

Applying the Special Use Zone

Planning Practice Note 03

May 2022

This practice note provides guidance about the appropriate use of the Special Use Zone in planning schemes.

What is the purpose of the Special Use Zone?

The Special Use Zone provides for tailored provisions for a wide range of purposes, such as showgrounds, freight logistics centres and tourism precincts. It forms part of a suite of special purpose zones in clause 37. The special purpose zones, including the Special Use Zone, are used when a standard zone cannot address the individual circumstances of a site.

The standard suite of zones in clauses 32 to 36 of the *Victoria Planning Provisions* provide consistency and certainty for planning system users, while catering for a range of different purposes. These zones should form the basis of a planning scheme's zones.

When can the Special Use Zone be applied?

The Special Use Zone can be applied when:

- a standard zone or a combination of zones, overlays and local policies cannot give effect to the desired objectives or requirements
- the site adjoins more than one zone and the strategic intent for a redevelopment of the site is not known.

Application of the Special Use Zone is not appropriate when:

- an alternative zone can achieve a similar outcome with support from the Planning Policy Framework or an overlay
- future use or development enabled by the zone may cause land use conflicts with the surrounding area.

What should a Special Use Zone contain?

The Ministerial Direction *The Form and Content of Planning Schemes* prescribes the structure for a schedule to the Special Use Zone. It is important that a schedule clearly identifies the local purpose(s) of the zone and that the schedule's content is consistent with those purpose(s).

Where a strategic basis has been established, the prescribed schedule provides flexibility to cater for a wide variety of land uses to ensure orderly development outcomes for the site and surrounds. In addition to land use provisions, the schedule can include subdivision, buildings and works and sign provisions. The provisions should be uncomplicated and proportionate. If detailed development conditions are necessary, they should be included in a planning permit rather than in a schedule.

Other planning scheme tools, such as overlays and the Planning Policy Framework, may also be used to complement the Special Use Zone.



What are the alternatives to the Special Use Zone?

Apply a standard zone

Other zones may contain sufficient discretion and flexibility to achieve a desired outcome. Before using the Special Use Zone, consider if one of the land's surrounding zones is suitable.

Apply a local policy

In some circumstances, a local policy within the Planning Policy Framework may be used to guide or promote decisions about a specific use or development on land, either to complement the Special Use Zone or as a substitute for the zone. Refer to the *Practitioner's Guide to Victoria's Planning Schemes* for advice about applying a local policy.

Apply an overlay

An Incorporated Plan Overlay or a Development Plan Overlay may also be used to help achieve specific outcomes for a site. These overlays are the preferred tools to give effect to master plans for uses, such as schools and hospitals, and to provide exemptions from third party notice and review for subsequent permit applications.

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