

- (4) In determining whether or not permission under this Clause should be given or what conditions, if any, should be imposed, the responsible authority shall have regard to -
- (a) the need to restructure the subdivision as existing at the approval date hereof in order to reduce the impact of development on the natural environment;
 - (b) the layout of the road pattern, the likely design of roads and the impact thereof on landscape quality;
 - (c) the availability of a reticulated water supply service to land within the Restructuring Area;
 - (d) the capability of the land or any part thereof to be used for the purpose of a detached house without detriment to the natural physical features or resources of the locality including without affecting the generality of the foregoing, the capacity of the soils and water to absorb wastes;
 - (e) the primary purpose for which the land is zoned;
 - (f) the orderly and proper planning of the zone; and
 - (g) the suggested Restructured Allotment Plan.

TABLE TO CLAUSE 23

COLUMN 1	COLUMN 2
Restructuring Area	Description of Restructured Allotment Plan
Eden Park Estate, Shire of Whittlesea	Restructured Allotment Plan No. 1
Grandview Estate, Bald Spur Road, Shire of Eltham	Restructured Allotment Plan No. 2"

This Amendment was approved by the Governor in Council on 31 August 1982 and notice of such approval was published in the Government Gazette dated 8 September 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO 142 Part 4

PART A - GENERAL

1 Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No 142 Part 4.

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 - Map bearing a Serial Number to which the suffix AM 142 Part 4 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 No 49 of the Principal Scheme shall be amended and varied in the manner shown and to the extent delineated on the map hereto which bears the same serial number as that of the Principal Scheme but to which number there has been added the suffix "AM 142 Part 4".

6 Planning Scheme Ordinance:

The Table to Clause 22AA of the Planning Scheme Ordinance of the Principal Scheme shall be amended by the insertion in Column 1 of the following expression:

"South side of Waltham Street, City of Sandringham, and more particularly described as the whole of the land in Certificates of Title: Volume 2966 Folio 3155, Volume 5024 Folio 4767, Volume 9001 Folio 919, Volume 7668 Folio 033 and Volume 7922 Folio 131"

and set forth opposite thereto in Column 2 the following maximum gross leasable floor area -

"3,200 square metres"

and in Column 3 the following conditions -

- "(a) Provision shall be made for car parking at a ratio of not less than 6.0 car spaces per 100 square metres of gross leasable floor area and such car spaces shall be located on the subject land and in Waltham Street in accordance with the plans submitted under condition (a) of this clause.
- (b) Not less than 146 additional car spaces shall be available within the area bounded by (but not including) Abbott Street, the Melbourne-Sandringham railway line, (and including) Melrose Street, (but not including) Beach Road, the south-east boundary of No 115 Beach Road, the right of way at the rear of the subject land and the western boundary of the subject land.
- (c) The width and position of the existing constructed vehicular carriageway of Chalmers Avenue between Waltham Street and The Crescent shall not be varied, however, car parking may be provided on both sides if required by the development provided the same is satisfied."

This Amendment was approved by the Governor in Council on 12 October 1982 and notice of such approval was published in the Government Gazette dated 13 October 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 143 PART 2A

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 143 Part 2A.

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 143 Part 2A 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, 1963, 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 143 Part 2A".

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

27, 32, 33, 45, 61, 86 and 2135.

6. Planning Scheme Ordinance:

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

- (1) The Table to Clause 7 shall be amended as follows -
 - (a) Section 1C - Corridor "A" Zone
Column 4 Insert "Outdoor Recreation Park (other than a mini-motor cycle track or a motor vehicle skill circuit)"
 - (b) Section 34 - Special Use Zone No. 12
Column 4 Insert "Outdoor Recreation Park"
 - (c) Section 36A - General Farming "A" Zone
Column 4 Insert "Outdoor Recreation Park (other than a mini-motor cycle track or a motor vehicle skill circuit)"
- (2) In Clause 20 sub-clause (2) paragraph (a) after the words "other than" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (3) In Clause 20A sub-clause (2) after the words "other than" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (4) In Clause 21A after the words "sign if permitted by or pursuant to this Ordinance and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (5) In Clause 22 sub-clause (1) after the words "sign if permitted by or pursuant to this Ordinance and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (6) In Clause 22A sub-clauses (1) and (2) after the words "sign if permitted by or pursuant to this Ordinance and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (7) In Clause 22B after the words "a fence and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (8) In Clause 22C after the words "other than a fence," which appear in brackets insert the following words "roadworks and associated street furniture,".
- (9) Clause 24 shall be amended as follows -
 - (a) In sub-clause (1) after the words "other than" which appear in brackets insert the following words "roadworks and associated street furniture,".

- (b) In sub-clause (2) paragraph (b) after the words "other than a fence and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (c) In sub-clause (3) paragraph (c) after the words "other than a fence and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (d) In sub-clause (3A) paragraph (c) after the words "other than a fence and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (e) In sub-clause (3B) after the words "other than a fence, and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (f) In sub-clause (6) after the words "other than a fence and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (g) In sub-clause (6A) after the words "sign if permitted by or pursuant to this Ordinance, and" which appear in brackets insert the following words "roadworks and associated street furniture,".
- (h) In sub-clause (13) paragraph (d) after the words "other than" which appear in brackets insert the following words "roadworks and associated street furniture,".

This Amendment was approved by the Governor in Council on 18 May 1982 and notice of such approval was published in the Government Gazette dated 26 May 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 143 PART 2B

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 143 Part 2B.

2. Arrangement of Scheme:

This Planning Scheme is divided into the following -

Part A - General

Part B - Variation of the Principal Scheme

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 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*" after the words "a reformative institution", insert the words "a retired persons residential community".

- (b) In the definition "*Institutional Home*" after the words "and the infirm", insert the words "and includes" and after the words "a hospital" insert the words "or a retired persons residential community".
- (c) After the definition "*Restricted Office*" there shall be inserted the following definition

"*Retired Persons Residential Community*" means a residential complex comprising dwellings of one or more types established to provide accommodation for retired persons or the aged and may include provision for community facilities such as recreational or medical facilities and the like for persons comprising such community but does not include an institutional home or a hospital."

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

- (a) Section 6 - Residential "C" Zone
Column 4 Insert "Retired Persons Residential Community"
- (b) Section 7 - Residential "D" Zone
Column 5 Insert "Retired Persons Residential Community"
- (c) Section 8 - Reserved Living Zone
Column 4 Insert "Retired Persons Residential Community"
- (d) Section 14 and - General Industrial Zone
Section 15 - Special Industrial Zone
Column 5 Insert "Retired Persons Residential Community"
- (e) Section 17 and - Reserved General Industrial Zone
Section 17A - Reserved Special Industrial Zone
Column 5 Insert "Retired Persons Residential Community"
- (f) Section 21 - Offensive Industrial Zone
Column 5 Insert "Retired Persons Residential Community"
- (g) Section 22 - Dangerous Industrial Zone
Column 5 Insert "Retired Persons Residential Community"

This Amendment was approved by the Governor in Council on 14 September 1982 and notice of such approval was published in the Government Gazette dated 22 September 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 155 PART 3A

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 155 Part 3A.

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 155 Part 3A 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 155 Part 3A".

Maps in the Principal Scheme which are so amended or varied are -
26, 27, 39, 45, 58, 60 and 71.

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) in the definition "Dwelling" for the words "a residential building or apartment house" substitute the words "a residential building, apartment house or motel".
- (2) Clause 25B paragraph (f) sub-paragraph (iv) shall be amended by the addition of the following expression at the end thereof -

"provided that subject to the permission of the responsible authority the advertisement area may exceed 10 square metres where the advertisement relates to the sale of more than 20 allotments in a land subdivision."

This Amendment was approved by the Governor in Council on 3 August 1982 and notice of such approval was published in the Government Gazette dated 10 August 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO 156 PART 3

PART A - GENERAL

1 Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No 156 Part 3.

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 156 Part 3 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 156 Part 3".

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

74 and 87.

6 Planning Scheme Ordinance:

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

The Table to sub-clause (2) of Clause 22 shall be amended by the insertion in Column 1 of the following words -

"North-east corner of Karingal Drive and Cranbourne Road, City of Frankston"

and set forth opposite thereto in Column 2 the following expression -

"20,000 square metres"

and in Column 3 the following conditions -

- "(a) Provision shall be made for not less than 1,800 car spaces complying with the provisions of Clause 28 of this Ordinance.
- (b) The floor area of offices on the said land shall not exceed 1,000 square metres.
- (c) Shops in single occupancy each having a gross leasable floor area in excess of 2,000 square metres shall comprise not more than 80 per cent of the total gross leasable floor area specified in Column 2 of this Table."

This Amendment was approved by the Governor in Council on 19 October 1982 and notice of such approval was published in the Government Gazette dated 27 October 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 157 PART 2A

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 157 Part 2A.

2. Arrangement of Scheme:

This Planning Scheme is divided into the following -

Part A - General

Part B - Variation of the Principal Scheme

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 Ordinance:

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

In sub-clause (3) of Clause 20C paragraph (d) and the words thereafter shall be deleted and the following additional paragraphs (d) and (e) and the words at the end thereof shall be inserted -

- "(d) the availability of water and the location of access roads necessary to assist in suppression of fires;
- (e) where land is located in two zones one of which is a Conservation "A" Zone in addition to the preceding matters -
 - (i) the location of lot boundaries;
 - (ii) the number of allotments or part thereof within the Conservation "A" Zone and the likely impact thereof on the effective management of the resources of the said zone; and
 - (iii) the need or otherwise for fencing to protect the resources of the Conservation "A" Zone;

and may impose such appropriate conditions as it deems fit including, without affecting the generality of the foregoing, the reafforestation, planting, replanting or sowing down of any part of the land."

This Amendment was approved by the Governor in Council on 31 August 1982 and notice of such approval was published in the Government Gazette dated 1 September 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 157 PART 2B

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 157 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 157 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 157 Part 2B".

Maps in the Principal Scheme which are so amended or varied are -
16, 17, 33, 38, 46, 53, 54, 63, 69, 74, 2051, 2071 and 2110.

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) after the interpretation "*Native Vegetation*" there shall be inserted the following new interpretation -

"*Occupational Store*" means a building not being a dwelling and not exceeding 80 square metres in floor area used for the storage of equipment or goods or the garaging of vehicles used or required in conjunction with the occupation of a person resident in a dwelling existing on the same land."

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

- | | | | |
|-----|-------------|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) | Section 1A | - | Stream and Floodway Zone |
| | Column 5 | | Insert "Occupational Store" |
| (b) | Section 1C | - | Corridor "A" Zone |
| | Column 3 | | In the condition opposite the purpose "Flat" for the word "flats" there shall be substituted the word "dwellings". |
| | Column 4 | | Insert "Occupational Store" |
| (c) | Section 3 | - | Residential "A" Zone |
| | Column 5 | | Insert "Occupational Store" |
| (d) | Section 5 | - | Residential "B" Zone |
| | Column 5 | | Insert "Occupational Store" |
| (e) | Section 6 | - | Residential "C" Zone |
| | Column 5 | | Insert "Occupational Store" |
| (f) | Section 6A | - | Special Residential Zone No. 1 |
| | Column 5 | | Insert "Occupational Store" |
| (g) | Section 7 | - | Residential "D" Zone |
| | Column 5 | | Insert "Occupational Store" |
| (h) | Section 8 | - | Reserved Living Zone |
| | Column 5 | | Insert "Occupational Store" |
| (i) | Section 19A | - | Service Business Zone |
| | Column 4 | | For the words "where carried on in an existing shop building" which appear in brackets following the purpose "Shop" there shall be substituted the following words "where carried on in a shop building existing immediately before the 20th day of September, 1978". |

- (j) Section 29A - Special Use Zone No. 7A
Column 3 For the words "Caretaker's Residence" wherever so appearing there shall be substituted the words "Caretaker's House".
- (k) Section 36A - General Farming "A" Zone
Column 3 In the condition opposite the purpose "Flat" for the word "flats" there shall be substituted the word "dwellings".
Column 4 Insert "Occupational Store"
- (l) Section 37A - Intensive Agriculture "A" Zone
Column 3 In the condition opposite the purpose "Flat" for the word "flats" there shall be substituted the word "dwellings".
- (m) Section 38A - Special Extractive "A" Zone
Column 4 Insert "Occupational Store"
- (n) Section 39A - Landscape Interest "A" Zone
Column 3 In the condition opposite the purpose "Flat" for the word "flats" there shall be substituted the word "dwellings".
Column 4 Insert "Occupational Store"
- (o) Section 40A - Conservation "A" Zone
Column 3 In the condition opposite the purpose "Flat" for the word "flats" there shall be substituted the word "dwellings".
Column 4 Insert "Occupational Store"
- (p) Section 43 - Special Conservation Zone
Column 3 In the condition opposite the purpose "Flat" for the word "flats" there shall be substituted the word "dwellings".
Column 4 Insert "Occupational Store"

(3) For sub-paragraph 11A(1)(a)(v) substitute the following -

"(v) the land was comprised in a separate tenement having an area of not less than 8 hectares on which at least one detached house was erected and consists of one of two allotments into which the responsible authority has concurrently with the permit granted hereunder permitted such land to be subdivided pursuant to Clause 20C(2)(c) hereof, provided always the number of detached houses contained within the said tenement does not exceed two."

(4) For paragraph 20C(2)(c) substitute the following -

"(c) The responsible authority may permit land situate in the zones specified in Column 1 of the said Table and which on the 1st day of December 1971 comprised a separate tenement having an area of not less than 8 hectares on which at least one detached house was erected to be subdivided into two allotments if concurrently with permission so to subdivide the land the responsible authority grants permission pursuant to Clause 11A(1)(a)(v) if such permission is required for any such allotment to be used for the purpose of a detached house."

(5) Clause 24 sub-paragraph (14) shall be amended as follows -

(a) In paragraph (b) after the words "Planning Scheme" there shall be inserted the following words "but subject to the provisions of sub-clause (d) hereof".

(b) There shall be inserted the following additional paragraph (d) -

"(d) Notwithstanding the provisions of paragraph (b) hereof where prior to the approval date of this sub-clause a building was lawfully constructed to a height exceeding that specified in the said paragraph and such building be destroyed or so badly damaged that any part thereof above the aforesaid height cannot be occupied unless the building or the damaged portion thereof be reconstructed the responsible authority may grant permission for such reconstruction (in whole or in part) provided that the building is not increased beyond its former height.

In determining whether or not such permission should be given or what conditions, if any, should be specified the responsible authority shall have regard to -

(i) the extent that the former building was visible from within any part of the Royal Botanic Gardens, overshadowed any part thereof or created air turbulence therein and whether such effects should to any degree be permitted to re-occur;

(ii) the extent (if any) to which any adjoining building exceeds the height specified in paragraph (b);

and shall take into consideration the views of the Director of the Royal Botanic Gardens and other appropriate bodies."

(6) Clause 24A shall be amended as follows -

(a) In sub-clause (4) -

(i) After the words "minimum horizontal distance in metres of a wall of a building" insert the words "or any works".

(ii) After the expression "H = building height" insert the words "if any".

(iii) After the words "the highest point of such wall" insert the words "or works".

(b) In Table 1 -

(i) In Column 1 delete the word "Melbourne".

(ii) In Column 1 after the words "South Melbourne" insert the word "Melbourne" and set forth opposite thereto in Column 2 the expression "4.5 metres" and in Column 3 the expression "1.8 metres" and in Column 4 the expression "4.5 metres".

This Amendment was approved by the Governor in Council on 6 October 1982 and notice of such approval was published in the Government Gazette dated 13 October 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 160 PART 2A

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 160 Part 2A.

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 160 Part 2A 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 160 Part 2A".

Maps in the Principal Scheme which are so amended or varied are -
18, 19, 25, 26, 32, 58, 66 and 73.

6. Planning Scheme Ordinance:

The Table to sub-clause (2) of Clause 22 of the Planning Scheme Ordinance of the Principal Scheme shall be amended by the addition at the end thereof of the following expressions in the manner set forth below -

COLUMN 1	COLUMN 2	COLUMN 3
"North-east corner of Hampstead Road and Mitchell Street, City of Sunshine	1,350 square metres	Provision shall be made for not less than 90 car spaces complying with the provisions of Clause 28 of this Ordinance.
North-east corner of Viney Street and Bourke Road, City of Oakleigh, more particularly described as Lot 1 Lodged Plan Number 78410	6,024 square metres	Provision shall be made for car parking at a ratio of not less than 6.5 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 24 August 1982 and notice of such approval was published in the Government Gazette dated 1 September 1982.

MELBOURNE METROPOLITAN PLANNING SCHEME

AMENDMENT NO. 160 PART 3A

PART A - GENERAL

1. Title:

This Planning Scheme may be cited as the Melbourne Metropolitan Planning Scheme Amendment No. 160 Part 3A.

2. Arrangement of Scheme:

This Planning Scheme is divided into the following -

Part A - General

Part B - Variation of the Principal Scheme

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 Ordinance:

The Table to sub-clause (2) of Clause 22 of the Planning Scheme Ordinance of the Principal Scheme shall be amended by the addition at the end thereof of the following expressions in the manner set forth hereinafter -

COLUMN 1	COLUMN 2	COLUMN 3
<p>"Land between Rosamond Road and Warrs Road, City of Sunshine, more particularly described in Certificate of Title Volume 7474 Folio 155</p>	<p>84,500 square metres</p>	<p>Provision shall be made for not less than 5,083 car spaces complying with the provisions of Clause 28 of this Ordinance.</p>
<p>North-east corner of Kingshaw Street and Duosa Road more particularly described as Lots 120 to 122 (inclusive) Lodged Plan Number 11503 and land south-west corner of Millers Road and Duosa Road, City of Altona</p>	<p>19,700 square metres</p>	<p>Provision shall be made for not less than 1,300 car spaces complying with the provisions of Clause 28 of this Ordinance.</p>
<p>North-west corner of Burwood Highway and Hanover Road, City of Nunawading</p>	<p>12,200 square metres</p>	<p>Provision shall be made for not less than 750 car spaces complying with the provisions of Clause 28 of this Ordinance.</p>
<p>South-east corner of Springfield Road and Williams Road, City of Nunawading</p>	<p>10,100 square metres</p>	<p>Provision shall be made for not less than 900 car spaces complying with the provisions of Clause 28 of this Ordinance.</p>
<p>South-west corner of Burwood Highway and Blackburn Road, City of Nunawading</p>	<p>10,500 square metres</p>	<p>Provision shall be made for not less than 1,118 car spaces complying with the provisions of Clause 28 of this Ordinance.</p>
<p>North-east corner of Doncaster Road and Williams Road, City of Doncaster and Templestowe</p>	<p>46,500 square metres</p>	<p>Provision shall be made for not less than 3,736 car spaces complying with the provisions of Clause 28 of this Ordinance.</p>
<p>Land bounded by Murray Road, Hannah Street, Wood Street and the Darebin Creek, City of Preston</p>	<p>51,000 square metres</p>	<p>Provision shall be made for not less than 3,807 car spaces complying with the provisions of Clause 28 of this Ordinance.</p>