

13/09/2010
VC63

SCHEDULE 8 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ8**

LITTLE YARRA STEINER SCHOOL

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

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

To provide for the use and development of the land in accordance with the 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.

To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.

To encourage use and development that is consistent with sustainable land management practices.

To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.

To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.

To protect and enhance the biodiversity of the area.

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Table of uses

Section 1 - Permit not required

USE	CONDITION
Animal keeping (other than Animal boarding)	Must be no more than 5 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.
Carnival Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Child care centre	Must be used in conjunction with the Little Yarra Steiner School. Must be generally in accordance with the

USE	CONDITION
	<p>plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'. The number of children present at the child care centre at anytime must not exceed 80.</p>
Crop raising (other than Rice growing and Timber production)	
Dwelling (other than Bed and breakfast)	<p>Must be used in conjunction with the Little Yarra Steiner School. Must be not more than two dwellings 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 used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 2.0 of this schedule.</p>
Education centre	<p>Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'. The total number of students enrolled at the education centre at any time must not exceed 700.</p>
Extensive animal husbandry	
Hall	<p>Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.</p>
Home occupation	
Host farm	<p>Must be used in conjunction with the Little Yarra Steiner School. Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.</p>
Indoor recreation facility	<p>Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.</p>
Informal outdoor recreation	
Mineral exploration	
Mining	<p>Must meet the requirements of 52.08-2.</p>

USE	CONDITION
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, Broiler farm, Cattle feedlot, Crop raising and Extensive animal husbandry)	
Animal boarding	
Broiler farm	Must meet the requirements of Clause 52.31.
Camping and caravan park	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cattle feedlot	Must meet the requirements of Clause 52.26. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Corrective institution	
Dependent persons unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.04-2.
Exhibition centre	
Freeway service centre	Must meet the requirements of Clause 52.30.
Freezing and cool storage	The goods stored must be agricultural produce, or products used in agriculture.
Function centre	Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or

USE	CONDITION
	<p>Winery.</p> <p>The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</p> <p>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</p>
<p>Group accommodation</p>	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser.</p> <p>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</p>
<p>Host farm – if the Section 1 condition is not met</p> <p>Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)</p>	
<p>Major sports and recreation facility</p>	<p>Must be for outdoor leisure, recreation or sport.</p>
<p>Manufacturing sales</p>	<p>Must be an incidental part of rural industry.</p>
<p>Market</p>	
<p>Materials recycling</p>	<p>Must be used in conjunction with Refuse disposal or Transfer station.</p> <p>Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials.</p>
<p>Milk depot</p>	
<p>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</p>	
<p>Place of worship</p>	
<p>Plant nursery</p>	

USE	CONDITION
Primary produce sales	
Refuse disposal	
Research and development centre Research centre	<p>Must be used in conjunction with Agriculture, Natural systems, Rural industry, or Winery.</p> <p>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</p>
Residential building (other than Residential hotel)	<p>Must be used in conjunction with agriculture Outdoor recreation facility, Rural industry, or Winery.</p> <p>Must be used to provide accommodation for persons away from their normal place of residence.</p> <p>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</p>
Residential hotel	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, 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 the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</p>
Restaurant	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</p> <p>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</p> <p>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no</p>

USE	CONDITION
	area is specified, the lot must be at least 40 hectares.
Restricted place of assembly	Must not be used for more than 30 days in a calendar year.
Rice growing Rural industry Rural store Solid fuel depot	
Timber production	Must meet the requirements of Clause 52.18.
Transfer station	Must not include the collecting, storing or processing of used or scrap construction and demolition materials.
Utility installation (other than Minor utility installation and Telecommunications facility) Vehicle store Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Camping and caravan park, Corrective institution, Dependent person's unit, Dwelling, Group accommodation, Host farm, and Residential building)
Brothel
Child care centre – if the Section 1 conditions are not met
Cinema based entertainment facility
Dwelling – if the Section 1 condition is not met
Display home
Education centre – if the Section 1 condition is not met
Funeral parlour
Hall – if the Section 1 condition is not met
Hospital
Indoor recreation facility – if the Section 1 condition is not met
Industry (other than Materials recycling, Refuse disposal, Research and development centre, Rural industry and Transfer station)
Motor racing track
Office
Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre,

USE

Hall, Place of worship, and Restricted place of assembly)

Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales, and Restaurant)

Service station

Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot, and Vehicle store)

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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 the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 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 requirement to enter into an agreement only applies to a lot which could be further subdivided in accordance with this scheme.
- 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 license 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 the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

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Buildings and works

Permit requirement

A permit is required to construct or carry out any of the following:

- A building or works associated with any use in Section 1.0 of the Schedule that is required to be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.
- A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:
 - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
 - An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
 - A rainwater tank.
- Earthworks that exceed 1 metre in height or depth if the works change the rate of flow or the discharge point of water across a property boundary or increase the discharge of saline groundwater.
- A building which is within any of the following setbacks:
 - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
 - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
 - 20 metres from any other road.
 - 5 metres from any other boundary.
 - 100 metres from a dwelling not in the same ownership.
 - 100 metres from a waterway, wetlands or designated flood plain.

Any buildings or works associated with an Child care centre, Dwelling, Education centre, Hall, Host farm, or Indoor recreation facility must be generally in accordance with the 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.

Exemption from notice and review

An application to construct a building or to construct or carry out works 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 requirements of section 82(1) of the Act if it is generally in accordance with the 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.

5.0 Application requirements

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An application to construct a building or to construct or carry out works must be accompanied by information as specified in the 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.

6.0 Decision guidelines

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Before deciding on an application to use or subdivide land, lease or license 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, 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 State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. Any Regional Catchment Strategy and associated plan applying to the land.
- The 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.

Rural issues

- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

Environmental issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.

- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise 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.

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Advertising signs

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