

C99malx Planning Scheme Amendment Frequently Asked Questions



What is a Planning Scheme Amendment?

In order to make any changes to the Mount Alexander Planning Scheme a planning scheme amendment needs to be approved by the Minister for Planning. The planning scheme sets out the policies and controls for land use and development in the Shire. This includes controls that apply to the whole of Victoria.

The focus of this planning scheme amendment is to resolve several inconsistencies in the Heritage Overlay and the Operational Provisions, which were identified following the implementation of previous Amendment C97malx. Council undertakes other types of planning scheme amendments to:

- Rezone land;
- Apply or remove a planning overlay to land;
- Change or introduce a local policy; and/or
- Make minor changes to a zone or overlay through a schedule to the zone or overlay.

In general, a planning scheme amendment can take 18 months from when Council begins the legal process, until the final step when it is approved by the Minister for Planning at the State Government level.

An amendment follows a legal process which involves a number of steps like those noted in the image below.



What is Amendment C99malx?

This amendment seeks to correct inconsistencies in the Mount Alexander Planning Scheme (the Planning Scheme) associated with the Heritage Overlay and the Operational Provisions, which were identified following the implementation of previous Amendment C97malx. It does this by:

- Updating Planning Scheme Maps for places in the Heritage Overlay; and
- Amending the Schedule to Clause 74.02 (Further Strategic Work), to remove reference to rezoning completed as part of Amendment C97malx.

These changes are necessary to make sure the Overlay maps:

- Are current and up-to-date;
- Accurately reflect the existing use and conditions of the land; and
- Correctly apply the necessary protections or requirements, including the Heritage Overlay and properties listed in the Heritage Overlay.

The Amendment was authorised by the Minister for Planning in January 2024. You can view the amendment documentation on Council's website, in person at the Civic Centre building at 27 Lyttleton Street, Castlemaine, or by visiting Council's Shape [website](https://shape.mountalexander.vic.gov.au/):
<https://shape.mountalexander.vic.gov.au/>,

Why is the Amendment Required?

The correction of these inconsistencies will contribute to the more effective operation and administration of the planning scheme and will help ensure that the planning scheme is correct, up to date and provides a clear basis for decision-making.

The proposed Amendment seeks to implement and support the Strategic Directions of Mount Alexander at Clause 02.03-5 of the [Planning Scheme](#), specifically those relating to Heritage and Character, including:

- *Protecting and conserving the historic fabric and maintain the integrity of places of heritage and cultural heritage significance.*

If you would like to understand more about this amendment, we encourage you to get in touch with the Strategic Planning team to arrange a phone call or meeting, or take a look through the amendment documentation. The amendment documentation includes additional background information and justification for each error/anomaly.

How can I find out if the C99malx Amendment would apply my land?

This amendment directly affects only ten properties in Maldon.

All landowners which this amendment directly affects will have received a 'Notice of Mount Alexander Planning Scheme Amendment C99malx', these properties include:

- 85 High Street, Maldon
- 42 High Street, Maldon
- 2 Francis Street, Maldon
- 1 Newstead Road, Maldon
- 2 Castlemaine Road, Maldon
- (Land outside) 19 Templeton Street, Maldon
- 19 Templeton Street, Maldon
- 21 Templeton Street, Maldon
- 9 Chapel Street South, Maldon
- Fountain Street Area, Maldon

How will this impact building or development within the Heritage Overlay?

The purpose of the Heritage Overlay is:

- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

A planning application submitted to Council where the subject land has a Heritage Overlay may trigger the need for a planning permit, this is to protect the heritage value of the site. The properties affected by this amendment are already subject to the Heritage Overlay, therefore no new heritage controls are being proposed by this amendment, only the fixing of administrative mapping errors.

For more information we encourage you to get in touch with Council's Statutory Planning team on 5471 1700 to speak with one of our planners to learn more about the amendment or visit our planning desk at the Civic Centre building in Castlemaine.

How will this amendment affect planning applications?

The amendment will assist Council's statutory planners and heritage officer in assessing planning applications in Maldon because properties which are considered heritage places will be correctly mapped and therefore easily identifiable.

The correction of these inconsistencies will contribute to the more effective operation and administration of the Planning Scheme and will help ensure that the planning scheme is correct, up to date and provides a clear basis for decision-making.

You can find more information on the permit application process by visiting Council's [understanding planning permits](#) page.