45.08 MELBOURNE AIRPORT ENVIRONS OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **MAEO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.

To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in dwellings and other noise sensitive buildings.

To provide for appropriate levels of noise attenuation depending on the level of forecasted noise exposure.

45.08-1 Use of land

14/05/2007
VC30

Any requirement in a schedule to this overlay must be met.

45.08-2 Buildings and works

26/11/2015
VC107

Any requirement in a schedule to this overlay must be met.

Any building for which a permit is required under this overlay must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.

Note: In Section 3 of Australian Standard AS 2021-2015, Table 3.3 refers to both building types and activities within those buildings. Each building type listed has its ordinary meaning and should not be interpreted as defined in this scheme.

45.08-3 Subdivision

14/05/2007
VC30

A permit is required to subdivide land.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

45.08-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Whether the proposal will result in an increase in the number of dwellings and people affected by aircraft noise.
- Whether the proposal is compatible with the present and future operation of the airport in accordance with the current Melbourne Airport Master Plan approved in accordance with the *Airports Act 1996* .
- Location of the development in relation to the criteria set out in Table 2.1 Building Site Acceptability Based on ANEF Zones in Australian Standard AS 2021-2015.

45.08-5 Exemption from notice

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.

45.08-6 Notification requirements

31/07/2018
VC148

In accordance with section 52(1)(c) of the Act, notice of an application under this overlay to use land, subdivide land or to construct a building or construct or carry out works must be given to the airport lessee company of Melbourne Airport in accordance with the Commonwealth *Airports Act 1996* , unless otherwise agreed in writing between the responsible authority and the airport lessee. The notice must be accompanied by a copy of the application, existing condition and development plans.

45.08-7 Transitional arrangements

26/10/2021
VC173

The requirements of Clause 45.08 do not apply to any development for which a building permit issued pursuant to the *Building Act 1993* prior to the date of commencement of Amendment VC173.

The requirements of the planning scheme as in force immediately before the date of commencement of Amendment VC173 continue to apply to a permit application made before that date.

This sub-clause does not apply 12 months after the date of commencement of Amendment VC173.