road Zone Category 1, removal of vegetation, re-location and/or creation of easements, all generally in accordance with approved plans.</p>	<p><b>Limited geographic impact.</b></p> <p>Relates to land at 1, 5-15 and 17-19 Kent Avenue, Croydon (Croydon Central Shopping Centre).</p>

## 2.1.3 2015

Table 4: Amendments gazetted during 2015

No.	Gazetted	Brief description	Implications for Maroondah
GC20	12 Mar 2015	The amendment updates clauses and schedules by replacing references to the Residential 1 Zone and the Residential 2 Zone with the reformed residential zones in the Corangamite, Frankston, Horsham, Indigo, Mansfield, Maroondah, Moira, Nillumbik, Northern Grampians, Stonnington, Strathbogie, Towong, Wangaratta and Wodonga Planning Schemes.	<b>Limited impact.</b> Correction of anomalies caused by Amendment C93.
VC124	2 Apr 2015	The amendment changes the <i>Victoria Planning Provisions</i> (VPP) and all planning schemes by: <ul style="list-style-type: none"> <li>Amending Clause 19.01-1 'Provision of Renewable Energy' to reference the updated Policy and planning guidelines for development of wind energy facilities in Victoria (Guidelines).</li> <li>Amending Clauses 42.01 'Environmental Significance Overlay', 42.02 'Vegetation Protection Overlay', 42.03 'Significant Landscape Overlay', 44.01 'Erosion Management Overlay', 44.02 'Salinity Management Overlay', 52.16 'Native Vegetation Precinct Plan' and 52.17 'Native Vegetation' to introduce an exemption from requirements to obtain a permit to remove, destroy or lop vegetation and to update references to the name of a government department. The permit exemption applies to vegetation removed, destroyed or lopped on Crown land and by a person acting under and in accordance with an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010.</li> <li>Amending Clause 52.32 'Wind Energy Facility' to <ul style="list-style-type: none"> <li>reduce the allowable distance of a turbine to a dwelling from two kilometres to one kilometre (consent is required from the owner of a dwelling to locate a turbine closer than one kilometre to the dwelling)</li> <li>clarify the application of the one kilometre rule to applications for minor amendments to existing permits</li> <li>reference the updated Guidelines.</li> </ul> </li> <li>Amending Clause 61.01-1 'Minister is the Responsible Authority' to make the Minister for Planning the responsible authority for all new planning permit applications for the use and development of land for the purpose of a Wind energy facility.</li> </ul>	<b>Little/no impact.</b>
C99	16 Apr 2015	Deletes the Urban Floodway Zone (UFZ) from the northern portion of land at 48, 50 and 52 Nelson Street, Ringwood and rezones that land to a Residential Growth Zone Schedule 1 (RGZ1).	<b>Limited geographic impact.</b>
VC119	30 Apr 2015	The Amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes by: <ul style="list-style-type: none"> <li>amending Clause 52.38 (2009 Bushfire recovery) to extend the timeframe for continued use of a building for temporary accommodation without a planning permit to 30 September 2018;</li> <li>amending Clause 52.39 (2009 Bushfire – Replacement buildings) to extend the timeframe for submitting a site plan to the responsible authority for rebuilding a dwelling, dependent person's unit or building used for agriculture to 30 September 2017.</li> </ul>	<b>Little/no impact.</b>
VC125	11 Jun 2015	The amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes by amending: <ul style="list-style-type: none"> <li>Amending Clause 19.01-1 'Provision of Renewable Energy' to reference the updated Policy and planning guidelines for development of wind energy facilities in Victoria (Guidelines).</li> </ul>	<b>Little/no impact.</b>

No.	Gazetted Brief description		Implications for Maroondah
	<ul style="list-style-type: none"> <li>Amending Clause 52.32 'Wind energy facility' to reference the updated Guidelines and update the application requirements to address the electricity transmission or distribution system.</li> <li>Amending Clause 74 'Land Use Terms' to change the definition of Wind energy facility to include the use of the transmission or distribution system of power lines to connect the wind energy facility to the electricity network.</li> </ul>		
C103	16 Jul 2015	Rezone part of 106 & 132 Maroondah Hwy and part of 130 Maroondah Hwy Ringwood from Public Use Zone 4 (PUZ4) to Commercial 1 Zone (C1) and part of 124-128 Maroondah Hwy, Ringwood from C1 to PUZ4 to facilitate the redevelopment of the area know as the North West Development Site (NWDS) in accordance with the Ringwood Transit City Masterplan 2004. The amendment applies the Environmental Audit Overlay to the entire NWDS, excluding the aforementioned C1 to PUZ4 land, in accordance with Ministerial Direction 1 – Potentially Contaminated Land.	<b>Limited geographic impact.</b> Primarily relates to the land now known as 110 Maroondah Highway Ringwood. This has since been developed for retail and office. A search of Council and EPA records would indicate that an environmental audit has not been conducted, and that the EAO should therefore continue to apply.
C98	24 Sept 2015	The amendment rezones land that was incorrectly zoned by Amendment C93 at Ringwood North from General Residential Zone Schedule 1 to Neighbourhood Residential Zone Schedule 3; at Warranwood from Neighbourhood Residential Zone Schedule 4 to Neighbourhood Residential Zone 3; and at Bayswater North from Neighbourhood Residential Zone Schedule 3 to General Residential Zone Schedule 1, and amends the respective planning scheme maps to reflect these changes.	<b>Limited geographic impact.</b> Corrects errors in the application of the reformed residential zones for a small number of properties.
VC128	8 Oct 2015	The Amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes by: <ul style="list-style-type: none"> <li>Amending Clause 18.04-1 (Melbourne Airport) and Clause 18.04- 2 (Planning for airports) to include the National Airports Safeguarding Framework (NASF) as a policy guideline.</li> <li>Amending Clause 18.04-1 (Melbourne Airport) to update the policy guidelines by replacing Melbourne Airport Master Plan (Australia Pacific Airports (Melbourne) Pty Ltd, September 2008) with Melbourne Airport Master Plan, 2013.</li> <li>Amending Clause 11.14-1 (Localised planning statements) to include the Bellarine Peninsula Localised Planning Statement (Victorian Government, 2015) (BPLPS) as a policy guideline.</li> </ul>	<b>Little/no impact.</b>
VC101	29 Oct 2015	Makes changes to the Victoria Planning Provisions (VPP) and all planning schemes. The amendment updates reference and incorporated documents ensuring that up to date policy is reflected in the planning system and removing ambiguity about the status of some policies  ensures that the VPP and planning schemes are up to date and correct by removing expired provisions clarifying the wording of other provisions and correcting errors and omissions  ensures the VPP and all planning schemes include the correct names of government departments where their titles have changed and ensures that referral and notice requirements to bodies under sections 55 and 52(1)(c) of the Planning and Environment Act 1987 are accurate.	<b>Limited Impact.</b>
VC107	26 Nov 2015	The Amendment makes changes to the wind energy planning provisions and updates documents that relate to airport planning provisions.	<b>Little/no impact.</b>



No.	Gazetted	Brief description	Implications for Maroondah
C125	17 Dec 2015	Amends the schedule to Clause 61.01 to reinsert Figure 1 of the schedule which was erroneously removed as part of VC114.	<b>No ongoing impact.</b> Correction was due to administrative error, however Amendment GC192 removed the need for Figure 1, which mapped an area of land where the Minister for Planning was the responsible authority.
VC121	21 Dec 2015	The amendment changes the State Planning Policy Framework (SPPF) of the Victoria Planning Provisions (VPP) and all planning schemes by relocating an updated Clause 11.04-9 (River corridors) to a new Clause 12.05 (Rivers), and introduces a new Clause 12.05- 2 (Yarra River protection).	<b>Limited impact.</b> Update of policy relating to the Yarra River.

## 2.1.4 2016

Table 5: Amendments gazetted during 2016

No.	Gazetted	Brief description	Implications for Maroondah
C95	14 Jan 2016	Amends Clause 21.02, 21.07, 21.08, 22.02 and 22.06 by updating the maps within these policies to include the 'Pitt Street Precinct' into the Ringwood Metropolitan Activity Centre boundary.	<b>Moderate impact.</b> Increases the recognised extent of the Ringwood Metropolitan Activity Centre.
VC126	28 Jan 2016	The Amendment changes the <i>Victoria Planning Provisions</i> (VPP) and all planning schemes by: <ul style="list-style-type: none"> <li>Amending Clause 52.32 (Wind energy facility) to: <ul style="list-style-type: none"> <li>exempt an application to amend a permit for a wind energy facility made under section 97I of the Planning and Environment Act 1987 (the Act) from requirements in section 97E (if the amendment of the permit does not increase the number of turbines or change the location of a turbine in specified circumstances),</li> <li>clarify that the location of a turbine is measured from the centre of its tower at ground level for the purpose of provisions relating to the amendment of a permit,</li> <li>update the reference to the Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria (the guidelines), which have been amended to reflect the amendments to Clause 52.32, and</li> <li>make minor corrections.</li> </ul> </li> <li>Amending Clause 19.01-1 (Provision of renewable energy) to update the reference to the guidelines and delete reference to the outdated Renewable Energy Action Plan (Department of Sustainability and Environment, July 2006).</li> <li>Amending Clause 61.01 (Administration and enforcement of this scheme) to remove the Minister for Planning's designation as the responsible authority for matters under expired Clauses 52.40 (Government funded education facilities) and 52.41 (Government funded social housing).</li> </ul>	<b>Little/no impact.</b>

No.	Gazetted	Brief description	Implications for Maroondah
VC127	4 Feb 2016	<p>The Amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes by:</p> <ul style="list-style-type: none"> <li>Amending Clauses 11, 12 and 13 of the State Planning Policy Framework to update reference to the <i>Victorian Coastal Strategy</i> (Victorian Coastal Council, 2008) with reference to the 2014 version.</li> <li>Amending Clause 52.23 (Shared Housing) to clarify that only the use of land and not development is exempt from a permit under the provision.</li> </ul> <p>The Amendment changes the Bass Coast, Bayside, Colac-Otway, Corangamite, East Gippsland, Frankston, French Island and Sandstone Island, Glenelg, Greater Geelong, Hobsons Bay, Kingston, Mornington Peninsula, Moyne, Port Phillip, Queenscliffe, Warnambool, Wellington and Wyndham Planning Schemes by amending any local policies that refer to any outdated Victorian Coastal Strategy with reference to the 2014 version.</p>	<p><b>Little/no impact.</b></p> <p>The amendment to Clause 52.23 was annotations for clarity, rather than a change to the control. The clause has since been removed.</p>
VC130	4 Jul 2016	<p>The Amendment changes the <i>Victoria Planning Provisions</i> (VPP) and all planning schemes by amending Clause 52.32 (Wind energy facility) to delete clause 52.32-8.</p>	<p><b>Little/no impact.</b></p>
VC131	24 Nov 2016	<p>The amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes by amending Clause 52.19 - <i>Telecommunications</i> facility, to exempt a permit application for a telecommunications facility funded (or partly funded) under the Commonwealth Government's <i>Mobile Black Spot Programme</i> from the notice and review requirements of the <i>Planning and Environment Act 1987</i>.</p>	<p><b>Little/no impact.</b></p> <p>A review of the Mobile Black Spot Program mapping indicates that none are/were within Maroondah.</p>

## 2.1.5 2017

Table 6: Amendments gazetted during 2017

No.	Gazetted	Brief description	Implications for Maroondah
C102	16 Feb 2017	<p>The Amendment corrects the zoning of a number of properties on Pitt Street and Bedford Road in Ringwood, removes Schedule 97 to the Heritage Overlay from 323 Dorset Road, Croydon and Schedule 102 to the Heritage Overlay from Maroondah Highway, Ringwood and modifies the extent of Schedule 39 to the Heritage Overlay at the Ringwood Railway Station.</p>	<p><b>Limited geographical impact.</b></p>
VC110	27 Mar 2017	<p>Implements the government's response to the recommendations of the Managing Residential Development Advisory Committee by amending Clause 72 to introduce a new general term, "garden area" and amending the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone and Township Zone.</p>	<p><b>Significant impact.</b></p> <p>This amendment both introduced the Garden Area requirement into the residential zones and effectively changed the differentiation between the NRZ and GRZ from one of density to one of maximum building height. It also set an expectation that construction within the GRZ is to be up to three storeys.</p> <p>It has significant Neighbourhood Character impacts for Maroondah as well as implications for its housing capacity.</p>

No.	Gazetted Brief description	Implications for Maroondah
VC135	27 Mar 2017 The amendment introduces additional classes of application into the VicSmart provisions, and increases the 'cost of development' threshold of some existing VicSmart buildings and works classes of application.	<b>Moderate impact.</b> Increases the number of applications which fall within the VicSmart provisions.
VC134	31 Mar 2017 The Amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes in Victoria by introducing the new Metropolitan Planning Strategy and making corresponding updates to the State Planning Policy Framework. It also restructures Clause 11, includes policy-neutral updates and administrative changes and introduces new and updated incorporated and reference documents.	<b>Moderate impact.</b> The amendment was the first in a series of amendments to streamline the planning policy content of Victorian planning schemes.
VC136	13 Apr 2017 Amendment VC136 introduces state-wide planning requirements for apartment developments. The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes in Victoria by: <ul style="list-style-type: none"> <li>• Inserting a new Particular Provision at Clause 58 (Apartment developments) to introduce new requirements for apartment developments of five or more storeys (excluding a basement) in a residential zone and all apartment developments in other zones.</li> <li>• Amending Clause 55 (Two or more dwellings on a lot and residential buildings) to include new requirements for apartment developments.</li> <li>• Deleting Clause 52.35 (Urban context report and design response for residential development of five or more storeys).</li> <li>• Amending clauses 32.04 (Mixed Use Zone), 32.05 (Township Zone), 32.07 (Residential Growth Zone) and 32.08 (General Residential Zone) to:               <ul style="list-style-type: none"> <li>○ Require an application for an apartment development of five or more storeys (excluding a basement) to meet the requirements of Clause 58.</li> <li>○ Update the decision guidelines to require the responsible authority to consider the objectives, standards and decision guidelines of Clause 58 before deciding on an application for an apartment development of five or more storeys (excluding a basement).</li> <li>○ Specify application requirements for an apartment development in the Residential Growth Zone and the General Residential Zone.</li> <li>○ Include transitional provisions.</li> <li>○ Amending Clause 32.09 (Neighbourhood Residential Zone) to include transitional provisions for applications lodged before the approval date of this Amendment.</li> </ul> </li> <li>• Amending clauses 34.01 (Commercial 1 Zone), 37.01 (Special Use Zone), 37.02 (Comprehensive Development Zone), 37.04 (Capital City Zone), 37.05 (Docklands Zone), 37.06 (Priority Development Zone) and 37.08 (Activity Centre Zone) to:               <ul style="list-style-type: none"> <li>○ Require an application for an apartment development to meet the requirements of Clause 58.</li> <li>○ Update the decision guidelines for an apartment development.</li> <li>○ Specify application requirements for an apartment development.</li> </ul> </li> <li>• Include transitional provisions for applications lodged before the approval date of this Amendment.</li> <li>• Amending Clause 43.05 (Neighbourhood Character Overlay) to prevent Standards B35 to B49 (inclusive) of Clause 55 from being modified in a schedule to the overlay.</li> <li>• Amending Clause 72 (General Terms) to introduce a definition for the term 'Apartment'.</li> </ul>	<b>Significant impact.</b> Introduced Clause 58, which provides detailed provisions for the assessment of apartment developments of five or more storeys (excluding a basement).

No.	Gazetted Brief description	Implications for Maroondah
C109	11 May 2017 The amendment applies the Heritage Overlay to 29 Bedford Road, Ringwood on an interim basis until 29 December 2017.	<b>No ongoing impact.</b>
VC133	25 May 2017 The Amendment corrects inconsistencies and improves the structure of planning schemes to enable their migration into the Planning Scheme Information Management System (PSIMS) to improve access to, and more efficient amendment of, the planning schemes in Victoria.  The changes are administrative and technical corrections and will align with a new <i>Ministerial Direction on The Form and Content of Planning Schemes</i> issued under section 7(5) of the <i>Planning and Environment Act 1987</i> (the Act).	<b>Little/no impact.</b>
VC137	27 Jul 2017 The amendment introduces additional classes of application into the VicSmart provisions for residential zones.	<b>Moderate impact.</b>  Increases the number of applications which fall within the VicSmart provisions.
VC139	29 Aug 2017 The amendment: <ul style="list-style-type: none"> <li>Introduces new planning requirements for racing dog keeping and training facilities;</li> <li>Introduces new guidelines for apartment developments;</li> <li>Removes redundant references to the <i>Guidelines for Higher Density Residential Development</i> (Department of Sustainability and Environment, 2005), <i>Design Guidelines for Higher Density Residential Development</i> (Department of Sustainability and Environment, 2004), <i>Safer Design Guidelines for Victoria</i> (Crime Prevention Victoria and Department of Sustainability and Environment, 2005) and <i>Activity Centre Design Guidelines</i> (Department of Sustainability and Environment, 2005) in the State Planning Policy Framework (SPPF) and zones and inserts references to the <i>Urban Design Guidelines for Victoria</i> (Department of Environment, Land, Water and Planning, 2017) in the SPPF; and</li> <li>Introduces a new State planning policy for Healthy neighbourhoods.</li> </ul>	<b>Moderate impact.</b>  The inclusion of Clause 16.01-6 (Healthy neighbourhoods) has implications for current strategic work in relation to implementing the Live Local concept.
VC132	19 Sept 2017 Amendment VC132 is a general amendment that makes a number of administrative corrections and other changes to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria.	<b>Little/no impact.</b>
GC13	3 Oct 2017 The Amendment updates the mapping and ordinance for the Bushfire Management Overlay across Victoria by: <ul style="list-style-type: none"> <li>Inserting updated BMO maps into 64 planning schemes.</li> <li>Inserting schedules to Clause 44.06 in 47 planning schemes</li> <li>Deleting redundant references to the Wildfire Management Overlay (WMO)</li> <li>Deleting the BMO (maps and ordinance) in some areas where the vegetation no longer meets the criteria as set out in Advisory Note 46.</li> <li>Amending schedules to clause 61.03 for planning schemes to update the maps listed in the scheme.</li> </ul>	<b>Limited geographic impact.</b>  The amendment applied the BMO to some properties in the north-west and south-east of the municipality. The associated Schedule was not included in the Scheme.  Refer to detailed discussion in Volume 1 for additional detail and actions.
VC141	21 Nov 2017 The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by: <ul style="list-style-type: none"> <li>Amending Clause 19.01-1 – updating policy guidelines to the revised document Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria (Department of Environment, Land, Water and Planning, November 2017)</li> </ul>	<b>Limited impact.</b>

No.	Gazetted Brief description	Implications for Maroondah
	<ul style="list-style-type: none"> <li>Amending Clause 43.01 – Heritage Overlay, to ensure that an application to subdivide land for a place which is included in the Victorian Heritage Register is referred to the Executive Director under the Heritage Act 2017.</li> <li>Amending Clause 52.19 – Telecommunications facility, to exempt a permit application for a telecommunications facility funded (or partly funded) under the Commonwealth Government's Mobile Black Spot Program from the notice and review requirements of the Planning and Environment Act 1987 (the P&amp;E Act).</li> <li>Amending Clause 52.32 – Wind Energy Facilities, to reflect changes proclaimed through the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Act 2017 in relation to an amendment to a planning permit for a windfarm.</li> <li>Amending Clause 66 – Referral and Notice Provisions, to include the Executive Director specified in the Heritage Act 2017 as a determining referral authority for an application to subdivide a heritage place included in the Victorian Heritage Register.</li> <li>Amending the VPP to update the style and format based on the revised Ministerial Direction on the Form and Content of Planning Schemes (updated April 2017) issued under section 7(5) of the P&amp;E Act.</li> </ul>	
VC138	<p>12 Dec 2017</p> <p>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes in Victoria to implement reforms relating to the Victorian Government's review of the planning provisions for native vegetation removal following the release of <i>Protecting Victoria's Environment - Biodiversity 2037</i>.</p>	<p><b>Moderate impact.</b></p> <p>Alters vegetation protection controls (including the VPO, SLO and Clause 52.17) to improve outcomes for biodiversity. The changes apply to a large area of Maroondah, however they are not so significant as to result in significant change to application numbers or decisions made.</p>
VC140	<p>12 Dec 2017</p> <p>The Amendment makes the State Planning Policy Framework for Bushfire clearer and more directive to enable a resilient response to settlement planning for bushfires.</p> <p>The Amendment makes changes to the Victoria Planning Provisions and all planning schemes by:</p> <ul style="list-style-type: none"> <li>Inserting an updated State Planning Policy Framework at <i>Clause 10 Operation of the State Planning Policy Framework</i></li> <li>Inserting an updated State Planning Policy Framework at <i>Clause 13 Environmental Risks</i></li> </ul>	<p><b>Limited geographical impact.</b></p> <p>Update to policy relating to bushfire. Impacts land affected by the BMO. Refer to detailed discussion earlier in this document for additional detail and actions.</p>
GC76	<p>21 Dec 2017</p> <p>The Amendment introduces a maximum building height for dwellings and residential buildings consistent with heights specified in existing overlays, where these heights exceed the default height in the General Residential Zone. The Amendment also removes local variations to the Neighbourhood Residential Zone which specify a maximum number of dwellings on a lot, a maximum building height of 9 metres for dwellings and residential buildings and additional height exemptions for slope or land liable to flooding.</p>	<p><b>Moderate impact.</b></p> <p>This amendment applied the GRZ2 over land within the Croydon Major Activity Centre, effectively reinstating the four storey height set by the DDO10, which had been removed by amendment VC110.</p>

## 2.1.6 2018

Table 7: Amendments gazetted during 2018

No.	Gazetted	Brief description	Implications for Maroondah
VC142	16 Jan 2018	The Amendment includes a wide range of reforms across the VPP that generally remove permit triggers, expand permit exemptions for land uses and buildings and works, remove superfluous and outdated provisions, update references, improve and update definitions, clarify common points of confusion and improve the usability of the VPP.	<b>Limited impact.</b> The amendment includes administrative changes and minor changes to permit requirements for a range of minor development and relatively low impact uses.
C110	8 Feb 2018	The Amendment applies the Heritage Overlay to 29 Bedford Road, Ringwood on a permanent basis. Specifically the amendment will: <ul style="list-style-type: none"> <li>Amend Map 4HO to apply Heritage Overlay 139 (HO139) to 29 Bedford Road, Ringwood; and</li> <li>Amend the schedule to Clause 43.01 (Heritage Overlay) to include HO139 for the site at 29 Bedford Road, Ringwood on a permanent basis.</li> </ul>	<b>Limited impact.</b> Application of permanent heritage controls on a single property. The amendment included <i>Heritage Assessment: 29 Bedford Road, Ringwood</i> (Context, March 2017) as a supporting document. This document was omitted from the Schedule to Clause 72.08 as part of amendment C144maro. See Section 8.1.6 of Volume 3.
VC144	27 Feb 2018	The Amendment changes the Victoria Planning Provisions and all planning schemes by: <ul style="list-style-type: none"> <li>Amending Clause 52.05 (Advertising signs) to: <ul style="list-style-type: none"> <li>specify 'electronic sign' in Section 2 of Category 3 - High amenity areas (Clause 52.05-9), with a condition that the advertisement area must not exceed three square metres</li> <li>increase the size of the permitted maximum advertisement area of a 'promotion sign' in Section 2 of Category 3 from two to three square metres.</li> </ul> </li> <li>Amending Clauses 52.05 and 73 to replace the term 'home occupation' with 'home based business'.</li> <li>Correcting minor errors in Clauses 52.05 and 62.</li> </ul>	<b>Limited impact.</b>
VC145	28 Mar 2018	The amendment amends the Victorian Planning Provisions (VPP) and all planning schemes by: <ul style="list-style-type: none"> <li>Amending Clause 11.05-2 – <i>Distinctive areas of state significance</i>, to reference the Yarra Ranges Localised Planning Statement;</li> <li>Amending Clause 43.01 – <i>Heritage Overlay</i>, to reinstate administrative corrections that were made in Amendment VC132 but inadvertently removed by Amendment VC141;</li> <li>Amending Clause 52.19 – <i>Telecommunications Facility</i>, to clarify notice and review exemptions for telecommunications facility permit applications that are funded (or partly funded) by the Victorian or Commonwealth government; and</li> <li>Separating clauses and subclauses into separate documents and the consequential renumbering and rationalisation of certain clauses to enable their migration into the Planning Scheme Information Management System (PSIMS).</li> </ul>	<b>Limited impact.</b>

No.	Gazetted Brief description	Implications for Maroondah
VC143	<p>15 May 2018</p> <p>The Amendment changes the Victoria Planning Provisions and all planning schemes by:</p> <ul style="list-style-type: none"> <li>• Amending Clause 32.07 (Residential Growth Zone) to remove Food and drink premises and Shop from Section 1 – Permit not required and make them Section 2 – Permit required uses subject to conditions.</li> <li>• Amending Clause 32.08-4 (General Residential Zone) to enable an area to be exempt from the minimum garden area requirement through a schedule to the zone.</li> <li>• Amending Clauses 32.08-3 (General Residential Zone) and 32.09-3 (Neighbourhood Residential Zone) to: <ul style="list-style-type: none"> <li>○ Exclude the creation of a vacant lot of 400 square metres or greater from the minimum garden area requirement.</li> <li>○ Clarify that the minimum garden area requirement does not apply to: <ul style="list-style-type: none"> <li>– The creation of a vacant lot less than 400 square metres where there is a precinct structure plan or equivalent strategic plan.</li> <li>– The creation of a vacant lot less than 400 square metres where there is an incorporated plan or approved development plan.</li> <li>– The creation of a vacant lot less than 400 square metres where there is an approved residential development.</li> </ul> </li> </ul> </li> <li>• Amending clauses 32.08-4 (General Residential Zone) and 32.09-4 (Neighbourhood Residential Zone) to: <ul style="list-style-type: none"> <li>○ Remove the minimum garden area requirement from applying to the construction or extension of a dwelling or residential building where a planning permit is not required.</li> <li>○ Remove the reference to garden area being required to be provided at ground level.</li> <li>○ Clarify that the minimum garden area requirement does not apply to: <ul style="list-style-type: none"> <li>– A medium density housing site in an approved precinct structure plan or equivalent strategic plan.</li> <li>– A medium density housing site in an incorporated plan or approved development plan.</li> <li>– An existing building that did not meet the minimum garden area requirement prior to approval of Amendment VC110.</li> </ul> </li> <li>○ Amending the Garden area definition at Clause 72 (General Terms) to provide greater clarity about garden area inclusions and exclusions.</li> </ul> </li> </ul>	<p><b>Moderate impact.</b></p> <p>Changes to the definition and application of Garden Area. Also includes provision for schedules to the GRZ to specify a minimum garden area that differs from the header provision.</p>
VC146	<p>15 May 2018</p> <p>Amendment VC146 implements the Infrastructure Contributions Plan (ICP) public land contributions model by introducing a new overlay, Clause 45.11 (Infrastructure Contributions Overlay), into the <i>Victoria Planning Provisions</i>. The amendment includes consequential changes to the State Planning Policy Framework to recognise the new ICP system.</p>	<p><b>Little/no impact.</b></p> <p>An ICP and Overlay can only be applied to Melbourne’s Greenfield Growth areas.</p>
VC148	<p>31 Jul 2018</p> <p>The amendment introduces changes to the Victoria Planning Provisions (VPP) and all planning schemes arising from the Victorian Government’s Smart Planning program. The program aims to simplify and modernise Victoria’s planning policy and rules to make planning more efficient, accessible and transparent.</p>	<p><b>Significant impact.</b></p> <p>Introduced the integrated Planning Policy Framework.</p> <p>Also introduced the:</p> <ul style="list-style-type: none"> <li>• Ability to incorporate heritage guidelines within the Heritage Overlay.</li> <li>• Special Controls Overlay into the VPPs.</li> </ul>

No.	Gazetted Brief description		Implications for Maroondah
			<ul style="list-style-type: none"> <li>PPTN maps, and changes to parking provisions within this area</li> </ul> <p>Changes to Clause 52.06 exempt parking reductions of up to 10 spaces from the need for a permit, and apply the Column B rates to land within the PPTN.</p> <p>Whilst these changes have significant implications for the form of the planning scheme they do not require further action as part of this review.</p>
VC151	6 Aug 2018	The amendment corrects obvious and technical errors in the <i>Victoria Planning Provisions</i> and all planning schemes by replacing the incorporated document <i>Principal Public Transport Network Area Maps</i> (State Government of Victoria, 2018) with a corrected version of the document. The reference to the corrected document is updated in Clause 72.04 (Documents incorporated in this planning scheme).	<b>Limited impact.</b> Corrections to VC148
VC147	14 Sept 2018	Enables the online publishing of planning schemes through the Department of Environment, Land, Water and Planning's new Amendment Tracking System (ATS). The Amendment does not change the operation of policy or the effect of provisions in planning schemes?.	<b>Little/no impact.</b>
VC150	21 Sept 2018	<p>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:</p> <ul style="list-style-type: none"> <li>Introducing clear land use definitions and risk-based planning controls for animal industries;</li> <li>Removing the <i>Piggeries Code of Practice 1992</i>;</li> <li>Referencing the 2018 amendments to the <i>Victorian Code for Broiler Farms 2009</i>;</li> <li>to implement actions outlined in the Victorian Government's <i>Planning for Sustainable Animal Industries</i> report.</li> </ul>	<b>Little/no impact.</b>
VC149	4 Oct 2018	<p>The Amendment changes the Victoria Planning Provisions (VPP) by inserting a new Commercial 3 Zone at Clause 34.03.</p> <p>The Amendment also amends the VPP and all planning schemes to:</p> <ul style="list-style-type: none"> <li>Introduce new requirements for the assessment of residential solar energy facility overshadowing.</li> <li>Implement the wind energy facility recommendations of the Independent Inquiry into the Environment Protection Authority.</li> </ul>	<p><b>Moderate impact.</b></p> <p>Introduced requirements to consider the impact of shading of existing residential solar panels. Also introduced the Commercial 3 Zone into the VPPs.</p> <p>Consideration is required on whether solar energy systems should always require a planning permit in the Heritage Overlay.</p>
<b>Recommendation arising</b>			
	<b>H01</b>	<b>Consider the need for identifying additional exemptions for planning permits associated with heritage places, including whether there are some sites affected by the Heritage Overlay where the installation of a solar energy system should not require a planning permit.</b>	
VC153	4 Oct 2018	Amends Clause 52.13-7 (2009 Bushfire – Recovery Exemptions) to extend the expiry date to 30 September 2019.	<b>Little/no impact.</b>



No.	Gazetted Brief description	Implications for Maroondah
C96	<p>11 Oct 2018 The Amendment amends the Local Planning Policy Framework (Clauses 21 and 22), applies a Design and Development Overlay over the existing commercial area [in the Heathmont activity centre] and corrects several mapping anomalies.</p>	<p><b>Moderate impact.</b> Amended the Strategic Framework Map to reflect the Maroondah Housing Strategy 2016. Implemented the Heathmont Structure Plan over the commercial area only. Refer to Section 4.2.1 and Volume 1 Section 12.2 for additional discussion.</p>
C97	<p>11 Oct 2018 The Amendment amends the Local Planning Policy Framework (Clause 21), applies a Design and Development Overlay over the existing commercial area [in the Ringwood East activity centre], rezones three properties and corrects several mapping anomalies.</p>	<p><b>Moderate impact.</b> Implemented the Ringwood East Structure Plan over the commercial area only. Refer to Section 4.2.1 and Volume 1 Section 12.2 for additional discussion.</p>
C117	<p>18 Oct 2018 The Amendment introduces the Heritage Overlay to 58 properties within the Jubilee Park area on an interim basis until 31 July 2019.</p>	<p><b>No ongoing impact.</b></p>
VC152	<p>26 Oct 2018 Amendment VC152 amends the <i>Victoria Planning Provisions</i> (VPP) and all planning schemes to:</p> <ul style="list-style-type: none"> <li>• insert new objectives and strategies for major hazard facilities in Clause 13.07 (Amenity)</li> <li>• amend Clause 16.01-6S (Crisis accommodation and community care units) to reflect the new land use terminology and policy support for community care accommodation and rooming houses</li> <li>• amend the table of uses in all residential zones, Clause 34.01 (Commercial 1 Zone) and Clause 35.03 (Rural Living Zone) to include permit exemptions for 'Community care accommodation' and 'Rooming house' land uses</li> <li>• amend Clause 35.08 (Rural Activity Zone) to delete the reference to 'Backpackers' lodge'</li> <li>• amend Clause 37.07 and Clause 52.34 (Bicycle facilities) to delete references to 'Nursing home'</li> <li>• amend Clause 52.06 (Car parking) to specify a car parking rate for a 'Rooming house'</li> <li>• delete Clause 52.22 (Crisis accommodation) and Clause 52.23 (Shared housing) and replace them with a new Clause 52.22 (Community care accommodation) and Clause 52.23 (Rooming house)</li> <li>• delete Clause 52.24 (Community care unit)</li> <li>• amend Clause 53.06 (Live music and entertainment noise) to include 'Community care accommodation' and 'Rooming house', and delete 'Boarding house' and 'Nursing home', in the definition of noise sensitive residential uses</li> <li>• insert a new particular provision at Clause 53.17 (Residential aged care facility)</li> <li>• amend Clause 73.03 (Land use terms) and Clause 73.04 (Nesting diagrams) to introduce 'Community care accommodation' and 'Rooming house' land uses, nest 'Residential aged care facility' under 'Accommodation', and delete 'Backpackers' lodge', 'Boarding house', 'Hostel', 'Nurses' home', 'Nursing home' and 'Residential college' land uses.</li> </ul>	<p><b>Moderate impact.</b> Introduced detailed design provisions for Residential Aged Care facilities, including allowing heights of up to 16m in the NRZ and GRZ. <i>Amendments VC120, VC152, VC183 and GC175 all relate to live music venues.</i> There are a limited number of live music venues within the municipality, and these are often well separated from sensitive uses. The impact of the clause is anticipated to grow as development in activity centres increases. This may result in a need to maintain up-to-date information on premises to assist decision making. At present site inspections during application processing is sufficient.</p>

No.	Gazetted Brief description	Implications for Maroondah
VC154	<p>26 Oct 2018 Amendment VC154 changes the Victoria Planning Provisions and all planning schemes by:</p> <ul style="list-style-type: none"> <li>• Deleting Clause 14.02-3S (Water conservation) and integrating these policy statements into a new Clause 19.03-3S (Integrated water management).</li> <li>• Amending Clause 19.03-3S (Water supply, sewerage and drainage) to update and broaden water, drainage and stormwater policies to integrated water management policies.</li> <li>• Deleting Clause 19.03-4S (Stormwater) and integrating this policy into the new Clause 19.03-3S (Integrated water management), with consequential renumbering throughout Clause 19.03.</li> <li>• Inserting a new particular provision at Clause 53.18 for 'Stormwater management in urban development'.</li> <li>• Amending Clause 55 (Two or more dwellings on a lot and residential buildings) to provide transitional provisions for residential development applications to be assessed against the Clause 55 provisions as they existed before the approval date of Amendment VC154.</li> <li>• Amending Clause 55.03-4 (Permeability) to rename the standard "Permeability and stormwater management" and amend the standard to include a new stormwater purpose, requirements and decision guidelines.</li> <li>• Amending Clause 55.07 (Apartment developments), Clause 56.07 (Integrated water management) and Clause 58.03 (Site layout) to generally align with the new particular provision.</li> <li>• Amending Clause 73.01 (General terms) to insert a new general term and definition for 'stormwater'.</li> </ul>	<p><b>Moderate impact</b></p> <p>The amended clauses apply to a large proportion of applications processed by Council each year.</p>
VC155	<p>26 Oct 2018 Amendment VC155 amends the Victoria Planning Provisions and all planning schemes by:</p> <ul style="list-style-type: none"> <li>• Amending Clause 15.03-1S (Heritage conservation) to include an additional strategy and policy guideline.</li> <li>• Amending Clauses 54.03-5 (Energy efficiency protection), 55.03- 5 (Energy efficiency) and 55.07-1 (Energy efficiency) to replace the word 'capacity' with 'performance' and specify that a rooftop solar energy facility must exist at the time an application is lodged.</li> </ul>	<p><b>Limited impact.</b></p>
C104	<p>6 Dec 2018 The Amendment applies the Heritage Overlay to 14 Wonga Road, Ringwood and 46-48 Dickasons Road, Heathmont.</p>	<p><b>Limited impact.</b></p> <p>Application of permanent heritage controls on two properties.</p> <p>The amendment included two supporting documents:</p> <p><i>Heritage Citation: Holmes House, 14 Wonga Rd, Ringwood (Keeble, March 2016)</i></p> <p><i>Amended Heritage Citation: Dexter House, 46 Dickasons Rd, Ringwood (Keeble, November 2017)</i></p> <p>These documents were omitted from the list of background documents included in the Schedule to Clause 72.08 as part of amendment C144maro. See Section 8.1.6 of Volume 3.</p>

## 2.1.7 2019

Table 8: Amendments gazetted during 2019

No.	Gazetted	Brief description	Implications for Maroondah
VC157	15 Mar 2019	Amendment VC157 introduces changes to the <i>Victoria Planning Provisions</i> (VPP) and all planning schemes to require planning approval for power lines to connect new large-scale electricity generation facilities to the electricity network.	<b>Little/no impact.</b>
VC156	11 Apr 2019	Amendment VC156 introduces changes to the Victoria Planning Provisions and all planning schemes to correct formatting and spelling errors and omissions and to clarify the operation of certain provisions.	<b>Little/no impact.</b>
GC125	29 Apr 2019	The Amendment makes administrative changes to all local policy and local schedules of each planning scheme by: <ul style="list-style-type: none"> <li>making style, format and technical changes to improve presentation and operation</li> <li>correcting inconsistencies and clerical errors</li> <li>changing the operation of amendment date stamps located next to clause numbers.</li> </ul>	<b>Little/no impact.</b>
C127maro	16 May 2019	The Amendment applies the Heritage Overlay HO146 to 3-5 Wonga Road, Ringwood North on an interim basis until 31 March 2020.	<b>No ongoing impact.</b>
C126maro	4 Jul 2019	The Amendment corrects various errors and anomalies by rezoning land, amending the Schedule to Clause 43.01 (Heritage Overlay), and revising the extent of the Heritage Overlay and the Design and Development Overlay (Schedule 3).	<b>Limited impact.</b> Correction of errors.
C135maro	26 Jul 2019	The Amendment extends the expiry date of interim Heritage Overlay controls for places and precincts within the Jubilee Park heritage area in Ringwood (introduced through Amendment C117) until 31 March 2020.	<b>No ongoing impact.</b>
VC159	8 Aug 2019	The Amendment introduces changes to the <i>Victoria Planning Provisions</i> (VPP) arising from the Victorian Government's Smart Planning program. Amendment VC159 amends the VPP and all planning schemes to introduce new land use terms, revise the definition of land use terms and change where land use terms are nested.	<b>Limited impact.</b>
C132maro	15 Aug 2019	The Amendment rezones land within the Ruskin Park area bounded by Hull Road, Ruskin Avenue, Mount Dandenong Road and the Maroondah municipal boundary from the General Residential Zone Schedule 1 to the Neighbourhood Residential Zone Schedule 6.	<b>Limited geographic impact.</b> Rezoned the Ruskin Park area
VC163	16 Aug 2019	Amends the VPP and all planning schemes to correct an error in Clause 73.04 (nesting diagrams) by re-inserting nesting diagrams inadvertently removed through Amendment VC159.	<b>Little/no impact.</b> Correction of errors in VC159.
VC161	17 Sept 2019	Amendment VC161 amends the Victoria Planning Provisions and all planning schemes to introduce new requirements for renewable energy facilities and a State planning policy for the protection of declared irrigation districts, and makes an administrative correction in relation to Amendment VC157.	<b>Limited impact.</b>
VC164	26 Sept 2019	The Amendment changes the Victoria Planning Provisions and all planning schemes by amending Clause 52.13-7 (2009 Bushfire – Recovery Exemptions) to extend the expiry date to 31 March 2020.	<b>Little/no impact.</b>
VC158	26 Nov 2019	Amendment VC158 introduces a new particular provision to exempt combustible cladding rectification on buildings subject to an emergency order, building notice or building order under Part 8 of the <i>Building Act 1993</i> .	<b>Limited impact.</b>

No.	Gazetted	Brief description	Implications for Maroondah
VC165	3 Dec 2019	Amendment VC165 amends the Victoria Planning Provisions and all planning schemes to introduce notice and review exemptions and to amend the responsible authority status for certain planning applications for non-government primary and secondary schools.	<p><b>Moderate impact.</b> <i>These provisions were altered by Amendment VC180.</i></p> <p>Due to the number of private schools within the municipality this provision will have moderate impact.</p>

## 2.1.8 2020

Table 9: Amendments gazetted during 2020

No.	Gazetted	Brief description	Implications for Maroondah
VC160	24 Jan 2020	Amendment VC160 amends the Victoria Planning Provisions and all planning schemes to correct errors and omissions, clarify the operation of certain provisions, and implement planning reforms for extractive industries.	<b>Limited impact.</b>
VC170	31 Jan 2020	Introduces a new particular provision to facilitate the Level Crossing Removal Project.	<p><b>Moderate impact.</b> Clause 52.03, introduced by the Amendment, effectively exempts the Level Crossing Removal Project from the planning scheme.</p>
VC168	11 Feb 2020	The amendment updates the Planning Policy Framework and Operational Provisions to reference the Plan Melbourne 2017-2050: Addendum 2019 and introduces a new strategy and spatial framework at Clause 11.01-1R Settlement-Metropolitan Melbourne.	<p><b>Moderate impact.</b> Updates Plan Melbourne references to the 2019 Addendum.</p>
C133maro	25 Feb 2020	The Amendment deletes an expired incorporated document specified in the Schedule to Clause 51.01 (Specific Sites and Exclusions) and Clause 72.04 (Documents incorporated in this Planning Scheme) as part of the Smart Planning Program to improve the transparency of site specific controls. The changes improve the clarity and format of the planning scheme by implementing the reforms introduced by VC148.	<b>Limited impact.</b>
VC177	11 Mar 2020	The Amendment changes the VPP and all planning schemes in Victoria by inserting a new particular provision at Clause 52.07 to facilitate and support recovery from bushfire.	<b>Little/no impact.</b>
GC152	23 Mar 2020	The Amendment facilitates delivery of the Manchester Road, Mooroolbark and Maroondah Highway, Lilydale Level Crossing Removal Projects by allowing the use and development of land for the project in accordance with the specific controls in the <i>Manchester Road, Mooroolbark Level Crossing Removal Project, Incorporated Document, February 2020</i> and <i>Maroondah Highway, Lilydale Level Crossing Removal Project, Incorporated Document, February 2020</i> .	<p><b>Limited geographic impact</b> Exempts level crossing removal works west of Mooroolbark Road from the need for a permit.</p>
C139maro	27 Mar 2020	The Amendment extends the expiry date of the interim Heritage Overlay at 3-5 Wonga Road Ringwood North (introduced through Amendment C127) until 30 June 2020.	<b>No ongoing impact.</b>
C140maro	27 Mar 2020	The Amendment extends the expiry dates of interim Heritage Overlay controls for places and precincts within the Jubilee Park heritage area in Ringwood (introduced through Amendment C117) until 30 September 2020.	<b>No ongoing impact.</b>

No.	Gazetted Brief description	Implications for Maroondah
VC181	<p>6 Apr 2020</p> <p>The amendment changes the Victoria Planning Provisions and all planning schemes by replacing Clause 52.18 [No content] with a new Clause 52.18 (State of emergency exemption), to facilitate the delivery of food and other essential goods during and following a state of emergency declared in relation to Novel Coronavirus 2019 (2019-nCoV).</p>	<p><b>Moderate impact.</b></p> <p>Allows variation to delivery hours, outdoor dining, parking requirements, etc. for some businesses during the COVID-19 pandemic.</p> <p>The controls have now been in place (with some modification) for over three years. In the event that a sunset clause is introduced to the control consideration could be given to whether there are some locations where their intent should become permanent.</p> <p>It is also anticipated that the temporary nature of the control and the requirement that “a building constructed or placed under an exemption” in Clause 52.18, must be removed at the end of the exemption period is likely to result in need for active enforcement of the scheme at that time.</p>
VC178	<p>9 Apr 2020</p> <p>The amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by amending Clause 52.13-7 (2009 Bushfire – Recovery Exemptions) to extend the expiry date to 30 June 2020.</p> <p>The Amendment also changes the Victoria Planning Provisions (VPP) and all planning schemes by amending the term ‘stone extraction’ to ‘extractive industry’ and the term ‘solar energy facility’ to ‘solar energy system’ to align with the intent of VC160.</p>	<p><b>Limited impact.</b></p>
VC179	<p>6 May 2020</p> <p>The amendment inserts a new provision at Clause 52.10 to facilitate rebuilding following the 2019/20 bushfires and amends the Schedule to Clause 72.01 in all planning schemes to designate the Chief Executive Officer as the responsible authority for Clause 52.10.</p>	<p><b>Little/no impact.</b></p>
VC175	<p>26 May 2020</p> <p>Improves the way the planning system addresses buffers for amenity, human health and safety impacts by updating the Planning Policy Framework (PPF) and Clause 53.10.</p>	<p><b>Moderate impact.</b></p> <p>Primary impact along the boundary between Industrial and Residential zones.</p> <p><i>Clause 53.10 was further amended by VC199.</i></p>
VC176	<p>5 Aug 2020</p> <p>The Amendment changes the VPP and all planning schemes in Victoria by amending Clause 52.12 (Bushfire Protection: Exemptions) to align the 10/30 and fence line vegetation exemptions with the Bushfire Prone Area map across all Victorian councils, making administrative updates and further clarifying the exemptions for dwellings and defensible space under the Bushfire Management Overlay.</p>	<p><b>Limited geographic impact.</b></p>
C128maro	<p>20 Aug 2020</p> <p>The Amendment replaces the interim heritage controls with permanent heritage controls and applicable statement of significance for the land at 3-5 Wonga Road, Ringwood North (HO146) by amending Planning Scheme Map No. 1HO, the Schedule to Clause 43.01 (Heritage Overlay) and the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme).</p>	<p><b>Limited geographic impact.</b></p> <p>Application of the Heritage Overlay to a single property.</p>

No.	Gazetted	Brief description	Implications for Maroondah
C138maro	03 Sept 2020	The Amendment deletes redundant Heritage Overlay HO17 from land at 4-16 Devon Street, Croydon.	<b>Limited geographic impact.</b> Removal of the HO from a single property.
VC183	28 Sept 2020	The amendment introduces a new state planning policy Clause 13.07-3S (Live Music) and makes changes to Clause 53.06 (Live Music Entertainment Venues) of the Victoria Planning Provisions (VPP) and all planning schemes to encourage, create and protect opportunities for the enjoyment of live music.	<b>Limited impact.</b> <i>Amendments VC120, VC152, VC183 and GC175 all relate to live music venues.</i> There are a limited number of live music venues within the municipality, and these are often well separated from sensitive uses. The impact of the clause is anticipated to grow as development in activity centres increases. This may result in a need to maintain up-to-date information on premises to assist decision making. At present site inspections during application processing is sufficient.
C143maro	01 Oct 2020	The amendment extends the expiry dates of interim Heritage Overlay controls for places and precincts within the Jubilee Park heritage area in Ringwood (introduced through Amendment C117) until 31 March 2021.	<b>No ongoing impact.</b>
VC169	9 Oct 2020	The Amendment changes the VPP and all planning schemes in Victoria by: changing the Planning Policy Framework to help direct balanced outcomes for housing growth and built form, while also clarifying and consolidating housing policy.	<b>Limited impact.</b>
C141maro	15 Oct 2020	The Amendment applies the Heritage Overlay (HO147) to 35 Alto Avenue, Croydon on an interim basis until 30 July 2021.	<b>No ongoing impact.</b>
VC193	21 Oct 2020	The amendment amends clause 52.18 (State of emergency exemption) to support Victoria's social and economic recovery from the coronavirus (COVID-19) pandemic through temporary planning scheme and permit condition exemptions that enable outdoor dining and facilitate the reopening and safe operation of restaurants and other food and drink businesses.	<b>Moderate impact.</b> It is noted that this amendment removed the clear reference to a sunset clause for the provision. <i>Clause 52.18 was further amended by VC214 and VC209.</i>
VC191	5 Nov 2020	Amendment VC191 clarifies the application of the existing permit, notice and third-party review exemptions for cladding rectification in Clause 52.01 ('Combustible cladding rectification exemptions') so that they explicitly apply to government-owned buildings. The permit exemption applies to all permit requirements in the planning scheme, including the Heritage Overlay and other overlays, and seeks to remove any doubt about whether a permit is required for rectification works on government buildings.	<b>Limited impact.</b>
VC192	16 Nov 2020	Amendment VC192 amends clause 72.01-1 to the Victoria Planning Provisions and all schemes to make the Minister for Planning the responsible authority for all large energy generation facilities and electrical utility installations, including large renewable energy facilities and large scale battery facilities that store electricity from any source. This will increase clarity, provide for consistent and faster decision making and better oversight of Victoria's electricity generation, distribution and storage.	<b>Limited impact.</b>

No.	Gazetted	Brief description	Implications for Maroondah
C116maro	20 Nov 2020	The Amendment implements the Jubilee Park Heritage and Neighbourhood Character Study by applying the Heritage Overlay, introducing and applying Schedule 3 to the Neighbourhood Character Overlay, rezoning land to the Neighbourhood Residential Zone and making other consequential changes to the Maroondah Planning Scheme.	<b>Moderate impact.</b> Rezoning and application of the Heritage and Neighbourhood Character Overlays to the Jubilee Park area.  The form of the amendment would appear to have unintended consequences that are discussed in Volume 1.
VC187	1 Dec 2020	Introduces a new particular provision, Housing by or on behalf of the Director of Housing at Clause 53.20 of the Victoria Planning Provisions and all planning schemes to streamline the planning permit process to construct or extend a dwelling, or to construct or extend a front fence if the application is made by or on behalf of the Director of Housing. It amends Clause 72.01 to specify the Minister for Energy, Environment, and Climate Change to be the responsible authority for the development of 10 or more dwellings and any apartment development.	<b>Limited impact.</b>
VC190	1 Dec 2020	Introduces a new particular provision, Victoria's Big Housing Build at Clause 52.20. Clause 52.20 removes the need for a planning permit to develop a housing project if funded under Victoria's Big Housing Build and supported by the Director of Housing. Clause 72.01 is amended to specify the Minister for Energy, Environment, and Climate Change to be the responsible authority.	<b>Limited impact.</b> As at 14 November 2023 no applications within the City of Maroondah had been approved under this Clause.
VC180	4 Dec 2020	Facilitates the development of new, and the upgrade and expansion of existing, non-government primary and secondary schools.	<b>Moderate impact.</b> Exempts private school upgrades and expansions from third party review rights, but does not exempt them from Notice. Due to the number of private schools within the municipality this provision will have moderate impact.
VC188	14 Dec 2020	Removes Clause 52.13 2009 Bushfire: Recovery Exemptions and references to it from all planning schemes following its expiry.	<b>Little/no impact.</b>

## 2.1.9 2021

Table 10: Amendments gazetted during 2021

No.	Gazetted	Brief description	Implications for Maroondah
GC175	18 Feb 2021	The amendment updates the Schedules to Clause 53.06 to change the heading to <i>Schedule to Clause 53.06 Live music entertainment venues</i> and include an additional schedule section to Clause 53.06 enabling areas to be specified where Clause 53.06 applies to make the existing schedules consistent with the <i>Ministerial Direction on the Form and Content of Planning Schemes</i> .	<b>Limited impact.</b> <i>Amendments VC120, VC152, VC183 and GC175 all relate to live music venues.</i>  There are a limited number of live music venues within the municipality, and these are often well separated from sensitive uses. The impact of the clause is anticipated to grow as development in activity centres increases. This

No.	Gazetted Brief description	Implications for Maroondah
		may result in a need to maintain up-to-date information on premises to assist decision making. At present site inspections during application processing is sufficient.
VC195	11 Mar 2021 The amendment changes the Victoria Planning Provisions and all planning schemes by modifying the particular provision at clause 52.32 (Wind energy facilities) to streamline the application process for minor changes to approved wind energy facilities, clarify consent requirements and simplify review and panel exemptions.	<b>Limited impact.</b>
VC194	25 Mar 2021 The amendment inserts two new particular provisions at clauses 52.30 and 52.31 to facilitate state projects and local government projects.	<b>Limited impact.</b>
VC197	20 Apr 2021 The amendment removes expiry dates and updates existing Design and Development Overlay (DDO) and Significant Landscape Overlay (SLO) schedules to introduce permanent protections within the Yarra River corridor. Amendment VC197 also makes policy neutral updates and consequential changes.	<b>Limited impact.</b>
VC185	30 Apr 2021 The Amendment modifies Clause 72.01-1 to make transitional provisions for an energy generation facility or utility installation to be determined by the council instead of the Minister for Planning if made prior to the approval date of Amendment VC192.	<b>Limited impact.</b>
VC198	14 May 2021 The amendment introduces new particular provisions at clauses 52.35 (Major Road Projects) and 52.36 (Rail Projects) and makes other changes related to delivery of projects carried out by or on behalf of Major Road Projects Victoria and Rail Projects Victoria.	<b>Moderate impact.</b> The provisions introduced have the impact of exempting works such as level crossing removal projects and future construction of the Healesville and northern Arterials from the need for a planning permit.
VC189	3 Jun 2021 Amends Clause 12.04-1S Sustainable development in alpine areas, to reference the <i>Alpine Resorts Strategic Plan 2020-2025</i> (Victorian Government, Alpine Resorts Co-ordinating Council, 2019). The amendment changes the Alpine Resorts Planning Scheme by replacing the Local Planning Policy Framework with a new Municipal Planning Strategy at Clause 02 and local policies within the Planning Policy Framework at Clauses 11-19, making administrative changes to the Schedules to Clause 44.06 Bushfire Management Overlay and Clause 72.08 Background Documents, and inserting a new Schedule to Clause 74.02 Further Strategic Work.	<b>Little/no impact.</b>
VC203	1 Jul 2021 Amendment VC203 implements a new environment protection framework in the Victoria Planning Provisions and all planning schemes through: <ul style="list-style-type: none"> <li>• updates to the Planning Policy Framework to align with new requirements for contaminated and potentially contaminated land</li> <li>• amendments to clause 45.03 (Environmental Audit Overlay)</li> <li>• the replacement of references to State Environment Protection Policies with new content</li> <li>• references to new and amended guidelines and requirements under the <i>Environment Protection Act 2017</i>.</li> </ul>	<b>Moderate impact.</b> Clause 13.04-1S provides clear direction on the need to consider contamination and potential contamination of land when assessing applications for use and development. Council has no register of potentially contaminated land and the EAO is applied to three properties only. To assist in applying the policy in the first instance, future strategic



No.	Gazetted	Brief description	Implications for Maroondah
			work is to include development of a register of potentially contaminated land.
	<b>Recommendation arising</b>		
	<b>E02</b>	<b>Develop a mapped register of known potentially contaminated land in commercial and residential zones, including uses with high potential for contamination in Planning Practice Note 30.</b>	
C145maro	30 Jul 2021	The Amendment extends the expiry date of the interim Heritage Overlay (HO147) controls that apply to 35 Alto Avenue, Croydon, until 30 Jan 2022.	<b>No ongoing impact.</b>
VC206	3 Aug 2021	The Amendment changes the VPP and all planning schemes in Victoria by aligning planning provisions for a wind energy facility with the requirements of the <i>Environment Protection Act 2017</i> for the regulation of wind turbine noise. The Amendment also updates the licencing references in the Port Zone.	<b>Limited impact.</b>
VC196	19 Aug 2021	The Amendment changes the VPP and all planning schemes in Victoria by: providing stronger recognition and protection of existing extractive industries, and to designate land with State-significant earth resources, where extractive industries may be established in the future, as strategic extractive resource areas.	<b>Limited impact.</b> There are no Strategic Extractive Resource areas or Extractive Industry Interest Areas within Maroondah.
VC171	6 Sept 2021	The Amendment changes the VPP and all planning schemes in Victoria to implement the Marine and Coastal Policy (Department of Environment, Land, Water and Planning, 2020), support coastal hazard planning and sea level rise adaptation, and update policy references.	<b>Little/no impact.</b>
C131maro	10 Sept 2021	The Amendment makes administrative, formatting and technical changes to local provisions of the Maroondah Planning Scheme to reflect reforms introduced by Amendment VC142 and VC148 and to ensure consistency with the <i>Ministerial Direction on the Form and Content of Planning Scheme</i> , as part of the Smart Planning Program.	<b>Limited impact.</b> Administrative changes.
VC211	14 Sept 2021	The Amendment renames and modifies clause 67.02 to enable the application of exemptions set out in clause 52.31. The amendment updates clauses 66.05 and 67, consolidates clauses 67.02, 67.03 and 67.04 under clause 67.02, and deletes clauses 67.03 and 67.04.	<b>Limited impact.</b>
C142maro	30 Sept 2021	The Amendment applies Heritage Overlay (HO) to the property at 35 Alto Avenue, Croydon on a permanent basis. The Heritage Overlay was placed in the interim by Amendment C141maro.	<b>Limited geographic impact.</b> Application of the Heritage Overlay to a single property.
VC208	5 Oct 2021	Amends Clause 52.10 to apply the use, notice and review exemptions to other types of emergencies.	<b>Limited impact.</b>
VC202	12 Oct 2021	The amendment introduces a land use term and definition for Rural worker accommodation in clauses 73.03 (Land use terms) and 73.04 (Nesting diagrams). The amendment also modifies clause 35.07 (Farming Zone) to introduce a planning permit exemption for use of land for Rural worker accommodation that accommodates no more than 10 persons; and to introduce a permit requirement for use of land for Rural worker accommodation that accommodates more than 10 persons.	<b>Limited impact.</b> There is limited rural zoned land in the City of Maroondah.
VC212	13 Oct 2021	The amendment makes changes to Clause 35.06 (Farming Zone) and to Clause 66.05 (Notice of permit applications under State standard provisions) to minimise the potential for land use conflict from as-of-right accommodation uses in the Farming Zone, in the vicinity of proposed and approved wind energy facilities.	<b>Limited impact.</b> Only one property in Maroondah is within the Farming Zone, and it is unlikely to be proximate to a wind energy facility.

No.	Gazetted	Brief description	Implications for Maroondah
VC173	26 Oct 2021	Updates the land affected by the Melbourne Airport Environs Overlay in the Brimbank, Hume, Melton, Moreland, Moonee Valley and Whittlesea municipalities consistent with the Melbourne Airport Master Plan 2018, which was approved by the Federal Government in 2019. The Amendment includes limited transition provisions and consequential updates to the VPP and affected planning schemes.	<b>Little/no impact.</b>
VC214	19 Nov 2021	Amendment VC214 amends the exemptions at clause 52.18 (State of Emergency and Recovery Exemptions) to apply to a broader range of uses.	<b>Limited impact.</b> <i>Clause 52.18 was further amended by VC209.</i>
VC204	9 Dec 2021	The Amendment changes the VPP and all planning schemes in Victoria by: modifying Clause 18 of the Victoria Planning Provisions to implement changes to State planning policy for transport and makes associated changes.	<b>Moderate impact.</b> Significant policy changes associated with implementation of the Transport Integration Act 2010.
C130maro	10 Dec 2021	The Amendment updates the Municipal Strategic Statement (MSS) at Clauses 21.01, 21.02, 21.03, 21.06, 21.07, 21.08 and 21.10 to give effect to the <i>Ringwood Metropolitan Activity Centre Masterplan</i> (Maroondah City Council, 2018). It rezones land within the Ringwood Metropolitan Activity Centre to the Activity Centre Zone Schedule 1 (ACZ1), including rezoning land to the Public Park and Recreation Zone (PPRZ). It amends Schedule 1 to the Development Contributions Plan Overlay (DCPO1) and applies the DCPO1 across the activity centre area, amends Clause 72.08 to include the Masterplan as a Background Document, amends Clause 72.04 to include the <i>Ringwood Metropolitan Activity Centre Development Contributions Plan, March 2019</i> as an incorporated document and deletes the <i>Ringwood District Centre Development Contributions Plan, July 1997</i> .	<b>Significant Impact.</b> Implements the Ringwood Metropolitan Activity Centre Masterplan, including application of an Activity Centre Zone and Development Contributions Plan Overlay.
VC174	20 Dec 2021	The Amendment changes the VPP and all planning schemes in Victoria by: implementing the recently announced revised Better Apartment Design Standards, which delivers improved external amenity and design outcomes for all apartment developments. The amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by updating and amending clauses and introducing transitional provisions.	<b>Moderate impact.</b>
VC207	20 Dec 2021	The Amendment changes the VPP and all planning schemes in Victoria by: implementing the revised Better Apartment Design Standards into clauses 52.20 (Victoria's Big Housing Build) and 53.20 (Housing by or on behalf of the Director of Housing).	<b>Limited impact.</b>

## 2.1.10 2022

Table 11: Amendments gazetted during 2022

No.	Gazetted	Brief description	Implications for Maroondah
VC205	20 Jan 2022	The amendment introduces a new Transport Zone to replace the Road Zone and Public Use Zone Schedule 4. The amendment also makes consequential changes.	<b>Significant impact.</b> The introduction of the Transport Zone, with guidance contained in the former PPN94, has particular impact for land set aside for the future Healesville Arterial. Refer to Volume 1 for a detailed response to this issue.

No.	Gazetted Brief description	Implications for Maroondah
VC199	3 Feb 2022 The Amendment changes the VPP and all planning schemes in Victoria by: aligning existing provisions with current policy, guidelines and legislation, deleting redundant content and correcting clerical errors.	<b>Limited impact.</b> The changes include provision for promotional signage on sports grounds within Category 4 to Clause 52.05.
VC200	17 Feb 2022 The Amendment changes the VPP and all planning schemes in Victoria by: introducing planning permit exemptions for specified types of transport projects. The amendment also specifies the Minister for Planning as the responsible authority for transport projects where a planning permit is required.	<b>Moderate impact.</b> The most significant aspect of this amendment to Maroondah is the introduction of an exemption from the need for a permit for vegetation removal to facilitate roadworks under the ESO, VPO, SLO and Clause 52.17.
VC209	8 Mar 2022 The Amendment changes the VPP and all planning schemes in Victoria by removing clause 51.06 (Secondary dwelling) from the VPP and the Greater Bendigo, Kingston, Moreland and Murrindindi planning schemes, and updating clause 52.18 (State of emergency and recovery exemptions) to reflect the new pandemic declaration powers under the <i>Public Health and Wellbeing Act 2008</i> .	<b>Limited impact.</b>
VC219	22 Mar 2022 The Amendment changes the VPP and all planning schemes in Victoria to support the ongoing operation of extractive industry across Victoria and increase amenity protections for nearby accommodation.	<b>Limited impact.</b>
GC192	31 Mar 2022 The Amendment amends the Casey, Manningham, Maribyrnong, Maroondah, Melbourne, Monash, Moreland, Murrindindi, Stonnington, Whitehorse and Yarra planning schemes to transfer the responsible authority status of 16 sites from the Minister for Planning to the relevant municipal council, amends the Wyndham Planning Scheme to remove the Victorian Planning Authority as the collecting agency and referral authority for the East Werribee Employment Precinct, and amends the Monash Planning Scheme to replace the M-City: Cambro Road Loading Bay Facility incorporated document with an updated version to remove the Minister for Planning as the responsible authority.	<b>Limited geographic impact.</b> Transfers responsible authority status for the area known as the Nelson Street Project Area from the Minister for Planning to Council.
C137maro	7 Apr 2022 The amendment introduces a new Environmentally Sustainable Development (ESD) local policy and makes other associated changes to the Maroondah Planning Scheme.	<b>Moderate impact.</b> Application of the policy is anticipated to improve the environmental sustainability of new development in Maroondah.
VC210	4 May 2022 Amendment VC210 makes changes to the Victoria Planning Provisions (VPP) and all planning schemes to ensure they are current and correct obvious or technical errors.	<b>Limited impact.</b> Administrative changes only.
VC218	18 May 2022 The Amendment changes the VPP and all planning schemes in Victoria by updating the Planning Policy Framework to further implement the National Airports Safeguarding Framework in Victoria.	<b>Little/no impact.</b>

No.	Gazetted	Brief description	Implications for Maroondah
VC220	30 May 2022	The Amendment changes the VPP and all planning schemes in Victoria by supporting the efficient delivery of neighbourhood batteries into the electricity distribution network by amending clause 73.03 Land use terms.	<b>Limited impact.</b>
VC216	10 Jun 2022	The Amendment changes the VPP and all planning schemes in Victoria by making changes to the Planning Policy Framework in the Victoria Planning Provisions and all planning schemes to support Environmentally Sustainable Development.	<b>Limited impact.</b>
VC213	14 Jul 2022	Amendment VC213 makes changes to the Victoria Planning Provisions (VPP) and all planning schemes to ensure consistency with existing requirements under the Melbourne Strategic Assessment (MSA) Program to achieve specific biodiversity outcomes within Melbourne's growth corridors.	<b>Little/no impact.</b>
VC230	14 Jul 2022	The Amendment updates clauses 52.20 (Victoria's Big Housing Build) and 72.01 (Responsible authority for this planning scheme) to replace the Minister for Energy, Environment and Climate Change with the Minister for Planning as the responsible authority for relevant applications under clauses 52.20 (Victoria's Big Housing Build) and 53.20 (Housing by or on behalf of the Director of Housing).	<b>Limited impact.</b>
VC221	4 Aug 2022	The Amendment facilitates all-electric developments to support implementation of Victoria's Climate Change Strategy 2021 and Gas Substitution Roadmap 2022. The amendment changes the VPP and all planning schemes by amending clauses that require developments to be connected to reticulated gas and amending the referral requirements.	<b>Moderate impact.</b>  The revised wording of Clause 66.01 will be employed when relocating referral provisions from the body of Overlay Schedules to the Schedule to Clause 66.04 <b>[Action P27]</b> .
C147maro	11 Aug 2022	The Amendment amends the Activity Centre Zone Schedule 1 (ACZ1), the Development Contributions Plan Overlay Schedule 1 (DCPO1) and Clause 66.06 to correct technical errors that occurred as a result of a processing error carried on from the gazettal of Amendment C130maro.	<b>Limited impact.</b>  Corrections to C131maro.
VC223	12 Aug 2022	Amends Clause 73.01 (General terms) to define Minister for Planning to mean a Minister for the time being administering the Planning and Environment Act 1987.	<b>Limited impact.</b>
VC225	15 Sept 2022	Amendment VC225 makes changes to the Victoria Planning Provisions and all planning schemes to correct obvious or technical errors and ensure they are current.	<b>Limited impact.</b>
VC222	29 Sept 2022	The Amendment makes changes to the Victoria Planning Provisions and all planning schemes to support the co-location of new government primary schools with kindergartens and facilitate projects that support the 2026 Commonwealth Games.	<b>Limited impact.</b>
C149maro	20 Oct 2022	The amendment corrects two technical errors contained in Schedule 1 to the Activity Centre Zone (Clause 37.08) and Schedule 1 to the Development Contributions Plan Overlay (Clause 45.06) in the Maroondah Planning Scheme.	<b>Limited impact.</b>
VC224	28 Oct 2022	The amendment makes changes to the Victoria Planning Provisions and all planning schemes that relate to declared irrigation districts and solar energy facilities, delivery exemptions, electorate offices, Future Homes, healthy waterways, land use terms, stormwater management and tree removal under VicSmart.	<b>Moderate impact.</b>  The most significant aspect of the amendment for Maroondah is the stipulation that use of VicSmart provisions for tree removal apply once

No.	Gazetted Brief description	Implications for Maroondah
		annually. It is anticipated that this will help support the objectives of Council's VPO and SLO controls.
VC226	4 Nov 2022 The amendment makes changes to the Victoria Planning Provisions and all planning schemes to support emergency recovery, telecommunications, solar energy systems and community care accommodation.	<p><b>Moderate impact.</b></p> <p>Changes to the Heritage Overlay mean that it is now possible for Council to indicate that the installation of solar energy systems that are not visible from a street (other than a lane) or public park do not require a planning permit. Further strategic work is required in order to determine whether or where this may be appropriate.</p>
	<p><b>Recommendation arising</b></p> <p><b>H01 Consider the need for identifying additional exemptions for planning permits associated with heritage places, including whether there are some sites affected by the Heritage Overlay where the installation of a solar energy system should not require a planning permit.</b></p>	
VC227	14 Nov 2022 The amendment makes changes to the Victoria Planning Provisions and all planning schemes to support the facilitation of container deposit scheme (CDS) infrastructure under the Victorian Government's Recycling Victoria: a new economy policy.	<b>Limited impact.</b>
C134maro	18 Nov 2022 The Amendment facilitates the development of the Ringwood Greyfield Renewal Precinct by rezoning the precinct from Neighbourhood Residential Zone Schedule 3 to the new General Residential Zone Schedule 3 and applying the new Development Plan Overlay Schedule 7 and Development Contribution Plan Overlay Schedule 2 to the affected land. The amendment also proposes changes to Clauses 21.02, 21.06, 21.07 and 21.10 in the existing Municipal Strategic Statement and to Clause 22.02 (Residential Neighbourhood Character policy) and implements a Development Contributions Plan for the precinct.	<p><b>Limited geographic impact.</b></p> <p>Implements the Ringwood Greening the Greyfields project.</p>
VC228	22 Nov 2022 Amendment VC228 makes changes to the Victoria Planning Provisions and all planning schemes to facilitate Victoria's recovery from emergencies by allowing an exemption from operation hours for extractive industries.	<b>Limited impact.</b>
C136maro	25 Nov 2022 The amendment facilitates the development of the Croydon South Greyfield Renewal Precinct, by rezoning the precinct from the General Residential Zone Schedule 1 to the General Residential Zone Schedule 3 and applying the new Development Plan Overlay Schedule 8 and Development Contribution Plan Overlay Schedule 3 to the affected land. The amendment also proposes a number of changes to Clauses 21.02, 21.06, 21.07 and 21.10 in the existing Municipal Strategic Statement and to Clause 22.02 (Residential Neighbourhood Character policy), updates the list of maps forming part of the Maroondah Planning Scheme and implements a Development Contributions Plan for the precinct.	<p><b>Limited geographic impact.</b></p> <p>Implements the Croydon South Greening the Greyfields project.</p>

## 2.1.11 2023

Table 12: Amendments gazetted during 2023

No.	Gazetted	Brief description	Implications for Maroondah
VC229	20 Mar 2023	Amendment VC229 makes changes to the Victoria Planning Provisions and all planning schemes to correct obvious or technical errors and ensure they are current.	<b>Limited impact.</b>
VC231	6 Apr 2023	Amendment VC231 amends existing planning permit exemption thresholds for dwelling extensions, out-buildings and buildings used for agriculture in clauses 35.03 (Rural Living Zone), 35.07 (Farming Zone) and 35.08 (Rural Activity Zone).	<b>Limited impact.</b> Implications for 1/82-112 Colchester Road Kilsyth only, as the sole property in Maroondah located in the Farming Zone.
C151maro	20 Apr 2023	The amendment applies the Heritage Overlay to 61 Wicklow Avenue, Croydon on an interim basis until 12 April 2024.	<b>No ongoing impact.</b>
C152maro	2 Jun 2023	The amendment corrects technical errors contained in Clause 21.02, Clause 21.07, Clause 22.02 and Schedule to Clause 72.04 within the Maroondah Planning Scheme and inserts content that was incorrectly omitted as part of the gazettal of amendments C134maro and C136maro.	<b>Limited impact.</b> Correction of anomalies caused by Amendments C134maro and C136maro.
VC234	4 Jul 2023	The amendment clarifies noise requirements for wind energy facilities and the responsible authority for enforcement matters.	<b>Limited impact.</b>
VC238	3 Aug 2023	Amendment VC238 changes the Victoria Planning Provisions and all planning schemes by amending clause 52.13, Victorias container deposit scheme. The amendment changes the permit exemption threshold in clause 52.13 to enable an automated collection point to occupy 5 car spaces instead of 4 if the land contains 50 or more car spaces.	<b>Limited impact.</b>
VC236	3 Aug 2023	The amendment supports renewable hydrogen gas production and distribution and makes the Minister for Planning the responsible authority for large-scale production of hydrogen gas.	<b>Limited impact.</b>
VC242	20 Sept 2023	Amendment VC242 makes changes to the Victoria Planning Provisions (VPP) and all planning schemes by introducing two new particular provisions to facilitate significant residential development and significant economic development.	<b>Moderate impact.</b> Historically developers within Maroondah have not elected to seek Ministerial involvement in planning applications in the City. Therefore, whilst the introduction of Clauses 53.22 and 53.23 are potentially significant changes to planning schemes generally, they are unlikely to have a significant impact on planning within Maroondah.

No.	Gazetted Brief description	Implications for Maroondah
VC243	<p>22 Sept 2023 Amendment VC243 makes changes the Victoria Planning Provisions (VPP) and all planning schemes to codify residential development standards, implement the Future Homes project across Victoria, remove permit requirements for single dwellings on lots of 300 square metres or more and introduce VicSmart permits for single dwellings on lots less than 300 square metres. These changes support the delivery of housing in Victoria.</p>	<p><b>Significant impact.</b></p> <p>The changes to ResCode and introduction of the Future Homes provisions will have a potentially significant impact on the form of development proposed, and approved, within Maroondah. The former will impact on any changes proposed to the Scheme as a result of the neighbourhood character strategy work which has been identified as required future strategic work. It is anticipated that VCAT decisions in the coming months will begin to provide guidance on how neighbourhood character is to be assessed in instances where the 'deemed to satisfy' Standards are met. For example, can height still be considered as part of the neighbourhood character assessment in Clause 55.02-1, particularly on sloping sites where existing development is well below the maximum height outlined in the Zone.</p> <p>The amendment results in removal of the previous section 3.0 (permit requirements for dwellings and fencing) from a number of Schedule templates.</p>
<b>Recommendation arising</b>		
<p><b>P45 Amend all Schedules to the General Residential and Neighbourhood Residential Zones to reflect changes to the Schedule template arising from Amendments VC243 and VC253.</b></p>		
VC246	<p>26 Sept 2023 Amendment VC246 introduces new land use controls in the Victoria Planning Provisions and all planning schemes to improve facilitation of Victoria's Container Deposit Scheme. The amendment introduces a new land use term, Container deposit scheme centre, nested under Transfer station. The amendment also makes corrections to ordinance.</p>	<p><b>Limited impact.</b></p>
VC247	<p>6 Oct 2023 Amendment VC247 extends planning exemptions under clauses 52.07 (Emergency recovery) and 52.18 (Coronavirus (COVID 19) pandemic and recovery exemptions) and makes corrections to ordinance introduced in VC246 related to Container deposit scheme centres.</p>	<p><b>Limited impact.</b></p>
VC241	<p>17 Oct 2023 The amendment removes prohibitions for specified sign types for a Freeway service centre, Service station and Open sports ground in a zone where Category 4 - Sensitive areas sign controls apply.</p>	<p><b>Limited impact.</b></p>

No.	Gazetted Brief description	Implications for Maroondah
C144maro	14 Nov 2023 Replaces the Local Planning Policy Framework of the Maroondah Planning Scheme with a new Municipal Planning Strategy at Clause 02, local policies within the Planning Policy Framework at Clauses 11 to 19 and selected local schedules consistent with changes to the Victoria Planning Provisions introduced by Amendment VC148 and The Ministerial Direction on the Form and Content of Planning Schemes.	<b>Significant impact.</b> Whilst the amendment incorporates significant format changes to the Maroondah Planning Scheme it is neutral in intent.
VC253	14 Dec 2023 The amendment introduces a new land use term and siting, design and amenity requirements for a small second dwelling into the Victoria Planning Provisions and all planning schemes to implement Victoria's Housing Statement: The decade ahead 2024-2034 by making it easier to build a small second dwelling.	The implications of this amendment should be monitored to determine the impact on the diversity of housing stock within the municipality. Consideration should also be given to whether the current wording of ResCode standards in relation to open space are appropriate in light of the amendment.  The amendment results in changes to the Schedule templates to include reference to small second dwellings.
<b>Recommendation arising</b>		
P45	<b>Amend all Schedules to the General Residential and Neighbourhood Residential Zones to reflect changes to the Schedule template arising from Amendments VC243 and VC253.</b>	
R24	<b>Consider whether changes should be made to existing local variations to Standard A17 in light of changes made to Clause 54.05-2 by Amendment VC253.</b>	

## 2.1.12 January 2024

Table 13: Amendments gazetted between 1 and 15 January 2024

No.	Gazetted Brief description	Implications for Maroondah
VC250	1 Jan 2024 The amendment supports Victoria's Gas Substitution Roadmap (Victorian Government, 2022) by prohibiting new gas connections for new dwellings, apartments and residential subdivisions where a planning permit is required.	<b>Limited impact.</b> The requirement to ensure that new dwellings are not connected to gas is consistent with Council objectives in relation to environmentally sustainable design and are unlikely to impact on built form in the municipality.
C146maro	11 Jan 2024 The amendment rezones the surplus Croydon South Primary School site from the Public Use Zone 2 Education to Neighbourhood Residential Zone Schedule 3, applies the Environmental Audit Overlay and amends the Schedule to Clause 53.01 to confirm a 0 per cent public open space contribution for the site. The amendment also rezones the southern portion (council-owned land) to Public Use Zone 6 Local Government.	<b>Limited geographic impact.</b>



No.	Gazetted Brief description	Implications for Maroondah
VC249	<p>15 Jan 2024</p> <p>The amendment changes the Victoria Planning Provisions and all planning schemes in Victoria by exempting development for a small second dwelling from Development Contributions Plan requirements and correcting typographical errors related to small second dwellings.</p>	<p><b>Limited impact.</b></p> <p>The amendment changes each of the Development Contributions Plan that are incorporated into the Maroondah Planning Scheme. It is not anticipated that this will result in a significant loss of revenue under any of the Plans, however this will be monitored and the exemption considered as part of the development of future similar plans.</p>

### 3. Applying the Planning Practice Notes

Since the last review of the Maroondah Planning Scheme was conducted in 2013 the majority of Planning Practice Notes now in use have been published or updated. The purpose of this document is to consider the implications of these Practice Notes on the Maroondah Scheme.

Actions arising are as follows:

#### Planning for heritage

- H02 Review Council's records to determine whether any place has been referred to Council by the Heritage Council for consideration for an amendment to the planning scheme.
- H03 Review the National Trust Heritage Register of the National Trust of Australia (Victoria) to determine whether all properties on the Register that are within Maroondah are now within the Heritage Overlay.
- H04 Consider the historical significance of the property at 1 Wonga Road, Ringwood and any properties listed on the National Trust Heritage Register to determine whether their inclusion in the Heritage Overlay is appropriate.

#### Planning for the environment and environmental risks

- E02 Work with Forest Fire Management Victoria, Fire Rescue Victoria and public land managers to review the extent of the Bushfire Management Overlay in light of up-to-date information on the risk of bushfire to properties within Maroondah.
- E03 Develop a mapped register of known potentially contaminated land in commercial and residential zones, including uses with high potential for contamination in Planning Practice Note 30.
- E04 Prepare a Green Wedge Management Plan for the sections of Maroondah which are located outside of the Urban Growth Boundary.
- E05 Prepare an amendment to the Planning Scheme to implement current flood mapping, including an allowance for climate change, in conjunction with Melbourne Water.

#### Process and administrative improvements

- P05 Identify the most appropriate way of making the operational version of any plans supported by the Development Plan Overlay available to the public.
- P06 Review Council practices in documenting changes to approved documents under the Development Plan Overlay to ensure that clarity is maintained.

## 3.1 Planning Practice Notes with no implications for this Review

For ease of reference, updated Planning Practice notes which do not require a response in terms of future strategic work or changes to the planning scheme as part of this review are listed in Table 14.

Table 14: Planning Practice Notes with no implications for this Review

Title	Date	Comment
PPN03: Applying the Special Use Zone	May 2022	The practice note will be used when considering the appropriate zone or combination of zones within identified 20 minute neighbourhoods.
PPN11: Applying for a planning permit under the flood provisions	August 2015	This practice note provides guidance about making an application for a planning permit where flooding is a consideration and explains how an application will be assessed.
PPN15: Assessing an application for One or More Dwellings in a Residential Zone	January 2018	The purpose of this practice note is to give guidance to responsible authorities assessing a planning application for one or more dwellings on a lot and for residential buildings.
PPN16: Applying a Planning Application for One or More Dwellings in a Residential Zone	January 2018	The purpose of this practice note is to help applicants make a planning permit application for one or more dwellings or a residential building.
PPN18: Planning Considerations for Horticultural Structures	May 2023	This practice note provides guidance about planning for horticultural structures, including advice about responsive siting, design and land management. It is anticipated that may also be useful for dealing with other large rural structures, such as sheds.
PPN22: Using the Car Parking Provisions	August 2023	This practice note provides guidance about the use of the car parking provisions in Clause 52.06 and the Parking Overlay. It explains how the car parking requirements are calculated and what information is required to be submitted with an application with car parking.
PPN24: Shipping container storage	March 2022	Commentary included below.
PPN27: Understanding the Residential Development Provisions	June 2015	The purpose of this practice note is to ensure a common interpretation and consistent application of the 13 residential development standards in Clauses 54 and 55 in all planning schemes in Victoria.
PPN36: Implementing a Coastal Settlement Boundary	November 2016	Not relevant to Maroondah
PPN39: Using the Integrated Water Management Provisions of Clause 56 - Residential Subdivision	December 2022	This practice note provides guidance on meeting the integrated water management provisions in Clause 56.07.
PPN40: Using the Residential Subdivision Provisions of Clause 56 - Residential Subdivision	December 2022	This practice note provides guidance about the use of the residential subdivision provisions in Clause 56.08. It explains how the clause operates, objectives to be met, and gives details on site context and design response requirements.

Title	Date	Comment
PPN41: Using the Site Management Provisions of Clause 56 - Residential Subdivision	December 2022	This practice note provides guidance how to meet the site management provisions of Clause 56.
PPN43: Understanding Neighbourhood Character	January 2018	This practice note provides guidance on preparing or assessing a permit application for residential development with an emphasis on understanding and responding to neighbourhood character.
PPN45: Aboriginal Heritage Act 2006 and the Planning Permit Process	May 2023	The Practice Note describes the key provisions of the Aboriginal Heritage Act 2006, and how it interacts with the planning permit process.
PPN47: Urban Growth Zone	December 2022	Not relevant to Maroondah
PPN53: Managing Coastal Hazards and the Coastal Impacts of Climate Change	February 2023	Not relevant to Maroondah
PPN55: Planning in open drinking water catchments	August 2023	Not relevant to Maroondah
PPN56: Activity Centre Zone	June 2015	The Practice Note informed the preparation of the Activity Centre Zone Schedule 1 over Ringwood. It will also be relevant in consideration of appropriate zones for other activity centres in the municipality.
PPN57: Parking Overlay	August 2023	This practice note provides guidance to councils about the preparation and application of the Parking Overlay.
PPN59: The Role of Mandatory Provisions in Planning Schemes	August 2023	This Practice Note, along with PPN58 and PPN60, will be used when preparing new or updated structure plans for activity centres.  It is noted that whilst the Practice Note identifies that mandatory height provisions are the exception, they currently apply within the Croydon Major Activities Area (DDO10). In revising the Structure Plan for this centre consideration will be given to whether the retention of mandatory height controls is appropriate or not.
PPN60: Height and Setback Controls for Activity Centres	September 2018	This Practice Note, along with PPN58 and PPN59, will be used when preparing new or updated structure plans for activity centres.
PPN61: Licensed premises: Assessing cumulative impact	May 2022	The Practice Note outlines that its purpose is to:  Explain cumulative impact in relation to licensed premises in the planning system.  Provide guidance on preparing and assessing an application under Clause 52.27 of the planning scheme.
PPN63: Applying for a Planning Permit to Farm Broiler Chickens	December 2022	No implications for the planning scheme review.
PPN74: Making planning documents available to the public	January 2022	No planning scheme implications.

Title	Date	Comment
PPN75: Planning requirements for heliports and helicopter landing sites	June 2015	Outlines the planning requirements for heliports and helicopter landing sites.
PPN81: Live music and entertainment noise	November 2022	The Practice Note provides guidance on applying the provisions of Clause 53.06.
PPN82: Applying the Metropolitan Planning Levy	May 2022	No implications for the planning scheme review.
PPN83: Assessing external noise impacts for apartments	August 2017	This practice note gives guidance about the operation of Clause 55.07-6 (Noise impacts) and Clause 58.04-3 (Noise impacts) for apartment developments.
PPN84: Applying the minimum garden area requirement	May 2022	This practice note gives guidance about the operation of the minimum garden area requirement in the Neighbourhood Residential Zone and General Residential Zone. The guidance will inform an understanding of the impact of modified ResCode standards on the space available for planting when preparing the Neighbourhood Character Strategy.
PPN85: Applying the Commercial 3 zone	December 2022	No implications for the planning scheme review.
PPN86: Applying for a planning permit for a pig farm	December 2022	No implications for the planning scheme review.
PPN87: Preparing a planning permit application for animal production	December 2022	No implications for the planning scheme review.
PPN88: Planning considerations for existing residential rooftop solar energy facilities	May 2022	This practice note provides advice about planning permit applications for development that may overshadow an existing domestic rooftop solar energy system.
PPN89: Extractive energy and resources	September 2022	No implications for the planning scheme review.
PPN93: Wind impacts in apartment developments	December 2021	This Practice Note provides guidance on the requirements of Clause 58.04-4 which relate to wind impacts for an apartment development of five or more storeys.
PPN95: Local heritage protection provisions	May 2022	This Practice Note provides guidance on the local heritage protection provisions in the Planning and Environment Act 1987, and in particular measures to protect heritage buildings from unlawful demolition or being allowed to fall into disrepair. It will be used by Council in the event that it becomes aware of a building which may be in this category. It has no implications for the current scheme review however.
PPN96: Glare and reflectivity	December 2022	This Practice Note provides guidance on understanding glare and addressing it in planning applications. It has no implications for the scheme review.

## 3.2 PPN01: Applying the Heritage Overlay

Current version published: August 2018

The Practice Note identifies that the following properties should be included in the Heritage Overlay:

- Any place that has been listed on the Australian Heritage Council's now closed Register of the National Estate.
- Any place that has been referred by the Heritage Council for consideration for an amendment to the planning scheme.
- Places listed on the National Trust Heritage Register of the National Trust of Australia (Victoria), provided the significance of the place can be shown to justify the application of the overlay.
- Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

Council is actively pursuing protection of heritage assets in the planning scheme. This includes seeking inclusion of properties identified in the City of Maroondah Heritage Study Review of 16 August 2022 within the Overlay. To date it has not sought inclusion of those assets in the Victorian Heritage Register or the National Heritage List.

It is noted however that whilst no heritage assets in Maroondah are located on the National Heritage List, three were listed on the Register of the National Estate:

- The dwelling at 343 Maroondah Highway Croydon, although the dwelling referred to would appear to have fallen into disrepair and to have been removed in its entirety by 2013.
- The Slab Hut at 4 Reilly Court Croydon South is listed as an indicative place as no nomination was made for its inclusion on the Register. The property is within the Heritage Overlay, and a nomination for inclusion in the National Heritage List should be considered.
- The Walter Burley Griffin Estate in Ringwood East is also listed as an indicative place. No further information is available online and it may be that reference should instead be to the Croydon Hills Estate in Croydon. The Estate is located in the Neighbourhood Character Overlay Schedule 2, where demolition controls apply, but is not currently located within the Heritage Overlay.

Recommendations arising	
H02	Review Council's records to determine whether any place has been referred to Council by the Heritage Council for consideration for an amendment to the planning scheme.
H03	Review the National Trust Heritage Register of the National Trust of Australia (Victoria) to determine whether all properties on the Register that are within Maroondah are now within the Heritage Overlay.
H04	Consider the historical significance of the property at 1 Wonga Road, Ringwood and any properties listed on the National Trust Heritage Register to determine whether their inclusion in the Heritage Overlay is appropriate.
H05	Investigate inclusion of properties in Alto Avenue Croydon and the Wicklow Hills Estate (currently affected by the Neighbourhood Character Overlay) in the Heritage Overlay.

### 3.3 PPN12: Applying the flood provisions in planning schemes

Current version published: June 2015

The Maroondah Planning Scheme currently includes land within both the Urban Floodway Zone (UFZ) and the Special Building Overlay (SBO). Neither the Floodway Overlay (FO) or Land Subject to Inundation Overlay (LSIO) are used in the Scheme. Council is currently developing flood mapping for the municipality. In addition, a review of zoning across the municipality would appear to indicate some anomalies with the application of the UFZ. For example, zoning around Tarralla Creek appears to be aligned with land ownership rather than flood risk, with no flooding overlay applied to abutting land:

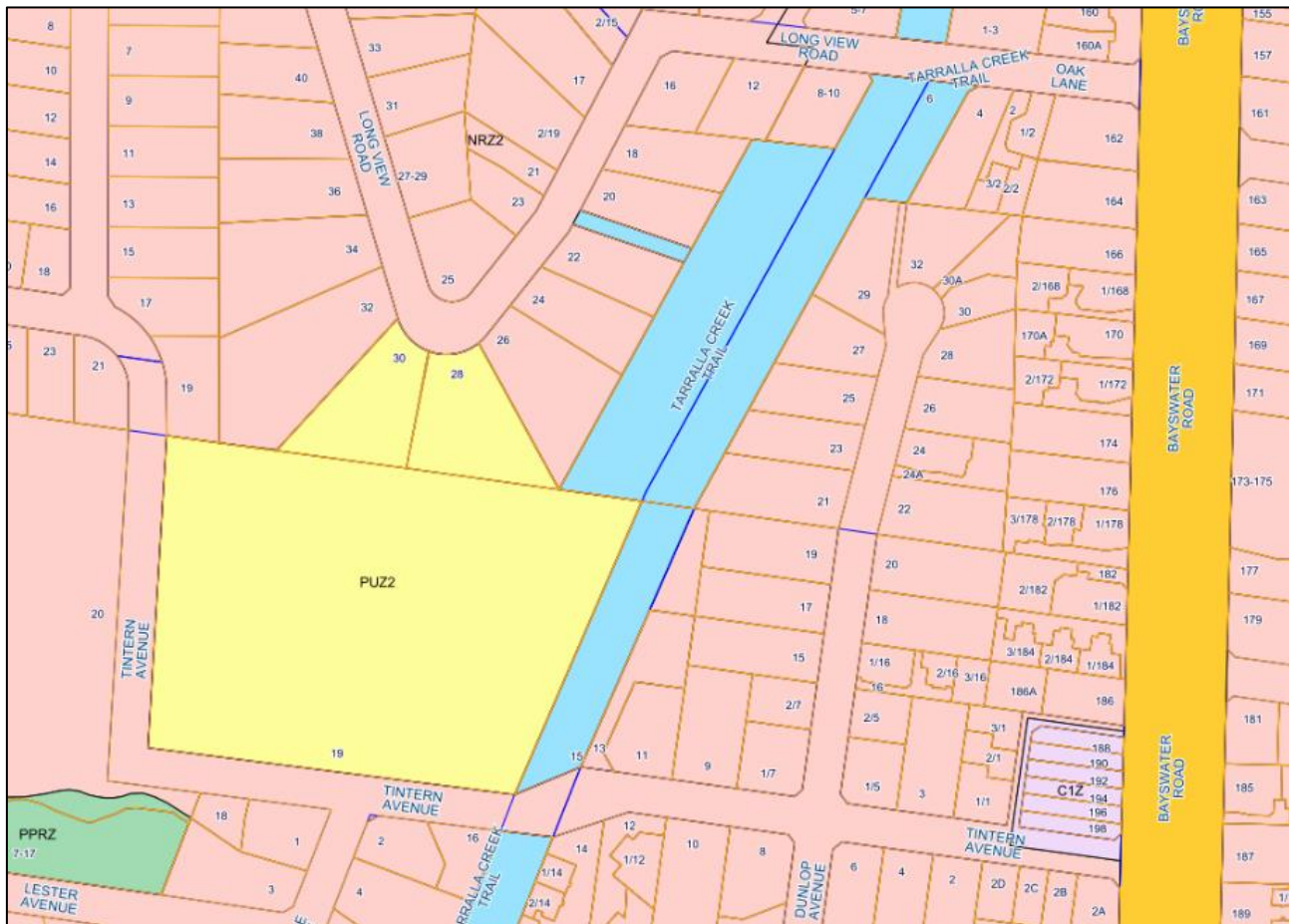


Figure 1: Example of the alignment of the Urban Floodway Zone

The Practice Note will be utilised to develop the planning scheme amendment which will implement the updated mapping. Discussion with Melbourne Water will also be required to address any necessary changes to the UFZ and flooding overlays.

Recommendations arising	
E05	Prepare an amendment to the Planning Scheme to implement current flood mapping, including an allowance for climate change, in conjunction with Melbourne Water.

## 3.4 PPN17: Urban Design Frameworks

*Current version published: July 2015*

Council has identified the need for an Urban Design Policy as future strategic work. The Practice Note will be used in its preparation as well as in the Urban Design components of activity centre Structure Plans.

## 3.5 PPN23: Applying the Incorporated Plan and Development Plan Overlays

*Current version published: September 2022*

The Maroondah Planning Scheme currently includes eight schedules to the Development Plan Overlay (DPO). The Incorporated Plan Overlay is not used. As detailed in Volume 3, it is considered that Schedules 2, 3, 4 and 5 to the DPO are now redundant and may be removed from the Scheme. These changes are noted as Actions L07 and R16-R18 and are also included in the marked-up copy of the ordinance and the mapping contained in Volume 4.

The Practice Note:

- Identifies that the public must have access to the operational version of any plans supported by the DPO.
- States that to “avoid uncertainty and conflict about the content and application of DPO plans, the responsible authority should keep a full copy of the current ‘endorsed’ plan available online or for inspection in person”.
- Outlines that it is good practice to:
  - Ensure reports recommending changes to the plan should the existing endorsed plan and the proposed changes.
  - For the plan to contain a ‘record sheet’ to track and summarise changes to the plan by document number, version number and adoption / approval date. If the plan consists of more than one document, each should include a copy of the record sheet.
  - Have a version number and an adoption / approval date displayed on each sheet.
- Outlines that the plan may include a ‘sunset clause’ that would trigger a review of the plan by providing that it ceases to have effect on a given date.

The Practice Note does not have any implications for the content of the Maroondah Planning Scheme, however it identifies the need for some of Council’s practices to be updated.

Recommendations arising	
P05	Identify the most appropriate way of making the operational version of any plans supported by the Development Plan Overlay available to the public.
P06	Review Council practices in documenting changes to approved documents under the Development Plan Overlay to ensure that clarity is maintained.



## 3.6 PPN24: Shipping container storage

*Current version published: March 2022*

Council has identified the need for employment and industrial land strategy/ies to support increased employment growth in the municipality. Once this has been prepared consideration should be given, as detailed in the Practice Note, to the inclusion of reference to Shipping Container Storage within the MPS and local policies if appropriate.

*No implications for current planning scheme review.*

## 3.7 PPN30: Potentially Contaminated Land

*Current version published: July 2021*

The Practice Note outlines measures to ensure that potential contamination of land is addressed when considering applications for planning permit or to amend the planning scheme. It is noted that the Environmental Audit Overlay (EAO) has not been used in the Maroondah Planning Scheme to date.

A high-level review of the Scheme and land use across the municipality indicates that there are a number of potentially contaminating uses (e.g. service stations) that are currently located within and abutting residential zones. These zones allow the commencement of sensitive uses without a planning permit. Introducing the EAO over the land would not alter this fact and does not introduce any obligation on the relevant building surveyor to address potential contamination as part of any construction. Altering residential zones as is proposed through the Neighbourhood Character review would also not ordinarily trigger the need for a PRSA Statement or Environmental Audit Statement as the Practice Note states:

For planning scheme amendments that propose to allow, whether or not by permit, a sensitive use, children's playground or secondary school on land that is potentially contaminated, Ministerial Direction No. 1 requires a planning authority to satisfy itself that the land is suitable for the use...

The Practice Note will therefore be applied by consideration of contamination issues in the planning permit process and in preparation of amendments seeking to rezone land.

To assist full consideration of the issue during assessment of planning applications future work is to include mapping of known sites with a high potential for contamination.

Recommendations arising	
E03	Develop a mapped register of known potentially contaminated land in commercial and residential zones, including uses with high potential for contamination in Planning Practice Note 30.
E20	Consider applying the Environmental Audit Overlay over potentially contaminated sites that are located in zones where sensitive uses are either permissible or may be commenced without a planning permit.

## 3.8 PPN31: Preparing a Green Wedge Management Plan

*Current version published: 23 June 2023*

The Practice Note identifies that action taken to protect green wedges includes the development of individual action plans for each green wedge. It sets the expectation that Maroondah prepare a Green Wedge Management Plan for the areas of the municipality which are located outside of the Urban Growth Boundary. These areas are shown in Figures 2, 3 and 4. Some properties in Figure 3 are partly located within Maroondah and partly within the City of Manningham.



Figure 2: Green Wedge land in Warranwood (approx. 9.3 ha)



Figure 3: Green Wedge land in Warranwood and Croymon Hills (approx. 14.6 ha)



Figure 4: Green Wedge land in Kilsyth South (approx. 177.6 ha)

The areas in Warranwood and Croydon Hills are located in the Manningham Green Wedge, whilst that in Kilsyth South is located in the Yarra Valley and Yarra and Dandenong Ranges Green Wedge. Both the City of Manningham and the Shire of Yarra Ranges have prepared Green Wedge Management Plans for the substantive area of the Green Wedge. No Plan has been prepared for the Maroondah component of either Green Wedge.

#### Recommendations arising

**E04** Prepare a Green Wedge Management Plan for the sections of Maroondah which are located outside of the Urban Growth Boundary.

## 3.9 PPN32: Review of Planning Schemes

*Current version published: June 2015*

Outlines how the Scheme review is to be conducted.

## 3.10 PPN37: Rural Residential Development

*Current version published: May 2023*

The Maroondah Planning Scheme includes Green Wedge land located in the Green Wedge A Zone (GWAZ) and a single property in the Farm Zone. The Practice Note is relevant to applications for residential development or subdivision in the GWAZ and any proposal to rezone the Farm Zone property. It outlines that farm dwellings often accompany agricultural land uses, and that a rezoning to provide for rural residential development “must be supported with evidence that the proposed use and development responds to the housing needs of the municipality as identified in the MPS and PPF”. As detailed in Volumes 1 and 3, this has limited application to the proposed rezoning of 1/82-112 Colchester Road Kilsyth given its location within the Urban Growth Boundary and low-intensity agricultural use at present.

## 3.11 PPN42: Applying the Rural Zones

*Current version published: December 2022*

The Practice Note outlines that its purpose is:

*to provide guidance to planning authorities about:*

- *the strategic work required to apply the Farming Zone, Rural Activity Zone, Rural Conservation Zone, Green Wedge Zone, Green Wedge A Zone and Rural Living Zone*
- *the purposes and features of each zone and where they may be applied.*

It is relevant to Maroondah insofar as much of the land located outside of the Urban Growth Boundary is located in the Green Wedge A Zone. One property in the municipality is currently located in the Farming Zone.

A review of both the Practice Note and the purposes of the Farming Zone raise questions in relation to whether it is appropriate that the land at 1/82/112 Colchester Road Kilsyth be included in this zone. The land forms part of the group of properties owned by Transport for Victoria and is anticipated to be used for an arterial road in the future. It is currently divided into paddocks, which are used for Horse Husbandry (i.e. grazing of horses).

The location of the site within the Urban Growth Boundary with abutments to both General Residential and Industrial 1 Zoned land would indicate that this is not an appropriate use for the land in the long term. Informal consultation has been conducted with VicRoads in relation to the future of the land owned by Transport for Victoria. As detailed in Volume 1, a rezoning of this land and application of the Specific Controls Overlay is considered to be appropriate **[Actions L15 and T01]**.

## 3.12 PPN46: Strategic Assessment Guidelines

*Current version published: September 2022*

The Practice Note will be used to evaluate the planning scheme amendment arising from the Planning Scheme Review.

## 3.13 PPN54: Managing Referrals and Notice Requirements

*Current version published: August 2023*

The purpose of this practice note is to provide guidance to responsible and referral authorities about the use of permit application referral and notice provisions in planning schemes, and reviewing existing, or proposing new, permit application referral and notice provisions.

The Maroondah Planning Scheme retains some referral provisions within the body of schedules to the Development Plan Overlay. In considering whether the current referral requirements under Clause 66.04 are appropriate Council has also considered whether these requirements should be relocated to Clause 66.04, be converted to local notice provisions in Clause 66.06 or omitted. Details are contained in Volume 3 and **Action P27**.

## 3.14 PPN58: Structure Planning for Activity Centres

*Current version published: September 2018*

This Practice Note, along with PPN59 and PPN60, will be used when preparing new or updated structure plans for activity centres. Council has commenced preparation of a revised Croydon Structure Plan and identified that the Heathmont and Ringwood East Structure Plans be reviewed prior to the next planning scheme review in 2026.

In addition, the structure planning process should inform planning for smaller centres and the implementation of 20-minute neighbourhoods within the Maroondah Planning Scheme.

Related future work includes actions **L01, L02 and L04**.

## 3.15 PPN62: Green Wedge planning provisions

*Current version published: May 2023*

The Practice Note outlines the procedures required to amend the Urban Growth Boundary (UGB). These are noted as they relate to the apparent error in the UGB in relation to the following properties:

- 281-283 Colchester Road, Kilsyth South
- 342 Wonga Road, Warranwood
- 15 Delaneys Road, Warranwood

This is discussed in detail in Sections 10.3.5 and 10.3.14 of Volume 3.

## 3.16 PPN64: Local planning for bushfire protection

*Current version published: September 2015*

The Practice Note provides guidance on planning for bushfire protection, including drafting local policy and schedules to the Bushfire Management Overlay (BMO). Details of its implications for this review are contained in Volume 1.

Recommendations arising	
<b>E02</b>	<b>Work with Forest Fire Management Victoria, Fire Rescue Victoria and public land managers to review the extent of the Bushfire Management Overlay in light of up-to-date information on the risk of bushfire to properties within Maroondah.</b>

## 3.17 PPN84: Applying the minimum garden area requirement

*Current version published: May 2022*

This practice note gives guidance about the operation of the minimum garden area requirement in the Neighbourhood Residential Zone and General Residential Zone. The guidance will inform an understanding of the impact of modified ResCode standards on the space available for planting when preparing the Neighbourhood Character Strategy.

## 3.18 PPN90: Planning for housing

*Current version published: July 2023*

The Practice Note informed the development of the Maroondah Housing Strategy: 2022 Refresh and will also be relevant to future work arising from the Strategy. The Strategy outcomes remain consistent with the PPN as updated in July 2023. It includes a Residential Development Framework Plan that is a neutral translation of the existing planning scheme content. The Practice Note outlines that this should be included in the Scheme. It is appropriate that the map be included in Clause 02.04, and that planning policy in relation to Settlement and Housing be updated to support it. More detail is contained in response to the Maroondah Housing Strategy: 2022 Refresh.

In addition, consideration should be given to inserting additional policies into Clause 16.01 to provide guidance on housing within the incremental change areas, as these constitute a large part of the municipality and suitable development will vary across them. In particular, the policy should include support for relatively more housing close to neighbourhood activity centres and priority local activity centres than in more remote locations.

Recommendations arising	
<b>V12</b>	<b>Include the Residential Development Framework Map on page 20 of the Maroondah Housing Strategy: 2022 Refresh in Clause 02.04 of the Maroondah Planning Scheme. Note that the Framework should first be:</b> <ul style="list-style-type: none"><li>• <b>Corrected to indicate the full extent of the Croydon South Greyfield Renewal Area.</b></li><li>• <b>Include reference to The Mall/Eastfield Shops as an Activity Centre.</b></li><li>• <b>Updated to include colours consistent with the style guide generated for the Scheme.</b></li></ul>

<b>V08</b>	<b>Insert a strategic direction into Clause 02.03-6 that details that the most significant levels of housing change are to occur within the Ringwood Metropolitan Activity Centre, Croydon Major Activity Centre and Ringwood East and Heathmont Neighbourhood Activity Centres.</b>
<b>V13</b>	<b>Insert a strategic direction into Clause 02.03-6 that details that housing change is to be limited in areas identified as being suitable for minimal change in the Residential Development Framework Map.</b>
<b>L03</b>	<b>Develop planning scheme mechanisms to deliver increased housing and activity in the Neighbourhood Activity Centres and Local Activity Centres and their surrounds at densities suited to each Centre.</b>

## 3.19 PPN91: Using the residential zones

*Current version published: July 2023*

The changes to the residential zones made by Amendment VC110, and the guidance provided in this Practice Note represented a significant shift in guidance on height and development expectations within the residential zones. The impact on built form and neighbourhood character of Maroondah’s residential areas will be reviewed as part of development of the Neighbourhood Character Strategy.

## 3.20 PPN92: Managing buffers or land use compatibility

*Current version published: March 2021*

The Practice Note primarily addresses the use of Clause 53.10 and the Buffer Area Overlay to deal with the interface between sensitive uses and those with the potential to create adverse off-site impacts. Maroondah has not experienced significant changes to the boundary between industrial zones and those allowing sensitive uses in recent years. This reduces the potential for interface-related amenity issues.

The Practice Note will be utilised in the future strategic work to map known potentially contaminated land **[Action E03]** as well as any planning scheme amendments which alter the extent of either Industrial Zones or Zones which allow sensitive uses.

## 3.21 Retired Planning Practice Notes

It is noted that the former Planning Practice Notes 70 and 94, whilst current when this Scheme Review commenced, are no longer so.

### 3.21.1 PPN70: Open space strategies

The former Practice Note provides guidance on the preparation of open space strategies. It remains on the Department of Energy, Environment and Climate Action’s website ([Open space for everyone \(environment.vic.gov.au\)](https://www.environment.vic.gov.au)). The Maroondah Open Space Strategy 2016 does not adopt the guidance included in the document. As a result, whilst the Strategy is of assistance to Council departments responsible for the development and maintenance of open space it does not contain the detail required to include it within the planning scheme. Rather, future work is to include preparation of a new Strategy.

**V01 Prepare an updated Open Space Strategy for implementation through the Maroondah Planning Scheme.**

### 3.21.2 PPN94: Land use and transport integration

*Current version published: December 2021*

The practice note previously provided guidance on preparing and implementing local policies that relate to the transport system. The text of this document is retained as a guide on the Department of Transport and Planning website ([Land use and transport integration \(planning.vic.gov.au\)](https://www.planning.vic.gov.au/land-use-and-transport-integration)). A number of aspects of the former Practice Note remain relevant to the current Scheme Review. They are discussed in Volume 1.



## 4. Third party reviews

The review has considered a cross-section of decisions from the Victorian Civil and Administrative Tribunal (VCAT) as well as independent panel reports received on local planning scheme amendments. These result in the following recommendations:

### Planning for local places

- L01 Update the Heathmont Structure Plan and prepare a planning scheme amendment to implement it.
- L02 Update the Ringwood East Structure Plan and prepare a planning scheme amendment to implement it.

### Planning for heritage

- H04 Consider the historical significance of the property at 1 Wonga Road, Ringwood and any properties listed on the National Trust Heritage Register to determine whether their inclusion in the Heritage Overlay is appropriate.

### Planning for the environment and environmental risks

- E06 Conduct a review of the effectiveness and application of the Significant Landscape Overlay and Design and Development Overlay Schedules 1, 2 and 7.
- E07 Conduct an audit of the built form and landscape outcomes resulting from vacant land subdivisions.

### Planning for the residential framework

- R01 Develop a Neighbourhood Character Strategy which builds on the Neighbourhood Character Study Review, State policy with respect to housing, and the provisions of the Housing Strategy: 2022 Refresh.
- R02 Prepare a planning scheme amendment to implement the Neighbourhood Character Strategy.

### Process and administrative improvements

- P07 Ensure that standard reporting templates include a prompt to outline the number of parking spaces required and those provided, even where no permit is required pursuant to Clause 52.06.
- P08 Ensure that standard reporting templates, including those which relate to subdivision, include a prompt to outline which specific vegetation removal and/or lopping requires approval.
- P09 Conduct proactive enforcement of selected sites, including those where permit applications have been refused, seeking both replacement vegetation and space set aside for its growth as remedies for unlawful vegetation removal.

## 4.1 VCAT decisions

As detailed in Volume 1, the majority of appeals lodged against planning decisions in Maroondah relate to either multi dwelling development or vacant land subdivision of residentially zoned land. A review of a sample of decisions received follows. A number highlight the need to prepare a Neighbourhood Character Strategy, including:

- An overarching policy with respect to neighbourhood character, or policies for distinct areas.
- Clear statements of desired future character, which should be included in the planning scheme.
- Updates to Zone and Overlay provisions as required to assist in implementation of the Strategy.

### 4.1.1 Decision summaries

36 Humber Road, Croydon North	
<b>Council Ref:</b>	M/2018/1285
<b>Date of VCAT Order:</b>	8 November 2019
<b>VCAT Citation:</b>	Harpel Holdings Pty Ltd v Maroondah CC [2019] VCAT 1734
<b>Description of proposal:</b>	The construction of two double storey dwellings and a single storey dwelling to the rear of an existing dwelling on a 1,510m <sup>2</sup> lot.
<b>Nature of proceeding:</b>	Application under section 77 of the <i>Planning and Environment Act 1987</i> – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	Permit to issue
<b>Zone and overlays applying under the planning scheme:</b>	Neighbourhood Residential Zone – Clause 32.09 and Schedule 3 – Canopy Cover and Ridgeline Protection. Significant Landscape Overlay – Clause 42.03 and Schedule 3 – Wicklow Hills Ridge and Loughnan Warranwood Ridge Landscape Protection Area.
<b>Planning permissions required under the planning scheme:</b>	Construction of two or more dwellings on a lot in a Neighbourhood Residential Zone (clause 32.09-6).
<b>Relevant planning scheme policies and provisions:</b>	Clauses 11, 15, 16, 18, 19, 21.06, 21.07, 22.02 of the Planning Policy Framework. Clause 52.06 (Car parking), clause 55 (Two or more dwellings on a lot), clause 65.01 (Decision guidelines – approval of an application or plan).
<b>Key Issues for scheme review:</b>	<p>The Tribunal identified that there is no statement of preferred future character for precincts within the Neighbourhood Character Policy, which was then included in the Scheme at Clause 22.02. This is summarised in Paragraph 39, which states:</p> <p><i>The subject site is in the Warrion neighbourhood character area. One of the curious observations I would make about the planning scheme is that notwithstanding the Council’s submission that the preferred future character for the Warrien Area is clearly articulated, there is in fact no express statement of the preferred future character contained <u>within</u> the planning scheme itself. What clause 22.02-2 sets out is design outcomes for specified residential neighbourhoods.</i></p> <p>(tribunal’s emphasis)</p> <p>This criticism remains applicable to Clause 15.01-5L of the scheme following gazettal of amendment C144maro.</p>

36 Humber Road, Croydon North	
	It is noted that other Tribunal decisions include references to, and quotes from, <i>Maroondah Neighbourhood Character Study, Planisphere, 2004</i> , which was previously a reference document to Clause 22.02. The Study is now included as a background document in the Schedule to Clause 72.08. Examples include <i>Yvonne Estate Pty Ltd v Maroondah CC &amp; Ors [2020] VCAT 620 [sic]</i> .
<b>Changes to ordinance required:</b>	Provision of clarity in relation to the preferred future character of individual precincts.
<b>Further strategic work required:</b>	Consider the need to include clear statements of preferred future neighbourhood character within the Maroondah Planning Scheme as part of the Character Policy and associated amendment preparation.

42-44 Marlborough Road, Heathmont	
<b>Council Ref:</b>	M/2018/910
<b>Date of VCAT Order:</b>	11 September 2019
<b>VCAT Citation:</b>	HC Marlborough Management Pty Ltd v Maroondah CC [2019] VCAT 1348
<b>Description of proposal:</b>	Construction of 17 two storey dwellings and associated vegetation removal.
<b>Nature of proceeding:</b>	Application under section 77 of the <i>Planning and Environment Act 1987</i> – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	Permit to issue.
<b>Zone and overlays applying under the planning scheme:</b>	Neighbourhood Residential Zone Schedule 3 (NRZ3). Significant Landscape Overlay Schedule 3 – Wicklow Hills Ridge and Loughnan Warranwood Ridge Landscape Protection Area (SLO3). Significant Landscape Overlay Schedule 4 (SLO4). Special Building Overlay (SBO).
<b>Planning permissions required under the planning scheme:</b>	Clause 32.09-6. A permit is required to construct two or more dwellings on a lot. Clause 42.03-2. A permit is required to construct a building or construct or carry out works. A permit is required for the removal of vegetation under SLO3 and SLO4. Clause 44.05-2. A permit is required to construct a building or carry out works.
<b>Relevant planning scheme policies and provisions:</b>	Clauses 15, 16, 18, 21.01, 21.06, 21.07, 22.02, 52.06, 55 and 65.
<b>Key Issues for scheme review:</b>	During the hearing the site was identified as being located within the PPTN, as it is within 400m of a smart bus service. The PPTN was introduced into the Scheme by Amendment VC148 on 31 July 2018, approximately 6 months prior to refusal of the application. A review of the delegate report and background assessment table indicates that no specific assessment of the proposal against the provisions of Clause 52.06 was included. The description of the proposal does not indicate how many parking spaces were proposed.

42-44 Marlborough Road, Heathmont	
	<p>The Tribunal considered that a nearby development, which was approved prior to application of the Neighbourhood Residential Zone 3 to the land, contributed to the character of the neighbourhood. Council had submitted that caution should be used in using it to judge character as it was approved prior to the zone change. Both agreed that the proposal did not 'nestle' into the landscaping.</p> <p>This differing approach highlights the need to clearly articulate the desired future character of an area.</p>
<b>Changes to ordinance required:</b>	Clarity in relation to the preferred future character of precincts.
<b>Further strategic work required:</b>	Development of a neighbourhood character policy, including clear statements of preferred future character for each precinct as part of the Character Policy and associated amendment preparation.
<b>Process improvement:</b>	Ensure that standard reporting templates include a prompt to outline the number of parking spaces required and those provided, even where no permit is required pursuant to Clause 52.06.

58 Diane Crescent, Croydon	
<b>Council Ref:</b>	M/2018/1026
<b>Date of VCAT Order:</b>	7 October 2019
<b>VCAT Citation:</b>	Wolf International Pty Ltd v Maroondah CC [2019] VCAT 1556
<b>Description of proposal:</b>	Three two-storey dwellings
<b>Nature of proceeding:</b>	Application under section 77 of the Planning and Environment Act 1987 – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	Permit to issue.
<b>Zone and overlays applying under the planning scheme:</b>	General Residential Zone Significant Landscape Overlay Schedule 4
<b>Planning permissions required under the planning scheme:</b>	Clause 32.08-6: to construct two or more dwellings on a lot; and Clause 42.03: to remove, destroy or lop prescribed vegetation.
<b>Relevant planning scheme policies and provisions:</b>	Clauses 9, 11, 15, 16, 21.07, 22.02, 32.08, 42.03, 55, 65 & 72.01.
<b>Key Issues for scheme review:</b>	<p>Key issues outlined were planning policy and the SLO4.</p> <p>The Tribunal outlines in paragraph 20 that the “applicant can reasonably assume that exceeding the varied ResCode standard for private open space allows for trees and usable open space”. Advising further in Paragraph 26 that they “also do not accept the council’s submission that insufficient space is provided for suitable landscaping”.</p> <p>These comments highlight the difficulty in seeking additional landscaping though a requirement to provide additional private open space, rather than to provide specific landscaping as a variation to the ResCode standards.</p>

58 Diane Crescent, Croydon	
	<p>The Tribunal points out in paragraph 28 that</p> <p><i>local neighbourhood character policy is not the only relevant policy. State and local policies that seek to increase housing densities in established areas are also relevant. A balance between these policies must be sought, even on sites like this which are in residential hinterland areas.</i></p> <p>Provision of greater clarity around the areas where development is to be encouraged, including through a Residential Development Framework that identifies areas of minimal, incremental and significant change, will assist decision makers to strike the right balance between policies.</p>
<b>Changes to ordinance required:</b>	Inclusion of the Residential Development Framework and associated policy content within the Municipal Planning Statement and local policies.
<b>Further strategic work required:</b>	Consider whether vegetation-related objectives are best met through modifications to Standards A10, A17, B17 and B28 (as is currently the case) or other means when preparing and implementing a Neighbourhood Character Policy.

2 Panfield Avenue, Ringwood	
<b>Council Ref:</b>	M/2021/706
<b>Date of VCAT Order:</b>	15 August 2022
<b>VCAT Citation:</b>	Land Development Consulting Pty Ltd v Maroondah CC [2022] VCAT 936
<b>Description of proposal:</b>	Subdivision of a corner allotment into two lots
<b>Nature of proceeding:</b>	Application under section 77 of the Planning and Environment Act 1987 – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	No permit to issue
<b>Zone and overlays applying under the planning scheme:</b>	Neighbourhood Residential Zone 3 Significant Landscape Overlay 3
<b>Planning permissions required under the planning scheme:</b>	Clause 32.09-3 to subdivide land within the Neighbourhood Residential Zone
<b>Relevant planning scheme policies and provisions:</b>	Clauses 11, 15, 16, 21, 22.02, 32.09, 42.03, 52.06, 55, 65 and 71.02.
<b>Context:</b>	The decision was quoted in the editorial to Victorian Planning Reports VCAT Volume 10 No. 1 (29 September 2022). The decision also refers to a number of other decisions of the Tribunal. Three of these were for sites within Maroondah. Each of these, despite being several years old, has also been considered as part of this review as a result.

## 2 Panfield Avenue, Ringwood

<p><b>Key Issues for scheme review:</b></p>	<p>The Tribunal identifies the key issues at paragraph 4, as:</p> <p><i>a. Is the proposed subdivision an appropriate response to the surrounding neighbourhood character?</i></p> <p><i>b. Will the proposed subdivision and likely form of future development cause any unreasonable off-site amenity impacts?</i></p> <p><i>c. Does the proposed subdivision comply with the other requirements of Clause 56 that are relevant to a 2 lot subdivision?</i></p> <p>A permit was not required pursuant to the significant landscape overlay which applied to the land, however the Tribunal utilised the statement of nature and key elements of landscape and the landscape character objectives to be achieved to assist their understanding of the landscape outcomes that are sought in the neighbourhood. It is informative that they did not turn to Clause 22.02 for this insight.</p> <p>A key aspect of the decision is this affirmation that the potential future development of lots is relevant to consideration of a vacant land subdivision.</p> <p>The Tribunal was critical of the permit applicant's decision to rely on previously refused plans for a dual occupancy development in support of their application for subdivision.</p> <p>A review of the Decision raises the following issues:</p> <p>Whether the Significant Landscape Overlay is the correct overlay to apply in the Maroondah Planning Scheme, given that it does not include a requirement for a permit to subdivide land.</p> <p>Whether the lack of a clear description of the desired future character of the area, or a clear distinction that its application to 'development' includes subdivision, may have led to the Tribunal not referencing Clause 22.02.</p> <p>Whether there is sufficient concern in relation to the landscape or character implications of development following vacant land subdivisions to warrant introduction of a requirement for a planning permit to construct a dwelling on a lot of between 300sqm and 500sqm.</p>
<p><b>Changes to ordinance required:</b></p>	<p>Introduction of neighbourhood character objectives into Schedule 3 of the NRZ, as required by the Ministerial Direction on the Form and Content of Planning Schemes. Additional detail and wording is contained in Volume 3.</p>
<p><b>Further strategic work required:</b></p>	<p>Development of a neighbourhood character policy, including clear statements of preferred future character for each precinct as part of the Character Policy and associated amendment preparation.</p> <p>A review of the significant landscape overlay.</p> <p>Investigation of the built form and landscape outcomes associated with vacant residential land subdivision.</p>

40-42 Humber Road, Croydon North	
<b>Council Ref:</b>	M/2015/670
<b>Date of VCAT Order:</b>	25 July 2016
<b>VCAT Citation:</b>	Butler v Maroondah CC [2016] VCAT 1212
<b>Description of proposal:</b>	<p>Six lot subdivision. Lots 1 and 6 would each contain an existing dwelling and would have areas of 543sq.m and 469sq.m respectively. A new carport and tandem car space is proposed at the rear of the dwelling at No. 40 Humber Road on proposed Lot 6. The proposed four lots behind the dwellings would have areas ranging from 409sq.m to 420sq.m and are each provided with building exclusion zones. A centrally located driveway within common property is proposed between the existing dwellings providing vehicle access to Lots 2 to 6. Lot 1 (presently No. 42 Humber Road) would retain separate vehicle access to the street.</p> <p>The removal of vegetation is also proposed.</p>
<b>Nature of proceeding:</b>	Application under Section 77 of the Planning and Environment Act 1987 – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	No permit to issue.
<b>Zone and overlays applying under the planning scheme:</b>	Neighbourhood Residential Zone – Schedule 3 (NRZ3). Significant Landscape Overlay – Schedule 3 (SLO3).
<b>Planning permissions required under the planning scheme:</b>	Clause 32.09-2 - Subdivision (NRZ3). Clause 42.03-2 – Vegetation removal (SLO3).
<b>Relevant planning scheme policies and provisions:</b>	Clauses 9, 10, 11, 15, 16, 18, 19, 21, 22.02, 52.06, 56 and 65.
<b>Context:</b>	Decision referred to in Land Development Consulting Pty Ltd v Maroondah CC [2022] VCAT 936
<b>Key Issues for scheme review:</b>	<p>The tribunal advises at Paragraph 7 that:</p> <p><i>I consider that the determinative issues in this case are whether:</i></p> <ul style="list-style-type: none"> <li><i>the size of the lots and subdivision layout would achieve the character and landscape outcomes envisaged by the planning scheme; and</i></li> <li><i>whether the proposal responds in an acceptable way to the features of the site and surrounding context.</i></li> </ul> <p>Unlike the Land Development Consulting decision, the Tribunal refers to Clause 22.02. Similarly, unlike the HC Marlborough Management Pty Ltd decision, the Tribunal draws a distinction between multi dwelling developments approved before and after the introduction of the Neighbourhood Residential Zone, given the greater emphasis this zone places on neighbourhood character in comparison to its predecessor. This, however, was in the context of the NRZ at that time allowing no more than two dwellings per lot.</p>
<b>Changes to ordinance required:</b>	
<b>Further strategic work required:</b>	

25 Wonga Road, Ringwood	
<b>Council Ref:</b>	M/2013/908
<b>Date of VCAT Order:</b>	13 February 2015
<b>VCAT Citation:</b>	Zarella Pty Ltd v Maroondah CC [2015] VCAT 131
<b>Description of proposal:</b>	To develop the land with four dwellings, subdivide it into four lots, and remove the majority of the trees.
<b>Nature of proceeding:</b>	Application under Section 77 of the Planning and Environment Act 1987 – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	No permit to issue.
<b>Zone and overlays applying under the planning scheme:</b>	General Residential Zone Schedule 1 (GRZ1) Significant Landscape Overlay Schedule 4 (SLO4)
<b>Planning permissions required under the planning scheme:</b>	Clause 32.08-4 To construct two or more dwellings on a lot in GRZ1 Clause 32.08-2 To subdivide land in GRZ1 Clause 42.03-2 To remove, destroy or lop vegetation in SLO4
<b>Relevant planning scheme policies and provisions:</b>	Clauses 21.07 and 22.02 are referenced.
<b>Context:</b>	Decision referred to in Land Development Consulting Pty Ltd v Maroondah CC [2022] VCAT 936
<b>Key Issues for scheme review:</b>	<p>The Tribunal notes that whilst the area is in a location with good access to transport and services, and is not shown as being of landscape significance in planning policy, the SLO4 has been applied. They noted that they were not taken to the reference document by any of the parties.</p> <p>Tribunal expressed surprise that neither the applicant nor Council could advise which of the trees proposed for removal required a planning permit on the first day of the hearing.</p> <p><i>It is noted that whilst this application was refused by VCAT, subsequent development of the land has included removal of vegetation (some without the requisite planning permit) construction of a dwelling with significant similarities to Dwelling 1 of the proposal, the construction of two driveways, and significantly less landscaping within the street frontage than had been proposed as part of the multi dwelling development. High solid front fencing and gated driveways are provided. A two lot subdivision has occurred, and the rear lot appears as essentially devoid of vegetation on an aerial photograph taken in February 2022. Plans approved by engineering show construction on Lot 2 close to the dripline of the tree, and permeable paving beneath the tree but no other construction details.</i></p> <p><i>M/2017/254 approved the construction of an additional dwelling plus a two lot subdivision, but did not approve any landscaping for Lot 1. This is a missed opportunity, displayed by the fact that less landscaping is provided than was criticised by the Tribunal. High solid front fence also provided.</i></p>
<b>Changes to ordinance required:</b>	



25 Wonga Road, Ringwood	
<b>Further strategic work required:</b>	
<b>Process improvement:</b>	<p>Ensure that standard reporting templates, including those which relate to subdivision, include a prompt to outline which specific vegetation removal and/or lopping requires approval.</p> <p>Conduct proactive enforcement of selected sites, including those where permit applications have been refused, seeking both replacement vegetation and space set aside for its growth as remedies for unlawful vegetation removal.</p>

34 Wonga Road, Ringwood	
<b>Council Ref:</b>	M/2014/513
<b>Date of VCAT Order:</b>	22 June 2015
<b>VCAT Citation:</b>	Lateral Building Design Pty Ltd v Maroondah CC [2015] VCAT 912
<b>Description of proposal:</b>	Construction of three dwellings and removal of vegetation.
<b>Nature of proceeding:</b>	Application under Section 77 of the Planning and Environment Act 1987 – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	No permit to issue.
<b>Zone and overlays applying under the planning scheme:</b>	Neighbourhood Residential Zone, Schedule 3. Significant Landscape Overlay, Schedule 3.
<b>Planning permissions required under the planning scheme:</b>	Clause 32.09-5 a permit is required to construct more than one dwelling on a lot. Clause 42.03-2 a permit is required to remove, destroy or lop vegetation in SLO3.
<b>Relevant planning scheme policies and provisions:</b>	Clauses 9, 11, 12, 15, 16, 21.07, 21.10, 22.02, 52.06, 55 and 65.
<b>Context:</b>	Decision referred to in Land Development Consulting Pty Ltd v Maroondah CC [2022] VCAT 936
<b>Key Issues for scheme review:</b>	<p>Need for site-responsive design, including the extent of space provided for landscaping. The importance of providing trees (and space for them to grow) in the ridgeline setting.</p> <p><i>The Coral tree referred to in the decision has since been lopped rather severely (pollarded). It is noted however that Google Streetview images and Council aerial photographs combined indicate that this had also previously been conducted at some point between 2013 and 2014.</i></p>
<b>Changes to ordinance required:</b>	
<b>Further strategic work required:</b>	
<b>Process improvement:</b>	Conduct proactive enforcement of selected sites, including those where permit applications have been refused.

60 Diane Crescent, Croydon	
<b>Council Ref:</b>	M/2017/231
<b>Date of VCAT Order:</b>	3 December 2018
<b>VCAT Citation:</b>	Yaacoub v Maroondah CC [2018] VCAT 1877
<b>Description of proposal:</b>	Construction of three two storey dwellings and associated tree removal.
<b>Nature of proceeding:</b>	Application under section 77 of the Planning and Environment Act 1987 – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	Permit to issue.
<b>Zone and overlays applying under the planning scheme:</b>	General Residential Zone Schedule 1 (GRZ1). Significant Landscape Overlay Schedule 4 (SLO4).
<b>Planning permissions required under the planning scheme:</b>	Clause 32.08-6. A permit is required to construct two or more dwellings on a lot. Clause 42.03-2. A permit is required to remove, destroy or lop any vegetation. A planning permit is required to move tree 2, a Norfolk Island Pine in the north west corner of the site.
<b>Relevant planning scheme policies and provisions:</b>	Clauses 11, 12, 15, 16, 21.06, 21.07, 21.10, 22.02, 32.08, 42.03, 55 and 65.
<b>Key Issues for scheme review:</b>	The Tribunal member gives greater regard to the emerging character of the neighbourhood than Council had done. The distinction highlights the need to conduct regular reviews of Neighbourhood Character policies, particularly where redevelopment is occurring. The current planning policy is based on a study conducted in 2004, and its review is now appropriate.
<b>Changes to ordinance required:</b>	
<b>Further strategic work required:</b>	Conduct a review of the Neighbourhood Character Policy.

21 Baker Road, Bayswater North	
<b>Council Ref:</b>	M/2018/1359
<b>Date of VCAT Order:</b>	20 August 2020
<b>VCAT Citation:</b>	Sandhu v Maroondah CC [2020] VCAT 895
<b>Description of proposal:</b>	Construction of three, double storey dwellings. Two are joined as a pair, the third sits on its own.
<b>Nature of proceeding:</b>	Application under section 77 of the Planning and Environment Act 1987 – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	Permit to issue.

21 Baker Road, Bayswater North	
<b>Zone and overlays applying under the planning scheme:</b>	Neighbourhood Residential Zone – Schedule 3 (NRZ3) Significant Landscape Overlay – Schedule 3 (SLO3)
<b>Planning permissions required under the planning scheme:</b>	Construction of two or more dwellings in NRZ3 Removal of vegetation in SLO3
<b>Relevant planning scheme policies and provisions:</b>	Clauses 11, 15.01, 16, 21.02, 21.06, 21.07, 22.02, 32.09, 52.06, 55 and 65.
<b>Key Issues for scheme review:</b>	The proposal's response to the character of the area and compliance with Clause 55 requirements.  In assessing the proposal's compliance with Standard xx as varied in the zone, the Tribunal observed (at paragraph 23) that the "NRZ3 schedule does not have any specific objectives or decision guidelines to direct assessment of the varied standard". It is a requirement of the Ministerial Direction for the Form and Content of Planning Schemes that the Schedule now be provided with objectives. Consideration should also be given as to whether the Schedule (and other Schedules to the zones) should include decision guidelines to assist consideration of proposed variations to any of the modified standards outlined.
<b>Changes to ordinance required:</b>	Insert objectives into Schedule 3 to the Neighbourhood Residential Zone.
<b>Further strategic work required:</b>	Consider whether, as part of implementation of the neighbourhood character strategy, decision guidelines should be included into schedules for residential zones which include variations to the ResCode Standards.

46 Vinter Avenue, Croydon	
<b>Council Ref:</b>	M/2018/642
<b>Date of VCAT Order:</b>	30 July 2019
<b>VCAT Citation:</b>	TZ Development Pty Ltd v Maroondah CC [2019] VCAT 1139
<b>Description of proposal:</b>	Construction of four double storey dwellings and the removal of eight trees.
<b>Nature of proceeding:</b>	Application under section 77 of the Planning and Environment Act 1987 – to review the refusal to grant a permit.
<b>VCAT Decision:</b>	Permit to issue.
<b>Zone and overlays applying under the planning scheme:</b>	Clause 32.08: General Residential Zone (GRZ1) Clause 42.03: Significant Landscape Overlay (SLO4)
<b>Planning permissions required under the planning scheme:</b>	Clause 32.08-6: A permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55.  Clause 42.03-2: A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay (exemptions apply)

46 Vinter Avenue, Croydon	
<b>Relevant planning scheme policies and provisions:</b>	<i>Not quoted in decision</i>
<b>Key Issues for scheme review:</b>	<p>The Tribunal highlights that in considering compliance with the objectives of ResCode with respect to the Side and Rear Setback Objective (i.e. a variation to Standard B17), the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• <i>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</i></li> <li>• <i>The design response.</i></li> <li>• <i>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</i></li> <li>• <i>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</i></li> <li>• <i>Whether the wall abuts a side or rear lane.</i></li> </ul> <p>The first dot point is the most relevant to the Scheme review. Changes to the Planning Scheme as a result of gazettal of Amendment C144maro mean that it now includes:</p> <ul style="list-style-type: none"> <li>• References to Maroondah’s urban character, and the role that dwelling design, building setbacks and (particularly) landscaping play in defining that character within Clause 02.03.</li> <li>• At Clause 15.05-1L: <ul style="list-style-type: none"> <li>○ Two neighbourhood character objectives. These apply to the whole of the municipality.</li> <li>○ A range of both general and locationally-specific strategies designed to outline how the objectives are to be achieved.</li> </ul> </li> </ul> <p>While these are intended to form Council’s policy on preferred neighbourhood character, the lack of clear statements of preferred future character and a clear policy statement is considered to be a deficiency of the Scheme at present and following translation to the PPF format.</p>
<b>Changes to ordinance required:</b>	
<b>Further strategic work required:</b>	Development of a neighbourhood character policy, including clear statements of preferred future character for each precinct as part of the Character Policy and associated amendment preparation.

## 4.1.2 Recommendations

Recommendations arising from this review are as follows:

- E06** Conduct a review of the effectiveness and application of the Significant Landscape Overlay and Design and Development Overlay Schedules 1, 2 and 7.
- E07** Conduct an audit of the built form and landscape outcomes resulting from vacant land subdivisions.
- P07** Ensure that standard reporting templates include a prompt to outline the number of parking spaces required and those provided, even where no permit is required pursuant to Clause 52.06
- P08** Ensure that standard reporting templates, including those which relate to subdivision, include a prompt to outline which specific vegetation removal and/or lopping requires approval.

- P09** Conduct proactive enforcement of selected sites, including those where permit applications have been refused, seeking both replacement vegetation and space set aside for its growth as remedies for unlawful vegetation removal.
- R01** Develop a Neighbourhood Character Strategy which builds on the Neighbourhood Character Study Review, State policy with respect to housing, and the provisions of the Housing Strategy: 2022 Refresh.
- R02** Prepare a planning scheme amendment to implement the Neighbourhood Character Strategy.

## 4.2 Planning Panels Victoria reports

Since the last Planning Scheme Review was completed on 26 August 2013 there have been 43 local amendments to the Maroondah Planning Scheme. Council has received nine reports from Planning Panels Victoria on eleven amendments during this time. Details are as follows:

Table 15: Panel reports received

Amendment number	Date of Panel Report	Brief description of the amendment
C85	18 Mar 2014	<p>Combined Amendment and Permit to rezone land at 1 5-15 and 17-19 Kent Avenue Croydon known as Croydon Central from Mixed Use (MUZ) and Residential 1 to Business 1 and apply a Development Plan Overlay and redevelop the site for a shopping complex incorporating retail commercial and residential uses.</p> <p><i>The panel's report does not identify any policy matters which need to be considered as part of the Scheme Review. The Croydon Structure Plan is currently undergoing review however and any planning scheme amendment prepared to implement the updated strategy will need to consider whether retention of a separate control for the Croydon Central site remains appropriate, or if a single control for the whole Activity Centre is to be preferred.</i></p>
C96	6 Jun 2017	Amend Clauses 21 and 22, apply a Design and Development Overlay over the commercial area of the Ringwood East Neighbourhood Activity Centre and correct several mapping anomalies.
C97		Amend Clause 21, apply a Design and Development Overlay over the existing commercial area of the Heathmont Activity Centre, rezone three properties and correct several mapping anomalies.
C107	28 Feb 2019	<p>Rezone the Ruskin Park, Croydon precinct from General Residential Zone – Schedule 1 to Neighbourhood Residential Zone - Schedule 3.</p> <p><i>The Panel's report notes Council's advice that it intends to prepare and apply a new neighbourhood character strategy with associated zone schedules. It includes some guidance on how this should be conducted but does not raise additional further strategic work that requires attention. Additional commentary is not provided below.</i></p>
C110	14 Sept 2017	<p>Apply the Heritage Overlay to 29 Bedford Road, Ringwood on a permanent basis.</p> <p><i>This amendment relates to the application of the Heritage Overlay to a single property and the Panel's report raises no policy matters, further strategic work or concerns with the operation of the Maroondah Planning Scheme. Commentary is not included below as a result.</i></p>
C116maro	24 Sept 2019	Implementation of the Jubilee Park Heritage and Neighbourhood Character Study. Includes application of the Heritage Overlay, Neighbourhood Character Overlay Schedule 3 and Neighbourhood Residential Zone.
C128maro	10 Jan 2020	Applies the Heritage Overlay to 3-5 Wonga Road, Ringwood North on a permanent basis.
C130maro	5 Oct 2020	Zone, Overlay and Policy changes to implement the Ringwood Metropolitan Activity Centre Masterplan (Maroondah City Council, 2018). It includes

Amendment number	Date of Panel Report	Brief description of the amendment
		application of the Activity Centre Zone Schedule 1 to the majority of the Centre. <i>The Panel's report raises no policy matters, further strategic work or concerns with the operation of the Maroondah Planning Scheme. Commentary is not included below as a result.</i>
C134maro	9 Aug 2021	Zone, Overlay and Policy changes to facilitate development of the Ringwood and Croydon South Greyfield Renewal Precincts respectively.
C136maro		Zone, Overlay and Policy changes to facilitate development of the Croydon South Greyfield Renewal Precinct.
C142maro	26 April 2021	Applies the Heritage Overlay to 35 Alto Avenue, Croydon on a permanent basis. <i>This amendment relates to the application of the Heritage Overlay to a single property and the Panel's report raises no policy matters, further strategic work or concerns with the operation of the Maroondah Planning Scheme. Commentary is not included below as a result.</i>

#### 4.2.1 Amendment C96: Ringwood East Structure Plan Implementation and Amendment C97: Heathmont Structure Plan Implementation

Date of Panel Report: 6 June 2017

Status of amendments: Gazetted (with changes) on 11 October 2018

##### Brief description of the amendments

The Ringwood East and Heathmont Activity Centres are the third and fourth largest activity centres in the municipality. They are the only centres identified as Neighbourhood Activity Centres in the Maroondah Planning Scheme. Both centres include a train station. Council commenced preparation of Structure Plans for the Centres, including the residential area extending approximately 400 m from each station in 2012. The Structure Plans were adopted in December 2013. Amendments C96 and C97 were progressed concurrently and sought to apply the Structure Plans. The timing of the Structure Plans and processing of the amendments was such that:

- The development and adoption of the Structure Plans predated:
  - The implementation of Plan Melbourne and the Plan Melbourne Refresh.
  - The introduction of the reformed Residential Zones into the Maroondah Planning Scheme.
  - Adoption of the Maroondah Housing Strategy 2016.
- Preparation of the amendments, their exhibition and the panel hearing (but not finalisation of the panel report) predated gazettal of Amendment VC110, which amongst other things:
  - Altered the purposes of the Neighbourhood Residential Zone, and in particular removed the purpose to “limit opportunities for increased residential development”.
  - Introduced the Garden Area requirement into the General Residential and Neighbourhood Residential Zones.
  - Introduced mandatory maximum heights for dwellings and residential buildings in the General Residential and Neighbourhood Residential Zones.

## Policy matters raised by the Panel that require further consideration or action by Council

The Panel recommended that the amendments be abandoned due to concerns that they were overly conservative and did not encourage adequate growth in the Centres. It advised that:

*The Panel is very concerned that insufficient weight has been given to State planning objectives and strategies regarding:*

- *the encouragement of a diversity of housing types at higher densities in and around activity centres and public transport*
- *increasing housing supply near services and transport*
- *the creation of 20 minute neighbourhoods*
- *the consolidation of urban development and integration of land use and transport*
- *increasing housing choice to serve a broad range of needs and to assist in providing more affordable housing*
- *greater use of public transport by increasing densities, maximising use of existing infrastructure and improving the viability of public transport operation.<sup>1</sup>*

and

*With respect to any future Amendment seeking to implement either Structure Plan, the Panel finds the Design and Development Overlay appropriate for applying additional built form provisions. However, since Amendment VC110, the General Residential Zone and the Neighbourhood Residential Zone are no longer appropriate for either of the activity centres. Council should consider a planning scheme zone for the activity centres that aligns with relevant State and local planning policy and help implement the Structure Plan outcomes.<sup>2</sup>*

The Panel specifically noted:

- The need for a local policy or statutory guidance to deliver increased housing and activity within the Neighbourhood Activity Centres to advance the 20-minute neighbourhood concept and support local communities.
- That the General Residential and Neighbourhood Residential Zones are not appropriate choices within 400m of the Ringwood East and Heathmont Railway Stations. Alternative zones which allow more flexibility in height and Garden Area requirements should be considered.
- To implement the State policy outlined and Maroondah's Housing Strategy 2016 Council should consider alternative zones for the centres.
- The need to provide for more growth than either Structure Plan envisioned, advising that it "is unrealistic to expect that these activity centres will retain a largely low scale built form"<sup>3</sup>.
- The Structure Plans should provide for further opportunities for retail floor space, including on the Australian Department of Defence land in Ringwood East, in order to ensure the long term growth and success of the centres.
- "Future planning of the activity centres should consider the role that these centres can play in providing a more compact urban form that facilitates a greater number of people living in close proximity to a railway station and the variety of direct and indirect environmental benefits that this could deliver."<sup>4</sup>

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<sup>1</sup> Maroondah Planning Scheme Amendments C96 and C97 Panel Report, page 22

<sup>2</sup> Maroondah Planning Scheme Amendments C96 and C97 Panel Report, Executive Summary

<sup>3</sup> Maroondah Planning Scheme Amendments C96 and C97 Panel Report, page 23

<sup>4</sup> Maroondah Planning Scheme Amendments C96 and C97 Panel Report, page 43



It is noted that whilst the panel explicitly states that the Neighbourhood Residential Zone should not be used, part of the stated concern with this zone is that it [then sought] to restrict density. In fact, Amendment VC110 removed the objective to limit opportunities for increased residential development from the Zone.

Notwithstanding the Panel’s advice Council at its meeting on 17 July 2017 resolved to submit an altered version of the Amendments to the Minister for Planning for approval. The Minister further altered the amendments prior to their gazettal.

### Current Planning Scheme provisions and Housing Policy

The Design and Development Overlay Schedules 6 and 8 gazetted apply to the commercial core of each centre, and include maximum heights of 14m. The surrounding residential zones have remained unchanged, with:

- The NRZ2, NRZ3 and GRZ1 allowing development of up to 9m (two storeys) to the south-east of the Heathmont Neighbourhood Activity Centre and up to 11m (three storeys) to its north-west.
- The GRZ1 allowing construction up to 11m (three storeys) in height around the Ringwood East Neighbourhood Activity Centre.

More than five years have passed since the amendments were gazetted. During this time an interim review of the Maroondah Housing Strategy has been conducted.

Council adopted the Maroondah Housing Strategy: 2022 Refresh in December 2022. The Refresh continues to emphasise the importance of activity centres in contributing to housing growth. In recognition of the age of the Structure Plans, the Maroondah Housing Strategy: 2022 Refresh contains an action to “Update the Croydon, Heathmont and Ringwood East Structure Plans and prepare planning scheme amendments to apply them”.

Council has also commissioned a review of its Neighbourhood Character Study. The recommendations of the Maroondah Neighbourhood Character Study Review Recommendations Report were adopted in principle by Council on 31 August 2020. The findings of the review will form the basis of a Neighbourhood Character Strategy, to be developed during 2023. It is noted that the Recommendations Report includes use of the Residential Growth Zone in sections of each Centre.

### Implications for this review

Changes required to ordinance as part of Planning Scheme Review	
L03	Develop planning scheme mechanisms to deliver increased housing and activity in the Neighbourhood Activity Centres and Local Activity Centres and their surrounds at densities suited to each Centre.

Further Strategic work required	
R01	Develop a Neighbourhood Character Strategy which builds on the Neighbourhood Character Study Review, State policy with respect to housing, and the provisions of the Housing Strategy: 2022 Refresh.
R02	Prepare a planning scheme amendment to implement the Neighbourhood Character Strategy.
L01	Update the Heathmont Structure Plan and prepare a planning scheme amendment to implement it.
L02	Update the Ringwood East Structure Plan and prepare a planning scheme amendment to implement it.

This will include:

- Consideration of the policy issues outlined in the Panel Report to Amendments C96 and C97 to the Maroondah Planning Scheme.
- A capacity analysis for both commercial floor area and dwellings within each Centre.
- An urban design analysis, including consideration of views or three-dimensional modelling, to demonstrate a rationale for proposed built form provisions.
- Traffic and parking issues as an integral component of revised structure plans, including consideration of the impact of commuter parking on each Centre. This will include a reduction in the need for residents to travel by car as an objective.
- Clear demonstration that any proposed mandatory height controls are justified.

## 4.2.2 Amendment C116: Jubilee Park, Ringwood

Date of Panel Report: 24 September 2019

Status of amendment: 20 November 2020

### Brief description of the amendment

The amendment sought to apply the Neighbourhood Residential Zone Schedule 5 (NRZ5), Heritage Overlay (HO) and Neighbourhood Character Overlay Schedule 3 (NCO3) to various properties within the Jubilee Park area of Ringwood.

### Policy matters raised by the Panel that require further consideration or action by Council

Nil

### Council resolution

In adopting the amendment with the changes recommended by the Panel on 18 November 2019, Council resolved that:

*Should council resolve to adopt amendment C116 and following an approval of amendment C116 by the Minister, proceed to undertake the following*

*i. Revise the Jubilee Park Study Report to ensure consistency with the Panel's recommendations*

*ii. Upon completion of the revised Jubilee Park Study Report include the Jubilee Park Study Report as a background document to the Maroondah Planning Scheme*

The Jubilee Park Study has been updated to address the concerns raised by the C116 Panel, however it has not been included as a background document in the Maroondah Planning Scheme to date. It is proposed that the status of the document be considered as part of development and implementation of a neighbourhood character strategy. This will allow consideration of whether the document meets current requirements for a background document, whether it should be included, or whether the information it contains should be incorporated into a municipal-wide background document.

### Implications for this review

#### Changes required to ordinance as part of Planning Scheme Review

Changes made to the amendment at approval, rather than recommendations of the Panel, require attention as part of the Planning Scheme Review. Refer to Volume 1 for a detailed discussion.

#### Further Strategic work required

The Panel's report notes Council's advice that it intends to prepare and apply a new neighbourhood character strategy with associated zone schedules. It includes some guidance on how this should be conducted but does not raise additional further strategic work that requires attention.

In order to action Council's resolution of 18 November 2019 the

### 4.2.3 Amendment C128: 1 and 3-5 Wonga Road, Ringwood North Heritage Overlay

Date of Panel report: 10 January 2020

Status of amendment: Gazetted 20 August 2020

#### Brief description of the amendment

The amendment initially sought to apply the Heritage Overlay to land at 3-5 Wonga Road, Ringwood North and part of the property at 1 Wonga Road, Ringwood North. Through the panel process it was amended to only relate to the land at 3-5 Wonga Road.

#### Policy matters raised by the Panel that require further consideration or action by Council

Nil

#### Implications for this review

The Panel identifies<sup>5</sup> the need to consider the historical significance of the property at 1 Wonga Road, Ringwood as part of a future municipal Heritage Study.

#### Changes required to ordinance as part of Planning Scheme Review

Nil

#### Further Strategic work required

**H04 Consider the historical significance of the property at 1 Wonga Road, Ringwood and any properties listed on the National Trust Heritage Register to determine whether their inclusion in the Heritage Overlay is appropriate.**

### 4.2.4 Amendment C134: Ringwood Greyfield Precinct and Amendment C136: Croydon South Greyfield Precinct

Date of Panel report: 9 August 2021

Status of amendment: C134 gazetted 18 November 2022, C136 gazetted 25 November 2022

#### Brief description of the amendments

The amendments implement the 'Greening the Greyfields' (GtG) planning framework to the Ringwood and Croydon South Greyfield precincts. The amendments make policy changes, apply Schedule 3 to the General Residential Zone, the Development Plan Overlay Schedules 7 and 8 and Development Contributions Plan Overlay Schedule 2 to the precincts. The amendments are the first time that the GtG concept has been implemented and are considered to be pilots of the framework.

<sup>5</sup> Maroondah Planning Scheme Amendment C128maro Panel Report, page iv

## Policy matters raised by the Panel that require further consideration or action by Council

Nil

### Implications for this review

Changes required to ordinance as part of Planning Scheme Review
Nil

Further Strategic work required
<p>The Panel identifies that it was not “its role to attempt to identify the types of learnings which might arise from the pilot projects and how these might be translated into wider implementation of GtG either elsewhere in Maroondah or indeed in other municipalities. Such work is most appropriately undertaken as part of an evaluation of the projects at some stage in the future”<sup>6</sup>.</p>
<p>The amendments were gazetted relatively recently, and to date no planning permit applications have been submitted for redevelopment of affected properties. Monitoring should involve both consideration of permits issued and permits acted upon, and as such should be included within the 2026 Planning Scheme Review. This will allow sufficient time for applications to be processed and construction to be commenced.</p> <p>The Panel found that flooding and drainage issues affecting the GtG precincts would not materially impact on implementation of the amendments. It however advised that Council is encouraged “to progress the work to apply the SBO in a timely fashion to provide a clearer indication of development constraints and potential across the two precincts to facilitate a more efficient and transparent planning process”<sup>7</sup>. Whilst the Panel noted that this was particularly important given that those areas which were potentially subject to inundation were also those where the amendments allow the highest built form, it is noted that completion and implementation of flood modelling through the planning scheme is best conducted on a catchment- or municipality-wide basis. Discussion on flood modelling and its implementation is contained in Volume 1.</p>

<sup>6</sup> Maroondah Planning Scheme Amendments C134maro and C136maro Panel Report, page 15

<sup>7</sup> Maroondah Planning Scheme Amendments C134maro and C136maro Panel Report, page 40

## 5. Review of Regional Policies

The following regional documents have been reviewed:

- Melbourne Industrial and Commercial Land Use Plan, 2020
- Melbourne East Regional Plan, 2020
- Port Phillip and Westernport Regional Catchment Strategy, as submitted to the state government for approval in late October 2021

It is understood that a Country Plan is currently being prepared by the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation. This document is not publicly available at this time. It is anticipated that it will be relevant to the next Planning Scheme Review.

### 5.1 Melbourne Industrial Commercial Land Use Plan

*Author: The State of Victoria Department of Environment, Land, Water and Planning*

*Date: 2020*

#### Policy summary

The Plan provides an overview of current and future needs for industrial and commercial land across metropolitan Melbourne. It identifies four principles which should guide future planning for industrial and commercial land:

**Principle 1:** *Adequate long-term commercial and industrial land supply will be identified and set aside to support future industry and business growth.*

**Principle 2:** *Industrial and commercial areas that provide an ongoing economic, urban servicing or employment contribution to local communities, regions and the state will be recognised and retained as a critical economic resource.*

**Principle 3:** *Planning for industrial and commercial land will provide clarity and certainty about how and where industry and business can grow over time to support and guide long term investment and locational decisions.*

**Principle 4:** *Planning will support industry and business to innovate and grow in areas identified for these purposes.<sup>8</sup>*

#### Planning scheme implications and future work

Refer to Volume 1 for discussion on the Plan and its implications for this review.

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<sup>8</sup> Melbourne Industrial Commercial Land Use Plan, Executive Summary, page vi

## 5.2 Melbourne East Regional Plan 2020

Author: Regional Development Australia

Date: 2020

Adoption:

The Plan applies to the Cities of Boroondara, Knox, Manningham, Maroondah, Monash and Whitehorse and the Shire of Yarra Ranges.

### Policy summary

It outlines “what we need to do to sustain and grow the exceptional liveability of our region as our population grows, infrastructure ages, and future workforce needs evolve into the more high tech and high skilled employment opportunities.”<sup>9</sup>

### Planning scheme implications and future work

No planning scheme implications at present. Regional strategies outlined in the Plan may inform further strategic work in future planning scheme reviews.

Recommended inclusion in scheme review amendment
Nil

Future Work
Nil

## 5.3 Port Phillip and Westernport Regional Catchment Strategy 2021-2027

Author: Melbourne Water

Date: October 2021

### Policy summary:

The Strategy’s vision is for a “healthy and resilient environment in the Port Phillip and Western Port region”, that

*In 2050, people and organisations across the Port Phillip & Western Port region will be collaborating to protect and improve the extent, quality and diversity of its environmental assets. There will be shared leadership in planning, decision making, action, monitoring and reporting that ensures targets for all environmental assets are set and pursued to contribute to the natural ecosystems being healthy and resilient.*<sup>10</sup>

<sup>9</sup> Melbourne East Regional Plan 2020, page 3

<sup>10</sup> <https://portphillipwesternport.rcs.vic.gov.au/our-region/vision-for-the-future/>, retrieved 27 November 2023

## Planning scheme implications and future work

The Strategy is a regional document and it is implemented through a range of State and Regional policies in the scheme. A review of the document indicates gaps within the Maroondah Planning Scheme in relation to:

- Improving the quality of local waterways
- Habitat corridors/biolinks
- Reducing pollution associated with septic tanks
- Urban greening and cooling

There are overlaps between these findings and those detailed in relation to local policies, including the Maroondah Vegetation Strategy 2020-2030 and the Climate Change Risk and Adaptation Strategy, 2018/19 - 2021/22.

### Recommended inclusion in scheme review amendment

Inclusion of strategic directions in relation to Landscape and Environmental Values and Environment and Environmental Risks that outline the importance of waterways, habitat corridors and climate change within Maroondah, and strategic directions to be utilized to support retention of values and manage risks. [\[Actions V05-V07\]](#)

### Future Work

Nil

## 6. Review of Council policies

The following Council policies and strategies have been reviewed:

- Maroondah 2040 Refresh - Our Future Together community vision
- Council Plan 2021-2025
- Maroondah Liveability Wellbeing and Resilience Strategy 2021-2031
- Maroondah Housing Strategy: 2022 Refresh
- Maroondah Open Space Strategy 2016
- Heritage Action Plan
- Maroondah Urban Design Framework, November 2006
- Flood Management Plan for Maroondah City Council and Melbourne Water, May 2016
- Maroondah Vegetation Strategy 2020-2030
- Maroondah Minimum Standards for Canopy Tree Provision
- Climate Change Risk and Adaptation Strategy, 2018/19 - 2021/22

This assessment reveals a number of areas where updates in planning policy are required.

### 6.1 Maroondah 2040 Refresh - Our Future Together community vision

*Adopted: 22 June 2020. Re-adopted without change on 28 June 2021*

#### Policy summary:

*In 2040, Maroondah will be a vibrant and diverse city with a healthy and active community, living in green leafy neighbourhoods which are connected to thriving and accessible activity centres contributing to a prosperous economy within a safe, inclusive and sustainable environment.<sup>11</sup>*

#### Planning scheme implications and future work

The vision has been appropriately linked in the planning scheme, being restated in Clause 02.02. The Schedule to Clause 72.08 (Background Documents) includes *Maroondah 2040: Our future together* (Maroondah City Council, June 2020).

#### Recommended inclusion in scheme review amendment

Whilst the vision is included within the Scheme it is considered that additional text is required to detail how it relates to the Planning Scheme. Inserting text based on the more detailed vision statements detailed in pages 20-54 of Maroondah 2040 would assist in providing that link.

**V02 Amend Clause 02.02 (Vision) to provide clarity by outlining how the planning scheme will implement the community vision.**

<sup>11</sup> Maroondah 2040 Refresh - Our Future Together, page 5



## Future Work

Nil

## 6.2 Council Plan 2021-2025

Adopted: 28 June 2021

### Policy summary:

Medium-term strategic document that sets key directions and actions to assist Council in achieving the Community Vision detailed in Maroondah 2040 Refresh: Our Future Together Community Vision.

### Planning scheme implications and future work

Modifications to the Scheme are required to update the demographic information detailed in the Council Plan and to address the outlined key directions, as follows:

#### Recommended inclusion in scheme review amendment

Key direction/s	Response
2.6, 2.7 and 6.4	<p>Provide background information and strategic directions for settlement that include an emphasis on the enhancement and revitalisation of the network of industrial and commercial precincts across Maroondah. This should replace current text which focuses on the Ringwood, Croydon, Ringwood East and Heathmont Activity Centres and provides little policy in relation to smaller centres.</p> <p><b>V03 Amend Clause 02.03-1 to include background information and strategic directions for Settlement that include an emphasis on the enhancement and revitalisation of the network of industrial and commercial precincts across Maroondah.</b></p> <p><b>V04 Ensure that the Strategic Framework Maps in Clause 02.04 include mapping of industrial and commercial precincts with a regional, municipal and local catchment.</b></p>
4.3, 4.5, 4.6 and 4.7	<p>Provide more nuanced background information and strategic directions for environmental and landscape values that captures the role of vegetation for both habitat and contributing to Maroondah's 'green community'.</p> <p><b>V05 Amend Clause 02.03-2 to include more nuanced background information and strategic directions for environmental and landscape values that captures the role of vegetation for habitat, contributing to human health and wellbeing, and Maroondah's 'green community'. This will include context and strategic directions for waterways.</b></p>

Recommended inclusion in scheme review amendment	
Key direction/s	Response
4.8	<p>Provide background text and strategic directions in relation to environmental risks and amenity that relate to climate change.</p> <p><b>V06</b> Amend Clause 02.03-3 to include background information and strategic directions for environmental risks that identify risks associated with climate change and bushfire.</p> <p><b>V07</b> Relocate that text of Clause 02.3-3 that relates to waterways to Clause 02.03-2 (Environmental and Landscape Values).</p>
6.6	<p>Ensure that background text and strategic directions in relation to housing identify that high density development is to be encouraged in activity centres with access to high quality facilities, services and amenities.</p> <p><b>V08</b> Amend Clause 02.03-6 to clearly indicate that the most significant housing change is to occur in the Ringwood Metropolitan Activity Centre, Croydon Major Activity Centre and the Ringwood East and Heathmont Neighbourhood Activity Centres.</p>
1.7 and 1.11	<p>Ensure that background text and strategic directions in relation to infrastructure identify include reference to:</p> <ul style="list-style-type: none"> <li>Working in partnership to develop integrated health, leisure and community service hubs that support the needs of the community</li> <li>Advocating the establishment and growth of an integrated regional health precinct, with increased provision of primary, allied and specialist treatment services and facilities.</li> </ul> <p><b>V09</b> Amend Clause 02.03-9 to outline that Community Infrastructure includes redevelopment of the former Croydon civic offices and nearby facilities to the Croydon Community Wellbeing Precinct, and looks to support the growth of services associated with the Maroondah Hospital.</p>

Future Work	
Key direction/s	Response
1.13 and 4.5	<b>V01</b> Prepare an updated Open Space Strategy for implementation through the Maroondah Planning Scheme.
2.6 and 2.7	<p><b>L01</b> Update the Heathmont Structure Plan and prepare a planning scheme amendment to implement it.</p> <p><b>L02</b> Update the Ringwood East Structure Plan and prepare a planning scheme amendment to implement it.</p> <p><b>L06</b> Prepare and implement strategies to optimise land use, increase employment intensity, and guide development for industrial land in the municipality.</p> <p><b>L07</b> Prepare and implement an activity centre strategy to guide future development of commercial land in Council's local activity centres.</p>
Priority Actions 2021-2025	<p><b>L04</b> Finalise the Croydon Structure Plan 2023 following completion of public consultation.</p> <p><b>L05</b> Prepare a planning scheme amendment to implement the Croydon Structure Plan 2023.</p>

Future Work	
Key direction/s	Response
4.3, 4.5 and 4.6	<b>E01</b> Implement the Maroondah Vegetation Strategy 2020-2030, including application of the Environmental Significance Overlay to areas of identified biological significance.
4.7 and 4.8	<b>V10</b> Ensure that Clause 02.03 includes Strategic Directions for increased vegetation and green spaces within Maroondah to link the built environment with the natural landscape, connect people to nature, and mitigate the impacts of climate change.
6.1, 6.2 and 6.3	<b>E08</b> Review and update existing Urban Design policy and design guidance within the Maroondah Planning Scheme to include an emphasis on high quality urban design, environmental sustainability, water sensitivity, and community wellbeing.
6.5	<b>R01</b> Develop a Neighbourhood Character Strategy which builds on the Neighbourhood Character Study Review, State policy with respect to housing, and the provisions of the Housing Strategy: 2022 Refresh. <b>R02</b> Prepare a planning scheme amendment to implement the Neighbourhood Character Strategy.
6.11	<b>E05</b> Prepare an amendment to the Planning Scheme to implement current flood mapping, including an allowance for climate change, in conjunction with Melbourne Water.
7.3 and 7.4	<b>R04</b> Investigate planning provisions that provide incentives for supplying social or affordable housing, particularly on strategic redevelopment sites and areas with convenient access to services and facilities. <b>R05</b> Investigate the potential to encourage greater community benefit, such as community infrastructure, the provision of social or affordable housing or best practice environmentally sustainable design, through the planning scheme.
7.12	<b>H06</b> Conduct a review of places of natural or cultural heritage value within the municipality.

## 6.3 Maroondah Liveability Wellbeing and Resilience Strategy 2021-2031

Adopted: 18 October 2021

### Policy summary:

The Strategy identifies that it “is Council’s key social environment strategic plan that describes how Council and partners will work towards achieving enhanced community wellbeing, liveability and resilience over the next 10 years.”<sup>12</sup>

### Planning scheme implications and future work

The broad principles of the Maroondah Liveability Wellbeing and Resilience Strategy 2021-2031, as far as they relate to land use and development, are appropriately addressed in the Planning Policy Framework<sup>13</sup>. The Strategy emphasises the importance of 20-minute neighbourhoods to health and wellbeing.

The Health and Wellbeing Action Plan 2021-2023 indicates that, as part of implementing the Strategy, in 2021-2023 Council will:

- *Complete a Maroondah shopping centre strategic review to plan and implement infrastructure and amenity improvements that align with Council’s Neighbourhood Activity Centre Development and 20-Minute Neighbourhood principles for thriving and sustainable centres.*
- *Identify new localities for 20-Minute Neighbourhood planning and activations and develop a methodology for neighbourhood planning and enhancements across the municipality.*
- *Work in partnership with a broad range of service providers and agencies, to develop and deliver services and cultural experiences in the Croydon Community Wellbeing Precinct.*

Whilst the concept is encouraged by a number of clauses within the Planning Policy Framework, modification to local policy, zone and overlay provisions are required to implement the policy in practice. Council is conducting ongoing work in relation to supporting connected communities, as detailed in Volume 1.

Other issues raised within the Strategy include the need to:

- improve affordable housing provision in the municipality
- preserve, improve and expand green and open spaces, and
- ensure that service delivery is financially sustainable.

These have implications for planning scheme provisions for affordable housing, the provision of land for public open space, and funding of both open space provision/upgrades and other infrastructure.

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<sup>12</sup> Maroondah Liveability Wellbeing and Resilience Strategy 2021-2031, page 4

<sup>13</sup> Maroondah Planning Scheme, Clause 15.01-4R, 16.01-1R, 18.01-2S, 18.01-3R, 18.02-2R

Recommended inclusion in scheme review amendment	
Key direction/s	Response
Action Plan item 4.5.1	<p><b>V11 Amend Clause 02.03-9 to include:</b></p> <ul style="list-style-type: none"> <li>Reference to community infrastructure, including redevelopment of the former Croydon civic offices and nearby facilities to form the Croydon Community Wellbeing Precinct, noting that this will include private as well as Council and community uses.</li> <li>A strategic direction for community facilities that refers to the Croydon Community Wellbeing Precinct.</li> </ul>

Future Work	
<b>L03</b>	<b>Develop planning scheme mechanisms to deliver increased housing and activity in the Neighbourhood Activity Centres and Local Activity Centres and their surrounds at densities suited to each Centre.</b>
<b>L10</b>	<b>Prepare developer contribution plans for Activity Centres where required to facilitate infrastructure and public realm improvements.</b>
<b>V01</b>	<b>Prepare an updated Open Space Strategy for implementation through the Maroondah Planning Scheme.</b>

## 6.4 Maroondah Housing Strategy: 2022 Refresh

Adopted: 12 December 2022

### Policy summary:

The vision of the Maroondah Housing Strategy: 2022 Refresh is that

*In 2040 Maroondah will have high quality housing environments in appropriate locations that meet the community's diverse and changing needs. There will be a wider range of living options. Housing will increasingly be revitalised in affordable, sustainable and well-designed ways. Maroondah's activity centres will be more accessible and provide a broader range of services that meet community needs. Council will plan for housing growth in partnership with the community.<sup>14</sup>*

### Planning scheme implications and future work

The Strategy includes a range of actions which relate to the provision of housing within the municipality, and the need to balance development with neighbourhood character and vegetation considerations. The Refresh also replaces the Maroondah Housing Strategy 2016, which is a background document in the Schedule to Clause 72.08.

<sup>14</sup> Maroondah Housing Strategy: 2022 Refresh, page 4

Recommended inclusion in scheme review amendment	
Action/s	Response
	<b>P31</b> Amend the Maroondah Planning Scheme to replace references to the Maroondah Housing Strategy 2016 with Maroondah Housing Strategy: 2022 Refresh.
Pages 18-20, 23	<b>V12</b> Include the Residential Development Framework Map on page 20 of the Maroondah Housing Strategy: 2022 Refresh in Clause 02.04 of the Maroondah Planning Scheme. Note that the Framework should first be: <ul style="list-style-type: none"> <li>Corrected to indicate the full extent of the Croydon South Greyfield Renewal Area.</li> <li>Include reference to The Mall/Eastfield Shops as an Activity Centre.</li> <li>Updated to include colours consistent with the style guide generated for the Scheme.</li> </ul>
Pages 18-20	<b>V08</b> Insert a strategic direction into Clause 02.03-6 that details that the most significant levels of housing change are to occur within the Ringwood Metropolitan Activity Centre, Croydon Major Activity Centre and Ringwood East and Heathmont Neighbourhood Activity Centres.
Pages 18-20	<b>V13</b> Insert a strategic direction into Clause 02.03-6 that details that housing change is to be limited in areas identified as being suitable for minimal change in the Residential Development Framework Map.
Action 4.4	<b>V14</b> Insert a strategic direction into Clause 02.03-6 that supports a greater diversity of housing, including small and adaptable dwellings.

Future Work	
Action/s	Response
2.1	<b>L01</b> Update the Heathmont Structure Plan and prepare a planning scheme amendment to implement it. <b>L02</b> Update the Ringwood East Structure Plan and prepare a planning scheme amendment to implement it. <b>L04</b> Finalise the Croydon Structure Plan 2023 following completion of public consultation. <b>L05</b> Prepare a planning scheme amendment to implement the Croydon Structure Plan 2023.
2.2	<b>L03</b> Develop planning scheme mechanisms to deliver increased housing and activity in the Neighbourhood Activity Centres and Local Activity Centres and their surrounds at densities suited to each Centre.
2.4	<b>R06</b> Identify future greyfield renewal precincts and implement Greening the Greyfields where appropriate and owner interest exists.
3.1	<b>R01</b> Develop a Neighbourhood Character Policy which builds on the Neighbourhood Character Study Review, State policy with respect to housing, and the provisions of the Housing Strategy: 2022 Refresh. <b>R02</b> Prepare a planning scheme amendment to implement the Neighbourhood Character Strategy.

Future Work	
Action/s	Response
3.3	<b>E01</b> Implement the Maroondah Vegetation Strategy 2020-2030, including application of the Environmental Significance Overlay to areas of identified biological significance.
3.6 and 4.3	<b>E09</b> Develop a suite of planning controls that provide incentives for best practice environmentally sustainable design.
4.4	<b>R07</b> Investigate planning provisions that encourage the construction of small and adaptable dwellings.

## 6.5 Maroondah Open Space Strategy 2016

*Adopted: 22 August 2016*

### Policy summary:

The Maroondah Open Space Strategy 2016 recognises the broad responsibility Council has in relation to engagement, planning, development and promotion of open space. It identifies a range of actions relating to these responsibilities. The Strategy also identifies that there is likely to be limited additional public open space in Maroondah in the future due to the extent of development that has already occurred, but that the municipality's population is growing and living in more dense environments.

### Planning scheme implications and future work

The Strategy is not in a form that provides sufficient basis for an amendment to the Maroondah Planning Scheme to address the issues that it identifies. Instead, the planning scheme includes the 2005 Open Space Strategy as a background document in the Schedule to Clause 72.08.

The 2016 Strategy is due for review, and it is appropriate that future work includes a reference to the need to develop a revised Strategy in a form that can be implemented through the planning scheme.

Recommended inclusion in scheme review amendment
Nil

Future Work	
<b>V01</b>	Prepare an updated Open Space Strategy for implementation through the Maroondah Planning Scheme.

## 6.6 Heritage Action Plan

Adopted: 18 October 2021

### Policy summary:

The Plan guides Council's role and contribution to the identification, conservation and celebration of cultural heritage through to October 2025.

### Planning scheme implications and future work

Section 5 of the Plan outlines the actions required for its implementation. Amendment C148maro, which seeks to include additional areas within the Heritage Overlay, is a direct result of the Plan. A number of other actions are also directly relevant to the Maroondah Planning Scheme and this review.

Action 6, and background information on Page 13 seek that the planning scheme review consider best practice in heritage policy and "further investigate mechanisms to guide development on properties adjoining heritage places". This action remains as future strategic work.

Recommended inclusion in scheme review amendment
Nil

Future Work	
Action/s	Response
6	<b>H07</b> Continue work with the heritage advisor to review and prepared updated planning scheme heritage policies.
6	<b>H08</b> Investigate mechanisms to guide development on properties adjoining heritage places.
7	<b>H09</b> Work with Council's Heritage Advisor to audit the correctness and quality of existing heritage overlay citations and statements of significance.
8	<b>H10</b> Make minor corrections to the Heritage Overlay Schedule and HERMES database as issues become known.
11	<b>H01</b> Consider the need for identifying additional exemptions for planning permits associated with heritage places, including whether there are some sites affected by the Heritage Overlay where the installation of a solar energy system should not require a planning permit.
13	<b>H11</b> Develop heritage design guidelines for heritage places for inclusion in Clause 43.01-6 of the Maroondah Planning Scheme.



## 6.7 Maroondah Urban Design Framework, November 2006

Adopted: November 2006

### Policy summary:

The Maroondah Urban Design Framework aims to “establish a clear and concise vision for the future of the municipality”. It includes recommendations, guidelines and strategies for urban design in the municipality<sup>15</sup>. The document outlines that it is to be implemented through a range of statutory (planning scheme) and non-statutory means.

### Planning scheme implications and future work

Implementation of the Framework was proposed by Amendment C61 to the Maroondah Planning Scheme. The amendment was exhibited in 2011 and three submissions were received. Changes in staff priorities resulted in the amendment not being reported to Council within the following two years. The amendment lapsed on 22 August 2013.

Some aspects of the Framework have been implemented, some are no longer appropriate, and others can be implemented as part of the Scheme Review amendment, or remain as future strategic work. Details of the latter are as follows:

- **Development of a signage policy.** A policy was developed, however it is not in a format that can be directly inserted into the Planning Policy Framework. Council has identified that it has an ongoing need for a signage policy within the Scheme, and that the policy developed for C61 remains largely applicable. Modifications are required however to update the form of the document to meet current standards and to include reference to electronic signage, which was not addressed previously. This may be able to be developed between completion of the current planning scheme review and finalisation of an amendment to implement the review.
- **Review zoning of the restricted retail areas along the Maroondah Highway and Canterbury Road** (particularly current industrial zoning along Canterbury Road) with regard to consolidation opportunities. Council has commenced a review of the Maroondah Highway industrial precinct, and it is anticipated that the Canterbury Road area would be considered as part of any strategic plan for the Bayswater Business Precinct.

Recommended inclusion in scheme review amendment
Nil

Future Work	
Reference	Response
Page 105-109	<b>L11</b> Develop a policy to provide greater guidance on the appropriate form and location of advertising signage across the municipality.
Page 74-77	<b>L09</b> Work with the City of Knox and Shire of Yarra Ranges to prepare and implement a framework for the development of the Bayswater Business Precinct.

<sup>15</sup>Maroondah Urban Design Framework, November 2006, pages 1, 5

## 6.8 Flood Management Plan for Maroondah City Council and Melbourne Water, May 2016

*Not formally adopted - Plan noted by Councillors at their briefing on 16 May 2016*

### Policy summary:

The Flood Management Plan describes key flood management activities to be conducted by Council and Melbourne Water as well as outlining the roles and responsibilities of each organisation. It identifies specific actions to be taken to improve flood management in the municipality between 2016 and 2021.<sup>16</sup> The document was due for review in May 2021, but to date remains in its May 2016 form.

### Planning scheme implications and future work

Action No. 1 is to “Amend Planning Scheme to reflect completed flood mapping”<sup>17</sup>. This has not been conducted to date.

Action No. 5 is for “Councils [sic] flood modelling to be kept up to date”<sup>18</sup>. Council has updated its flood mapping, including conducting public engagement on a Ward-by-Ward basis. Further updates may be required to ensure that mapping accounts for climate change and is aligned with Melbourne Water mapping where applicable. This should be completed before work is commenced on Action 1.

Recommended inclusion in scheme review amendment
Nil

Future Work	
Action	Response
1, 5	<b>E05 Prepare an amendment to the Planning Scheme to implement current flood mapping, including an allowance for climate change, in conjunction with Melbourne Water.</b>

## 6.9 Maroondah Vegetation Strategy 2020-2030

*Adopted: 16 March 2020*

### Policy summary:

The Strategy’s preface outlines that

*The Maroondah Vegetation Strategy establishes Council and the community’s vision for protecting, enhancing, restoring, and creating vegetation in Maroondah’s natural and urbanised areas. The Strategy contains actions in areas including: vegetation management and conservation, policy and planning controls, advocacy, education, and support to community.*<sup>19</sup>

<sup>16</sup> Flood Management Plan for Maroondah City Council and Melbourne Water, May 2016, pages 3-5

<sup>17</sup> Flood Management Plan for Maroondah City Council and Melbourne Water, May 2016, page 6

<sup>18</sup> Flood Management Plan for Maroondah City Council and Melbourne Water, May 2016, page 6

<sup>19</sup> Maroondah Vegetation Strategy 2020-2030, page 4

## Planning scheme implications and future work

There are a number of priority actions outlined in the Strategy which have direct planning scheme implications. Council has begun implementing a number of these:

Work has commenced on a project to apply the Environmental Significance Overlay (ESO) in place of the Vegetation Protection Overlay (VPO), with the outcome sought being to strengthen planning controls that protect canopy trees and other beneficial vegetation on private land.

Recommended inclusion in scheme review amendment	
Action/s	Response
3.3	<p>Provide background information and strategic directions for within Clause 02.03 that outline the importance of, and strategic directions for, vegetation and biodiversity from health, habitat and neighbourhood character perspectives.</p> <p>Provide background information and strategic directions on the importance of streams, wetlands, permeability and water sensitive urban design for vegetation.</p> <p><b>V05 Amend Clause 02.03-2 to include more nuanced background information and strategic directions for environmental and landscape values that captures the role of vegetation for habitat, contributing to human health and wellbeing, and Maroondah's 'green community'. This will include context and strategic directions for waterways.</b></p>

Future Work	
Action/s	Response
1.1(a), 1.2(a), 1.3(a), 2.1(a)	<p>Work has commenced on a project to apply the Environmental Significance Overlay (ESO) in place of the Vegetation Protection Overlay (VPO). Both this and updates to Council's Neighbourhood Character Policy will consider permeability and tree planting requirements to facilitate maintenance and growth of vegetation.</p> <p>Future work is to:</p> <p><b>E01 Implement the Maroondah Vegetation Strategy 2020-2030, including application of the Environmental Significance Overlay to areas of identified biological significance.</b></p> <p><b>R01 Develop a Neighbourhood Character Policy which builds on the Neighbourhood Character Study Review, State policy with respect to housing, and the provisions of the Housing Strategy: 2022 Refresh.</b></p> <p><b>R02 Prepare a planning scheme amendment to implement the Neighbourhood Character Strategy.</b></p>
2.1(c)	<p>A review of the mapping of the BMO within Maroondah and risk mapping conducted by the CFA in January 2023 indicates that some locations considered to be of low fire risk may be currently designated as bushfire prone under the building regulations and included in the BMO. There would also appear to be some areas where the reverse is true, and consideration of these sites should form part of the review.</p> <p><b>E02 Work with Forest Fire Management Victoria, Fire Rescue Victoria and public land managers to review the extent of the Bushfire Management Overlay in light of up-to-date information on the risk of bushfire to properties within Maroondah.</b></p>
2.2(g)	<p>This action forms part of enforcement of the planning scheme. Operational matters have not been a focus of the current planning scheme review.</p>

Future Work	
Action/s	Response
2.3(c)	This action is expected to be conducted in two stages. The first is the current transition of the VPO control to an ESO control in some locations. A second stage would be to consider the application of the ESO on additional sites.
2.3(h)	The strategic sites register could be expanded to include strategic biodiversity sites to address this action. <b>L08 Prepare a Strategic Sites register, consider the appropriate future use of each site and whether alternative planning controls are appropriate.</b>
3.2	This action will be implemented through updates to the Croydon, Ringwood East and Heathmont Structure Plans in the first instance.

## 6.10 Maroondah Minimum Standards for Canopy Tree Provision

Adopted: 20 March 2023

### Policy summary:

The Minimum Standards seek to ensure that trees are provided with the airspace and underground space that they require to grow to reach adult dimensions. Trees are categorized by type and size and guidance is given on species selection as well as calculating the deep soil volume required for growth.

### Planning scheme implications and future work

The Standards reference canopy assessment across Melbourne and identify that:

*Notably, Maroondah had one of the highest canopy tree cover percentages of the urbanised municipalities included in the study (fourth highest of thirty-one), but also one of the highest canopy tree cover percentage losses (second highest of thirty-one).<sup>20</sup>*

In this context the Standards represent a useful reference for consideration of the suitability of proposed landscaping. To date work has not been conducted to assess the impact of the Standards on the housing capacity of the municipality. This future strategic work should be conducted and implementation through the planning scheme considered, particularly if future work on neighbourhood character includes a recommendation to shift from requirements for specific setbacks to specific landscape outcomes in Clause 55 standards.

Recommended inclusion in scheme review amendment
Nil

Future Work
<b>E10 Consider the benefits and housing capacity implications of applying the Maroondah Minimum Standards for Canopy Tree Provision through the planning scheme.</b>

<sup>20</sup> Hurley et al (2019) Urban Vegetation Cover Change in Melbourne 2014 — 2018, quoted in Maroondah Minimum Standards for Canopy Tree Provision, page 4.

## 6.11 Climate Change Risk and Adaptation Strategy, 2018/19 - 2021/22

Adopted: 25 June 2018

### Policy summary:

The Climate Change Risk and Adaptation Strategy outlines how Maroondah City Council and partners will work towards a more climate adapted Maroondah. Its objectives include:

- Use the natural environment to build our adaptive capacity - while a risk itself, the natural environment can also be used to help in climate change adaptation.
- Encourage future proofing design - foster places capable of adapting to change and responding to current and future risks.<sup>21</sup>

### Planning scheme implications and future work

Outcome Area 2 of the Strategy relates to Places. A number of the key directions identified have direct relevance to Planning. A number have been actioned, however those which require further (or ongoing) action are as follows:

1. *Use the natural environment to build adaptive capacity by incorporating green infrastructure involving an integrated approach to land use that maximises economic, social and environmental benefits. Examples include; wetlands, rain gardens, tree pits and green facades.*
4. *Pursue resilience from droughts and waterway flooding impacts by addressing water quality and improving the flood mitigation and permeability of urban areas. Adopt Integrated Water Management (IWM) and water sensitive urban design practices in buildings, open space water bodies and street design.*
7. *Support work with partners to address fire and flood prone areas including community education initiatives.*
8. *Work with regional partners to accommodate changes in storm and rainfall patterns, for better water security and to ensure resilient and connected landscapes in consideration of Council's Water Sensitive City Strategy and Council's Open Space Strategy.*
11. *Manage the urban heat island effect through material selection, energy efficient design and landscaping.*
12. *Design and plan for increased tree and vegetation coverage, ensure the municipality's weed management activities support thriving ecosystems, seek opportunities to enhance monitoring of climate impacts on biodiversity, and build community understanding.<sup>22</sup>*

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<sup>21</sup> Climate Change Risk and Adaptation Strategy, 2018/19 - 2021/22, page 5

<sup>22</sup> Climate Change Risk and Adaptation Strategy, 2018/19 - 2021/22, page 32

Recommended inclusion in scheme review amendment	
Actions	Response
1, 4, 7 and 11	<b>V06</b> Amend Clause 02.03-3 to include background information and strategic directions for environmental risks that identify risks associated with climate change and bushfire.

Future Work
Nil