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SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3**.

HILLCREST CHRISTIAN COLLEGE

Purpose

To provide for land to be used and developed as an education centre.

To ensure that the development of an education centre takes place in an orderly and proper manner and does not cause a loss of amenity to the neighbourhood.

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Table of uses

Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, Rice growing and Timber production)	
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.
Cattle feedlot	Must meet the requirements of Clause 52.26. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.
Carnival Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.

Section 1 - Permit not required (continued)

Use	Condition
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 2.0 in this schedule.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. The lots must be at least 40 hectares. Must meet the requirements of Clause 2.0 in this schedule.

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Use	Condition
Geothermal energy extraction	Must meet the requirements of Clause 52.08-4.
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.
Timber production	<p>Must meet the requirements of Clause 52.18.</p> <p>The plantation must not be within 100 metres of:</p> <ul style="list-style-type: none"> ▪ Any dwelling in separate ownership. ▪ Any land zoned for residential, business or industrial use. ▪ Any site specified on a permit which is in force which permits a dwelling to be constructed. <p>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</p>
Tramway	

Section 2 - Permit required

Use	Condition
Animal boarding	
Broiler farm	Must meet the requirements of Clause 52.31.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cattle feedlot - if the Section 1 condition is not met	<p>Must meet the requirements of Clause 52.26</p> <p>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.</p>
Cemetery	
Community market	
Crematorium	
Dependent person's unit - if the Section 1 condition is not met	Must meet the requirements of Clause 2.0 in this schedule.

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Use	Condition
Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met	
Education centre	Must meet the requirements of Clause 2.0 in this schedule.
Emergency services facility	
Freeway service centre	Must meet the requirements of Clause 52.30.
Freezing and cool storage	
Group accommodation	Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery. Must be no more than 6 dwellings.
Host farm	
Intensive animal husbandry (other than Broiler farm and Cattle feedlot)	
Interpretation centre	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Manufacturing sales	
Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Place of assembly (other than Carnival and Circus)	Must not be used for more than 10 days in a calendar year.

Section 2 - Permit required (continued)

Use	Condition
Primary produce sales	
Residential hotel Restaurant	Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.
Rice growing	
Rural industry	
Rural store	
Saleyard	
Store (other than Freezing and cool storage and Rural store)	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Timber production - if the Section 1 condition is not met	Must meet the requirements of Clause 52.18.

Use	Condition
Utility installation (other than Minor utility installation and Telecommunications facility)	
Wind energy facility	
Winery	

Section 3 - Prohibited

Use
Accommodation (other than Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel)
Industry (other than Rural industry)
Motor racing track
Retail premises (other than Community market, Manufacturing sales, Primary produce sales and Restaurant)
Warehouse (other than Store)

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Use of land

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

- Access to the dwelling or education centre must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling or education centre 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 or education centre 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 or education centre must be connected to a reticulated electricity supply or have an alternative energy source.

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

Exemption from notice and review

An application to use land for the purposes of an education centre is exempt from the notice and review 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.

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Subdivision

A permit is required to subdivide land.

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 to create a lot for an existing dwelling. The subdivision must be a two lot subdivision. 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 create a smaller lot for an existing dwelling. The agreement must be registered on title.

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased. 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.
- The subdivision is for the purpose of creating a road.

A permit to subdivide land must be generally in accordance with the approved Hillcrest Christian College Master Plan and the incorporated Clyde North Precinct Structure Plan, August 2011.

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Buildings and works

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

- A building or works associated with a use in Section 2 of Clause 1.0 of this schedule.

This does not apply to:

- An alteration or extension to an existing dwelling with a floor area of no more than 50 square metres.
- An alteration or extension to an existing building used for agriculture with a floor area of no more than 100 square metres. The building must not be used to keep, board, breed or train animals.
- Earthworks which change the rate of flow or the discharge point of water across a property boundary.
- Earthworks which 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 all other roads.
 - 100 metres from a dwelling not in the same ownership.
 - 100 metres from a waterway, wetlands or designated flood plain.

A permit to construct a building or construct or carry out works must be generally in accordance with the approved Hillcrest Christian College Master Plan and the incorporated Clyde North Precinct Structure Plan, August 2011.

The responsible authority may grant a permit to construct a building or construct or carry out works prior to the approval of a master plan provided that the responsible authority is satisfied that the proposed building or works are of a minor nature and the issue of a permit will not prejudice the preparation or approval of a master plan for the site or achievement of the objectives of the Clyde North Precinct Structure Plan, August 2011.

The Hillcrest Christian College Master Plan must include:

- A plan drawn to scale showing the extent of the site and the location of the proposed buildings and works.
- The proposed purpose of each building.
- The maximum number of full time students that will attend the education centre.
- The typical height of each building.

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- A general description of the materials to be used in the construction of the buildings.
- A connector road generally in accordance with the incorporated Clyde North Precinct Structure Plan, August 2011.
- The location of vehicular access to and from the site.
- The location of on-site car parking and internal access roads.
- The location of major pedestrian paths on the site.
- A statement of any works required to ensure appropriate safe access to the site.
- The location of any proposed signage visible from the road frontage.
- The type of fencing around the perimeter of the site.
- A landscape concept plan indicating vegetation to be retained and the general theme for the overall landscaping of the site.
- A description of the physical services to be provided for the site.
- An indication of the likely staging and timing of development.

The Hillcrest Christian College Master Plan must be advertised and publicly displayed at the Municipal Offices for a minimum of 14 days.

The responsible authority may not approve the Hillcrest Christian College Master Plan until after the completion of public display of the Master Plan.

When considering the approval of the Hillcrest Christian College Master Plan, the responsible authority must have regard to:

- The effect of the proposed buildings and works on the amenity of the area.
- Long-term strategic planning policy that identifies the land and the surrounding land for future urban development.
- The safe and efficient movement of vehicular traffic to and from the site.
- The adequacy of on-site car parking areas for the convenient use of parents, staff and visitors to the school.
- The movement of pedestrians and cyclists.
- The provision of appropriate landscaping of the site.
- Comments received during the exhibition of the Master Plan.

The Hillcrest Christian College Master Plan may be amended to the satisfaction of the responsible authority. If, in the opinion of the responsible authority, the proposed amendment is significant in nature, then the amendment is subject to the advertising and public display requirements of this clause.

Exemption from notice and appeal

An application to construct a building or construct or carry out works that is generally in accordance with the approved Hillcrest Christian College Master Plan and the incorporated Clyde North Precinct Structure Plan, August 2011 is exempt from the notice and review 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.

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Application requirements for dwellings

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.

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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 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 capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development related to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- 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 areas.
- 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 locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

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- Whether the use and development will require traffic management measures.
- The integration of the development with the surrounding Clyde North precinct.

Education centre issues

- The approved Hillcrest Christian College Master Plan for the site.