

Part of the Planning Scheme	Modification	Officer Assessment
All zone schedules	a) Enhance the Ministerial Direction – The Form and Content of Planning Schemes to limit structural modifications and ensure consistency across the VPP. b) Ensure the distinction between the state and local clauses remains clear.	a) Agree - Seeks to improve the consistent and useability of planning schemes. b) Agree - This is particularly important to ensure the local identity of municipalities continues to be strongly conveyed in Planning Schemes.
All zones	a) Rename zones from being numerical (for example, ‘Industrial 1 Zone’) to being descriptive and adopting everyday words, such as used for the residential zones. b) Examine the role and function of the following zones to establish whether they can be replaced with other VPP tools (such as the Mixed Use Zone or the Commercial 1 Zone and an Incorporated Plan Overlay or Development Plan Overlay), or amalgamate the following zones into a single zone that can be tailored to reflect local circumstances: i) Priority Development Zone ii) Activity Centre Zone c) Create consistency in use of phrasing where a common meaning applies (such as the phrases ‘generally in accordance with’, ‘generally consistent with’ and ‘in accordance with’).	a) Agree - Using descriptive names for zones rather than numerical references will assist the community in better understanding planning provisions. b) Agree - Perhaps the Comprehensive Development Zone could also form part of this review. c) Agree - Does not change the intent of the provision.

All residential zones	a) Make single dwellings on lots greater than 300sqm exempt from a planning permit by lowering the threshold for a permit from 500 to 300sqm (they are already exempt on lots greater than 500sqm), relying on the building code to address siting and design issues. b) Make 'Childcare Centre' a Section 1 (as of right) land use within the Residential Growth Zone, subject to conditions, such as relating to size. c) Redraft the following phrase used uniquely in the residential zones as a permit trigger: 'construction and extension of ...' and adopt the more commonly used 'to construct a building or construct and carry out works ...' to create consistency with other zones.	a) Agree subject to this comment - Not problematic provided there are overlays that would control building form, mass, height and vegetation removal. Schedules of concern to Council include NRZ1 - NRZ4 and GRZ2 to maintain the 'Bush Environment' and 'Bush Suburban' neighbourhood character types. b) Agree subject to this comment - Require further information relating to the size condition, there would also need to be conditions relating to car parking and site accessibility. c) Agree - Does not change the intent of the provision.
Mixed Use Zone	a) Make more commercial uses in the Mixed Use Zone Section 1 (as of right) land uses where they are low impact, subject to conditions. b) Make 'Manufacturing Sales' a Section 1 (as of right) land use with a condition relating to floor area size to support the establishment of small 'makers' and creative industries. c) Make 'Childcare Centre' a Section 1 (as of right) land use, subject to conditions, such as relating to size.	a) Agree subject to comment - The range of section 1 uses was recently reviewed and expanded as part of the Reformed Zones process. Need more information on the uses proposed if this is to include uses other than small scale Manufacturing Sales and Childcare Centre listed in b) and c). Size thresholds are important. b) Agree c) Agree
Industrial 1 Zone	a) Make 'Motor Repairs' a Section 1 (as of right) land use with the standard condition relating to distance to a residential zone. b) Make 'Convenience Shop' a Section 1 (as of right) land use.	a) Agree - This would enable the controls to sit within the zone rather than within a particular provision. b) Agree - Provided 'Convenience Shop' is more clearly defined in the definitions section, and consideration is given to floor area limitations to ensure the use is proportionate to the overarching industrial intent.

Industrial 3 Zone	a) Make 'Motor Repairs' a Section 1 (as of right) land use with the standard condition relating to distance to a residential zone. b) Make 'Office' a Section 1 (as of right) land use subject to maximum floor area requirements. c) Make 'Indoor recreation Facility' and 'Take Away Food Premises' Section 1 (as of right) land uses.	a), b) and c) - Agree subject to this comment - Acceptable based on car parking being met. We note that changes to the definitions section of the scheme will also need updating to ensure that newly defined uses have a car parking rate attributed to them. We note this as of right use should also be conditional upon no external storage of vehicles occurring.
Commercial 2 Zone	a) Make 'Convenience Restaurant' a Section 1 (as of right) land use. b) Make 'Manufacturing Sales' a Section 1 (as of right) land use to support the establishment of 'small makers' and creative industries.	a) and b) - Agree subject to this comment - Acceptable as long as there are conditions related to size, car parking and site accessibility.
All rural zones	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse
Farming zone	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse
Urban Floodway Zone	a) Assess the role and function of the zone, in the context of the suite of flooding overlays, and consider whether it can be replaced with a flood overlay only (see also Floodway Overlay proposal).	a) Agree subject to this comment - Combining all flood related provisions is supported contingent upon mapping being kept up to date. Clarification on what happens when properties are partially affected is required.
Urban Growth Zone	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse

All overlays	a) Review whether the distinction of overlays controlling development, as opposed to use, remains valid, and provide updated guidance, acknowledging that some overlays already control use (AEO, SRO, DPO). b) Review the approach of using overlays to identify buffers, such as the Environmental Significance Overlay, and examine how the VPP can transparently and consistently identify and protect significant sites requiring buffers (for example: landfills, treatment plants, water supply catchments and quarries). c) Create consistency in use of terms where a common meaning applies (such as the phrases ‘generally in accordance with’, ‘generally consistent with’ and ‘in accordance with’) and in the use of common assessment techniques (e.g. Determining tree protection zones). d) Clarify that if a permit is not required within the head provision, then the provisions of the schedule to that control do not apply. This may require holistic review of how the VPP reacts with local provisions.	a) Disagree - Not supported as the structure of the zone provides the overarching control of use, with site specific elements of development and use being controlled through overlays. This maintains the localised importance and the basis of proper local land use planning. b) Disagree subject to comment - Do not support the rolling back or reduction of overlay controls - the schedules provide an important distinction for each Council area. Concerned that the ESO may not be the best planning tool to identify buffers around uses such as existing and former landfills, industry, etc and that a new overlay may be needed to better reflect the intent of buffers, information requirements and permit triggers. c) Agree - Does not change the intent of the provisions. d) Agree - Helps make the process clearer.
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Environmental and landscape overlays	a) Amend the head provision to relocate the 'Table of exemptions' to Clause 62.02- 3 and insert the following words "No permit is required to remove, destroy or lop vegetation to the minimum extent necessary if any of the exemptions listed in the Table to Clause 62.02-3 apply". b) Increase opportunities for permit exemptions (such as associated with a single dwelling) by ensuring permit triggers are linked to the purpose of the control. c) Ensure consistency across all schedules.	a) Agree subject to this comment - Provided no additional exemptions are included, a consistent and consolidated approach to exemptions could streamline the scheme. b) Disagree - Do not support increasing opportunities for vegetation removal or risk of inappropriate built forms without a permit. c) Agree Suggest a buildings and works permit trigger be added to the VPO header clause similar to the trigger in the SLO. This will ensure buildings and work don't encroach and impact on significant vegetation identified by this overlay.
Heritage Overlay	a) Review the proposed reforms to the overlay as proposed by the Heritage Provisions Advisory Committee, such as clarifying whether the overlay recognises precinct-wide or site specific values. b) Create consistency in use of words where a common meaning applies, such as 'cultural significance', 'heritage value', 'heritage interest' and so on. c) Create a new permit exemption for minor buildings and works, which do not affect heritage values, such as small verandas and pergolas and maintenance and the minor upgrade of railway infrastructure. Consider limiting exemptions to non-contributory buildings. d) Review the use of exemptions for certain minor buildings and works, such as those cited in Yarra and Moreland Council incorporated documents, to determine if these exemptions can be introduced more broadly across Victoria and made more transparent and accessible.	a), b), c) and d) Agree subject to this comment - Require clarification of the relevance of a report that was finalised in 2007. Support increasing exemptions provided the heritage merit of a building or precinct is not compromised.
Development Plan Overlay	a) Review the exemption from notice and review provision to remove the 'catch 22 provision'.	a) Agree

Neighbourhood Character Overlay	a) Examine the role and function of the Overlay in the context of the new Neighbourhood Residential Zone, and other VPP tools.	a) Agree subject to this comment - The Neighbourhood Character Overlay is used comprehensively in Whitehorse. This proposal requires clarification on how the important guidance in this overlay (particularly in terms of managing demolition and building replacement) would be translated into another provision if this is removed.
Land Management Overlays	a) Review the role and function of the three inundation related overlays (Land Subject to Inundation Overlay, Special Building Overlay, and Floodway Overlay, together with the Urban Floodway Zone) to understand if amalgamations are possible and the distinctions between the overlays and their objectives, are made clearer.	a) Agree subject to this comment - Combining all flood related provisions is supported contingent upon mapping being kept up to date. Clarification on what happens when properties are partially affected is required.
Erosion Management Overlay	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse
Salinity Management Overlay	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse
Floodway Overlay	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse

Land Subject to Inundation Overlay	a) Update the purpose of the overlay from referring to a 1-in-100-year flood, to “flooding from a waterway in a 1% Annual Exceedance Probability (AEP) flood event” . b) Update the purpose of the overlay to include the words “to provide for the protection of drainage assets” . c) Ensure permit triggers are linked to the purpose of the overlay. d) Increase the opportunities for permit exemptions, such as developments not impeding water flow. e) Allow greater flexibility by expanding the floor space allowable for a building extension before a permit is triggered for buildings and works. f) Examine whether finished floor level height above flood level should be a planning scheme requirement or a self / code assess mechanism, or a matter for the Building Act.	a), b), c), d), e) and f) Agree - These changes will strengthen this provision.
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Special Building Overlay	a) Revise the name of the overlay to better reflect its purpose. b) Update the purpose of the overlay to include “to provide for the protection of drainage assets”, and remove reference to Clauses 33 and 35 of the SEPP (Waters of Victoria) from the purpose of the overlay. c) Make buildings and works (including dwelling extensions and new dwellings) permit exempt where minimum flood levels are met and the Building Act applies. d) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the overlay. e) Amend the wording of the overlay so that a planning permit application that is subject to flooding from councils’ overland flow paths (less than 60ha catchments) can be assessed solely by council and do not require a referral to Melbourne Water. f) Consider the greater use of VicSmart where the Special Building Overlay is the only trigger. g) Ensure schedules are uniform and consolidated across Victoria.	a), b), c), d), e), f) and g) Agree - These changes will strengthen this provision.
Airport Environs Overlay	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse
City Link Project Overlay	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse
Specific Sites and Exclusions	a) Remove outdated provisions. b) Establish clear rules around when it can be used to avoid overuse. c) Establish the practicality of mapping all items within a new Specific Provisions Overlay to improve transparency and public awareness.	a), b) and c) Agree - Support the use of a Specific Provisions Overlay or similar to identify and raise awareness for these sites, as well as removing redundant entries where proposals are completed.

Car Parking	a) Review car parking rates in Table 1 in the context of transport mode shifts, lifestyle and technology changes and densification, and provide rates for those land uses not listed. b) Provide car parking exemption in selected zones (commercial zones, Mixed Use Zone, and industrial zones) for Section 1 uses in existing buildings where floor area is not increased (for example change of use applications). c) Assess the recommendations not yet implemented from the Car Parking Provisions Advisory Committee Final Report (2011) including the recommendation to make a Clause 52.06 application exempt from notice and review in all circumstances.	a) Agree b) and c) Disagree - Parking waiver without notice is picked up in vicsmart and considered appropriate at current thresholds.
Earth and Energy Resources Industry	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse
Uses with Adverse Amenity Potential	a) Review buffer distances taking into account the Environmental Protection Authority's Recommended Separation Distances for Industrial Residual Air Emissions – Guideline (2013). b) Review and clarify the clause's application in 'reverse amenity' matters.	a) and b) Agree - Particularly the ability to consider reverse amenity uses. The review process to also consider the recently released EPA Guidelines - Assessing planning proposals within the buffer of a landfill.
Service Stations	a) Ensure the provision is updated to reflect current practices and modern service station designs, including reviewing the site area and crossover dimensions.	a) Agree
Car Wash	a) Ensure the provision is updated to reflect current practices and modern car wash design, including reviewing crossover dimensions.	a) Agree
Motor Vehicle, Boat or Caravan Sales	a) Review the role and purpose of this provision, and the relevance of the dimensions, with a view to either removing or updating.	a) Agree subject to this comment - Support review to update but removal all together is not supported.

Telecommunications Facility	a) Update the Code of Practice for Telecommunications Facilities in Victoria (2004) (an incorporated document in the VPP) and the particular provisions to recognise advances in equipment technology. b) Clarify permit triggers and exemptions without requiring cross-referencing to another document.	a) and b) Agree - This will achieve greater consistency of information to Council.
Licensed Premises	a) Review the role and function of the planning system in licensed premises and explore opportunities to minimise conflict and overlap with the Victorian Commission for Gambling and Liquor Regulation licencing process. b) Make premises in commercial zones exempt from the need for a planning permit, subject to certain conditions, and relying on the Victorian Commission for Gambling and Liquor Regulation licensing process. c) Include and clarify common application requirements, such as 'cumulative impact statements'.	a) Agree - Consistency between these areas is important. b) Disagree - Whitehorse has a dry area so removal of permit triggers in commercial 1 zone not supported. c) Agree - will provide greater guidance.
Gaming	a) Review the role and function of the planning system in gambling and explore opportunities to minimise conflict and overlap with the Victorian Commission for Gambling and Liquor Regulation licensing process.	a) Agree -There should be a review on the role that planning should play in gambling. Noting that Whitehorse currently has a Gaming Policy at Clause 22.17 that could be used to form a State level policy in the VPP.

Land adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road	a) Clarify permit triggers and application requirements, in particular whether an alteration to access can refer to a change in use as well as a physical alteration. b) Include a definition for the term 'create or alter access'. c) Amend the provision to provide additional permit exemptions. d) Explore the possibility of using standard VicRoads conditions to avoid referral. e) Make access to a service road (other than an excluded service road) exempt from referral to VicRoads. f) Make applications under this clause exempt from normal notice and review provisions.	a), b), c), d), e) and f) Agree - These changes will streamline the process and ensure consistency.
Bicycle Facilities	a) Update bicycle rates to reflect environmental sustainability goals, the needs of modern businesses and increased popularity of cycling as a transport mode, particularly with respect to offices. b) Provide rates for more types of development.	a) and b) Agree - Strengthens the current provisions.
Post Boxes and Dry Stone Walls	a) Examine the feasibility of removing the provision, identifying historic post boxes and dry stone walls through mapping and protecting them through the Heritage Overlay.	a) Agree - Strengthens the current provisions.
Residential development and subdivision provisions	a) Clarify the relationship between the standards and objectives, and particularly whether full compliance with the standard means that the objective is also met	a) Agree subject to comment - Objectives should stand alone and not be deemed compliant just because a numerical figure is met.
Metropolitan Green Wedge Land	N/A - Does not apply in Whitehorse	N/A - Does not apply in Whitehorse

All General Provisions	a) Consolidate application requirements into a single clause similar to Clause 66 (Referrals and Notice), review all existing requirements, and add common application requirements (such as basic plans) to definitions to reduce duplication of description.	a) Disagree - Don't support because it means too much cross referencing between different parts of the scheme. Support mandatory information requirements. More information on this proposal is needed.
Decision Guidelines	a) Review all decision guidelines across the VPP and consolidate under Clause 65, similar to Clause 66 Referral and Notice provisions.	a) Disagree - Don't support because it means too much cross referencing between different parts of the scheme.
Referral and Notice Provisions	a) Remove references to seeking the views and comments of referral authorities throughout the VPP and use formal processes of Clause 66 instead. b) Review the classification of referral agencies as 'recommending' authorities or 'determining' authorities. c) Encourage more standard agreements with agencies to reduce the need for referral for minor and low risk matters. d) Make the Department of Economic Development, Jobs, Transport and Resources a referral authority for land near existing quarries.	a), b), c) and d) Agree subject to this comment - This Clause should reflect how referral authorities worked historically by removing the reference to either a recommending or determining authority. An application should either need a referral or not.
General Terms	Review General Terms to investigate the inclusion of: a) 'outbuildings normal to a dwelling'. b) 'sensitive uses'.	a) and b) Agree - Ensures completeness of General Terms section.

Land Use Terms	a) Reduce the number of terms. b) Remove obsolete uses. c) Separate out common land uses only when necessary to be treated differently in zone tables. d) Be less prescriptive by removing overly specific terms. e) Broaden terms and definitions to account for rapidly shifting industries and lifestyles. f) Use every day and plain-English terms that the community readily understands aid understanding (bar), in other cases. g) Modernise definitions including consideration of emerging social, economic and technological trends. h) Provide definitions for undefined terms, excluding those where there is an appropriate ordinary dictionary meaning or definition in the Act. Review a number of land use terms to add and revise a number (refer to Appendix 2 of the discussion paper for a complete list)	Agree - Strongly support review of definitions to ensure contemporary and modern land uses are included and older terminology is removed. This review should also consider advertising signs definitions. Examples of terms that have changed or do not exist include: - Tavern to bar - Massage premises (currently undefined) - Day spa (Currently undefined) - Restaurant to cafe
Nesting Diagram	a) Shift 'Cinema Based Entertainment Facility' from un-nested to within the 'Place of Assembly' group.	a) Agree - No issues, this is a logical shift.
Incorporated Documents	a) Examine whether a standard template can be adopted to ensure consistency across documents. b) Address the use of Australian Standards (fee payable for access), moving away from incorporating documents that are not free to access. c) Review the usefulness of each incorporated document including whether extracts should be taken from particularly large documents. d) Remove obsolete and outdated documents. e) Replace document references with updated versions where available.	a), b), c), d) and e) Agree - No issues, ensures consistency and accessibility of incorporated documents.

Practice Notes	a) Repackaging the extent of practice notes to make them easier to navigate. This includes introducing a new VPP manual to support planning authorities (and repositioning appropriate practice notes focussed on implementing and writing provisions into the manual). b) Create a new Practice Note addressing advertising sign provisions, in particular outlining a mechanism by which councils can address concerns about the safety impact of signs on or near state-controlled roads where VicRoads is not a referral authority. c) Update Planning Practice Note 59 – The Role of Mandatory Provisions in Planning Schemes - to reflect the circumstances when mandatory provisions should be applied.	a), b) and c) Agree - Practice Notes should be updated and easier to access from the DELWP website. They are currently difficult to locate and the search function is inadequate.
Technology and the availability of documents	a) Review processes for accessing planning applications and update Planning Practice Note 74 - Availability of planning documents - to encourage councils to make documents relating to permit applications available freely online via their website. b) Provide a plain text version of planning schemes on 'Planning Schemes Online' to allow convenient 'copy and paste' into reports, or deliver through HTML using PSIMS.	a) and b) Agree - Strongly support greater electronic accessibility.
Section 173 agreements	a) Their role in the planning system and whether they are overused including in local schedules. b) The benefits of creating a standard agreement template that would only require minimal amendments for most purposes.	a) and b) Agree subject to this comment - The ability to use Section 173 agreements should be retained, they are a necessary tool to ensure community expectations are achieved and enforced. Consideration could be given to including sunset clauses to allow cessation of the agreement once the obligations of the use and development are met.