

18/08/2011
C65**SCHEDULE 4 TO THE SPECIAL USE ZONE**

Shown on the planning scheme map as SUZ 4

ELTHAM COLLEGE**Purpose**

To provide for the continued use and development of land for an education centre.

To provide for the use and development of the land in accordance with the Eltham College Master Plan, April 2011.

To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

To protect and enhance natural resources and the biodiversity of the site.

To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

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C65**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Boarding house	Must be generally in accordance with the Eltham College Master Plan April 2011.
Caretakers house	Must be generally in accordance with the Eltham College Master Plan April 2011.
Carnival Circus	Must meet the requirements A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Child care centre	Must be generally in accordance with the Eltham College Master Plan April 2011. The number of children/students present at anytime must not exceed 1,500 children/students. Must be used in conjunction with an

USE	CONDITION
	Education centre on the land.
Education centre	Must be generally in accordance with the Eltham College Master Plan, April 2011. The number of children/students present at any time must not exceed 1,500 children/students.
Geothermal energy extraction	Must meet the requirements of Clause 52.08-4
Greenhouse gas sequestration	Must meet the requirements of Clause 52.08-6.
Greenhouse gas sequestration exploration	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Tramway	

Section 2 - Permit required

USE	CONDITION
Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, and Timber production)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Community market	
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.06-2.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be

USE	CONDITION
	<p>used as a dwelling) within one month of the occupation of the replacement dwelling.</p> <p>Must meet the requirements of Clause 35.06-2.</p>
Emergency services facility	
Freezing and cool storage	<p>The goods stored must be agricultural produce, or products used in agriculture.</p>
Group accommodation	<p>Must be used in conjunction with Agriculture, Rural industry, or Winery.</p> <p>Must be no more than 6 dwellings.</p> <p>The lot on which the use is conducted must be at least 8 hectares.</p>
Host farm	
Interpretation centre	
Mineral, stone or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Minor sports and recreation facility (other than outdoor recreation facility)	
Place of assembly (other than Amusement parlour, Carnival, Circus, Drive-in theatre and nightclub)	
Plant nursery	
Pleasure boat facility	
Primary produce sales	
Renewable energy facility (other than Wind energy facility)	<p>Must meet the requirements of Clause 52.42.</p>
Residential hotel	<p>Must be used in conjunction with Agriculture, Rural industry, or Winery.</p> <p>The number of bedrooms must not exceed the number specified in a schedule to the zone or 80 bedrooms, whichever is the lesser.</p> <p>The lot on which the use is conducted must be at least 8 hectares.</p>
Restaurant	<p>Must be located at 25 Eltham-Yarra Glen Road Kangaroo Ground.</p> <p>Must be used in conjunction with Agriculture, Education centre, Rural industry, or Winery.</p> <p>The number of patrons present must not exceed 150 patrons.</p>
Rural industry (other than Abattoir and	

USE	CONDITION
Sawmill)	
Rural store	
Timber production	Must meet the requirements of Clause 52.18.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Wind energy facility	Must meet the requirements of Clause 52.32.
Winery	

Section 3 - Prohibited

USE
Abattoir
Accommodation (other than Boarding house, Caretakers house, Dependent person's unit, Dwelling, Group accommodation, Host farm, and Residential hotel)
Animal boarding
Child care centre – if the Section 1 condition is not met
Education centre – if the Section 1 condition is not met
Industry (other than Rural industry)
Intensive animal husbandry
Retail premises (other than Community market, Plant nursery, Primary produce sales, and Restaurant)
Sawmill
Warehouse (other than Freezing and cool storage, and Rural store)
Any other use not in Section 1 or 2

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Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person's unit.

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Subdivision

A permit is required to subdivide land.

Each lot must be at least 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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Long term lease or licence for Accommodation

A permit is required to lease or licence a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

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Buildings and works

Permit requirement

Any building or works associated with a child care centre or education centre must be generally in accordance with the Eltham College Master Plan, April 2011.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by a plan, drawn to scale, which shows:

- The boundaries and dimensions of the site.
- Relevant ground levels.
- Adjoining roads.
- The location, height and purpose of buildings and works on adjoining land.
- The layout and use of existing and proposed buildings and works, including driveways and car parking and loading areas.
- Elevation drawings indicating the colour and materials of all proposed buildings and works.
- Construction details of all drainage works, driveways and car parking and loading areas.
- Details of existing and proposed landscaping.

Exemption from notice and review

An application to construct a building or construct or carry out works associated with a caretakers house, child care centre or education centre which is in accordance with the Eltham College Master Plan, April 2011 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

6.0

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Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- The Eltham College Master Plan, April 2011.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- Whether use or development protects and enhances the environmental and landscape qualities of the site and its surrounds.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

Rural issues

- The environmental capacity of the site to sustain the development.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

Environmental issues

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.

- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

7.0

Advertising signs

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Advertising sign requirements are at Clause 52.05. The zone is in Category 3 except that the responsible authority must not issue a permit for an internally illuminated sign, pole sign, promotion sign or reflective sign.

Notes:

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

Check whether an overlay also applies to the land.

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