



# Victoria Government Gazette

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## Planning and Environment Act 1987

Section 7(5)

### MINISTERIAL DIRECTION

I, Richard Wynne, Minister for Planning, amend the Ministerial Direction on the Form and Content of Planning Schemes prepared under section 7(5) of the **Planning and Environment Act 1987**, as follows:

1. In Annexure 2 to the Direction, replace the template Schedule 1 to Clause 45.08 Melbourne Airport Environs Overlay with the new template schedule to that Clause which replaces the land use term Brothel with instructions as at **Attachment A**.

HON. RICHARD WYNNE MP  
Minister for Planning

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**SPECIAL**

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**Attachment A**

[INSERT PLANNING SCHEME NAME] PLANNING SCHEME

07/08/2019

**SCHEDULE 1 TO CLAUSE 45.08 MELBOURNE AIRPORT ENVIRONS OVERLAY**

Shown on the planning scheme map as **MAEO1**.

**Purpose**

To identify areas that are or will be subject to high levels of aircraft noise based on the 25 Australian Noise Exposure Forecast (ANEF) contour and to restrict use and development to that which is appropriate to that level of exposure.

**1.0****Use of land**

23/06/2022

**Dwelling and Dependent person's unit**

A permit is required to use land for:

- Dwelling.
- Dependent person's unit.

Land must not be used for:

- More than one Dwelling on a lot.
- More than one Dependent person's unit on a lot.

**Other**

A permit is required to use land for:

- Art and craft centre.
- Bar.
- Insert "Brothel." If the schedule is included in a planning scheme before 1 December 2023.
- Cinema based entertainment facility.
- Crematorium.
- Display home centre.
- Funeral parlour.
- Home based business.
- Host farm.
- Hotel.
- Indoor recreation facility.
- Office.
- Place of assembly (other than Drive-in theatre).
- Research and development centre.
- Research centre.

- Residential hotel.
- Restricted recreation facility.
- Retail premises.
- Veterinary centre.

Land must not be used for:

- Accommodation (other than, Dwelling, Dependent person's unit, Host farm and Residential hotel).
- Drive-in theatre.
- Education centre.
- Hospital.

## **2.0 Buildings and works**

25/10/2021

A permit is required to construct a building or construct or carry out works for a use in Sub-Section 1.0.

A permit is not required for:

- An open sided carport, verandah, pergola or other open sided structure.
- A non-habitable room or outbuilding.
- A swimming pool or tennis court.
- An alteration or extension to a dwelling which existed as at [insert date] provided the extension is less than 50 per cent of the floor area of the dwelling at that date. This exemption does not apply to a dwelling which was constructed between [insert date] and [insert date] on land that was subject to this overlay during this period.

## **3.0 Subdivision**

07/08/2019

Any subdivision of land which would increase the number of dwellings which the land could be used for is prohibited. This does not apply to the subdivision of land to create a lot for a dwelling in respect of which a permit has been granted.

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