

25/07/2019
C106well**SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO3.

URBAN AND CONSTRUCTION BUFFER**1.0**25/07/2019
C106well**Statement of environmental significance**

The Gippsland coalfields are an important resource of National and State importance due to their use as the primary energy source for the electricity generating industry in Victoria. The brown coal also has the potential for other alternative fuel and product sources.

The protection of that resource from fire and encroachment of capital intensive development which could hinder its utilisation, together with protecting existing and future urban and other sensitive and significant areas from open cut mining and associated activities, are important planning considerations.

2.025/07/2019
C106well**Environmental objective to be achieved**

To ensure that development and land management in the Gippsland Coalfields provides mutual protection of urban amenity and coal resource development and the continued social and economic productive use of land.

To provide for development which is compatible within a buffer area and for services ancillary to coal open cut operations.

To reduce impacts associated with coal mining such as earth subsidence, emission of noise, dust, fire hazard and visual intrusion, waste discharge, movement of earth, and dust.

3.025/07/2019
C106well**Permit requirement**

A permit is not required to construct the following buildings, or to construct or carry out the following works:

- Works associated with crop raising.
- Buildings or works normally associated with farming or forestry (other than a dwelling).
- Maintenance or rehabilitation of existing works under the control of public authority.
- A building or works which is/are a modification necessary to comply with a direction or licence under the *Dangerous Goods Act 1985*, or a Waste Discharge Licence, Works Approval, or Pollution Abatement Notice under the *Environment Protection Act 1970*.

4.025/07/2019
C106well**Application requirements**

An application to construct a building, or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.

- All external storage and waste treatment areas.
- Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the descriptions of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- A fire management plan for any proposed development within 1000 metres of land over which a mining licence applies.

5.0

25/07/2019
C106well

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Protection of an urban area from the adverse impacts of coal development.
- Protection of coal areas from the adverse impacts of encroachment of urban development.
- Protection of coal development from fire.
- Establishment of a character in the buffer area of low density, high amenity land use and development.
- Whether the use:
 - Is compatible with both the adjacent urban and coal related uses of land.
 - Provides an opportunity for improvement in the visual amenity of areas surrounding urban settlements, and protection from the visual effects of coal resource development on the landscape.
 - Is productive within the constraints required from mutual protection, separation and compatibility of adjacent uses.
 - Maintains the integrity of the buffer area and discourages any incremental or future pressure for urban or coal related development in the future.

Buildings and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services, and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, including outdoor advertising structures, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of, and connection to, services.
- Any natural or cultural values on, or near, the land.
- Interface with non-industrial areas.
- Outdoor storage, lighting, and storm water discharge.
- The designs of buildings to provide for solar access.

WELLINGTON PLANNING SCHEME

- If an industrial or warehouse development, the effect on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The maintenance of buildings and works.

Subdivision

- The effect the subdivision will have on the potential of the area to accommodate the uses, which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- The interface with adjoining zones, especially the relationship with residential areas.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The responsible authority must notify and consider the views of any Mining Licence holder who may be affected.

Referral of applications

Applications of the kind listed below 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:

- To subdivide land which creates a lot with an area less than 20 hectares.
- To develop land for:
 - Accommodation if the total number of people to be accommodated exceeds 100, or the proposed development results in an increase of greater than 25% to the floor area of an existing accommodation building.
 - Cemetery
 - Education centre
 - Exhibition centre
 - Function centre
 - Golf course
 - Hospital
 - Industry (other than Rural industry)
 - Major sports and recreation facility
 - Office with a floor area exceeding 2,000 square metres
 - Shop with a floor area exceeding 2,000 square metres
 - Timber plantation

Exemption from notice and appeal

An application 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 appeal rights of Section 82(1) of the *Planning and Environment Act 1987*. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.