

MORELAND PLANNING SCHEME
AMENDMENT C128
EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Moreland City Council which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to privately and publicly owned land across the City of Moreland as outlined below.

What the amendment does

The amendment rezones in part (unless otherwise specified) the following Public Park and Recreation Zones and Public Use Zones to Residential 1 Zone:

- 80 McBryde Street, Fawkner from Public Use Zone (Schedule 7) to Residential 1 Zone.
- 8 Adelaide Street, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
- 6 Adelaide Street, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
- 3/1A & 4/1A John Street, Oak Park from Public Park and Recreation Zone to Residential 1 Zone.
- 1/1, 2/1, 3/1 & 6/1 Margaret Street, Oak Park from Public Park and Recreation Zone to Residential 1 Zone.
- Land known as Lot 1 on Title Plan 943302L (land adjacent to 1 Goleen Street, Coburg North) from Public Park and Recreation Zone to Residential 1 Zone (all of land proposed to be rezoned).
- 12, 14 & 16 Sahara Way, Fawkner from Public Park and Recreation Zone to Residential 1 Zone.
- 3 Flannery Court, Brunswick West from Public and Recreation Zone to Residential 1 Zone.
- 13 Bellevue Street, Coburg from Public Park and Recreation Zone to Residential 1 Zone.
- 7, 9, 11 & 13 Main Street, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
- 15 Trenoweth Street, Brunswick West from Public Park and Recreation Zone to Residential 1 Zone.
- 4 & 8 Turnbull Court, Brunswick West from Public Park and Recreation Zone to Residential 1 Zone (all of the land at 4 Turnbull Court is proposed to be rezoned).
- 31, 33, 35, 37, 39, 41, 43, 2-4/45, 47 and 51 Waxman Parade, Brunswick West from Public Park and Recreation Zone to Residential 1 Zone (all of land at 4/45 Waxman Parade is proposed to be rezoned).

- 107 Cumberland Road, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
- 4 Herbert Street, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
- 1/1 Gregory Street, Oak Park from Public Park and Recreation Zone to Residential 1 Zone.
- 6 Goff Street, Coburg from Public Park and Recreation Zone to Residential 1 Zone.
- 4-106 Albert Street, Brunswick East (Fleming Park) from Public Park and Recreation Zone to Residential 1 Zone.
- 7 South Daly Street, Brunswick West from Public Use Zone (Schedule 2) to Residential 1 Zone (all of land proposed to be rezoned).

The amendment rezones in part (unless otherwise specified) the following Residential 1 Zones to Public Park and Recreation Zone:

- 68 Kingfisher Gardens, Brunswick East from Residential 1 Zone to Public Park and Recreation Zone. (All of the land to be rezoned)
- 6 Clara Street, Brunswick East from Residential 1 Zone to Public Parks and Recreation Zone.
- 133A Hope Street, Brunswick from Residential 1 Zone to Public Parks and Recreation Zone.
- 44-46 Linda Street, Coburg from Residential 1 Zone to Public Parks and Recreation Zone.
- 182 Nicholson Street, Coburg (end of Edna Grove) from Residential 1 Zone to Public Parks and Recreation Zone.
- 229 Hope Street, Brunswick West from Residential 1 Zone to Public Parks and Recreation Zone.
- 177B Cumberland Road, Pascoe Vale from Residential 1 Zone to Public Parks and Recreation Zone.
- 8A Beckley Street, Coburg from Residential 1 Zone to Public Parks and Recreation Zone.
- 66 Livingstone Street, Coburg North from Residential 1 Zone to Public Parks and Recreation Zone.
- 14 Kalang Road, Glenroy from Residential 1 Zone to Public Parks and Recreation Zone.
- 42-46 Northumberland Road, Pascoe Vale from Residential 1 Zone to Public Parks and Recreation Zone.
- 40 Adelaide Boulevard, Gowanbrae from Residential 1 Zone to Public Parks and Recreation Zone.
- 12 Park Street, Pascoe Vale from Residential 1 Zone to Public Parks and Recreation Zone.
- 23 Marlborough Street and 12 Queens Parade Fawkner from Residential 1 Zone to Public Parks and Recreation Zone.
- 43 Kernan Street, Pascoe Vale South from Residential 1 Zone to Public Parks and Recreation Zone.

- 563A Pascoe Vale Road, Pascoe Vale from Residential 1 Zone to Public Parks and Recreation Zone.
- 13 Reserve Court, Glenroy from Residential 1 Zone to Public Parks and Recreation Zone.
- 50-72 Harrison Street, Brunswick East from Residential 1 Zone to Public Parks and Recreation Zone.
- 104 Reynard Street, Coburg from Residential 1 Zone to Public Parks and Recreation Zone.

The amendment rezones in part (unless otherwise specified) the following Road Zone 1 to Residential 1 Zone:

- 7 Curtin Avenue, Brunswick West from Road Zone (Schedule 1) to Residential 1 Zone.
- 1, 1A & 1B Forster Court, Pascoe Vale South from Road Zone (Schedule 1) to Residential 1 Zone.
- Land known as Crown Grant Volume 10963 Folio 669 (land adjacent to 2 Flannery Court, Brunswick West) from Road Zone (Schedule 1) to Residential 1 Zone (all of land proposed to be rezoned).
- 533 Albion Street, Brunswick West from Road Zone (Schedule 1) to Residential 1 Zone (all of land proposed to be rezoned).
- 544 Moreland Road, Brunswick West & land known as Crown Land Subject to Crown Lease Volume 10747 Folio 105 (land adjacent to 544 Moreland Road, Brunswick West) from Road Zone (Schedule 1) to Residential 1 Zone.
- 441 Reynard Street, Pascoe Vale South from Road Zone (Schedule 1) to Public Parks and Recreation Zone.
- 11A Brentwood Avenue, Pascoe Vale South from Road Zone (Schedule 1) to Public Parks and Recreation Zone.

The amendment rezones part or all of land where part of land is in a different zone, zoning appears to be an error and replacement zoning is clear:

- 47-97 Glenroy Road, Glenroy from Public Park and Recreation Zone to Special Use Zone 1 (Private Sports Grounds).
- 98-102, 152A & 166-172 Gaffney Street, Coburg North from Industrial 1 Zone to Industrial 3 Zone.
- 1-3 Hossack Avenue, Coburg North from Industrial 1 Zone to Industrial 3 Zone.
- 420-428, 430-436, 438, 440, 440A, 444, 444A, 446 & 446A Sydney Road, Brunswick from Industrial 3 Zone to Commercial 1 Zone.
- 209-211 Elizabeth Street, Coburg North from Business 1 Zone to Residential 1 Zone.
- 380 Moreland Road, Brunswick West from Mixed Use Zone to Residential 1 Zone.
- 54 Collier Crescent, Brunswick West from Business 1 Zone to Residential 1 Zone.
- 47 Grantham Street & 1, 2, 4, 5, 7, 8, 9, 10, 10A, 10B, 10C, 11, 12, 13, 14, 15, 16 & 17/190 Union Street, Brunswick West (land on Strata Plan 027890J) from Residential 1 Zone to Commercial 1 Zone.
- 223-225 Elizabeth Street, Coburg North from Residential 1 Zone to Commercial 1 Zone.

- 1A-5A Nicholson Street, Brunswick East from Residential 1 Zone to Commercial 1 Zone.
- 1/2A, 2/2A, 4/2A, 2B, 2C, 2D-2E, 2F-2G Brunswick Road, Brunswick East from Residential 1 Zone to Commercial 1 Zone (all of land proposed to be rezoned).
- 100 Nicholson Street, Brunswick East from Residential 1 Zone to Mixed Use Zone.
- 341 Albert Street, Brunswick from Public Use Zone (Schedule 3) to Industrial Use Zone 1.
- 10-12/202-204 Glenlyon Road, Brunswick East from Mixed Use Zone to Residential 1 Zone.
- Land North West of 70 Ronald Street, Coburg from Industrial 1 Zone to Public Parks and Recreation.
- 2, 4 and 6 Governors Street, Coburg from Comprehensive Development Zone (Schedule 1) to Residential 1 Zone.
- 4-8 Turnbull Court (rear), Brunswick West from Public Park and Recreation Zone to Urban Floodway Zone.
- 9, 15 & 19 Waxman Parade (rear), Brunswick West from Public Park and Recreation to Urban Floodway Zone.
- 1/546 Albion Street, Brunswick West from Public Park and Recreation Zone to Urban Flood Zone.

The amendment modifies the following heritage overlays under Clause 43.01 of the Moreland Planning Scheme:

- Reduces the extent of HO114 on land formerly known as 12-20 Miller Street, Brunswick East (now known as 1-20 Lomandra Walkway, 1,3 & 5 Mary Moodie Way, 1-41, 43 & 45 Gear Street, 1-4 Edwina Way, 12, 14A, 14B, 16A, 16B, 18A, 18B & 20 Miller Street & 1-21 Dianella Walkway).
- Removes HO144 from the properties at 1/31, 2/31 and 3/31 Shaftsbury Street, Coburg.
- Applies HO169 to the full extent of the property at 610 Sydney Road, Coburg.
- Removes HO180 from the property at 216 Albion Street, Brunswick.
- Removes HO207 from the properties at 7, 9 and 11 Woodlands Avenue, Pascoe Vale South.
- Aligns HO213 with the Title boundaries of the Glenroy Substation at Hartington Street, Glenroy.
- Removes HO227 from the property at 7 South Daly Street, Brunswick West.
- Removes HO415 from the property at 4 Heath Street, Pascoe Vale.

The amendment removes the following Incorporated Plan and Development Plan Overlays under Clauses 43.03 and 43.04 of the Moreland Planning Scheme from all affected properties:

- IPO1 "Grandview Square Incorporated Plan, April 1999".
- DPO5 "Kingfisher Gardens, Off Stewart Street, East Brunswick".
- DPO7 "Merri Gardens, Coburg".
- DPO8 "Mixed Use Development Zone" Victoria Street, Brunswick.

The amendment removes the Environmental Audit Overlay under Clause 45.03 of the Moreland Planning Scheme from the following properties:

- 80 Devon Road, Oak Park.
- 46 Hunter Street, Brunswick West.
- 1-9 Lygon Street, Brunswick.
- 22 Dods Street, Brunswick.

The amendment makes changes to the following provisions of the Moreland Planning Scheme:

- Clause 21.01-1 Sustainability and the Four Pillars, amend the second sentence to replace “Council’s” with “Council”.
- Clause 21.05-1 Housing, amend the last strategy listed under Objective 3, to replace “higher than four storeys” with “of four or more storeys”.
- Clause 21.05-5 Urban Design, Urban Character and Street Landscapes, amend the third strategy listed under Objective 1 and the last strategy listed under Objective 3 to replace “higher than four storeys” with “of four or more storeys”.
- Clause 22.13 Heritage Policy, amend 22.13-1(Policy Basis) to update the reference to the SPPF heritage provisions by replacing the words “heritage in Clause 15.11” with “heritage conservation in Clause 15.03-1”.
- Clause 37.01 Special Use Zone – Schedule 2, amend Section 4.0 - Exemption from notice and appeal from “any application to use land” is changed to any application to “construct a building or to construct or carry out works” is exempt from notice and appeal.
- Clause 42.01 Environmental Significance Overlay – Schedules 1 and 2, amend Section 3.0 to delete the reference to “known Aboriginal heritage sites” so that the disturbing of known Aboriginal heritage sites is no longer a planning permit requirement.
- Clause 43.01 Heritage Overlay Schedule to remove HO144 and HO145.
- Clause 43.01 Heritage Overlay Schedule to rename HO114 ‘12-20 Miller Street, Brunswick East’ to ‘1-20 Lomandra Walkway, 1,3 & 5 Mary Moodie Way, 1-41, 43 & 45 Gear Street, 1-4 Edwina Way, 12, 14A, 14B, 16A, 16B, 18A, 18B & 20 Miller Street & 1-21 Dianella Walkway, Brunswick East’.
- Clause 43.03, remove Schedule 1 to the Incorporated Plan Overlay “Grandview Square Incorporated Plan, April 1999”.
- Clause 43.04, remove Schedule 5 to the Development Plan Overlay “Kingfisher Gardens, Off Stewart Street, East Brunswick”.
- Clause 43.04, remove Schedule 7 to the Development Plan Overlay “Merri Gardens, Coburg”.
- Clause 43.04, remove Schedule 8 to the Development Plan Overlay “Mixed Use Development Zone”.
- Schedule to Clause 61.03, remove reference to maps 9IPO, 12IPO and 12DPO.
- Schedule to Clause 81.01, remove reference to “Grandview Square Incorporated Plan, April 1999”.

Strategic assessment of the amendment

- **Why is the amendment required?**

The amendment is required to correct zone and overlay map anomalies, identified through the day to day use of the Moreland Planning Scheme and in the Review of the Moreland Planning Scheme (June 2010). Many matters, if unaddressed will lead to confusion for both the community and Council Officers administering the scheme. The amendment is also required to remove or update some redundant provisions from the scheme, including site specific Incorporated Plan, Development Plan and Environmental Audit Overlays.

Refer to the attached table for details regarding each matter proposed to be addressed as part of the amendment.

- **How does the amendment implement the objectives of planning in Victoria?**

The amendment will implement the following objective set out at Section 4 of the *Planning and Environment Act 1987* (the Act):

1(a) – to provide for the fair, orderly, economic and sustainable use, and development of land;

- **How does the amendment address the environmental effects and any relevant social and economic effects?**

The amendment seeks to make a number of relatively minor changes to the planning scheme, which will have no environmental, social and economic impacts on the development outcomes intended to be achieved by the existing planning scheme.

- **Does the amendment address relevant bushfire risk?**

The amendment is administrative in nature and will not impact on bushfire risk.

- **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

Form and Content of Planning Schemes

The amendment has considered and addressed the requirements of the *Ministerial Direction on the Form and Content of Planning Schemes*.

Potentially Contaminated Land

The amendment has considered and addressed the requirements of the *Minister's Direction No. 1 – Potentially Contaminated Land*.

Metropolitan Growth Strategy

The amendment is administrative in nature and corrects errors within and removes redundant provisions from the Moreland Planning Scheme. All changes to the scheme are consistent with the provisions of *Melbourne 2030* in accordance with the *Minister's Direction No. 9 - Metropolitan Strategy (Melbourne 2030 - planning for sustainable growth)*.

Strategic Assessment of Amendments

The amendment addresses the strategic considerations set out in the *Minister's Direction No. 11 - Strategic Assessment of Amendments*.

- **How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment is administrative in nature and corrects errors within and removes redundant provisions from the Moreland Planning Scheme. All changes to the scheme are consistent with the State Planning Policy Framework.

- **How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment is administrative in nature and corrects errors within and removes redundant provisions from the Moreland Planning Scheme. All changes to the scheme are consistent with the Local Planning Policy Framework.

- **Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment is administrative in nature and corrects errors within and removes redundant provisions from the Moreland Planning Scheme. All changes to the scheme are consistent with the Victoria Planning Provisions.

- **How does the amendment address the views of any relevant agency?**

Council have undertaken discussions with the following agencies prior to exhibition of the Amendment:

- Aboriginal Affairs Victoria
- Melbourne Water
- Native Title Service Victoria
- VicRoads

and have addresses the views of these agencies.

- **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is administrative in nature and corrects errors within and removes redundant provisions from the Moreland Planning Scheme. It will not have any impact on the transport system or the requirements of the Transport Integration Act 2010.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will save officer time by removing redundant provisions and addressing errors and anomalies, and alleviating unnecessary processes.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

Moreland Civic Centre
90 Bell Street
Coburg

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at <http://www.dpcd.vic.gov.au/planning/publicinspection>.

Amendment C128 Anomalies – Attachment to Explanatory Report

Table 1 – Proposed rezoning of Public Park and Recreation Zones and Public Use Zones to Residential 1 Zone

	Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
From Public Park and Recreation Zone or Public Use Zone to a Residential 1 Zone				
	5	80 McBryde Street, Fawkner	Part of the property at 80 McBryde Street, Fawkner is zoned Public Use Zone 7. The remaining part of the property is zoned Residential 1. The property is occupied by a dwelling.	Amend map 5 to rezone part of the property at 80 McBryde Street, Fawkner from Public Use Zone 7 to Residential 1 Zone.
	6	8 Adelaide Street, Pascoe Vale	Part of the property at 8 Adelaide Street, Pascoe Vale is zoned Public Park and Recreation. The remaining part of the property is zoned Residential 1. The property is occupied by a dwelling.	Amend map 6 to rezone part of the property at 8 Adelaide Street, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
	6	6 Adelaide Street, Pascoe Vale	Part of the property at 6 Adelaide Street, Pascoe Vale is zoned Public Park and Recreation. The remaining part of the property is zoned Residential 1. The property is occupied by a dwelling.	Amend map 6 to rezone part of the property at 6 Adelaide Street, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
	6	3 & 4/1A John Street, Oak Park	Part of the properties at 3 & 4/1A John Street, Oak Park are zoned Public Park and Recreation. The remaining parts of the properties are zoned Residential 1. Both properties are occupied by dwellings.	Amend map 6 to rezone part of the properties at 3 & 4/1A John Street, Oak Park from Public Park and Recreation Zone to Residential 1 Zone.
	6	1/1, 2/1, 3/1 & 6/1 Margaret Street, Oak Park	Part of the properties at 1, 2, 3 & 6/1 Margaret Street, Oak Park are zoned Public Park and Recreation. The remaining parts of the properties are zoned Residential 1. All properties are occupied by dwellings.	Amend map 6 to rezone part of the properties at 1, 2, 3 & 6/1 Margaret Street, Oak Park from Public Park and Recreation Zone to Residential 1 Zone.
	8	Land known as Lot 1 on Title Plan 943302L (land adjacent to 1 Goleen Street, Coburg North)	The land is zoned Public Park and Recreation. However it is privately owned by the owner of the adjacent residential property which is occupied by a dwelling.	Amend map 8 to rezone the land known as Lot 1 on Title Plan 943302L (land adjacent to 1 Goleen Street, Coburg North) from Public Park and Recreation Zone to

Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
			Residential 1 Zone.
9	12, 14 & 16 Sahara Way, Fawkner	Parts of the properties at 12, 14 & 16 Sahara Way, Fawkner are zoned Public Park and Recreation. The remaining parts of the properties are zoned Residential 1. All properties are occupied by dwellings.	Amend map 9 to rezone part of the properties at 12, 14 & 16 Sahara Way, Fawkner from Public Park and Recreation Zone to Residential 1 Zone.
10	3 Flannery Court, Brunswick West	Part of the property at 3 Flannery Court, Brunswick West is zoned Public Park and Recreation Zone. The remaining part of the property is zoned Residential 1. The property is occupied by a dwelling and associated outbuildings.	Amend map 10 to rezone part of the property at 3 Flannery Court, Brunswick West from Public Park and Recreation Zone to Residential 1 Zone.
11	13 Bellevue Street, Coburg	Part of the property at 13 Bellevue Street, Coburg is zoned Public Park and Recreation. The remaining part of the property is zoned Residential 1. The property is occupied by a dwelling.	Amend map 11 to rezone part of the property at 13 Bellevue Street, Coburg from Public Park and Recreation Zone to Residential 1 Zone.
11	7, 9, 11 & 13 Main Street, Pascoe Vale	Part of the properties at 7, 9, 11 & 13 Main Street, Pascoe Vale are zoned Public Park and Recreation. The remaining parts of the properties are zoned Residential 1. All properties are occupied by dwellings.	Amend map 11 to rezone part of the properties at 7, 9, 11 & 13 Main Street, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
11	15 Trenoweth Street, Brunswick West	Part of the property at 15 Trenoweth Street, Brunswick West is zoned Public Park and Recreation. The remaining part of the property is zoned Residential 1. The property is occupied by a dwelling.	Amend map 11 to rezone part of the property at 15 Trenoweth Street, Brunswick West from Public Park and Recreation Zone to Residential 1 Zone.
13	4 & 8 Turnbull Court, Brunswick West	The property at 4 Turnbull Court, and part of the property at 8 Turnbull Court, Brunswick West are zoned Public Park and Recreation. The remaining parts of the properties are zoned Residential 1. All properties are occupied by dwellings.	Amend map 13 to rezone part of the properties at 4 & 8 Turnbull Court, Brunswick West from Public Park and Recreation Zone to Residential 1 Zone.
13	31,33, 35, 37, 39, 41, 43, 2-4/45, 47 and 51 Waxman Parade,	The property at 4/45 Waxman Parade and part of the properties at 9, 15, 31, 33, 35, 37, 39, 41, 43, 2-4/45, 47 and 51 Waxman Parade, Brunswick West are zoned	Amend map 13 to rezone part of the properties at 31, 35, 37, 39, 41, 43, 2-4/45, 47 and 51 Waxman Parade, Brunswick

	Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
		Brunswick West	Public Park and Recreation. The remaining parts of the properties are zoned Residential 1. All properties are occupied by dwellings.	West from Public Park and Recreation Zone to Residential 1 Zone.
	7	107 Cumberland Road, Pascoe Vale	Part of the property at 107 Cumberland Road, Pascoe Vale is zoned Public Park and Recreation. The remaining parts of the property is zoned Residential 1 Zone.	Amend map 7 to rezone part of the property at 107 Cumberland Road, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone
	6	4 Herbert Street, Pascoe Vale	Part of the property at 4 Herbert Street is zoned Public Park and Recreation. The remaining part of the land is zoned Residential 1 and is occupied by dwellings.	Amend map 6 to rezone part of the property at 4 Herbert Street, Pascoe Vale from Public Park and Recreation Zone to Residential 1 Zone.
	6	1/1 Gregory Street, Oak Park	Part of the property at 1/1 Gregory Street, Oak Park is zoned Public Park and Recreation. The remaining part of the land is zoned Residential 1 and is occupied by a dwelling.	Amend map 6 to rezone part of the property at 1/1 Gregory Street, Oak Park from Public Park and Recreation Zone to Residential 1 Zone.
	12	6 Goff Street, Coburg	Part of the property at 6 Goff Street, Coburg is zoned Public Park and Recreation. The remaining part of the land is zoned Residential 1 and is occupied by a dwelling.	Amend map 12 to rezone part of the property at 6 Goff Street, Coburg from Public Park and Recreation Zone to Residential 1 Zone.
	15	4-106 Albert Street, Brunswick East	This land, known as Fleming Park, is zoned Public Park and Recreation Zone. A small piece of land located in the south east corner of the land (which measures 1.66-1.83 metres in width and 41.52-41.53 metres in length and has an overall area of 72 square metres) has been encroached on by the property at 45 Albert Street for over 60 years. Consequently, since 1981 Council has leased this piece of land to the owner of 45 Albert Street, Brunswick East. To facilitate the purchase of the land from Council to the owner of 45 Albert Street, Brunswick East, the land needs to be zoned Residential	Amend map 15 to rezone part of the property at 47A & 47-51 Albert Street, Brunswick East from Public Park and Recreation Zone to Residential 1 Zone.

Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
		1.	
13	7 South Daly Street, Brunswick West	The property is zoned Public Use Zone 2. It appears that the land may have once belonged to the adjoining school; however it is now occupied by a dwelling and is privately owned.	Amend map 13 to rezone the property at 7 South Daly Street, Brunswick West from Public Use Zone 2 to Residential 1 Zone.

Table 2 – Proposed rezoning of Residential 1 Zones to Public Park and Recreation Zone

Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
From Residential 1 Zones to Public Park and Recreation Zone			
15	68 Kingfisher Gardens, Brunswick East	The land at 68 Kingfisher Gardens is zoned Residential 1 Zone. The land is vacant and part of the Merri Creek Trail.	Amend map 15 to rezone all of the land at 68 Kingfisher Gardens from Residential 1 Zone to Public Park and Recreation Zone.
15	6 Clara Street, Brunswick East (Abrahams Reserve)	The land is in a Residential 1 zone. The land, owned by Council is vacant land is surrounded by a Public Park and Recreation zone.	Amend map 15 to rezone part of Abrahams Reserve from Residential 1 Zone to Public Park and Recreation Zone.
14	133A Hope Street, Brunswick (Alex G Gillon Oval)	The land to the west of this reserve is in a Residential 1 Zone. The land, owned by Council, is the entrance to the Public Park and Recreation Zone.	Amend map 14 to rezone part Alex G Gillon Oval from Residential 1 Zone to Public Park and Recreation Zone.
12	44-46 Linda Street, Coburg (Anderson Reserve)	The land at the north of this reserve is in a Residential 1 Zone. The land, owned by Council, is the entrance to the Public Park and Recreation Zone.	Amend map 12 to rezone part Anderson Reserve from Residential 1 Zone to Public Park and Recreation Zone.
12	182 Nicholson Street, Coburg (Bowden Reserve) (land at the end of Edna Grove and	The land is in a Residential 1 Zone. The land is part of the Bowden Reserve and entrance to the Public Park and Recreation Zone.	Amend map 12 to rezone part Bowden Reserve from Residential 1 Zone to Public Park and Recreation Zone.

Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
	to the rear of properties at 13, 25 and 27 Merribell Street , Coburg)		
13	229 Hope Street, Brunswick West (Braddy Reserve)	The land is in a Residential 1 Zone. The land is part of the Public Park and Recreation Zone.	Amend map 13 to rezone part Braddy Reserve from Residential 1 Zone to Public Park and Recreation Zone.
7	177B Cumberland Road (Cole Reserve)	The land is zoned Public Park and Recreation but has a small section, adjacent to 2 Valerie Street that is zoned Residential 1.	Amend map 7 to rezone part Cole Reserve from Residential 1 Zone to Public Park and Recreation Zone.
12	8A Beckley Street, Coburg (Duggan Reserve)	The land is in a Residential 1 Zone. The land is part of a public parks and gardens and is the entrance to the Public Park and Recreation Zone.	Amend map 12 to rezone part Duggan Reserve from Residential 1 Zone to Public Park and Recreation Zone.
9	66 Livingstone Street, Coburg North (Edgars Creek / Melbourne Caravan Park)	The land is zoned Public Park and Recreation but has a small section that is zoned Residential 1.	Amend map 9 to rezone part Edgars Creek / Melbourne Caravan Park from Residential 1 Zone to Public Park and Recreation Zone.
2	14 Kalang Road, Glenroy (G E Clarke Reserve)	The land is zoned Public Park and Recreation however the walkway north from Lewis Street is incorrectly zoned Residential 1 Zone	Amend map 2 to rezone part G E Clarke Reserve from Residential 1 Zone to Public Park and Recreation Zone.
7	42-46 Northumberland Road, Pascoe Vale (Gavin Park).	The land is zoned Public Park and Recreation however two parts at 8 Arnold Court and adjacent 161A Essex Street are zoned Residential 1. These are part of the park and used as open space.	Amend map 7 to rezone part Gavin Park from Residential 1 Zone to Public Park and Recreation Zone.
2	40 Adelaide Boulevard, Gowanbrae (Gowanbrae – Riverwalk)	The land is zoned Public Park and Recreation however the public walkway running along Adelaide Boulevard incorrectly zoned Residential 1 Zone	Amend map 2 to rezone part Gowanbrae – Riverwalk from Residential 1 Zone to Public Park and Recreation Zone.
7	12 Park Street, Pascoe Vale (Herbert Payne Reserve)	Herbert Payne Reserve is zoned Public Park and Recreation. There is a section in the park that is zoned Residential 1.	Amend map 7 to rezone part Herbert Payne Reserve from Residential 1 Zone to Public Park and Recreation Zone.

Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
9	23 Marlborough Street and 12 Queens Parade Fawcner (Marlborough / Queens Parade)	Both of 23 Marlborough Street and 12 Queens Parade are part zoned Residential 1 Zone and Public Park and Recreation Zone. Both are used as public gardens and parks.	Amend map 9 to rezone part Marlborough / Queens Parade from Residential 1 Zone to Public Park and Recreation Zone.
7	43 Kernan Street, Pascoe Vale South (Moonee Ponds Creek)	43 Kernan Street is part of Moonee Ponds Creek and zoned Residential 1. The site is vacant and used for public parks and gardens.	Amend map 7 to rezone part Moonee Ponds Creek from Residential 1 Zone to Public Park and Recreation Zone.
6	563A Pascoe Vale Road, Pascoe Vale (Oak Park Reserve)	Oak Park Reserve is zoned Public Park and Recreation. A section to the north west off Edgecombe Street is incorrectly zoned Residential 1 Zone.	Amend map 6 to rezone part Oak Park Reserve from Residential 1 Zone to Public Park and Recreation Zone.
2	13 Reserve Court, Glenroy (Captain Chris Slattery (MBE) Reserve (was Reserve Court))	13 Reserve Court is a public park and garden. It is mainly zoned Public Park and Recreation. The entrance to the Reserve is zoned Residential 1.	Amend map 2 to rezone part Captain Chris Slattery (MBE) Reserve from Residential 1 Zone to Public Park and Recreation Zone.
15	50-72 Harrison Street, Brunswick East abutting 48 Harrison Street (Roberts Reserve)	Roberts Reserve is mainly zoned Public Park and recreation. A small section to the south west is zoned Residential 1 Zone. The land is used for open space.	Amend map 15 to rezone part of Roberts Reserve from Residential 1 Zone to Public Park and Recreation Zone.
14	104 Reynard Street, Coburg (Robinson Reserve)	104 Reynard Street is zoned Public Park and Recreation. Two sections at the north east and south east of the reserve are incorrectly zoned Residential 1.	Amend map 14 to rezone part Robinson Reserve from Residential 1 Zone to Public Park and Recreation Zone.

Table 3 – Proposed rezoning of Road Zone 1 to a Residential 1 Zone

Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
From Road Zone 1 to a Residential 1 Zone			
10	7 Curtin Avenue,	Part of the property at 7 Curtin Avenue, Brunswick	Amend map 10 to rezone part of the

	Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
		Brunswick West	West is zoned Residential 1. The remaining part of the property is zoned Road Zone 1. The property is occupied by a dwelling.	property at 7 Curtin Avenue, Brunswick West from Road Zone 1 to Residential 1 Zone.
	10	1, 1A & 1B Forster Court, Pascoe Vale South	Parts of the properties at 1, 1A & 1B Forster Court, Pascoe Vale South are zoned Residential 1. The remaining parts of the properties are zoned Road Zone 1. The properties are occupied by dwellings.	Amend map 10 to rezone part of the property at 1, 1A & 1B Forster Court, Pascoe Vale South from Road Zone 1 to Residential 1 Zone.
	10	Land known as Crown Grant Volume 10963 Folio 669 (land adjacent to 2 Flannery Court, Brunswick West)	The land is zoned Road Zone 1. However it is privately owned by the owner of the adjacent residential property and is occupied buildings associated with the dwelling.	Amend map 10 to rezone the land known as Crown Grant Volume 10963 Folio 669 (land adjacent to 2 Flannery Court, Brunswick West) from Road Zone 1 to Residential 1 Zone.
	10	533 Albion Street, Brunswick West	The property at 533 Albion Street, Brunswick West is zoned Road Zone 1. The property is vacant but has a valid planning permit for the development of the land for dwellings.	Amend map 10 to rezone the property at 533 Albion Street, Brunswick West from Road Zone 1 to Residential 1 Zone.
	10	441 Reynard Street, Pascoe Vale South (Moonee Ponds Creek Linear)	441 Reynard Street is a Public Park and Recreation Zone. Part of the Park at Turnbull Drive is zoned Road Zone (Schedule 1). This section is owned by Council and used as part of the Moonee Ponds Creek Linear.	Amend map 10 to rezone part Moonee Ponds Creek Linear from Road Zone 1 to Public Park and Recreation Zone.
	10	11A Brentwood Avenue, Pascoe Vale (Morris Reserve)	11A Brentwood Avenue is vacant Council Land in a Road Zone (Schedule 1).	Amend map 10 to rezone part Morris Reserve from Road Zone 1 to Public Park and Recreation Zone.

Table 4 - Rezoning land where part of land is in a different zone, zoning appears to be an error and replacement zoning is clear

	Planning	Affected Properties	Details of Change	Proposed Changes to Zoning Maps
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	Scheme Map			
Rezoning land where part of land is in a different zone, zoning appears to be an error and replacement zoning is clear				
	3	47-97 Glenroy Road, Glenroy	Part of the property at 47-97 Glenroy Road, Glenroy is zoned Public Park and Recreation. The remaining part of the property is zoned Special Use Zone 1. The property is occupied by the Northern Gold Club.	Amend map 3 to rezone part of the property at 47-97 Glenroy Road, Glenroy from Public Park and Recreation Zone to Special Use Zone 1 (Private Sports Grounds).
	8	98-102, 152A & 166-172 Gaffney Street, Coburg North	The rear part of the properties at 98-102, 152A & 166-172 Gaffney Street, Coburg North are zoned Industrial 1 Zone. The remaining parts of the properties are zoned Industrial 3 Zone. They are occupied by factories/ commercial buildings.	Amend map 8 to rezone parts of the properties at 98-102, 152A & 166-172 Gaffney Street, Coburg North from Industrial 1 Zone to Industrial 3 Zone.
	8	1-3 Hossack Avenue, Coburg North	The land is zoned half Industrial 1 Zone and half Industrial 3 Zone. It is occupied by a factory.	Amend map 8 to rezone part of the property at 1-3 Hossack Avenue, Coburg North from Industrial 1 Zone to Industrial 3 Zone.
	14	420-428, 430-436, 438, 440, 440A, 444, 444A, 446 & 446A Sydney Road, Brunswick	A small part at the rear of the properties at 420-428, 430-436, 438, 440, 444 & 446 Sydney Road, Brunswick are zoned Industrial 3. The remaining parts of the properties are zoned Business 1.	Amend map 14 to rezone part of the properties at 420-428, 430-436, 438, 440, 444 & 446 Sydney Road, Brunswick from Industrial 3 Zone to Commercial 1 Zone.
	9	209-211 Elizabeth Street, Coburg North	Part of the property at 209-211 Elizabeth Street, Coburg North is zoned Business 1. The remaining part of the property is zoned Residential 1. The property is occupied by a dwelling.	Amend map 9 to rezone part of the property at 209-211 Elizabeth Street, Coburg North from Business 1 Zone to Residential 1 Zone.
	11	380 Moreland Road, Brunswick West	Part of the property at 380 Moreland Road, Brunswick West is zoned Mixed Use. The remaining part of the property is zoned Residential 1. The property forms part of land at 380-384 Moreland Road, Brunswick which is occupied by a church. As the majority of the land is zoned Residential 1, it is logical that the whole of the site be zoned Residential 1.	Amend map 11 to rezone part of the property at 380 Moreland Road, Brunswick west from Mixed Use Zone to Residential 1 Zone.
	14	54 Collier Crescent,	Part of the property at 54 Collier Crescent, Brunswick	Amend map 14 to rezone part of the

		Brunswick West	West is zoned Business 1. The remaining part of the property is zoned Residential 1. The property is occupied by a dwelling.	property at 54 Collier Crescent, Brunswick West from Business 1 Zone to Residential 1 Zone.
	14	47 Grantham Street & 1, 2, 4, 5, 7, 8, 9, 10, 10A, 10B, 10C, 11, 12, 13, 14, 15, 16 & 17/190 Union Street, Brunswick West (land on Strata Plan 027890J)	Part of the property at 47 Grantham Street & 1, 2, 4, 5, 7, 8, 9, 10, 10A, 10B, 10C, 11, 12, 13, 14, 15, 16 & 17/190 Union Street, Brunswick West (land on Strata Plan 027890J) is zoned Residential 1. The remaining part of the property is zoned Business 1. The property is occupied by the Union Square Shopping Centre, with the car park occupying the part of the property zoned Residential 1.	Amend map 14 to rezone part of the property at 47 Grantham Street & 1, 2, 4, 5, 7, 8, 9, 10, 10A, 10B, 10C, 11, 12, 13, 14, 15, 16 & 17/190 Union Street, Brunswick West (land on Strata Plan 027890J) from Residential 1 Zone to Commercial 1 Zone.
	9	223-225 Elizabeth Street, Coburg North	Part of the property at 223-225 Elizabeth Street, Coburg North is zoned Residential 1. The remaining part of the property is zoned Business 1. The property is occupied by a shop.	Amend map 9 to rezone part of the property at 223-225 Elizabeth Street, Coburg North from Residential 1 Zone to Commercial 1 Zone.
	15	1A –5A Nicholson Street, Brunswick East	Part of the rear of the property at 1A –5A Nicholson Street, Brunswick East is zoned Residential 1. The remaining part of the property is zoned Business 1.	Amend map 15 to rezone part of the property at 1A-5A Nicholson Street, Brunswick East from Residential 1 Zone to Commercial 1 Zone.
	15	1/2A, 2/2A, 4/2A, 2B, 2C, 2D-2E, 2F-2G Brunswick Road, Brunswick East	The property is zoned Business 1. It forms part of a commercial strip otherwise zoned Business 1 and is occupied by commercial premises. It is logical that it be zoned Business 1.	Amend map 15 to rezone the properties at 1/2A, 2/2A, 4/2A, 2B, 2C, 2D-2E, 2F-2G Brunswick Road, Brunswick East from Residential 1 Zone to Commercial 1 Zone.
	15	100 Nicholson Street, Brunswick East	The rear of the property is zoned Mixed Use, while the remainder of the land is zoned Residential 1. The property is occupied by commercial premises. As the majority of the land is zoned Mixed Use, it is logical that the whole of the site be zoned Mixed Use.	Amend map 15 to rezone part of the property at 100 Nicholson Street, Brunswick East from Residential 1 Zone to Mixed Use Zone.
	14	341 Albert Street, Brunswick	The land at 341 Albert Street, Brunswick is currently in Public Use Zone 3. It is developed with a dwelling. However, the general area is zoned industrial 1.	Amend map 14 to rezone all of the property at 100 341 Albert Street, Brunswick from Public Use Zone 3 to Industrial 1 Zone.
	15	10, 11 & 12/ 202-204	Part of the properties at 10, 11 & 12/ 202-204 Glenlyon	Amend map 15 to rezone part of the

		Glenlyon Road, Brunswick East	Road, Brunswick East are zoned Mixed Use Zone. The remaining parts of the properties are zoned Residential 1. All properties are occupied by dwellings.	properties at 10, 11 & 12/ 202-204 Glenlyon Road, Brunswick East from Mixed Use Zone to Residential 1 Zone.
	9	Land adjacent to 70 Ronald Street, Coburg	The land is in the industrial 3 zone. The industrial zoning may have been required as part of the Kodak operation. The surrounding land is in the Public Park and Recreation Reserve.	Amend map 9 to rezone part of the land adjacent to 70 Ronald Street, Coburg from Industrial 3 Zone to Public Park and Recreation Zone.
	12	2, 4 & 6 Governors Street, Coburg	Part of the land at 2, 4 & 6 Governors Street, Coburg is zoned Residential. The remaining part of the land is zoned Comprehensive Development Zone (Schedule1).	Amend map 12 to rezone the properties at 2, 4 & 6 Governors Street, Coburg from Comprehensive Development Zone to Residential 1 Zone.
	13	4 - 8 Turnbull Court, Brunswick West	The lands at the rear of properties at 4 - 8 Turnbull Court, Brunswick West are zoned Public Park and Recreation. However the land is more appropriately zoned as an Urban Flood Way Zone in line with the UFZ that is currently there.	Amend map 13 to rezone part of the properties at 4 - 8 Turnbull Court, Brunswick West from Public Park and Recreation Zone to Urban Floodway Zone.
	13	9, 15 & 19 Waxman Parade, Brunswick West	The lands at the rear of properties at 9 & 15 Waxman Parade, Brunswick West are zoned Public Park and Recreation. However the land is more appropriately zoned as an Urban Flood Way Zone in line with the UFZ that is currently there.	Amend map 13 to rezone part of the properties at 9, 15 & 19 Waxman Parade, Brunswick West from Public Park and Recreation Zone to Urban Floodway Zone.
	13	1/546 Albion Street, Brunswick West	The land at 1/546 Albion Street, Brunswick West is zoned Public Park and Recreation Zone. However it is more appropriately zoned as an Urban Flood Way Zone in line with the UFZ that is currently there.	Amend map 13 to rezone 1/546 Albion Road, Brunswick West from Public Park and Recreation Zone to Urban Floodway Zone.
	10	544 Moreland Road, Brunswick West & land known as Crown Land Subject to Crown Lease Volume 10747 Folio 105 (land adjacent to 544 Moreland Road, Brunswick West)	Part of the property at 544 Moreland Road is zoned Residential 1 and part is zoned Road Zone 1. The land is in the ownership of VicRoads who, as a result of exhibition of the amendment have sought that the amendment rezone the land from Residential 1 Zone to Road Zone 1 in accordance with the mapping provided by their Declaration Section.	Amend map 10 to rezone part of the property at 544 Moreland Road, Brunswick West & land known as Crown Land Subject to Crown Lease Volume 10747 Folio 105 (land adjacent to 544 Moreland Road, Brunswick West) from Residential 1 Zone to Road Zone 1 in accordance with the mapping provided by VicRoads.

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Table 5 – Proposed Changes to Heritage Overlay

HO#	Planning Scheme Map	Affected Properties	Details of Change	Proposed Changes to Heritage Overlay Maps &/or Schedules
HO114	15HO	Land formerly known as 12-20 Miller Street, Brunswick East (now known as 1-20 Lomandra Walkway, 1,3 & 5 Mary Moodie Way, 1-41, 43 & 45 Gear Street, 1-4 Edwina Way, 12, 14A, 14B, 16A, 16B, 18A, 18B & 20 Miller Street & 1-21 Dianella Walkway)	Part of HO114 (12-20 Miller Street, East Brunswick – John Welsh Factory) was deleted as part of Amendment C49. Later, Amendment C86, which was intended to only correct the labelling on map 15HO from “HO144” to “HO114”, unintentionally altered map 15HO to show the former, larger, extent of HO114.	Amend map 15HO to reduce the extent of HO114 due to a mapping error.
HO144	11HO	1-3/31 Shaftsbury Street, Coburg	HO144 relates to “Latham Lodge” which was demolished in approximately 1991, and replaced with new units.	Amend map 11HO to delete HO144. Delete the HO144 row from the HO Schedule.
HO169	11HO	610 Sydney Road, Coburg	HO169 relates to “Villa Italia”. When HO169 was introduced into the Coburg Planning Scheme in 1992, it was shown on the map as applying to half the site only.	Amend map 11HO to apply HO169 to the full extent of the property at 610 Sydney Road, Coburg to correct a mapping error.
HO180	14HO	216 Albion Street, Brunswick	HO180 relates to the Upfield Railway in Brunswick and Coburg. It does not relate to land at 216 Albion Street, Brunswick which is former railway land now in private ownership.	Amend map 14HO to remove HO180 from the property at 216 Albion Street, Brunswick West to correct a mapping error.
HO207	10HO & 11HO	7,9 & 11 Woodlands Avenue, Pascoe Vale South	The rears of these properties have been incorrectly included in the Coonan’s Hill Precinct Heritage Overlay (HO207). This error came into effect when	Amend maps 10HO & 11HO to remove HO207 from the properties at 7, 9 & 11

				the Coonan's Hill Precinct Heritage Overlay was extended as part of Amendment C78 on 10 March 2011.	Woodlands Avenue, Pascoe Vale South to correct a mapping error.
	HO213	2HO	Glenroy Substation, Hartington Street, Glenroy (Lots 1, 2 and 3 on Title Plan 592405D, Lot 1 on Title Plan 572566Q and Lot 238 on Plan of Subdivision 002058)	HO213 does not align with the Title boundaries of the site.	Amend map 2HO so that HO213 aligns with the Title boundaries of the Glenroy Substation, Hartington Street, Glenroy (Lots 1, 2 and 3 on Title Plan 592405D, Lot 1 on Title Plan 572566Q and Lot 238 on Plan of Subdivision 002058)to correct a mapping error.
	HO227	13HO	7 South Daly Street, Brunswick West	The heritage citation for HO227 relates to the Brunswick South West Primary School and makes no references to the dwelling at 7 South Daly Street or to any other dwelling associated with the history of the school.	Amend map 13HO to remove HO227 from the property at 7 South Daly Street, Brunswick West to correct a mapping error.
	HO415	7HO	Heath Street, Pascoe Vale	The Heritage Overlay was places on the property as part of amendment C129 – North of Bell Street Heritage Study. The property at 4 Heath Street, Pascoe Vale was demolished before C129 was approved on 18 July 2013.	Amend map 7HO to remove HO415 from the property at 4 Heath Street, Pascoe Vale to correct a mapping error.

Table 6 – Proposed Removal of Incorporated Plan Overlays & Development Plan Overlays

	IPO/DPO Provision	Details of Change	Proposed Changes to Moreland Planning Scheme	Proposed Changes to Overlay Maps
	Clause 43.03 Incorporated Plan Overlay Schedule 1 "Grandview	Schedule 1 to Clause 43.03 Incorporated Plan Overlay "Grandview Square Incorporated Plan - April 1999" was introduced as part of Amendment L64 to the Moreland Planning Scheme in 22 June	Delete Schedule 1 to Clause 43.03 Incorporated Plan Overlay "Grandview Square Incorporated Plan, April 1999".	Delete maps 9IPO and 12IPO to delete IPO1 from all affected properties.

	Square Incorporated Plan - April 1999"	1999. It covers land within the former Pentridge Prison. The land the IPO1 covers has now been completely developed with medium density residential development. The Incorporated Plan is therefore no longer necessary as a planning control.	Amend the Schedule to Clause 61.03 to remove reference to 9IPO and 12IPO from the Moreland Planning Scheme. Amend the Schedule to Clause 81.01 to remove "Grandview Square Incorporated Plan - April 1999".	
	Clause 43.04 Development Plan Overlay Schedule 5 "Kingfisher Gardens, Off Stewart Street, East Brunswick"	Schedule 5 to Clause 43.04 Development Plan Overlay "Kingfisher Gardens, Off Stewart Street, East Brunswick" was introduced as part of Amendment L16 to the Moreland Planning Scheme on 12 September 1996. The land the DPO5 covers has now been completely developed. The Development Plan Overlay is therefore no longer necessary as a planning control.	Delete Schedule 5 to Clause 43.04 Development Plan Overlay "Kingfisher Gardens, Off Stewart Street, East Brunswick".	Amend map 15DPO to delete DPO5 from all affected properties.
	Clause 43.04 Development Plan Overlay Schedule 7 "Merri Gardens, Coburg"	Schedule 7 to Clause 43.04 Development Plan Overlay "Merri Gardens, Coburg" was introduced as part of Amendment L19 to the Coburg Planning Scheme on 13 November 1991. The land DPO7 covers has now been completely developed. The Development Plan Overlay is therefore no longer necessary as a planning control.	Delete Schedule 7 to Clause 43.04 Development Plan Overlay "Merri Gardens, Coburg". Amend the Schedule to Clause 61.03 to remove reference to 12DPO from the Moreland Planning Scheme	Delete map 12DPO to delete DPO7 from all affected properties.
	Clause 43.04 Development Plan Overlay Schedule 8 "Mixed Use Development Zone" (452-456 Victoria Street,	Schedule 8 to Clause 43.04 Development Plan Overlay "Mixed Use Development Zone" (452-456 Victoria Street, Brunswick) was introduced as part of Amendment C03 into the Moreland Planning Scheme in 2001. The land the DPO8 covers has now been completely developed. The Development Plan Overlay is therefore no longer necessary as a	Delete Schedule 8 to Clause 43.04 Development Plan Overlay "Mixed Use Development Zone".	Amend map 14DPO to delete DPO8 from all affected properties.

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Table 7 – Proposed Changes to Environmental Audit Overlay

Planning Scheme Map	Affected properties	Details of Change	Proposed Changes to Overlay Maps
6EAO	80 Devon Road, Oak Park	<p>This property is affected by an Environmental Audit Overlay. The following Certificate of Environmental Audit was issued for the site:</p> <ul style="list-style-type: none"> Certificate of Environmental Audit – reference: 43295284/R001/01 – issued on 7 June 2011 for land located at 80 Devon Road, Oak Park, identified as Lot 1 on Title Plan 228630 G (CP 166975D). <p>Therefore the Environmental Audit Overlay is no longer required.</p>	Amend map 6EAO to remove the Environmental Audit Overlay from the property at 80 Devon Road, Oak Park.
14EAO	46 Hunter Street, Brunswick West	<p>This property is occupied by a dwelling and is affected by an Environmental Audit Overlay. Reports prepared by Meinhardt demonstrate low potential for contamination based on land use history and other factors, in accordance with the Minister Direction No. 1 - <i>Potentially Contaminated Land</i> and the associated Planning Practice Note. Therefore the Environmental Audit Overlay can be removed.</p>	Amend map 14EAO to remove the Environmental Audit Overlay from the property at 46 Hunter Street, Brunswick West.
15EAO	1-9 Lygon Street, Brunswick	<p>This property is affected by an Environmental Audit Overlay. The following Certificate of Environmental Audit was issued for the site:</p> <ul style="list-style-type: none"> Certificate of Environmental Audit – reference: ENAUABTF00144AA – issued on 5 December 2011 for land located at 1-9 Lygon Street, Brunswick, identified as Lot 1 & 2 on Title Plan 384647N. <p>Therefore the Environmental Audit Overlay is no longer required.</p>	Amend map 15EAO to remove the Environmental Audit Overlay from the property at 1-9 Lygon Street, Brunswick.
14EAO	22 Dods Street, Brunswick	<p>This property is occupied by a dwelling and is affected by an Environmental Audit Overlay. The property owner has provided</p>	Amend map 14EAO to remove the Environmental Audit Overlay from the

			documentary evidence to Council and its consultants which provide sufficient certainty that the site is highly unlikely to have ever been used for any use which could have potentially contaminate the land. As such, the EAO is not necessary and should be removed from the site.	property at 22 Dods Street, Brunswick.
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Table 8 – Proposed Changes to Moreland Planning Scheme Text

	Planning Scheme Provision	Details of Change	Proposed Changes to wording of Moreland Planning Scheme
	Clause 21.01-1 Sustainability and the Four Pillars	The second sentence at Clause 21.01-1 Sustainability and the Four Pillars is <i>" They reflect a guiding philosophy of sustainability that underpins all Council's activities from planning to reporting."</i> It should state <i>" Council"</i> not <i>" Council's"</i> . This error came into effect when the Municipal Strategic Statement was reviewed and introduced into the planning scheme on 21 September 2006 (Amendment C55).	Amend the second sentence at Clause 21.01-1 Sustainability and the Four Pillars to replace the word <i>" Council's"</i> with <i>" Council"</i> . The sentence will then be: <i>" They reflect a guiding philosophy of sustainability that underpins all Council activities from planning to reporting."</i>
	Clause 21.05-1 and Clause 21.05-5 Key Strategic Statements	The last strategy listed under Objective 3 at Clause 21.05-1 Housing, the third strategy listed under Objective 1 at Clause 21.05-5 Urban Design, Urban Character and Street Landscapes and the last strategy listed under Objective 3 at Clause 21.05-5 Urban Design, Urban Character and Street Landscapes, all state: <i>" Apply the Design Guidelines for Developments of Four or More Storeys 2005 and the Local Planning Policy for Developments of Four or More Storeys to developments higher than four storeys."</i> This is incorrect and should state: <i>"Apply the Design Guidelines for Developments of Four or More Storeys 2005 and the Local Planning Policy for Developments of Four or More Storeys to developments of four or more storeys"</i> . This error came into effect when the Key Strategic	Amend the last strategy listed under Objective 3 at Clause 21.05-1 Housing, the third strategy listed under Objective 1 at Clause 21.05-5 Urban Design, Urban Character and Street Landscapes and the last strategy listed under Objective 3 at Clause 21.05-5 Urban Design, Urban Character and Street Landscapes, so that the words <i>" higher than four storeys"</i> are replaced with <i>"of four or more storeys"</i> .

		Statements were updated as part of Amendment C50 on 30 October 2008.	
	Clause 22.13 Heritage Policy	The Policy Basis at Clause 22.13 Heritage Policy makes reference to outdated SPPF heritage provisions stating: <i>"Applies the SPPF provisions relating to heritage in Clause 15.11 to local circumstances"</i> . Amendment VC71 was gazetted on 20 September 2010 and revised the SPPF. The relevant SPPF heritage provisions are now at Clause 15.03-1. Therefore it should state: <i>"Applies the SPPF provisions relating to heritage conservation in Clause 15.03-1 to local circumstances"</i> .	Amend the Policy Basis at Clause 22.13 Heritage Policy to update the reference to the SPPF heritage provisions by replacing the words <i>"heritage in Clause 15.11"</i> with <i>"heritage conservation in Clause 15.03-1"</i> .
	Clause 37.01 Special Use Zone Schedule 2	Section 4.0 Buildings and works of Schedule 2 to the Special Use Zone has an Exemption from Notice and Appeal which states <i>"Any application to use land 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 Act."</i> It should say <i>"construct a building or to construct or carry out works"</i> instead of <i>"use land"</i> . This error came into effect when the new format planning scheme (including new format Special Use Zone provisions) was introduced to Moreland back on 4 May 2000.	Amend Section 4.0 of Clause 37.01 Special Use Zone – Schedule 2, so that an application to <i>"construct a building or to construct or carry out works"</i> is exempt from notice and appeal (not an application to <i>"use land"</i>).
	Clause 42.01 Environmental Significance Overlay Schedules 1 & 2	Section 3.0 Permit requirement of Schedules 1 and 2 to the Environmental Significance Overlays states that <i>"A permit is not required to construct a building or to construct or carry out works for the following provided that sites of archaeological sensitivity, known Aboriginal heritage sites, or areas of remnant vegetation are not disturbed:..."</i> . It is not necessary for <i>"known Aboriginal heritage sites"</i> to be a planning permit trigger, as this is now addressed through other legislation, specifically the Aboriginal Heritage Act 2006.	Amend Section 3.0 of Clause 42.01 Environmental Significance Overlay – Schedules 1 and 2, to delete reference to <i>"known Aboriginal heritage sites"</i> so that the disturbing of known Aboriginal heritage sites is no longer a planning permit trigger.