

11/02/2021
C207melt

SCHEDULE 3 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ3**.

TOOLERN PRECINCT STRUCTURE PLAN

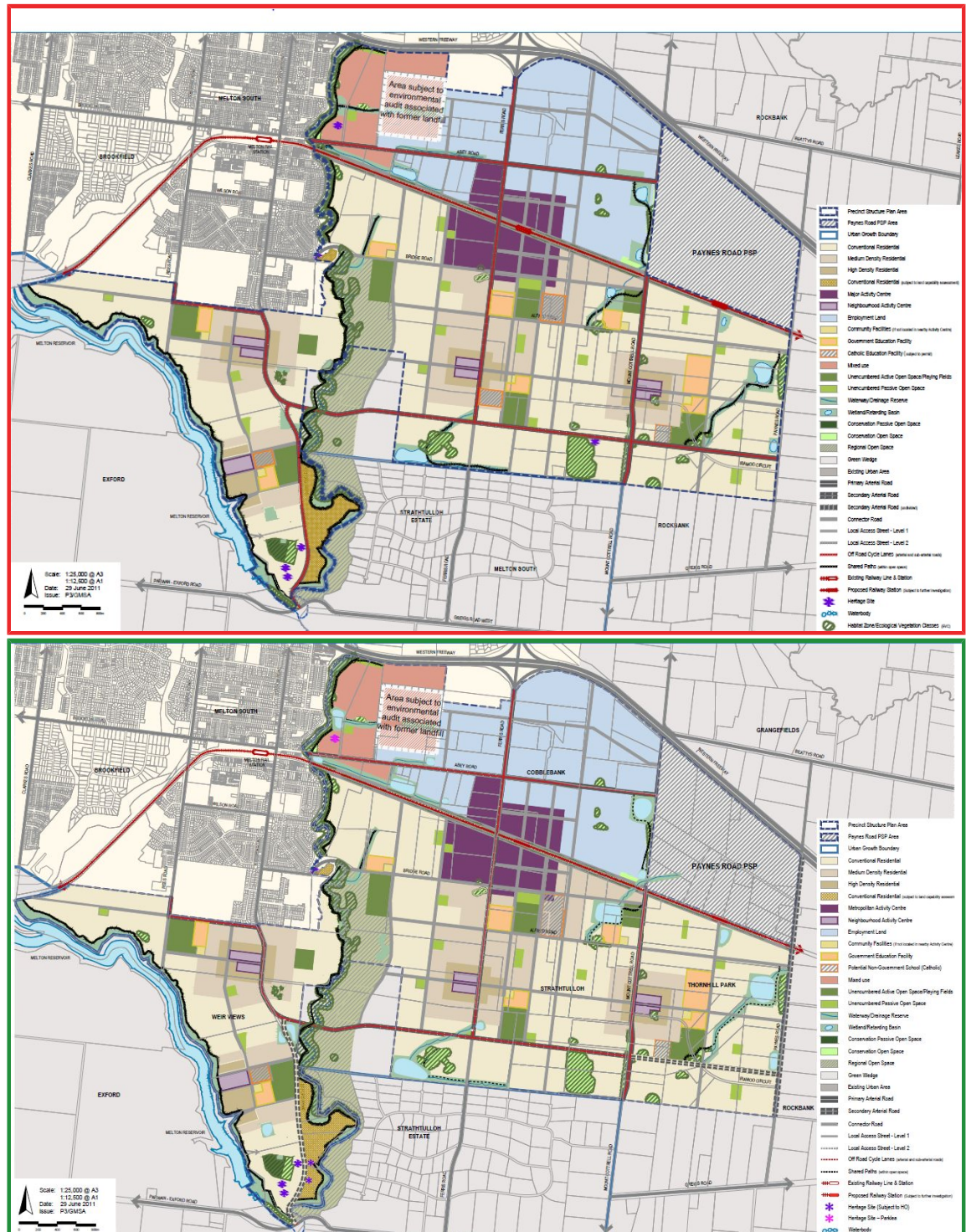
1.0

The Planplan

25/08/2022
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Plan 1 shows the future urban structure proposed in the Toolern Precinct Structure Plan. ~~It is a reproduction of Plan 5 in the Toolern Precinct Structure Plan.~~

Plan 1 to Schedule 3 to Clause 37.07



2.0

Use and development

17/03/2016
C161

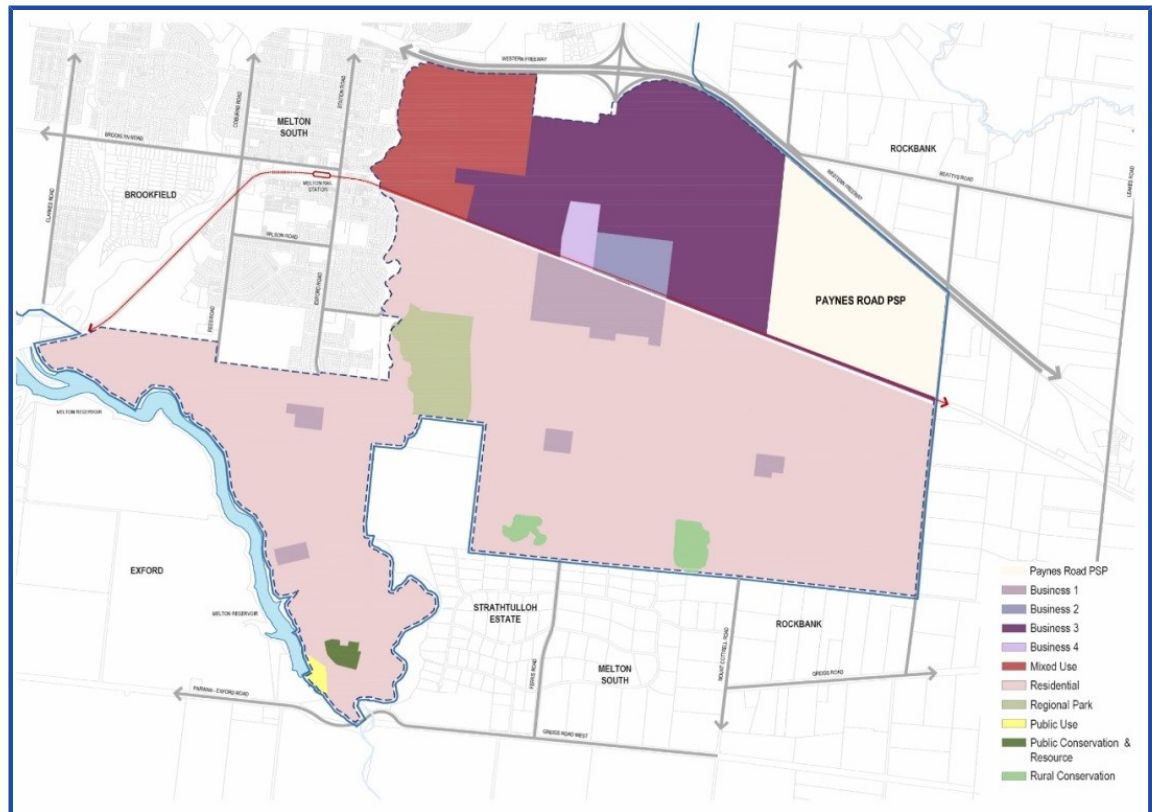
2.1

The Land

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The use and development provisions specified in this schedule apply to the land as shown below in Plan 2, within the 'precinct boundary' on Plan 2 of this schedule and shown as UGZ3 on the planning scheme maps. This schedule must be read in conjunction with the incorporated *Toolern Precinct Structure Plan*.

Plan 2 to Schedule 3 to Clause 37.07



2.2

Applied zone provisions

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Table 1 allocates the land / use development shown on Plan 2 of this schedule with a corresponding zone from this scheme.

The provisions of the following zones in this scheme apply to the use and subdivision of land. When the use / development in the left column is carried out or proposed generally in accordance with the incorporated *Toolern Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works, by reference to Plan 2 of this schedule, the provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as it were a reference to an applied zone under this schedule.

Note:

The precise boundary of the Business 1 area, Business 2 area and the Mixed Use Zone will be determined by the approved Urban Design Framework Plans. For example: The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition 'The site must adjoin, or have access to, a road in a Transport 2 Zone or a Transport 3 Zone'. In this instance the condition should be read as 'The site must adjoin, or have access to, a road in a Transport 2 Zone or a Transport 3 Zone or an applied Transport 2 Zone or Transport 3 Zone in the Urban Growth Zone schedule applying to the land'.

Table 1: Applied zone provisions

Land as shown on Plan 2 of this Schedule	Applied zone provisions
Business 1 Business 1	Clause 34.01 - Commercial 1 Zone
Business 2 Business 2	Clause 34.01 - Commercial 1 Zone
Business 3 Business 3	Clause 34.02 - Commercial 2 Zone
Business 4 Business 4	Clause 34.02 - Commercial 2 Zone
Mixed Use Mixed Use	Clause 32.04 - Mixed Use Zone
Regional Park Regional Park	Clause 36.02 - Public Park and Recreation Zone
Residential Residential	Clause 32.08 - General Residential Zone
Rural Conservation Rural Conservation	Clause 35.06 - Rural Conservation Zone
Public Use Public Use	Clause 36.01 - Public Use Zone – Schedule 1
Public Conservation & Resource Public Conservation & Resource	Clause 36.03 - Public Conservation and Resource Zone
Primary Arterial Road	Clause 36.04 - Transport 2 Zone

2.3 ~~Special~~ Specific provisions – Use of land

25/08/2022 - / - / -
G208melt Proposed C232melt The following provisions apply to the use of land:

Table 2: Use

Section 1 - Permit not required	
Use	Requirement
Office (other than Medical centre) where the applied zone is General Residential Zone Office (other than Medical centre)	A permit may be granted to use land for an office if the On land where the applied zone is General Residential Zone in the incorporated <i>Toolern Precinct Structure Plan</i> . The leasable floor area of the office does must not exceed 100 square metres.
Primary School Secondary School	On land shown as 'Potential Non-Government School' in the incorporated <i>Toolern Precinct Structure Plan</i> .
Shop where the applied zone is Commercial 1 Zone	A permit is required to use land for a shop if the On land where the applied zone is Commercial 1 Zone in the incorporated <i>Toolern Precinct Structure Plan</i> . The combined leasable floor space area for all shops exceeds the following areas (square metres) for the relevant centre as described in the <i>Toolern Precinct Structure Plan</i> must not exceed: <ul style="list-style-type: none"> 70,000 square metres for land show 30,000 – Toolern Major Town Centre as Metropolitan Activity Centre in the incorporated <i>Toolern Precinct Structure Plan</i>. 4000 – 4,000 square metres for land shown as Exford Road Neighbourhood Activity Centre (north) in the incorporated <i>Toolern Precinct Structure Plan</i>.

Section 1 - Permit not required

Use	Requirement	Condition
	<ul style="list-style-type: none"> 4000—4,000 square metres for land shown as Exford Road Neighbourhood Activity Centre (south) in the incorporated <i>Toolern Precinct Structure Plan</i>. 4000—4,000 square metres for land shown as Ferris Road Neighbourhood Activity Centre in the incorporated <i>Toolern Precinct Structure Plan</i>. 	
Shop (other than Adult product shop and Supermarket) where the applied zone is Commercial 2 Zone	The use is a Section 2 use	Must meet requirements of Clause 62.01.
Any use listed in Clause 62.01		
Supermarket where the applied zone is Commercial 2 Zone	Any use listed in Section 1 in the Table of uses in the applicable applied zone	

The use is a Section 2 use:

The leasable floor area must not exceed 1800 square metres:

The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3:

Section 2 - Permit required

Use	Condition
Major sports and recreation facility	On land where the applied zone is Commercial 1 Zone west of Ferris Road, north of Bridge Road, and south of the Ballarat Railway Lines in the incorporated <i>Toolern Precinct Structure Plan</i> .
Shop	On land where the applied zone is Commercial 1 Zone east of Ferris Road, and north of the Ballarat Railway Line in the incorporated <i>Toolern Precinct Structure Plan</i> . The leasable floor area must not exceed 100 square metres.
Supermarket	On land where the applied zone is Commercial 2 Zone in the incorporated <i>Toolern Precinct Structure Plan</i> . The leasable floor area must not exceed 1,800 square metres. The site must adjoin, or have access to, a road in a Transport 2 Zone.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use	Condition
Any use in Section 3 in the Table of uses in the applicable zone.	

2.4

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Specific Provisions - Subdivision**Metropolitan and Neighbourhood Activity Centres and Employment Land**

If the land is shown as in or adjoining a Business 1, Business 2, Business 3 or Business 4 area on Plan 2, a permit must not be granted to subdivide land until an Urban Design Framework for the activity centre or employment land has been prepared to the satisfaction of the Responsible Authority.

A permit may be granted to subdivide land prior to the approval of an Urban Design Framework if, in the opinion of the Responsible Authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated *Toolern Precinct Structure Plan*.

The Responsible Authority may allow an Urban Design Framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the Responsible Authority.

Toolern Creek Park Western Interface

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land within land located adjacent to the west of the Toolern Creek Park (shown as 'Toolern Creek Regional Park - western interface' on Plan 7 'Image & Character' of the incorporated *Toolern Precinct Structure Plan*) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

Table 4: Use of land within the applied Commercial 1 Zone (west of Ferris Road, north of Bridge Road, and south of the Ballarat Railway Line)

Use	Requirement
Dwelling	No permit is required to construct a dwelling with a ground floor frontage greater than two metres.
Major sports and recreation facility	The use is a Section 2 use.

A permit may be granted to subdivide land prior to the approval of an Urban Design Framework if, in the opinion of the Responsible Authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated *Toolern Precinct Structure Plan*.

Exford Road Conservation Area

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land within shown as the Exford Road Conservation Area (on Plan 7 'Image & Character' of the incorporated *Toolern Precinct Structure Plan*) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

A permit may be granted to subdivide land prior to the approval of an Urban Design Framework if, in the opinion of the Responsible Authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated *Toolern Precinct Structure Plan*.

North West Mixed Use Precinct

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land within shown as the North West Precinct Urban Design Framework Area (on Plan 7 'Image & Character' of the incorporated *Toolern Precinct Structure Plan*) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

Table 5: Use of land within the applied Commercial 1 Zone (east of Ferris Road and north of the Ballarat Railway Line)

Use	Requirement
Dwelling	No permit is required to construct a dwelling within a ground floor frontage greater than two metres.
Shop	A permit is required to use land for a shop if the leasable floor area exceeds 100 square metres.

A permit may be granted to subdivide land prior to the approval of an Urban Design Framework if, in the opinion of the Responsible Authority, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated *Toolern Precinct Structure Plan*.

2.5 Specific provisions – Buildings and works

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Dwellings on a Lot Less than 300 Square Metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the *Small Lot Housing Code* via a restriction on title, and it complies with the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Melton Planning Scheme.

A permit is not required to construct a fence within 3 metres of a street provided that the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

2.6 Specific provisions – Resolution of doubt

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If any doubt arises as to whether a provision specified in this schedule applies to land, a permit may be granted for any use or development if the responsible authority is satisfied that the use or development is generally in accordance with the incorporated *Toolern Precinct Structure Plan*.

2.7 Specific provisions – Major Metropolitan and Neighbourhood Activity Centres and Employment Land

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If the land is shown as in or adjoining a Business 1, Business 2, Business 3 or Business 4 area on Plan 2, a permit must not be granted to ~~use or subdivide land, or to~~ construct a building or construct and carry out works until an ~~urban design framework~~ *Urban Design Framework* for the activity centre or employment land has been prepared to the satisfaction of the ~~responsible authority~~ *Responsible Authority*.

A permit may be granted to ~~subdivide land or to~~ construct a building or construct and carry out works prior to the approval of an ~~urban design framework~~ *Urban Design Framework* if, in the opinion of the ~~responsible authority~~ *Responsible Authority*, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated ~~precinct structure plan~~ *Toolern Precinct Structure Plan*.

The ~~responsible authority~~ *Responsible Authority* may allow an Urban Design Framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the ~~responsible authority~~ *Responsible Authority*.

2-825/08/2022
G200melt**Specific provisions – Referral of applications**

An application on land shown as ‘Major Activity Centre’ in Plan 1 to this schedule must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Growth Areas Authority

Unless a reduced distance is accepted by the Responsible Authority and Environment Protection Authority (EPA) based on the findings of a satisfactory environmental audit report, an application for residential subdivision and development of land within 500 metres of the former 22.18 hectares Melton landfill site on Ferris Road must be referred in accordance with Section 55 of the Planning and Environment Act 1987 to the EPA.

An application for a sensitive use on land that is north of the railway line and within 440 metres of the boundary of the Technochem Australia Pty Ltd site at 41-53 Abey Road must be referred in accordance with Section 55 of the Planning and Environment Act 1987 to the EPA and WorkSafe Victoria.

2-925/08/2022
G200melt**Specific provisions – Toolern Creek Park Western Interface**

Except with the consent of the Responsible Authority, a permit must not be granted to ~~use or subdivide land, or~~ construct a building and carry out works within land located adjacent to the west of the Toolern Creek Park (shown as 'Toolern Creek Regional Park - western interface' on Plan 7 “Image & Character” of the ~~Toolern Precinct Structure Plan~~ incorporated *Toolern Precinct Structure Plan*) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

A permit may be granted to ~~subdivide land or to~~ construct a building or construct and carry out works prior to the approval of an ~~urban design framework~~ *Urban Design Framework* if, in the opinion of the ~~responsible authority~~ *Responsible Authority*, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated ~~precinct structure plan~~ *Toolern Precinct Structure Plan*.

2-1025/08/2022
G200melt**Specific provisions – Exford Rd Exford Road Conservation Area**

Except with the consent of the Responsible Authority, a permit must not be granted to ~~use or subdivide land, or~~ construct a building and carry out works within ~~land~~ shown as the Exford Rd Road Conservation Area- (on Plan 7 “Image & Character” of the ~~Toolern Precinct Structure Plan~~ incorporated *Toolern Precinct Structure Plan*) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

A permit may be granted to ~~subdivide land or to~~ construct a building or construct and carry out works prior to the approval of an ~~urban design framework~~ *Urban Design Framework* if, in the opinion of the ~~responsible authority~~ *Responsible Authority*, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated ~~precinct structure plan~~ *Toolern Precinct Structure Plan*.

2-1125/08/2022
G200melt**Specific provisions – North West Mixed Use Precinct Urban Design Framework**

Except with the consent of the Responsible Authority, a permit must not be granted to ~~use or subdivide land, or~~ construct a building and carry out works within land shown as the North West Mixed Use Precinct Urban Design Framework- Area (on Plan 7 “Image & Character” of the ~~Toolern Precinct Structure Plan~~ incorporated *Toolern Precinct Structure Plan*) until an Urban Design Framework has been prepared to the satisfaction of the Responsible Authority.

A permit may be granted to ~~subdivide land or to~~ construct a building or construct and carry out works prior to the approval of an ~~urban design framework~~ *Urban Design Framework* if, in the opinion of the ~~responsible authority~~ *Responsible Authority*, the grant of the permit is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated ~~precinct structure plan~~ *Toolern Precinct Structure Plan*.

3.0

Application requirements

25/08/2022 --/--/---
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The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority. If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of the application, the responsible authority may waive or reduce the requirement.

3.4

11/11/2018
 684(Part 4)

Residential subdivision

Subdivision - Residential development
 In addition to the requirements of Clause 56.01, the site analysis and design response must show or address the following to the satisfaction of the responsible authority:

- ~~A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of the development on groundwater.~~
A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact on groundwater.
- ~~A preliminary site assessment of the potential for contaminated land as a result of previous land uses carried out by a suitably qualified person.~~
A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.
- ~~A Transport Impact Assessment Report to the satisfaction of the relevant Roads Authority (be it VicRoads or Council).~~
- ~~An application for a residential subdivision of 10 lots or more must be accompanied by Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority.~~
An application for residential subdivision of 10 lots or more must be accompanied by Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority.

Subdivision - General

~~The responsible authority may waive or reduce these application requirements.~~
An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of the relevant Roads Authority.

Public Infrastructure Plan

3.2

03/10/2013
 C134

~~All subdivision~~
An application for subdivision and / or use and development of land must be accompanied by a Public Infrastructure Plan, which addresses the following:

- ~~What land may be affected or required for the provision of infrastructure works;~~
- ~~The provision, staging and timing of any storm water drainage works;~~
- ~~The provision, staging and timing of roadworks internal and external to the land consistent with any relevant traffic report or assessment;~~
- ~~The landscaping of any land;~~
- ~~A Public Infrastructure Plan which addresses the following:~~
 - ~~What land may be affected or required for the provision of infrastructure works;~~
 - ~~The provision, staging and timing of any stormwater drainage works;~~
 - ~~The provision, staging and timing of roadworks internal and external to the land consistent with any relevant traffic report or assessment;~~
 - ~~The landscaping of any land~~

- ~~What, if any, infrastructure set out in the Development Contributions Plan applying to the land is sought to be provided as 'works in lieu' subject to the consent of Melton City Council; and~~
- ~~The provision of public open space and land for any community facilities;~~
- ~~Any other matter relevant to the provisions of public infrastructure required by the responsible authority~~

What, if any, infrastructure set out in the Development Contributions Plan applying to the land is sought to be provided as 'works in lieu' subject to the consent of Melton City Council;

- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provisions of public infrastructure required by the responsible authority.

3.3

17/03/2016
G464

Subdivision – Kangaroo Management Plan Subdivision - land that does not abut a linear corridor in or intended to be in public ownership

- ~~An application for the subdivision of land that does not abut a linear corridor in or intended to be in public ownership must be accompanied by an Eastern Grey Kangaroo Management Plan that includes:~~
 - ~~Strategies (ie. Staging) to avoid land locking Eastern Grey kangaroos; and where this is not practicable~~
 - ~~Management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.~~

An application for the subdivision of land that does not abut a linear corridor in or intended to be in public ownership must be accompanied by an Eastern Grey Kangaroo Management Plan that includes:

- Strategies (i.e. staging) to avoid land locking Eastern Grey Kangaroos; and where this is not practicable
- Management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The plan must be to the satisfaction of the Department of ~~Environment, Land, Water and Planning~~ Energy, Environment and Climate Change (DEECA).

4.0

Conditions and requirements for permits

25/08/2022 --/--/---
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General requirements

~~A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Toolern Precinct Structure Plan and the Toolern Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.~~

Conditions for the first Condition - First stage of development

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must, if required by the Responsible Authority, enter into an agreement, or agreements, under Section 173 of the Act which specifies the infrastructure required to be provided as part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

Conditions for subdivision Condition - Subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the Responsible Authority.

Conditions for subdivision applications **Condition - Subdivision permits requiring an Eastern Grey Kangaroo Management Plan**

Any permit granted for subdivision must contain the following condition if an Eastern Grey Kangaroo Management Plan was required to be submitted with the permit application:

- The subdivision must implement the Eastern Grey Kangaroo Management Plan by either:
 - Proceeding in the order of stages as shown on the plan;
 - and where this is not practicable
 - Implementing the management solutions and actions of the Plan.

Conditions **Condition – Salvage and Translocation**

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of ~~Environment, Land, Water and Planning~~ Energy, Environment and Climate Change (DEECA).

Conditions – all **Condition – All buildings, subdivision and associated works application within 100 metres of the Toolern Creek, on land within the Precinct Structure Plan (Growling Grass Frog conservation management plan)** **Conservation Management Plan**

Any permit granted for buildings, subdivision and associated works must contain the following conditions:

- Prior to the commencement of works a Growling Grass Frog ~~conservation management plan~~ Conservation Management Plan must be prepared to the satisfaction of the Department of ~~Environment, Land, Water and Planning~~ Energy, Environment and Climate Change (DEECA) and submitted to and approved by the ~~responsible authority~~ Responsible Authority.
- The Growling Grass Frog ~~conservation management plan~~ Conservation Management Plan must be implemented to the satisfaction of the ~~responsible authority~~ Responsible Authority.

Conditions – all **Condition – All buildings, subdivision and works applications (Golden Sun Moth) on land identified as Properties 2573 – 2675 Western Highway, Rockbank**

- Prior to the commencement of works a targeted survey for the Golden Sun Moth must be prepared to the satisfaction of the Department of ~~Environment, Land, Water and Planning~~ Energy, Environment and Climate Change (DEECA).
- Prior to the issue of a Statement of Compliance in respect of any plan of subdivision within which Golden Sun Moth native habitat has been identified:
 - Offsets for removal of Golden Sun Moth native habitat within the area of that plan of subdivision must be provided or agreed to the satisfaction of the Department of ~~Environment, Land, Water and Planning~~ Energy, Environment and Climate Change (DEECA).

Conditions for subdivision - Subdivision or buildings and works permits where land is required for community facilities, public open space and road widening

A permit for subdivision or buildings and works, where land is required for community facilities, must include the following condition:

~~Land required for community facilities, as set out in the Toolern Precinct Structure Plan or the Toolern Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Toolern Development Contributions Plan.~~

- Land required for community facilities, as set out in the incorporated *Toolern Precinct Structure Plan* or the incorporated *Toolern Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless the land is funded by the incorporated *Toolern Development Contributions Plan*.

A permit for subdivision or buildings and works, where land is required for public open space, must include the following condition:

~~Land required for public open space as a local or district park as set out in the Toolern Precinct Structure Plan or the Toolern Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless funded by the Toolern Development Contributions Plan.~~

- Land required for public open space as a local or district park as set out in the *Toolern Precinct Structure Plan* or the *Toolern Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless funded by the *Toolern Development Contributions Plan*.

A permit for subdivision or buildings and works, where land is required for road widening, must include the following condition:

~~Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Toolern Development Contributions Plan.~~

- Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be transferred to or vested in Council or relevant roads authority VicRoads at no cost to the acquiring agency unless funded by the *Toolern Development Contributions Plan*.

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening, must include the following condition:

~~Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Melton City Council or another relevant person or body~~

- Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Melton City Council or another relevant authority.

5.0 Exemption from notice and review

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An application to use land for a convenience shop or office in the General Residential Zone is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

6.0 Decision guidelines

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~~Before deciding on an application to use land for a sensitive use on land shown as Mixed Use, Business 2, Business 3 or Business 4 on Plan 2, The following application requirements apply to an application for a permit under Clause 37.07, in addition to the decision guidelines those in Clause 65 and Clause 37.07-14, the responsible authority must consider 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:~~

- ~~The General Practice Note on Potentially Contaminated Land June 2005 (DSE).~~
 - ~~The status of any remediation being carried out at the former Melton landfill site on Ferris Road.~~
 - Use of land for a sensitive use on land shown as Mixed Use, Business 2, Business 3 or Business 4 on Plan 2:
 - Planning Practice Note 30: Potentially Contaminated Land, July 2021.
 - The status of any remediation being carried out at the former Melton landfill site on Ferris Road.
- ~~The views of the EPA and WorkSafe Victoria if the land is north of the railway line and within 440 metres of 41-53 Abey Road, Melton (measured from the boundary of 41-53 Abey Road Melton).~~
- The views of the EPA and WorkSafe Victoria if the land is north of the railway line and within 440 metres of 41-53 Abey Road, Melton (measured from the boundary of 41-53 Abey Road Melton).

7.0

Signs

25/08/2022
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~~Land~~ Sign requirements are at Clause 52.05. All land located within the *Toolern Precinct Structure Plan, June 2022* area is in the category specified in ~~the applied zone~~ its applied zone at Clause 2.2 of this schedule. If there is no applied zone the land is in Category 2.

~~A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone provided:~~

- ~~The application for a permit is lodged concurrently with an application for buildings and works for an office on the same land.~~
- ~~The sign is not illuminated~~
- ~~No fittings or wiring are visible from adjacent streets or properties.~~

7.4

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Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- ~~The display area for each sign does not exceed 10 square metres.~~
The advertisement area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than ~~4~~four signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- ~~The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.~~
- The sign is setback a minimum of 750 ~~millimetres~~mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

If the sign does not meet all the provisions listed above, it must comply with the provisions of Clause 52.05.

7.2

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Education / community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than ~~5~~five years, to display ~~an~~a ~~advertising~~community facility or education centre on ~~the~~the land identified as ~~'Education Facility', 'Community Facilities' or 'Unencumbered Active Open Space/Playing Fields'~~'Education Facility', 'Community Facilities' or 'Unencumbered Active Open Space/Playing Fields' community facilities, potential government school, potential non-government school and credited open spaces on Plan 1 to this schedule.