

SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ5**.

HEATHERTON CHRISTIAN COLLEGE**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework .

To provide for the use and development of the land generally in accordance with the *Heatherton Christian College Master Plan*.

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

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.

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

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 5 animals
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.
Crop raising (other than Rice growing and Timber production)	
Education centre	Must be generally in accordance with the <i>Heatherton Christian College Master Plan</i> (June 2007). The number of students/children present at anytime on the site must not exceed 650.
Extensive animal husbandry	
Home based business	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Place of worship	Must be generally in accordance with the <i>Heatherton Christian College Master Plan</i> (June 2007). The number of persons present at anytime on the site must not exceed 750.
Railway	
Search for stone	Must not be costeaning or bulk sampling

KINGSTON PLANNING SCHEME

Use	Condition
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

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 53.09.
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 53.08. The site must be located outside a catchment area listed in Appendix 2 of the <i>Victorian Code for Cattle Feedlots</i> (August 1995).
Corrective institution	
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 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 used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 2.
Exhibition centre	
Freeway service centre	Must meet the requirements of Clause 53.05.
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 Winery. The number of patrons present at any time must not exceed 150 patrons. The lot on which the use is conducted must be at least 40 hectares.
Group accommodation	Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.

KINGSTON PLANNING SCHEME

Use	Condition
	<p>The number of dwellings must not exceed 40 dwellings.</p> <p>The lot on which the use is conducted must be at least 40 hectares.</p>
<p>Hall</p> <p>Host farm</p>	
<p>Indoor recreation facility</p>	<p>Must be for equestrian based leisure, recreation or sport.</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>Plant nursery</p> <p>Primary produce sales</p> <p>Refuse disposal</p>	
<p>Research and development centre</p> <p>Research centre</p>	<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 40 hectares.</p>
<p>Residential building (other than Residential hotel)</p>	<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 40 hectares.</p>
<p>Residential hotel</p>	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>The number of bedrooms must not exceed 80 bedrooms.</p>

KINGSTON PLANNING SCHEME

Use	Condition
	The lot on which the use is conducted must be at least 40 hectares.
Restaurant	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>The number of persons present must not exceed 150 patrons.</p> <p>If used in conjunction with Function centre, the total number of patrons present at anytime must not exceed 150 patrons.</p> <p>The lot on which the use is conducted must be at least 40 hectares.</p>
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 53.11
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
Cinema based entertainment facility
Display home
Education centre – if the section 1 condition is not met
Funeral parlour
Hospital
Industry (other than Materials recycling, Refuse disposal, Research and development centre, Rural industry and Transfer station)
Motor racing track
Office

Use

Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, and Restricted place of assembly)

Place of worship – if the section 1 condition is not met

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)

2.0

23/05/2019
C183king

Use of land

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.

3.0

12/02/2009
C94

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 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.

4.0

12/02/2009
C94

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 40 hectares.

5.023/05/2019
C183king**Buildings and works****Permit Requirement**

Any buildings or works must be generally in accordance with the *Heatherton Christian College Master Plan* (June 2007).

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 and land.
- 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.

An application to construct a building or carry out works must be accompanied by:

- An overall landscape concept plan prepared in accordance with the *Heatherton Christian College Masterplan* (June 2007) and showing an indicative species list and timing of implementation.
- A Traffic Management Plan showing expected traffic movements (direction and number of movements) at the AM and PM peak school times; arrangements for traffic marshalling at such times; arrangements for traffic flows within the site, including overflow parking south of the school; a timetable for the development of formal and overflow parking; and management arrangements for overflow parking areas to maintain their recreational values when not being used for parking.

6.023/05/2019
C183king**Exemption from notice and review**

An application to construct a building or construct or carry out works associated with an education centre and place of worship which is generally in accordance with the *Heatherton Christian College Master Plan* (June 2007) 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.

7.023/05/2019
C183king**Decision guidelines**

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 *Heatherton Christian College Master Plan* (June 2007).
- Any Regional Catchment Strategy and associated plan applying to the land.
- 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 located in an urban area because of the effect it may have of 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 minimise 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.

8.0

23/05/2019
C183king

Signs

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

Incorporated Document

Heatherton Christian College Masterplan (June 2007)