

6. Planning Scheme Ordinance:

The Planning Scheme Ordinance of the Principal Scheme shall be amended and varied as follows -

Clause 24(3B) shall be amended as follows -

- (a) for the expressions "(a)", "(b)", "(c)", "(d)", "(e)", "(f)", "(g)", "(h)" and "(i)" substitute the expressions "(i)", "(ii)", "(iii)", "(iv)", "(v)", "(vi)", "(vii)", "(viii)" and "(ix)" respectively;
- (b) immediately after the expression "(3B)" insert the expression "(a)";
- (c) after paragraph (a) insert the following new paragraph (b) -
 - "(b) Land within that part of a Special Use Zone No. 9A situated as described in Column 1 of the Table to this paragraph shall in addition to the requirements of paragraph (a) hereof only be used for the purpose of a shop subject to the following conditions -
 - (i) the gross leasable floor area of the shop shall not exceed the maximum area set forth opposite such description in Column 2 of the said Table; and
 - (ii) the other condition or conditions (if any) set forth in Column 3 of the Table shall be complied with.

TABLE TO PARAGRAPH (b) OF SUB-CLAUSE (3B) OF CLAUSE 24

COLUMN 1	COLUMN 2	COLUMN 3
Situation of Special Use Zone No. 9A	Maximum Gross Leasable Floor Area	Other Conditions
Land on the north side of Princes Highway, abutting the west side of Narre Warren North Road and the south side of the proposed Latrobe Valley Freeway, Narre Warren, City of Berwick.	47,313 square metres	Provision shall be made for car parking at a ratio of not less than 9.7 car spaces per 100 square metres of gross leasable floor area and such car spaces shall comply with the provisions of Clause 28 of this Ordinance.

This Amendment was approved by the Governor in Council on 17 August 1982 and notice of such approval was published in the Government Gazette dated 25 August 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 120 PART 3B

PART A - GENERAL

1 Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 120 Part 3B.

2 Arrangement of Scheme:

This Planning Scheme is divided into the following -

Part A - General

Part B - Variation of the Principal Scheme

Planning Scheme Map - Maps bearing a Serial Number to each of which the suffix AM 120 Part 3B is added.

3 Definitions:

In this Planning Scheme, unless inconsistent with the context or the subject matter -

"Approval Date" means the date on which notice of approval of this Planning Scheme by the Governor in Council is published in the Government Gazette.

"Principal Scheme" means the Melbourne Metropolitan Planning Scheme approved by the Governor in Council on the 30th day of April, 1968, as amended or varied by any subsequent planning scheme or an amendment made by the Governor in Council notice of approval of which or notice of which (as the case may be) has been published in the Government Gazette.

4 Application of Scheme:

After the approval date, the Principal Scheme shall be amended and varied in the manner and to the extent shown in Part B hereof and such Principal Scheme and the amendments and variations herein shall be read and construed as one.

PART B - VARIATION OF THE PRINCIPAL SCHEME

5 Planning Scheme Map:

The Planning Scheme Map of the Principal Scheme shall be amended and varied in the manner shown and to the extent delineated on the maps hereto which bear the same serial number as those of the Principal Scheme but to which numbers there has been added the suffix "Am 120 Part 3B".

Maps in the Principal Scheme which are so amended or varied are -

58, 59 and 70.

6 Planning Scheme Ordinance:

The Planning Scheme Ordinance of the Principal Scheme shall be amended and varied as follows -

- (1) In the Table to Clause 6 there shall be inserted in Column 1 immediately after the expression "Light orange with green diagonal hatching and black "C" superimposed." the expression "Light orange with green diagonal hatching and black "D" superimposed." and there shall be set forth opposite thereto in Column 2 the expression "Intensive Agriculture "D"."
- (2) In Clause 7 sub-clause (2) immediately after the expression "37C," there shall be inserted the expression "37D,".
- (3) In the Table to Clause 7 there shall be inserted immediately after Section 37C Intensive Agriculture "C" Zone the following new Section 37D Intensive Agriculture "D" Zone -

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	COLUMN 5
		PURPOSE	CONDITIONS		
Section 37D INTENSIVE AGRICULTURE "D" ZONE*	Agriculture Animal Husbandry Apiary Home Occupation Passive Recreation Pensioner Relative Unit Road	Detached House	Provided that - (a) the site consists of one or more allotments shown on a plan of subdivision approved by the Registrar of Titles as at the 22nd day of May, 1968 or consists of a Crown Allotment or part thereof or a Crown Portion or part thereof; (b) if prior to the approval date hereof the site was comprised in land subdivided during the operation of an approved planning scheme and in accordance with the provisions thereof or of a permit granted thereunder and could then law-	Afforestation Animal Hospital Animal Boarding Establishment Caretaker's House Dog Breeding Educational Establishment Extractive Industry Freezing and Cool Storage Works# Greyhound Keeping Greyhound Training Health Centre Major Transmission Line Minor Sports Ground Minor Utility Installation Occupational Store Open-Air Cinema Outdoor Recreation Park (other than a mini-motor cycle track or a motor vehicle skill circuit) Place of Assembly Place of Worship Poultry Farming Primary Produce Store# Racing Stables	Any purpose not specified in any Column of this Section of this Table. Any purpose specified in Column 3 of this Section of this Table if the condition or conditions set forth opposite such purpose are not complied with.

* See Clause 20CD

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	COLUMN 5
		PURPOSE	CONDITIONS		
		Flat	<p>fully be used for the purpose of a detached house; or</p> <p>(c) the site consists of an allotment created pursuant to the provisions of Clause 20CD.</p> <p>The flat forms portion of or is added to a detached house the site of which is not less than 1 hectare and not more than two dwellings are thereby created.</p>	<p>Research Centre</p> <p>Plant Nursery - Retail</p> <p>Rural Industry</p> <p>Rural Recreation</p> <p>Show Ground</p> <p>Soil Removal</p> <p>Stock Saleyard</p> <p>Store#</p> <p>Veterinary Surgery</p>	
				# See Clause 25(7)	

- (4) In Clause 20CA sub-clause (1) immediately after the expression "Intensive Agriculture "C" Zone," insert the expression "Intensive Agriculture "D" Zone,".
- (5) There shall be inserted after Clause 20CC the following new Clause 20CD.

"20CD (1) The objectives of the Intensive Agriculture "D" Zone are -

- (a) to confine development to the existing pattern of subdivision and rural land use;
- (b) to maintain opportunity for land to be used for agriculture, including market gardening purposes;
- (c) to ensure that development is appropriate to the operation of the nearby airport; and
- (d) to ensure that account is taken of the noise exposure forecast level as determined by the Department of Transport and resulting from the operation of the airport.

- (2) Save with the permission of the responsible authority land within an Intensive Agriculture "D" Zone shall not be subdivided into allotments and where such permission is granted the land shall be so subdivided that each allotment shall have an area not less than 4 hectares.

In determining whether or not such permission should be granted or what conditions (if any) should be imposed if such permission is to be granted the responsible authority shall have regard to -

- (a) the objectives of the zone;
- (b) the need to retain the existing pattern of land use in the zone;
- (c) the possible future development of the land as proposed to be subdivided in relation to -
 - (i) the operation of the nearby airport;
 - (ii) the noise exposure forecast level as determined by the Department of Transport; and

(iii) the effect of such development upon the use or development of other land (whether contiguous or adjacent or not) which has a common means of natural or artificial drainage; and

(d) the orderly and proper planning of the zone."

(6) In Clause 24 sub-clause (7) paragraph (b) immediately after the expression "Intensive Agriculture "C", there shall be inserted the expression "Intensive Agriculture "D",".

(7) There shall be inserted after Clause 25 sub-clause (6) the following new sub-clause (7) -

"(7) (a) Except where land was immediately before the approval date lawfully used for the purpose of a freezing and cool storage works, primary produce store or store no land in an Intensive Agriculture "D" Zone shall be used for any such purpose unless the following conditions or such modifications as the responsible authority may permit are complied with -

(i) the total floor area of any buildings used for any such purpose shall not exceed 20 per centum of the area of the site;

(ii) no such building shall exceed a height of 7 metres above ground level or such lesser height that may be specified in the Air Navigation (Building Control) Regulations;

(iii) no such building or works shall be constructed closer than -

(a) 30 metres from the site frontage; and

(b) 10 metres from any other boundary;

(iv) the area within any such building set aside for administration shall not exceed 20 square metres;

(v) all machinery, equipment, materials or goods shall be stored within buildings; and

(vi) the said buildings shall be screened by trees and shrubs planted and maintained to the satisfaction of the responsible authority.

(b) In determining whether or not permission shall be granted to vary any of the provisions of paragraph (a) hereof, the responsible authority shall have regard to -

(i) the amenity of the locality;

(ii) the operation of the nearby airport and the noise exposure forecast level; and

(iii) whether additional landscaping or distances from the boundaries greater than those specified in this sub-clause should be required."

(8) The Table to Clause 25A shall be amended as follows -

Category 4 - Medium Advertising Control

Column 1 Insert the expression "Intensive Agriculture "D"
Zone".

This Amendment was approved by the Governor in Council on the 23rd November 1982 and notice of such approval was published in the Government Gazette dated the 1st December 1982.

TOWN AND COUNTRY PLANNING ACT 1961

At the Executive Council Chamber, Melbourne,
the 16th day of November, 1982.

PRESENT

His Excellency the Governor of Victoria

Mr Crabb

Mr Mackenzie

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 130

WHEREAS an application has been made by the Melbourne and Metropolitan Board of Works pursuant to sub-section (6) of Section 32 of the Town and Country Planning Act 1961 to the Minister for Planning for an amendment of the Melbourne Metropolitan Planning Scheme (hereinafter called 'the Principal Scheme');

AND WHEREAS the Minister is satisfied that the circumstances do not warrant the preparation of an amending planning scheme;

NOW THEREFORE His Excellency the Governor of the State of Victoria by and with the advice of the Executive Council by an amendment to be known as the Melbourne Metropolitan Planning Scheme, Amendment No. 130, doth hereby amend the Principal Scheme as follows :

Planning Scheme Ordinance:

1. After sub-clause (4) of Clause 14 of the Ordinance of the Principal Scheme there shall be inserted the following new sub-clause :

"(5) (a) The responsible authority shall not grant permission pursuant to the provisions of sub-clause (2) or sub-clause (3) hereof to use land for the purpose of shop where the gross leasable floor area of the buildings to be used for that purpose on such land pursuant to such permission will exceed 500 square metres.

(b) the responsible authority shall not grant permission pursuant to the terms of proviso (c) to sub-clause (1) hereof to construct buildings on any land for the purpose of shop where the gross leasable floor area of all buildings constructed pursuant to such permission will exceed 500 square metres.

(c) If at any time after the 26 November 1982 permission (herein called "the prior permission") has been granted pursuant to the provisions of sub-clause (2) or sub-clause (3) hereof (whether on one occasion or upon two or more successive or separate occasions) no further permission shall be granted by the responsible authority pursuant to this Clause to use such land for the purpose of shop whereby the gross leasable floor area of the buildings used or to be used for that purpose on such land pursuant to the prior permission together with such further permission would exceed 500 square metres.

(d) If at any time after the 26 November 1982 permission (herein called "the prior permission") has been granted pursuant to the terms of proviso (c) to sub-clause (1) hereof to construct buildings on any land for the purpose of shop (whether on one occasion or upon two or more successive or separate occasions) no further permission shall be granted by the responsible authority pursuant to this Clause to construct buildings on such land where the gross leasable floor area of the buildings constructed for that purpose pursuant to the prior permission together with such further permission would exceed 500 square metres."

2. In sub-clause (3) and in sub-clause (4) of the said Clause 14 there shall be substituted for the word "paragraphs" the word "sub-clauses".

AND the Honourable Evan Walker, Her Majesty's Minister for Planning for the State of Victoria, shall give the necessary directions herein accordingly.

TOM FORRISTAL
CLERK OF THE EXECUTIVE COUNCIL

This Amendment was approved by the Governor in Council on 16 November 1982 and notice of such amendment was published in the Government Gazette dated 24 November 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO 138 PART 2B

PART A - GENERAL

1 Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No 138 Part 2B.

2 Arrangement of Scheme:

This Planning Scheme is divided into the following -

Part A - General

Part B - Variation of the Principal Scheme

Planning Scheme Map - Maps bearing a Serial Number to each of which the suffix AM 138 Part 2B is added.

3 Definitions:

In this Planning Scheme, unless inconsistent with the context or the subject matter -

"Approval Date" means the date on which notice of approval of this Planning Scheme by the Governor in Council is published in the Government Gazette.

"Principal Scheme" means the Melbourne Metropolitan Planning Scheme approved by the Governor in Council on the 30th day of April 1968, as amended or varied by any subsequent planning scheme or an amendment made by the Governor in Council notice of approval of which or notice of which (as the case may be) has been published in the Government Gazette.

4 Application of Scheme:

After the approval date, the Principal Scheme shall be amended and varied in the manner and to the extent shown in Part B hereof and such Principal Scheme and the amendments and variations herein shall be read and construed as one.

PART B - VARIATION OF THE PRINCIPAL SCHEME

5 Planning Scheme Map:

The Planning Scheme Map of the Principal Scheme shall be amended and varied in the manner shown and to the extent delineated on the maps hereto which bear the same serial number as those of the Principal Scheme but to which numbers there has been added the suffix "AM 138 Part 2B".

Maps in the Principal Scheme which are so amended or varied are -
6, 12, 13, 54, 65, 84 and 2054.

6 Planning Scheme Ordinance:

The Planning Scheme Ordinance of the Principal Scheme shall be amended and varied as follows -

- (1) In the Table to Clause 6 there shall be inserted in Column 1 immediately after the expression "Light orange with green diagonal hatching and black "A" superimposed." the expression "Light orange with green diagonal hatching and black "C" superimposed." and there shall be set forth opposite thereto in Column 2 the expression "Intensive Agriculture "C".
- (2) In Clause 7 sub-clause (2) immediately after the expression "37A," insert the expression "37C,".
- (3) In the Table to Clause 7 there shall be inserted immediately after Section 37A Intensive Agriculture "A" Zone the following new Section 37C Intensive Agriculture "C" Zone -

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	COLUMN 5
		PURPOSE	CONDITIONS		
Section 37C INTENSIVE AGRICULTURE 'C' ZONE*	Apiary Pensioner Relative Unit	Agriculture Detached House	<p>No detached house shall be erected unless in accordance with the conditions applicable thereto as set forth in this Column.</p> <p>The site comprises not less than 8 hectares or the site is constituted by an allotment on a plan of subdivision approved pursuant to the provisions of sub-clause (2)(d) of Clause 20CC or permission shall have been granted pursuant to sub-clauses (2)(e), (2)(f) or (2)(g) of Clause 20CC or if prior to the 10th day of January, 1979, the site was comprised in land subdivided during the operation of an approved Planning Scheme and in</p>	<p>Afforestation Animal Husbandry Caretaker's House Home Occupation Major Transmission Line Minor Sports Ground Minor Utility Installation Passive Recreation Place of Worship Research Centre Road</p>	<p>Any purpose not specified in any Column of this Section of this Table.</p> <p>Any purpose specified in Column 3 of this Section of this Table if the condition or conditions set forth opposite such purpose are not complied with.</p>

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	COLUMN 5
		PURPOSE	CONDITIONS		
		Flat	<p>accordance with the provisions thereof or a permit granted thereunder and could then lawfully be used for the purpose of a detached house.</p> <p>The flat forms portion of or is added to a detached house and not more than two dwellings are thereby created.</p>		

* See Clause 20CC

- (4) In Clause 20CA sub-clause (1) immediately after the expression "Intensive Agriculture "A" Zone," insert the expression "Intensive Agriculture "C" Zone,".
- (5) There shall be inserted after Clause 20CB the following new Clause 20CC -

"20CC (1) The objective of the Intensive Agriculture "C" Zone is to recognise and retain the capability of land situated at Werribee South for market garden production in order to preserve the opportunity to maintain the supply of fresh vegetables to residents of the metropolitan area.

(2) The following provisions shall apply within an Intensive Agriculture "C" Zone -

- (a) No buildings or works (other than a fence, a sign if permitted by or pursuant to this Ordinance, and roadworks and associated street furniture, sewerage, drainage, water and gas mains, oil pipelines, electricity transmission lines operating at a voltage of less than 220,000 volts and telephone lines) shall be constructed on any land (whether or not permission to subdivide such land has been granted) without the permission of the responsible authority.
- (b) Save with the permission of the responsible authority as hereinafter provided land shall not be subdivided into allotments.
- (c) The responsible authority may permit the subdivision of land into allotments each of which has an area of not less than 8 hectares.
- (d) The responsible authority may permit the subdivision of land into allotments of less than 8 hectares but not less than 6 hectares provided that the land to be subdivided does not form part of a tenement from which an allotment has been previously excised pursuant to the provisions of this paragraph and
- (i) where the land to be subdivided has an area of 16 hectares or greater only one such allotment shall be created; or
- (ii) where the land to be subdivided has an area of less than 16 hectares only two such allotments shall be created.
- (e) The responsible authority may permit land to be subdivided into not more than two allotments one of which shall not exceed 0.15 hectare in area and may permit the allotment which does not contain a detached house to be used for such purpose if such permission is required provided that the land to be subdivided does not form part of a tenement from which an allotment has been previously

excised pursuant to the provisions of this paragraph and provided that the land to be subdivided -

- (i) has an area of not less than 8 hectares and the resultant number of dwellings on the land to be subdivided will not exceed 1 dwelling to each 4 hectares; or
 - (ii) has an area of less than 8 hectares but not less than 6 hectares and on the 1st day of December, 1971, comprised a separate tenement and the resultant number of dwellings on the land to be subdivided will not exceed 1 dwelling to each 3 hectares.
- (f) The responsible authority may permit land which on the 1st day of December, 1971, comprised one or more allotments on a plan of subdivision and where any part of the land is under the operation of the Transfer of Land Act 1958 the plan had at such date been approved by the Registrar of Titles or was a Crown Allotment or part thereof or a Crown Portion or part thereof to be used for the purpose of a detached house provided that the land was on such date and has since continued to subsist as a separate tenement.
- (g) The responsible authority may permit land having an area of not less than 2 hectares which on the 1st day of December, 1971, comprised an allotment shown on a plan of subdivision approved by the Registrar of Titles or a Crown Allotment or part thereof or a Crown Portion or part thereof to be used for the purpose of a detached house.
- (h) The responsible authority in determining whether or not permission should be granted pursuant to this Clause or what conditions (if any) are to be imposed if such permission be granted shall have regard to -
- (i) the purpose of the zone;
 - (ii) the long-term retention of viable land management units;
 - (iii) the capability of the land to accommodate the proposed development without detriment to the natural physical features or resources of the area;
 - (iv) the environmental capacity of the soils and water in the area;
 - (v) the location and design of roads (existing and proposed) and the impact thereof on the area;

(vii) the orderly and proper planning of the zone; and

(viii) the preservation of the amenity of the neighbourhood."

(6) In Clause 24 sub-clause (7) paragraph (b) immediately after the expression "Intensive Agriculture "A"," there shall be inserted the expression "Intensive Agriculture "C",".

(7) The Table to Clause 25A shall be amended as follows -

Category 4 - Medium Advertising Control

Column 1 Insert the expression "Intensive Agriculture "C" Zone.

This Amendment was approved by the Governor in Council on 6 October 1982 and notice of such approval was published in the Government Gazette No dated 13 October 1982

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 140 PART 2B

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 140 Part 2B.

2. Arrangement of Scheme:

This Planning Scheme is divided into the following -

Part A - General

Part B - Variation of the Principal Scheme

Planning Scheme Map - Maps bearing a Serial Number to each of which the suffix AM 140 Part 2B is added.

3. Definitions:

In this Planning Scheme, unless inconsistent with the context or the subject matter -

"Approval Date" means the date on which notice of approval of this Planning Scheme by the Governor in Council is published in the Government Gazette.

"Principal Scheme" means the Melbourne Metropolitan Planning Scheme approved by the Governor in Council on the 30th day of April, 1968, as amended or varied by any subsequent planning scheme or an amendment made by the Governor in Council notice of approval of which or notice of which (as the case may be) has been published in the Government Gazette.

4. Application of Scheme:

After the approval date, the Principal Scheme shall be amended and varied in the manner and to the extent shown in Part B hereof and such Principal Scheme and the amendments and variations herein shall be read and construed as one.

PART B - VARIATION OF THE PRINCIPAL SCHEME

5. Planning Scheme Map:

The Planning Scheme Map of the Principal Scheme shall be amended and varied in the manner shown and to the extent delineated on the maps hereto which bear the same serial number as those of the Principal Scheme but to which numbers there has been added the suffix "AM 140 Part 2B".

Maps in the Principal Scheme which are so amended or varied are -
40, 47, 51, 56, 2070 and 2071.

6. Planning Scheme Ordinance:

The Planning Scheme Ordinance of the Principal Scheme shall be amended and varied as follows -

(1) In Clause 2(1)(a)

(a) In the definition "*Apartment House*" delete the words "a mental institution".

(b) After the definition "*Educational Establishment*" there shall be inserted the following new definition -

"*Electoral Office*" means an office used for activities associated with electioneering by a candidate for any Local, State or Commonwealth Government election."

(c) In paragraph (f) of the definition "*Home Occupation*" after the expression "(as registered pursuant to the Motor Car Act 1958)" there shall be inserted the words "whether with or without a trailer".

(d) At the end of the definition "*Office*" there shall be added the words "and an electoral office".

(2) In Clause 2 sub-clause (2) paragraph (b) the words "Office of Titles" shall be deleted and the words "Registrar of Titles" substituted therefor.

(3) The Table to Clause 7 shall be amended as follows -

(a) Section 11 - Restricted Business Zone

Column 3 Insert the purpose "Electoral Office" and insert opposite thereto the following condition -

"Provided such purpose is only established for a maximum period of four months prior to, or during a Local, State or Commonwealth Government election and that the use ceases within 2 weeks after such election."

(b) Section 12 - Local Business Zone

Column 3 Insert the purpose "Electoral Office" and insert opposite thereto the following condition -

"Provided such purpose is only established for a maximum period of four months prior to, or during a Local, State or Commonwealth Government election and that the use ceases within 2 weeks after such election."

(4) In Clause 10 paragraph (d) the words "Office of Titles" shall be deleted and the words "Registrar of Titles" substituted therefor.

- (5) In Clause 20C sub-clause (2) paragraph (c) the expression "Clause 11A(1)(d)" shall be deleted and the expression "Clause 11A(1)(a)(v)" substituted therefor.
- (6) In Clause 24 sub-clause (11), paragraph (a) shall be deleted and the following substituted therefor -
 - "(a) Land in a Light Industrial Zone and a General Industrial Zone shall only be subdivided into allotments if each allotment has an area not less than 585 square metres and a frontage not less than 15 metres."
- (7) Clause 24A shall be amended as follows -
 - (a) In sub-clauses (1), (2) and (4) after the words "appropriate access driveways" there shall be inserted the following words "to the site".

(b) The part of Table 2 to Clause 24A concerned with the of Cranbourne shall be deleted and the following substituted therefor -

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Municipality	Zone or Zones	Street, Road or Road Reservation	Distance from Frontage	Distance from Sideage	Width of Garden Buffer Strip Adjoining Frontage
"Cranbourne	General Industrial Reserved General Industrial Reserved Light Industrial	Abbotts Road (east of Eumemmerring Creek) Dandenong/Hastings Road (including where land abuts a service access road) Frankston/Dandenong Road (south of Dingley By-Pass) Dingley By-Pass South Gippsland Freeway Greens Road (except land included in Crown Portion 92) Thompson Road Evans Road Cranbourne By-Pass Road Narre-Warren Road	20 metres	4.5 metres	20 metres
	Reserved General Industrial Reserved Light Industrial	South Gippsland Highway (including where land abuts a service access road)	20 metres	4.5 metres	20 metres
	General Industrial	South Gippsland Highway (except where the land abuts a service access road)	20 metres	4.5 metres	20 metres
		South Gippsland Highway (where land abuts a service access road)	6 metres	3 metres	6 metres
	All industrial zones	All other streets and roads	6 metres	3 metres	6 metres"

(8) In Clause 25 sub-paragraph (2)(i)(iv) shall be deleted.

(9) The Table to Clause 25A shall be amended as follows -

(a) Category 2 - Local Business Advertising Control
Column 3 In lieu of the expression "(b)" there shall be substituted the expression "(c)" and before the said expression there shall be inserted the following new condition -

"(b) no part of such sign shall be constructed or exhibited above a verandah or where there is no verandah at a height of more than 3.7 metres above pavement level".

(b) Category 4 - Medium Advertising Control
Column 4 Delete "Bunting Sign"
Column 5 Insert "Bunting Sign"

This Amendment was approved by the Governor in Council on 13 July 1982 and notice of such approval was published in the Government Gazette dated 21 July 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 140 PART 2C

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 140 Part 2C.

2. Arrangement of Scheme:

This Planning Scheme is divided into the following -

Part A - General

Part B - Variation of the Principal Scheme

Planning Scheme Map - Maps bearing a Serial Number to each of which the suffix RA AM 140 Part 2C is added.

3. Definitions:

In this Planning Scheme, unless inconsistent with the context or the subject matter -

"Approval Date" means the date on which notice of approval of this Planning Scheme by the Governor in Council is published in the Government Gazette.

"Principal Scheme" means the Melbourne Metropolitan Planning Scheme approved by the Governor in Council on the 30th day of April, 1968, as amended or varied by any subsequent planning scheme or an amendment made by the Governor in Council notice of approval of which or notice of which (as the case may be) has been published in the Government Gazette.

4. Application of Scheme:

After the approval date, the Principal Scheme shall be amended and varied in the manner and to the extent shown in Part B hereof and such Principal Scheme and the amendments and variations herein shall be read and construed as one.

PART B - VARIATION OF THE PRINCIPAL SCHEME

5. Planning Scheme Map:

The Planning Scheme Map of the Principal Scheme shall be amended and varied in the manner shown and to the extent delineated on the maps hereto which bear the same serial number as those of the Principal Scheme but to which numbers there has been added the suffix "RA AM 140 Part 2C".

Maps in the Principal Scheme which are so amended or varied are -
2110 and 2150.

6. Planning Scheme Ordinance:

The Planning Scheme Ordinance of the Principal Scheme shall be amended and varied as follows -

- (1) In Clause 1(1) following the expression "suffix "HC"" there shall be inserted the expression "or the suffix "RA"".
- (2) In Clause 2(1)(a) after the definition "*Restricted Office*" there shall be inserted the following new definition -

"*Restructuring Area*" means an area of land that has prior to the approval date been subdivided and should by way of consolidation, resubdivision or otherwise be redeveloped into larger allotments."

- (3) After Clause 22C there shall be inserted the following new Clause 23 and Table thereto -

"23. (1) The objective of this Clause is to provide for the restructuring of land which has been subdivided -

- (a) in such a way as to prevent or inhibit the use of the land for a suitable purpose or in a suitable manner having regard to the natural physical features or resources of the area;
- (b) into allotments that are too small having regard to the nature of the land and its surroundings; or
- (c) in a manner that is in any other respect inappropriate;

and that such restructuring shall generally accord with the suggested Restructured Allotment Plan relevant to the Restructuring Area as described in the Table to this Clause.

- (2) A Restructuring Area is designated on those maps comprised within the Planning Scheme Map to the serial number of which has been added the suffix "RA" by means of red diagonal hatching enclosed within a red line with black "RA" superimposed.
- (3) Notwithstanding anything contained in this Ordinance the following provisions shall apply to land in a Restructuring Area -
 - (a) such land, or any part thereof, shall not be subdivided into allotments or parts until a plan of such subdivision has been submitted to and approved by the responsible authority;
 - (b) no such land, or any part thereof, shall be developed for the purpose of a detached house and no such land, or any part thereof, shall after the commencement date hereof commence to be used for the purpose of a detached house without the permission of the responsible authority; and
 - (c) the responsible authority may grant permission for the development or use of such land, or any part thereof, for the purpose of a detached house and may impose such conditions as it deems fit upon any such permission.