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## SCHEDULE 8 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ8.**

### MILDURA – IRYMPLE URBAN TRANSITION AREA

#### Purpose

To ensure that design and development is in accordance with the *Urban Design Guidelines – Mildura Urban Transition Area (April 2008).*

To support the expansion of existing education facilities in the precinct.

To encourage the development of community based uses in the precinct.

To encourage the development of tourist related activities.

To ensure that buildings demonstrate a low scale form appropriately setback from the road reserve.

To establish a significantly landscaped frontage.

To locate surface car parking to the rear of buildings.

### 1.0 Table of uses

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#### Section 1 - Permit not required

| USE | CONDITION |
|---|---|
| **Animal keeping (other than Animal boarding)** | Must be no more than 5 animals. |
| **Apiculture** | Must meet the requirements of the Apiary Code of Practice, May 1997. |
| **Bed and breakfast** | Must be in association with an existing dwelling. No more than 6 persons may be accommodated away from their normal place of residence.<br><br>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence. |
| **Carnival**<br>**Circus** | Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997. |
| **Crop raising (other than Rice growing and Timber production)**<br>**Home occupation**<br>**Informal outdoor recreation**<br>**Minor utility installation**<br>**Telecommunications facility** | |

#### Section 2 -Permit required

| USE | CONDITION |
|---|---|
| **Agriculture (other than Animal keeping, Apiculture, Broiler farm, Cattle feedlot, Crop raising, Extensive animal husbandry and** | |

| | |
|---|---|
| **Intensive animal husbandry)** | |
| **Animal boarding** | |
| **Car park** | Must be used in conjunction with another use in Section 1 or 2. |
| **Child care centre** | |
| **Dependent person's unit** | Must be the only dependent person's unit on the lot. |
| **Funeral home** | |
| **Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)** | |
| **Medical centre** | |
| **Nursing home**<br>**Place of worship**<br>**Place of assembly (other than Amusement parlour, Carnival, Cinema, Circus, Drive-in theatre and Nightclub).**<br>**Plant nursery** | |
| **Restaurant** | Must be used in conjunction with Agriculture, Indoor recreation facility, Outdoor recreation facility or Winery. The number of patrons present must not exceed 150 patrons. |
| **Residential college** | |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |
| **Veterinary centre** | |
| **Any other use not in Section 1 or 3** | |

### Section 3 -Prohibited

| USE |
|---|
| **Accommodation (other than Bed and breakfast, Dependent person's unit)** |
| **Amusement parlour** |
| **Brothel** |
| **Broiler farm** |
| **Camping and caravan park** |
| **Cattle feedlot** |
| **Cinema** |
| **Cinema based entertainment facility** |
| **Corrective institution** |
| **Display home** |
| **Drive in theatre** |
| **Dwelling** |
| **Freeway service centre** |
| **Freezing and cool storage works** |
| **Group accommodation** |
| **Hospital** |
| **Host farm** |
| **Hotel** |
| **Intensive animal husbandry** |
| **Industry** |
| **Manufacturing sales** |
| **Major sports and recreation facility** |
| **Market** |
| **Materials recycling** |
| **Milk depot** |
| **Motor racing track** |
| **Nightclub** |
| **Office (other than medical centre)** |
| **Refuse disposal** |
| **Refuse transfer station** |
| **Research and development centre** |
| **Research centre** |
| **Residential building (other than Nursing home and Residential college)** |
| **Residential hotel** |
| **Retail premises (other than Plant nursery and Restaurant)** |
| **Rice growing** |
| **Rural industry** |
| **Rural store** |
| **Service station** |
| **Shipping container storage** |
| **Solid fuel deport** |
| **Vehicle store** |
| **Warehouse** |

## 2.0 Use of land for a Dependent person's unit

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A lot used for a dependent person's unit must meet the following requirements:

### Application requirements

- Access to the dependent persons unit must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dependent persons unit 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 dependent persons unit 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 dependent persons unit must be connected to a reticulated electricity supply or have an alternative energy source.

## 3.0 Subdivision

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A permit is required to subdivide land.

A permit may be granted for the re-subdivision of existing lots, so long as the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.

## 4.0 Buildings and works

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A permit is required to construct or carry out any buildings or works.

### Application requirements

### Height

Buildings should not exceed a maximum height of 8 metres above ground level.

### Setbacks

- Buildings must be setback a minimum of 40 metres from the Fifteenth Street boundary.
- Buildings must be setback a minimum of 10 metres from the Cowra Avenue and Sandilong Avenue boundaries.
- For those sites in excess of 1 hectare, buildings must be setback a minimum 10 metres from one side boundary;
- For those sites in excess of 1 hectare, buildings must be setback a minimum 4 metres from the other side boundary; and
- Where vehicular access is provided to the rear of the site, there must be a minimum of 3.0 metre setback from the side boundary to allow for the provision of a landscaped buffer.

### Building frontage to Fifteenth Street

- Building frontages should be articulated with a maximum of 30 metres to the street frontage.

### Fences

Front fences are to be well recessed from Fifteenth Street and be permeable.

## 5.0 Referrals

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An application to create access onto Fifteenth Street 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 unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and referral authority.

## 6.0 Permit conditions

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The responsible authority may place conditions on any permit granted under this zone so as to preserve the amenity of the area or service the land including conditions relating to:

The provision of a Bank Guarantee a minimum of $10,000 which shall only be released upon satisfactory installation and maintenance of the landscaping specified in the Urban Design Guidelines and not before the lapse of 2 years from the completion of the required landscaping.

## 7.0 Decision guidelines

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Before deciding on an application to use or subdivide land, 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:

- The Urban Design Guidelines Mildura Irymple Urban Transition Area (April 2007)
- The Mildura Irymple Interface Study (2006)
- The provisions of Design and Development Overlay (Schedule 11).
- The capability of the land to accommodate the proposed use or development.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.
- 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 minimises 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 Advertising signs

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Advertising sign requirements are at Clause 52.05. This zone is in Category 4.