

**SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE**

Shown on the planning scheme map as **SUZ1**.

**ALCOA LEASE LAND****Purpose**

To provide for brown coal mining and electricity generation in accordance with the *Mines (Aluminium Agreement) Act 1961*.

To protect the visual amenity and significant flora and fauna values of the land in recognition of the listing of the site on the Register of the National Estate.

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

<b>Use</b>	<b>Condition</b>
<b>Any use allowed under the <i>Mines (Aluminium Agreement) Act 1961</i></b>	
<b>Caretaker's house (other than if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</b> <b>Car Park (other than if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</b>	Must be any of the following: <ul style="list-style-type: none"> <li>Conducted in accordance with a management plan approved by the Secretary to the Department of Environment, Land, Water and Planning and Alcoa.</li> <li>Conducted by or on behalf of a public land manager under the relevant provisions of the <i>Local Government Act 1989</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i> or the <i>Forest Act 1958</i>.</li> </ul>
<b>Informal outdoor recreation (other than if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</b>	Must not include recreational use of motor vehicles. Must be any of the following: <ul style="list-style-type: none"> <li>Conducted in accordance with a management plan approved by the Secretary to the Department of Environment, Land, Water and Planning and Alcoa.</li> <li>Conducted by or on behalf of a public land manager under the relevant provisions of the <i>Local Government Act 1989</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i> or the <i>Forest Act 1958</i>.</li> </ul>
<b>Interpretation centre (other than if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</b> <b>Minor utility installation (other than if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</b>	Must be any of the following: <ul style="list-style-type: none"> <li>Conducted in accordance with a management plan approved by the Secretary to the Department of Environment, Land, Water and Planning and Alcoa.</li> <li>Conducted by or on behalf of a public land manager under the relevant provisions of the <i>Local Government Act 1989</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i> or the <i>Forest Act 1958</i>.</li> </ul>
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01

**Section 2 - Permit required**

<b>Use</b>	<b>Condition</b>
<b>Agriculture (other than Apiculture, Timber production or if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>).</b>	

Use	Condition
<p>Convenience shop (other than if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</p> <p>Leisure and recreation (other than Informal outdoor recreation or if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</p> <p>Refuse disposal (other than if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</p>	
<p>Timber production (other than if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</p>	<p>Must meet the requirements of Clause 53.11</p>
<p>Utility installation (other than Minor utility installation or if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</p>	

### Section 3 - Prohibited

Use
<p>Accommodation (other than Caretaker's house or if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</p>
<p>Industry (other than Refuse disposal or if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</p>
<p>Retail premises (other than Convenience shop or if allowed under the <i>Mines (Aluminium Agreement) Act 1961</i>)</p>
<p>Any other use not in Section 1 or 2</p>

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### Use of land

#### Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### Caretaker's house

A caretaker's house must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all waste water from each dwelling must be treated and retained with the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

#### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Mines (Aluminium Agreement) Act 1961*.
- Any management plan approved by the Secretary to the Department of Environment, Land, Water and Planning and Alcoa.
- The effect that the use may have on flora and fauna values.
- The effect that the use may have on land in residential zones.

- The effect that the use may have on nearby existing or proposed uses for or associated with brown coal mining and electricity generation.
- Measures to cope with fire, particularly in the vicinity of a brown coal mine.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The period for which the use may operate so that the use does not adversely affect the sequential development of brown coal resources in the area.

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#### **Subdivision**

None specified.

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#### **Buildings and works**

##### **Permit requirement**

A permit is not required to construct a building or construct or carry out works which:

- Comply with a direction or licence under the *Dangerous Goods Act 1985*, *Electricity Industry Act 1993* or *Mineral Resources Development Act 1990*, or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the *Environment Protection Act 1970*.
- Alter electrical or gas services or telephone lines.
- Alter plumbing services which do not affect the drainage of other land.
- Install a temporary shed or temporary structure for construction purposes.
- Provide for fire protection under the relevant legislation.
- Are necessary to undertake any use, works or development allowed under the *Mines (Aluminium Agreement) Act 1961*.
- Are consistent with a management plan approved by the Secretary to the Department of Environment, Land, Water and Planning.

##### **Application requirements**

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - Any driveways and vehicle parking and loading areas associated with the proposed buildings and works.
  - Any proposed landscape areas.
  - External storage and waste treatment areas if applicable.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape plan which includes a description of existing vegetation to be removed and planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

##### **Referral of applications**

Applications must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Mines (Aluminium Agreement) Act 1961*.
- Any management plan approved by the Secretary to the Department of Environment, Land, Water and Planning and Alcoa.
- The visual impact of any development having regard to building size, height, bulk and external colours and materials.
- The drainage of the land.
- Measures to cope with fire, particularly in the vicinity of a brown coal mine.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.

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**Signs**

Sign requirements are at Clause 52.05. All land located is in Category 4.