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THURSDAY, APRIL 24.

[1958

MELBOURNE AND METROPOLITAN BOARD OF WORKS TOWN PLANNING.

ON the 11th day of April, 1958, Notice of Approval of an Interim Development Order made by the Board was published in the *Government Gazette*. As this Order, which replaces all previous interim development orders made by the Board, contains certain modifications and additions, it is now set out in full hereunder.

C. TRATHAN,
Secretary.

Town and Country Planning Acts.

MELBOURNE AND METROPOLITAN BOARD OF WORKS.

INTERIM DEVELOPMENT ORDER.

WHEREAS by the Town and Country Planning Acts (such Acts being hereinafter referred to as "the said Acts") provision is made, *inter alia*, for the making of an Interim Development Order as therein appears: And whereas the Melbourne and Metropolitan Board of Works (hereinafter referred to as "the Board") is a responsible authority under the provisions of the said Acts: And whereas the Board has prepared a planning scheme in respect of the whole of the metropolitan area which is to be cited as the Melbourne Metropolitan Planning Scheme 1954 copies whereof have been deposited at the office of the Board and at the office of the Town and Country Planning Board and as to so much of the scheme as relates to land in the municipal district of any municipality at the office of such municipality: Now the Board by virtue of the powers conferred by the said Acts and of every other power enabling it in that behalf and subject to the approval of the Governor in Council as provided in the said Acts hereby makes the following Interim Development Order:—

1. In this Order (including the foregoing recitals)—
 - (a) "The Board" means the Melbourne and Metropolitan Board of Works.
 - "Planning Scheme" means the planning scheme for the metropolitan area constituted by the Ordinance and the planning scheme map, copies of which have been deposited in accordance with the provisions of the Town and Country Planning Acts.

“Planning Scheme Map” means the maps comprised in the planning scheme marked “Melbourne Metropolitan Planning Scheme 1954” and bearing serial numbers 1-80 (inclusive).

“The Ordinance” means the Melbourne Metropolitan Planning Scheme Ordinance comprised in the planning scheme.

“Zone” means any area prescribed in the planning scheme map in which land is to be used for specified purposes and the use of land for any other purposes prohibited restricted or regulated.

“Reserved Land” means any land reserved under Part III. of the Ordinance or under this Order.

“Main Road Reservation” means land reserved under Division I of Part III. of the Ordinance or under this Order for the purposes of a main road whether existing or proposed.

“Secondary Road Reservation” means land reserved under Division I of Part III. of the Ordinance or under this Order for the purposes of a secondary road whether proposed or existing.

- (b) Words importing the singular shall be deemed to include the plural, and words importing the plural shall be deemed to include the singular.
- (c) Words or expressions used herein shall have the same meaning as the same words or expressions when used in the Town and Country Planning Acts or in the planning scheme.
- (d) Unless inconsistent with the context or subject matter hereof the *Acts Interpretation Act 1928* as amended by any subsequent Act or Acts shall be deemed to apply to this Order as though this Order was an Act of Parliament.

2. The use or development of any land and the erection construction or carrying out of any buildings or works on any land included in the planning scheme otherwise than in conformity with this Order is prohibited: Provided that—

- (a) Notwithstanding the foregoing prohibition, the Board may permit, subject to such conditions as are specified in the permit, such use or development of any land or the erection construction or carrying out of such buildings or works which apart from the permit would be in conflict or not in conformity with this Order as the Board thinks proper;
- (b) Nothing in this Order shall prevent the continuance of the use of any land or buildings for the purposes for which any such land or buildings were lawfully used immediately before the coming into operation of the Order.

3. Land to which this Order applies may only be developed and buildings or works may only be erected, constructed or carried out thereon if the use of such land for the purpose of such development or for the purpose for which such buildings or works are to be erected, constructed or carried out is permitted by or pursuant to this Order.

4. Subject to Clause 6 hereof, land situated within a Zone prescribed in the planning scheme as a Rural Zone—

- (i) may be used for any of the purposes specified in Column 2 of Section 1 of the Table to Clause 7 of the Ordinance;
- (ii) may be used for any of the purposes specified in Column 3 of Section 1 of the said Table provided that subject to Clause 9 hereof the condition or conditions set forth in such Table opposite such purpose are complied with and shall not be used for any of such purposes unless the said condition or conditions are complied with;
- (iii) shall not be used for any of the purposes specified in Column 4 of Section 1 of the said Table unless the Board having regard to any condition set forth opposite such purpose in the said Column shall have granted a permit therefor;

- (iv) shall not be used for any of the purposes set forth in Column 5 of Section 1 of the said Table.

5. (a) Subject to Clause 6 hereof, and to Division 3 of Part II. of the Ordinance land (other than land situated within the municipal districts or those parts of municipal districts set forth in the First Schedule hereto) which is situated in any Zone other than a Rural Zone—

- (i) may be used for any of the purposes specified in Column 2 of the Section of the Table to Clause 7 of the Ordinance in which such Zone is described;
- (ii) may be used for any of the purposes specified in Column 3 of the Section of the said Table in which such Zone is described provided that subject to Clause 9 hereof the condition or conditions set forth opposite such purpose are complied with and shall not be used for any of such purposes unless the said condition or conditions are complied with;
- (iii) shall not be used for any of the purposes specified in Column 4 of the Section of the said Table in which such Zone is described, unless the Board having regard to any condition set forth opposite such purpose in the said Column shall have granted a permit therefor;
- (iv) shall not be used for any of the purposes set forth in Column 5 of the Section of the said Table in which such Zone is described.

(b) Subject to Clause 6 hereof land situated within the municipal districts or those parts of municipal districts set forth in the First Schedule hereto which is situated in any Zone other than a Rural Zone may be used for any purpose permitted by or under any interim development order or planning scheme of any other responsible authority affecting or relating to such land.

6. (1) (a) This sub-clause shall apply to land situate within any Zone.

(b) Unless a permit therefor shall have been granted by the Board—

- (i) Land which abuts on a main road reservation shall not be so subdivided as to provide direct access from any allotment to the main road reservation and neither shall any street road lane or passage be so made or laid out on such land that it will join with or intersect the said reservation, nor shall any means of access from such land to the said reservation be opened constructed formed laid out or used;
- (ii) No building except a dwelling (if permitted under or pursuant to Clause 4 or Clause 5 hereof) and no works shall be erected constructed or carried out upon any land abutting on a main road reservation;
- (iii) No building except a dwelling (if permitted under or pursuant to Clause 4 or Clause 5 hereof) and no work shall be erected constructed or carried out on any land abutting on a secondary road reservation.

(2) Notwithstanding anything in the planning scheme contained the lands delineated and indicated by hachure on the plans set forth in the Second Schedule hereto shall for the purpose of this order be and be deemed to be reserved for the respective purpose specified in such Schedule.

(3) For the purposes of this Order there should be substituted for the expression "Professional Chambers" wherever appearing in the Ordinance other than in Section 37 of the Table to Clause 7 thereof the expression "Consulting rooms" which latter expression shall mean and be deemed to mean a building (not being a hospital) or part of such a building used in the practise of his profession by a legally qualified medical practitioner or by a physiotherapist masseur or other person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments.

7. Reserved land may be used—

- (a) For such purpose to which the Board having regard to the purpose for which the land is reserved may permit, or
- (b) Where such land is vested in a public authority or in the council of any municipality for any purpose for which land can lawfully be used by such authority or by such council (as the case may be), or
- (c) For the purpose for which the land is reserved, and for no other purposes.

8. (a) Every permit granted by the Board pursuant to the provisions hereinbefore contained shall in addition to any other condition or conditions which the Board may impose upon the granting thereof be subject to the following condition (whether or not the same be set forth therein) that is to say:—

- (i) The Board upon being satisfied that any condition of the permit has not been wholly observed may in its absolute discretion revoke such permit;
- (ii) Notice of revocation which may be under the hand of the Secretary of the Board shall be given only to the person to whom the permit was granted;
- (iii) In addition to any other means which may be available to the Board any such notice of revocation may be given by prepaid letter posted to the person to whom the permit was granted at the address shown therein.

(b) The Board may upon the granting of any permit pursuant to the provisions in this Order contained impose such additional condition or conditions as in its absolute discretion it may deem fit and the permit shall at all times be subject thereto.

(c) Land in respect of which a permit has been granted shall be used only for such purpose or purposes and subject to the observance of such condition or conditions as may be provided in this Order or by any permit granted under this Order.

9. In any condition set forth opposite any purpose specified in Column 3 of any Section of the Table to Clause 7 of the Ordinance the expression "the commencing date hereof" shall for the purpose of this Order mean the first day of April, 1956.

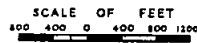
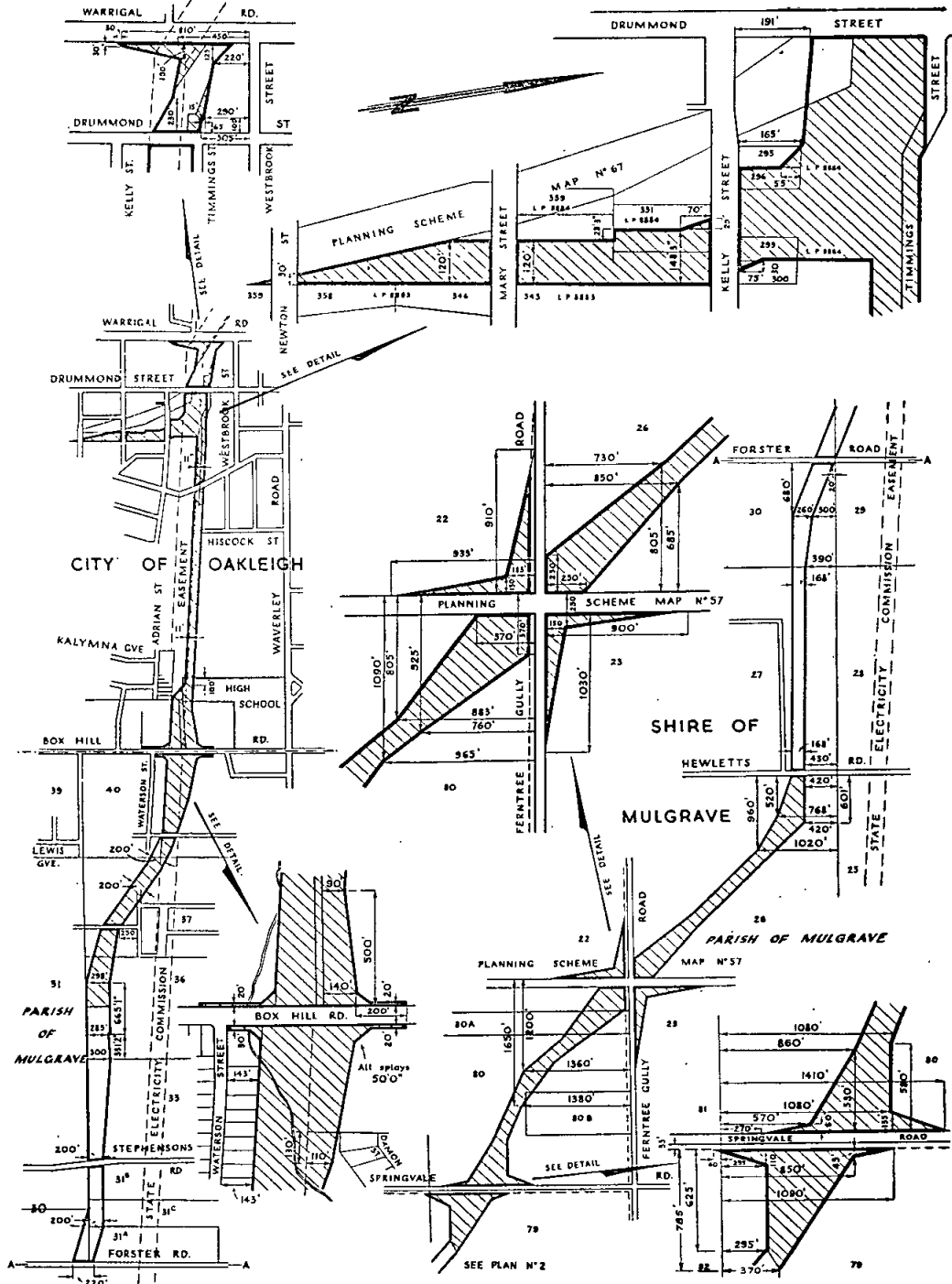
FIRST SCHEDULE.

Municipal District.	Part of Municipal District.
Brunswick ..	Whole.
Camberwell ..	Whole.
Coburg ..	Whole.
Heidelberg ..	Whole.
Malvern ..	Whole.
Moorabbin ..	Whole.
Nunawading ..	All that area of land within the Municipal District of the City of Nunawading bounded on the north side by Springfield-road, on the east side by Springvale-road, on the south side by Whitehorse-road and on the west side by Goodwin-street.
Preston ..	Whole.
Richmond ..	Whole.
Sandringham ..	All that area within the Municipal District of Sandringham which is bounded on the north side by Bay-road, on the east side by Reserve-road, on the south side by Cheltenham-road and on the west side by Bluff-road being Portion 35 and part of Portion 34 of the Parish of Moorabbin, County of Bourke.
Berwick ..	All that piece of land situated within 20 chains on either side of the boundaries of the Princes Highway throughout the Shire of Berwick, in so far as such land lies within the Metropolitan Area as defined by the Town and Country Planning Acts.
Frankston and Hastings	The whole of the Frankston, Mt. Eliza and Seaford Ridings as at present constituted, in so far as such land lies within the Metropolitan Area as defined by the Town and Country Planning Acts.
Mulgrave ..	Whole.
Altona ..	Whole.

SECOND SCHEDULE.

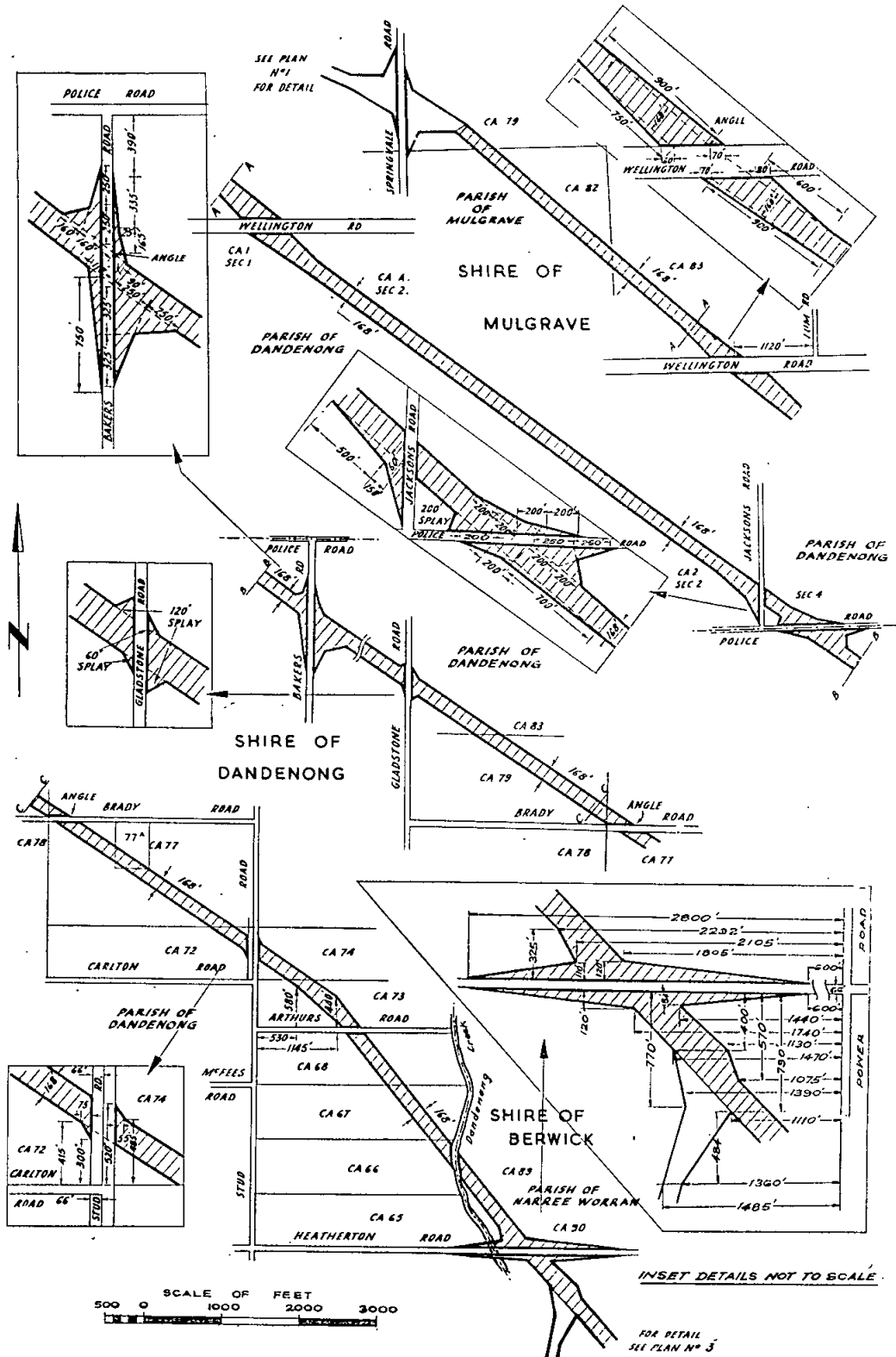
This Schedule comprises the following thirty-six plans:—

PLAN N°1
LAND RESERVED FOR PURPOSE OF A MAIN ROAD



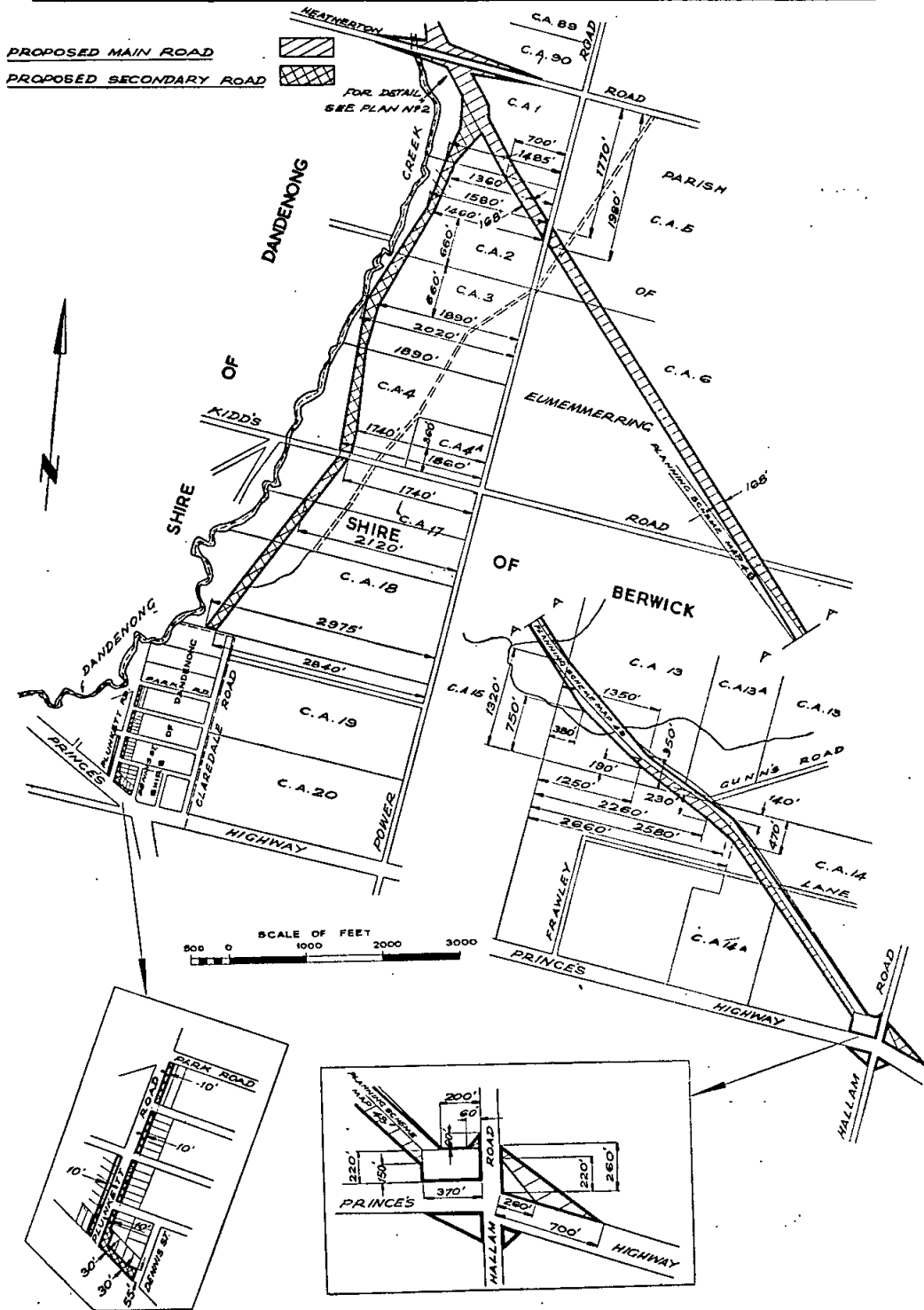
SECOND SCHEDULE—continued.

PLAN N^o 2
LAND RESERVED FOR PURPOSE OF A MAIN ROAD



SECOND SCHEDULE—continued.

PLAN N^o 3
LAND RESERVED FOR THE PURPOSES OF MAIN AND SECONDARY ROADS

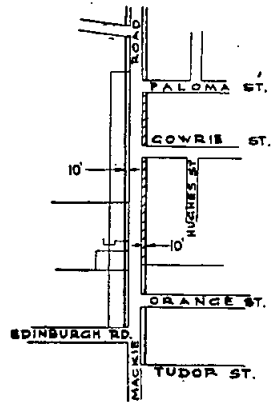
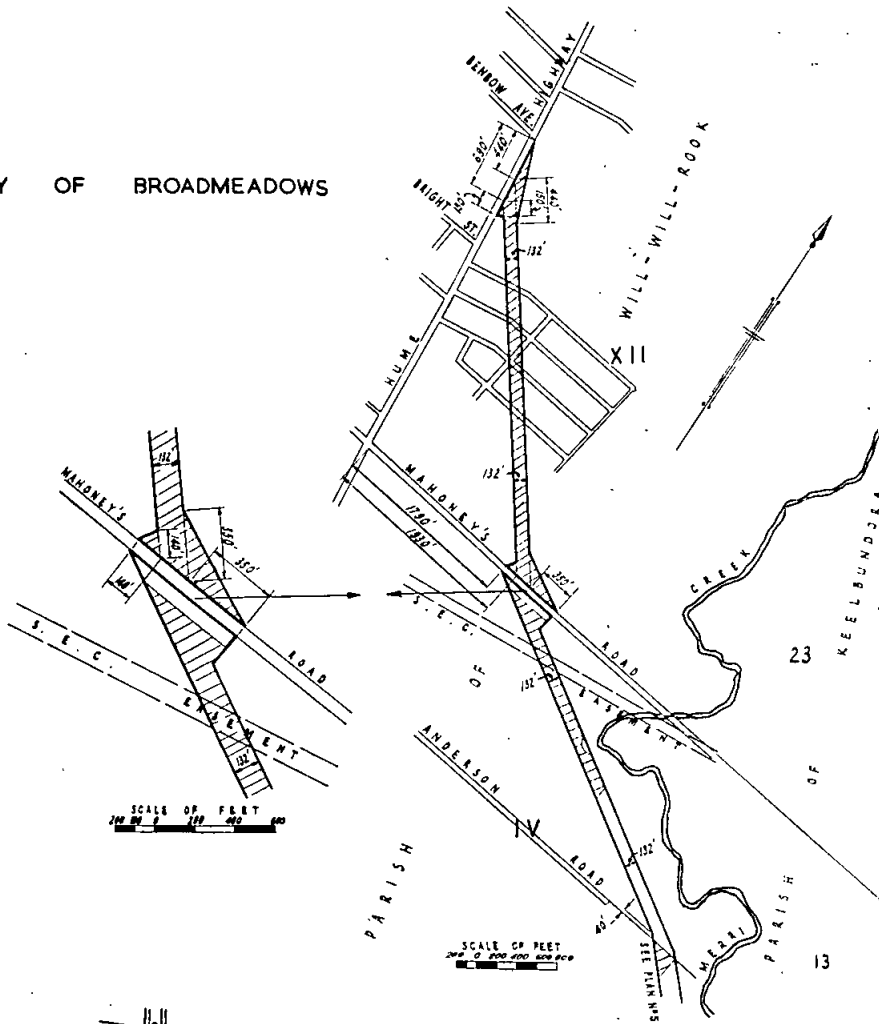


INSET DETAILS NOT TO SCALE

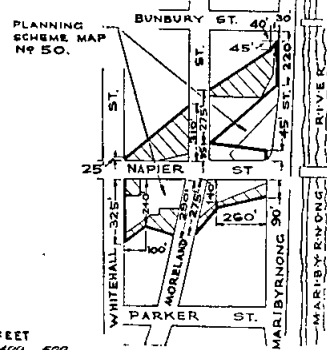
SECOND SCHEDULE—continued.

**PLAN N^o 4
LAND RESERVED FOR THE PURPOSE OF A MAIN ROAD**

CITY OF BROADMEADOWS



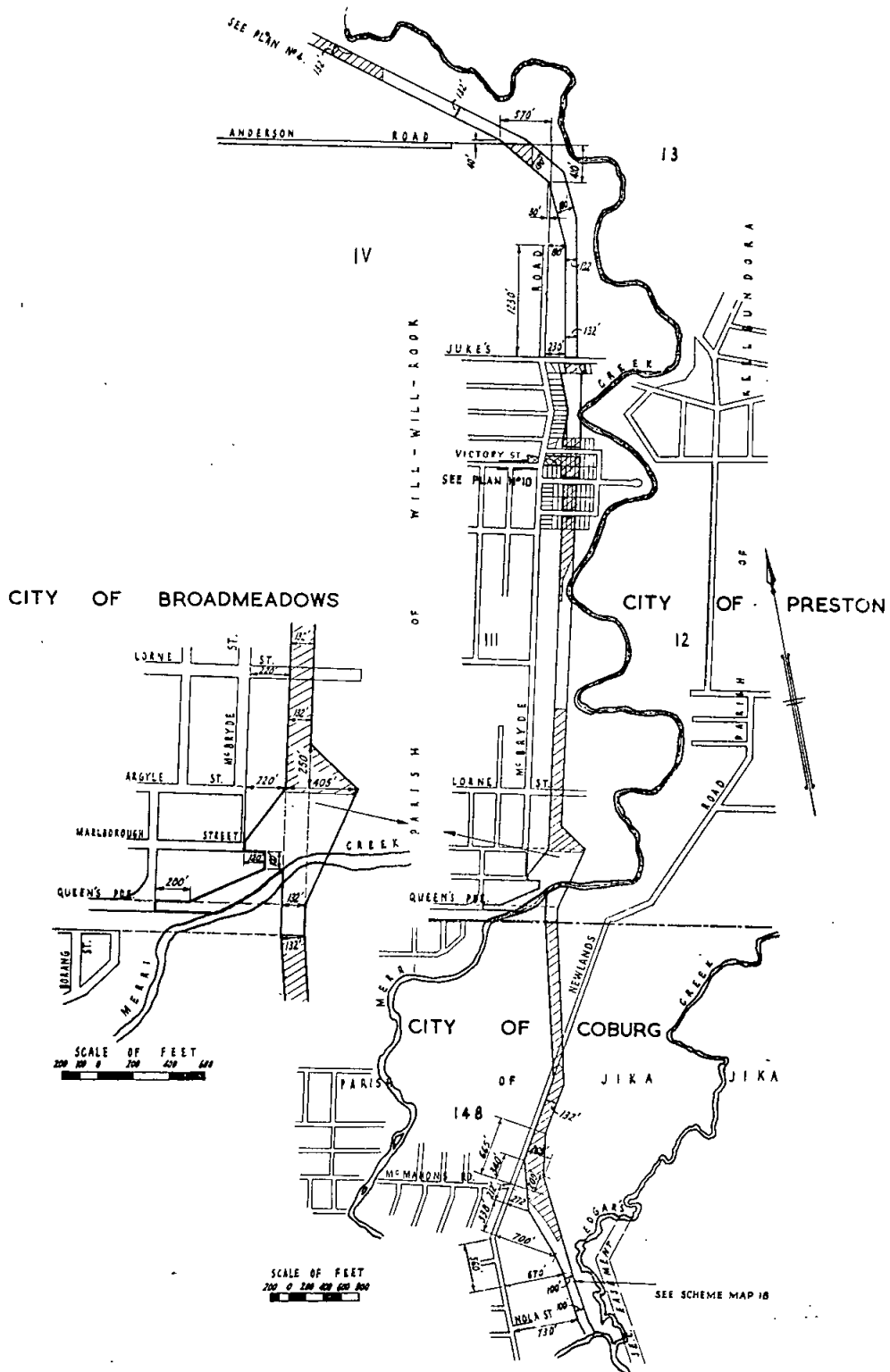
CITY OF MOORABBIN



CITY OF FOOTSCRAY

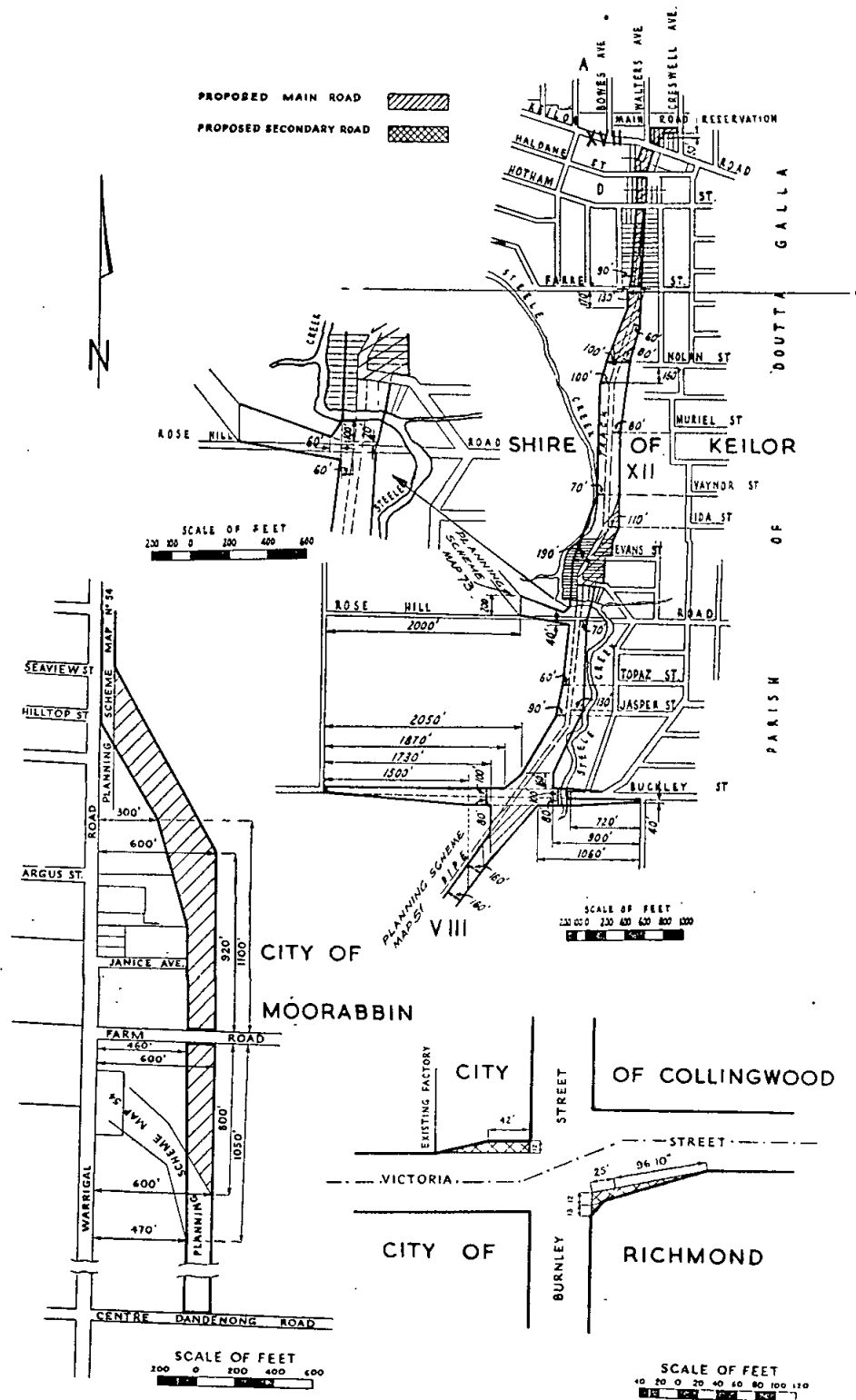
SECOND SCHEDULE—continued.

PLAN N^o 5
LAND RESERVED FOR THE PURPOSE OF A MAIN ROAD





SECOND SCHEDULE—continued.

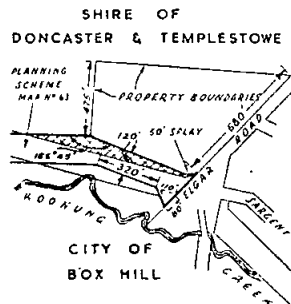
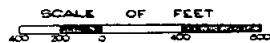
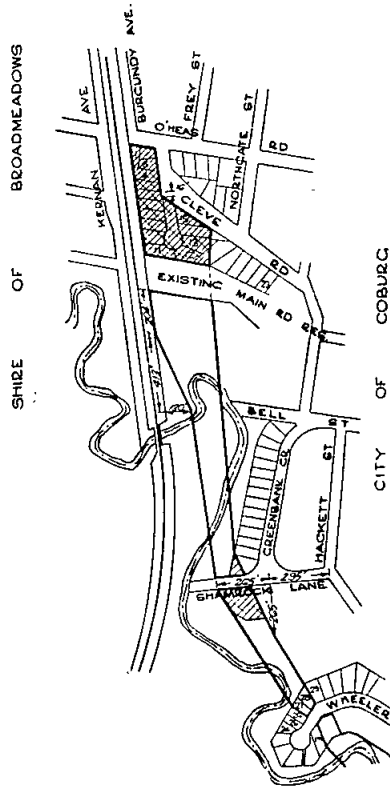
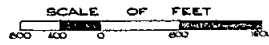
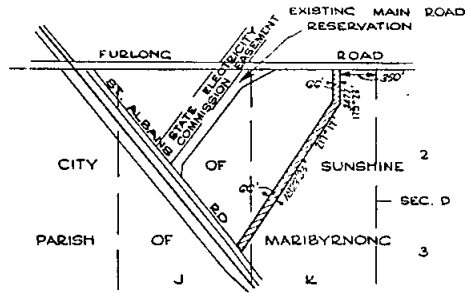
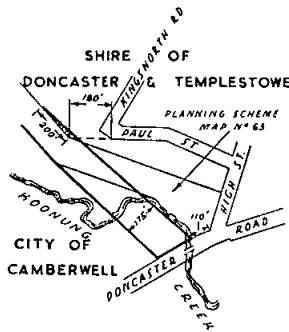
PLAN N^o 6
LAND RESERVED FOR THE PURPOSES OF
MAIN AND SECONDARY ROADS



SECOND SCHEDULE—continued.

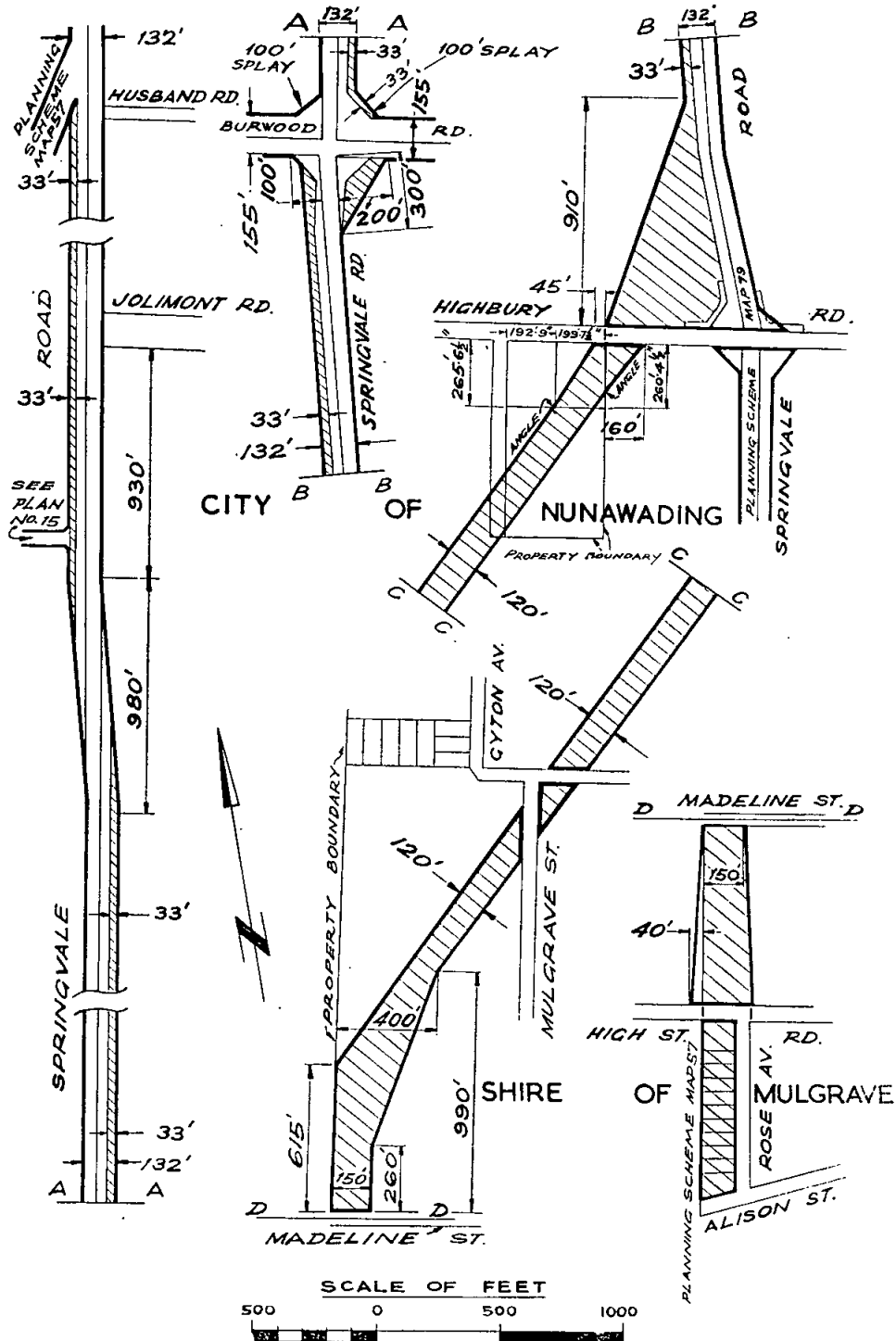
PLAN N^o 7
LAND RESERVED FOR THE PURPOSE OF A MAIN
AND A SECONDARY ROAD

LAND RESERVED FOR THE PURPOSE OF A MAIN ROAD SHOWN THUS 
LAND RESERVED FOR THE PURPOSE OF A SECONDARY ROAD SHOWN THUS 



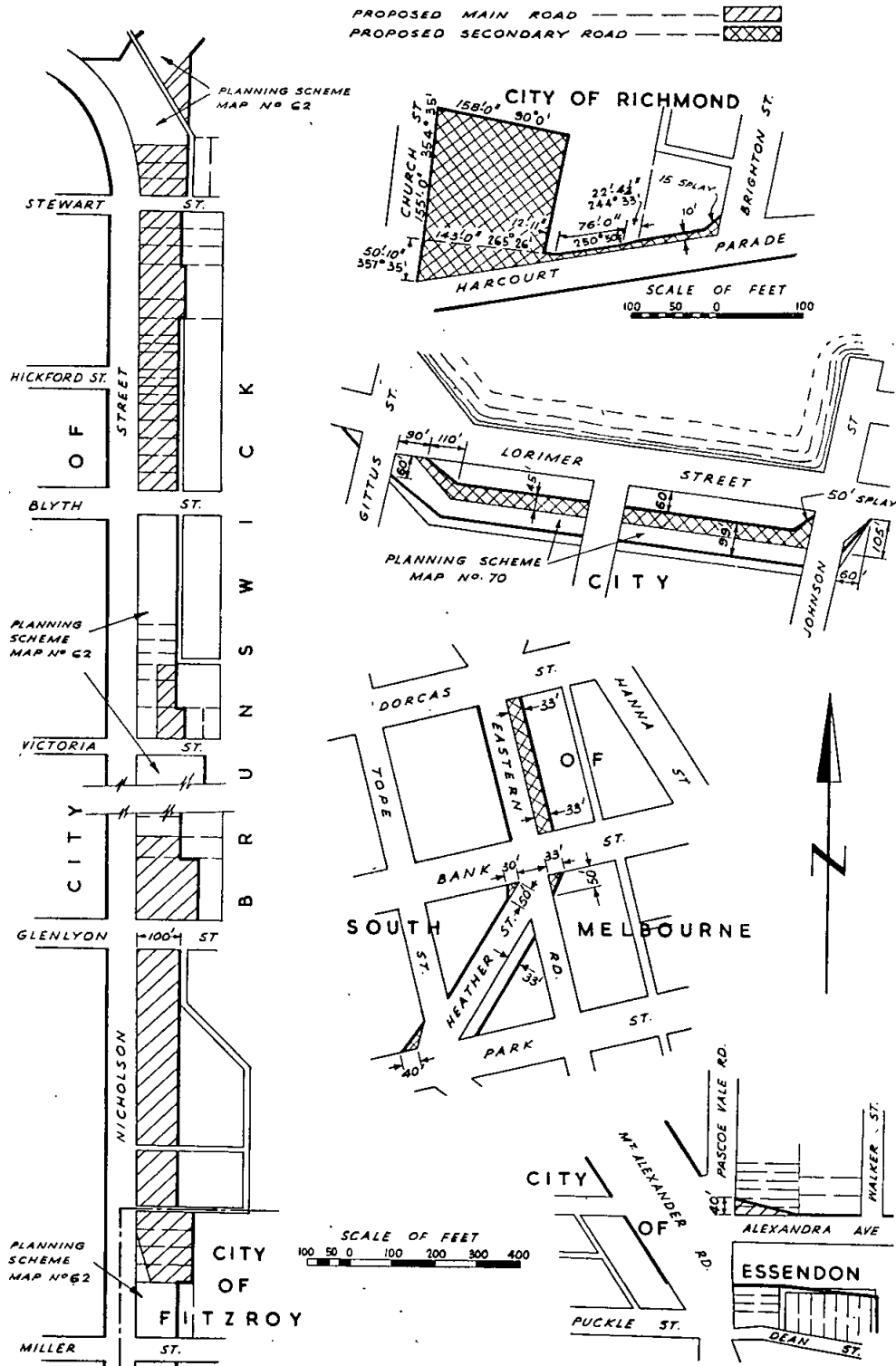
SECOND SCHEDULE—continued.

PLAN NO 8
LAND RESERVED FOR THE PURPOSE
OF A MAIN ROAD



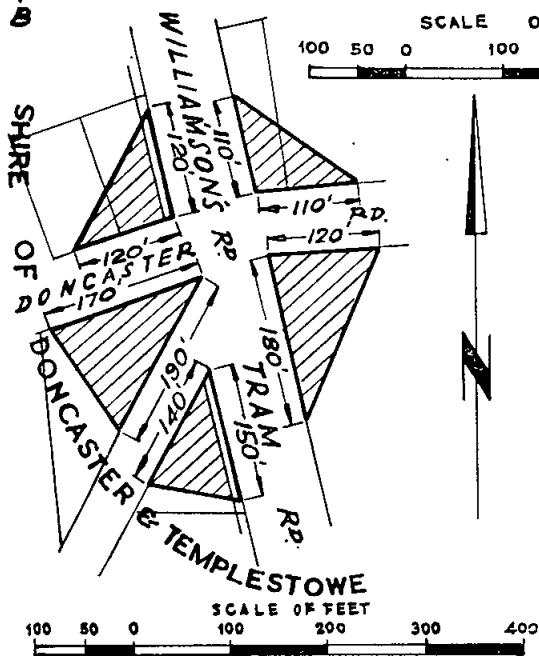
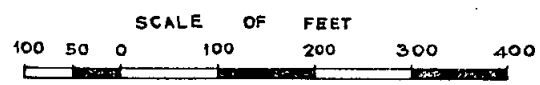
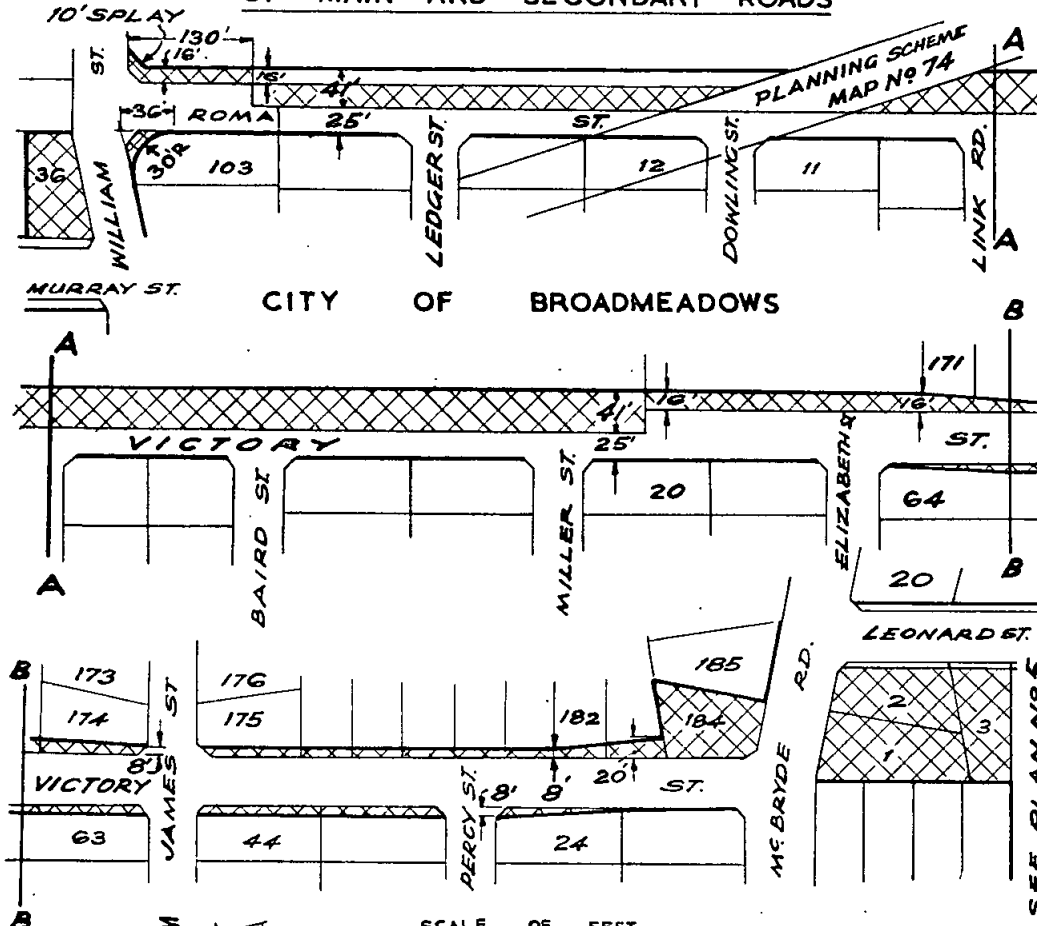
SECOND SCHEDULE—continued.

PLAN N^o9
LAND RESERVED FOR THE PURPOSES OF MAIN AND SECONDARY ROADS

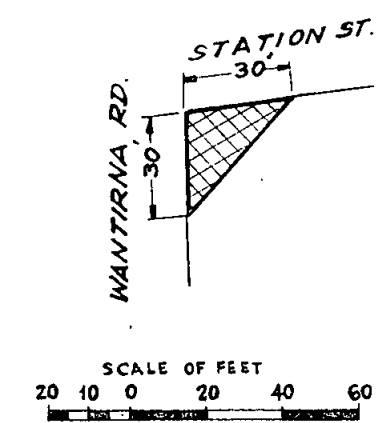


SECOND SCHEDULE—continued.

PLAN NO 10
LAND RESERVED FOR THE PURPOSES
OF MAIN AND SECONDARY ROADS



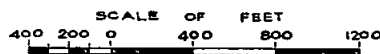
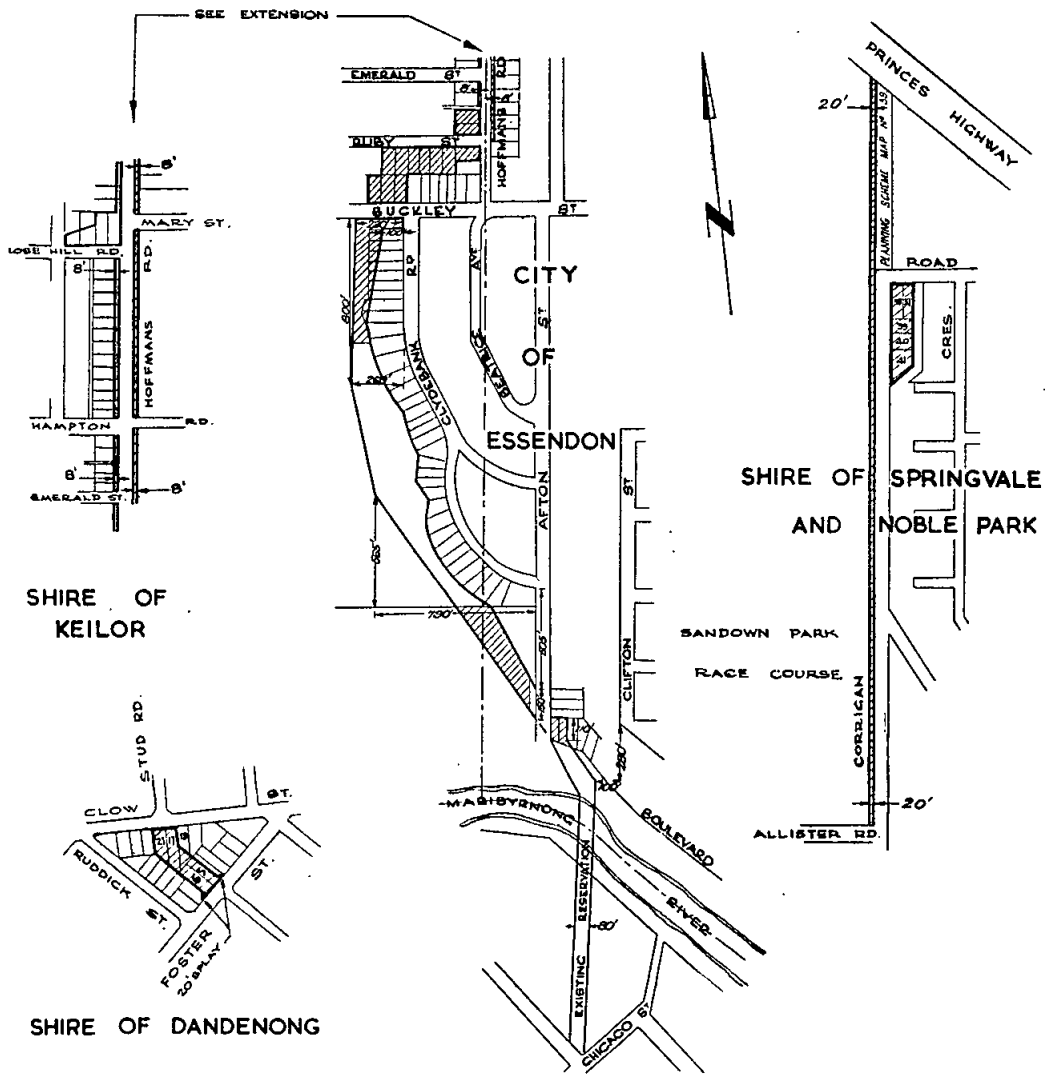
BOROUGH OF RINGWOOD



SECOND SCHEDULE—continued.

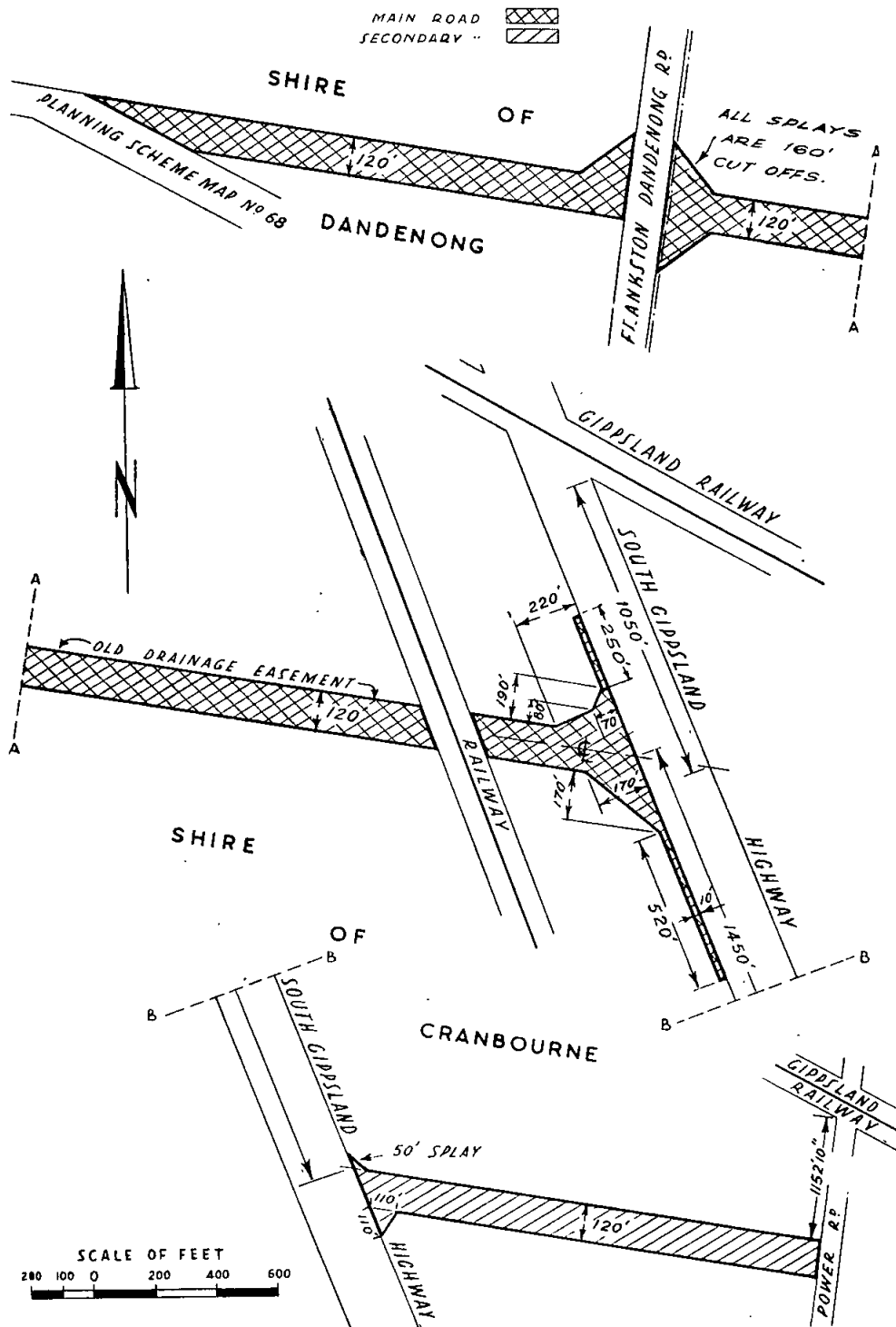
PLAN N^o 11

LAND RESERVED FOR PURPOSE OF A SECONDARY ROAD



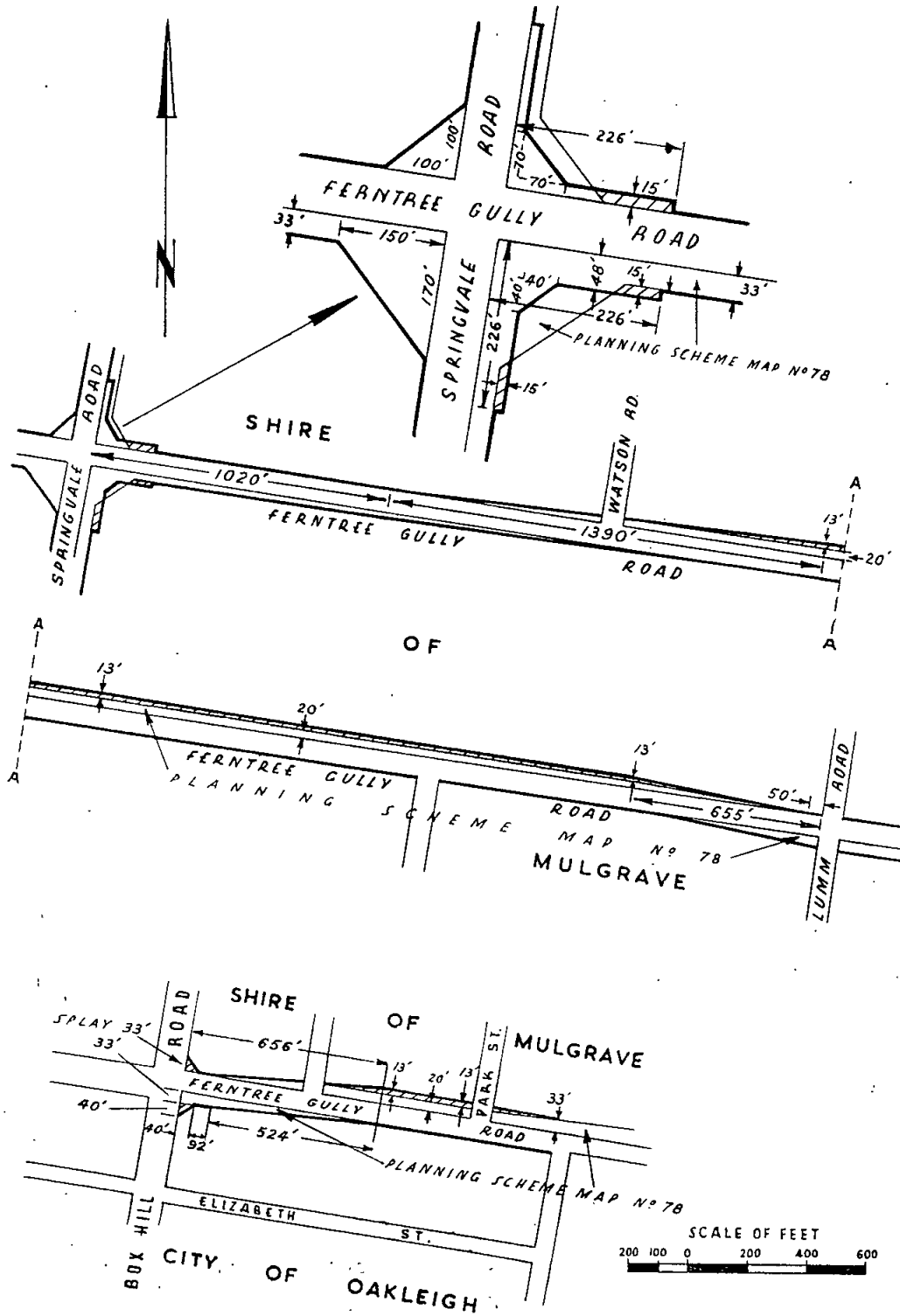
SECOND SCHEDULE—continued.

PLAN N^o 12
LAND RESERVED FOR THE PURPOSE OF A
MAIN AND A SECONDARY ROAD



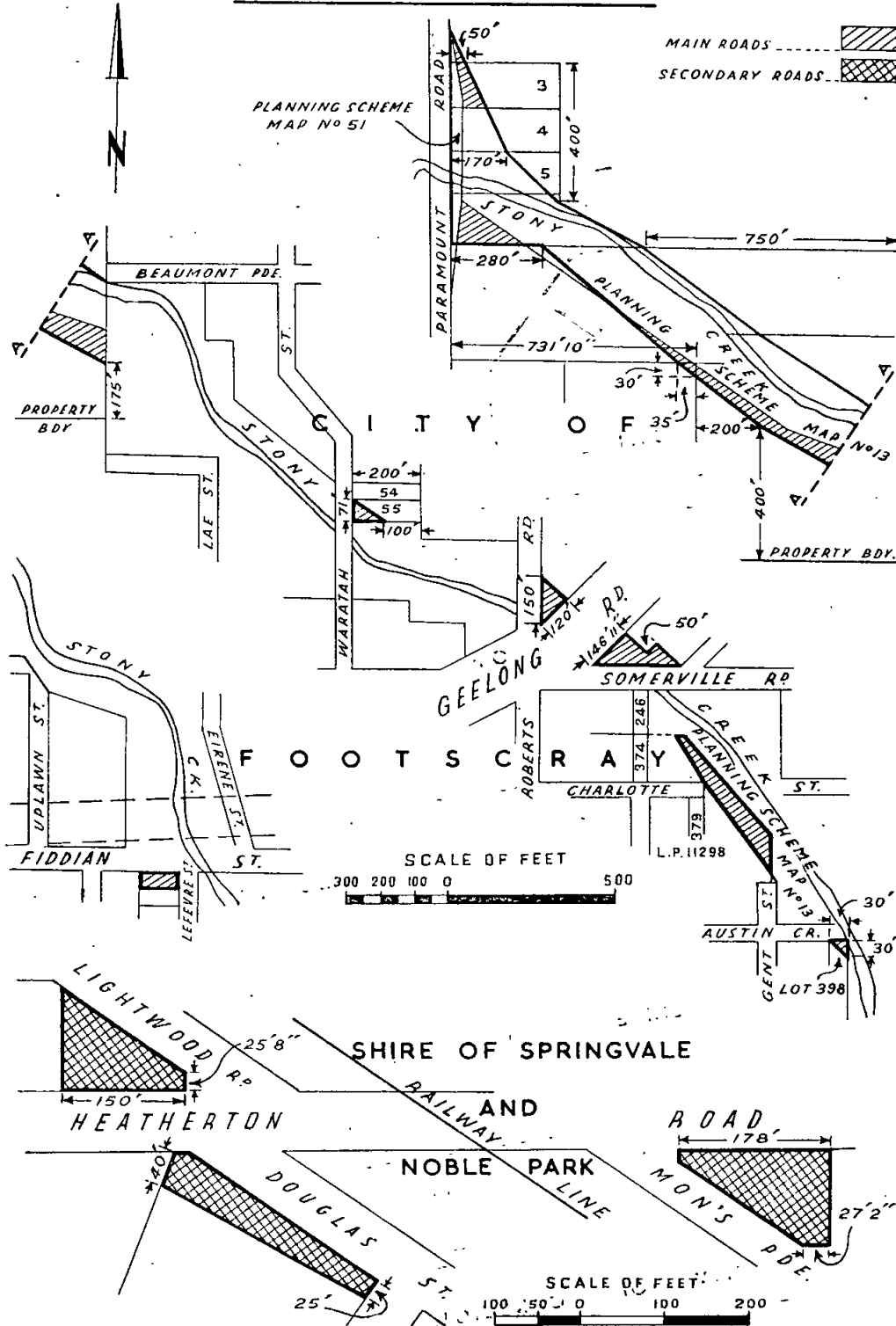
SECOND SCHEDULE—continued.

PLAN N^o 13
LAND RESERVED FOR THE PURPOSE OF
A SECONDARY ROAD



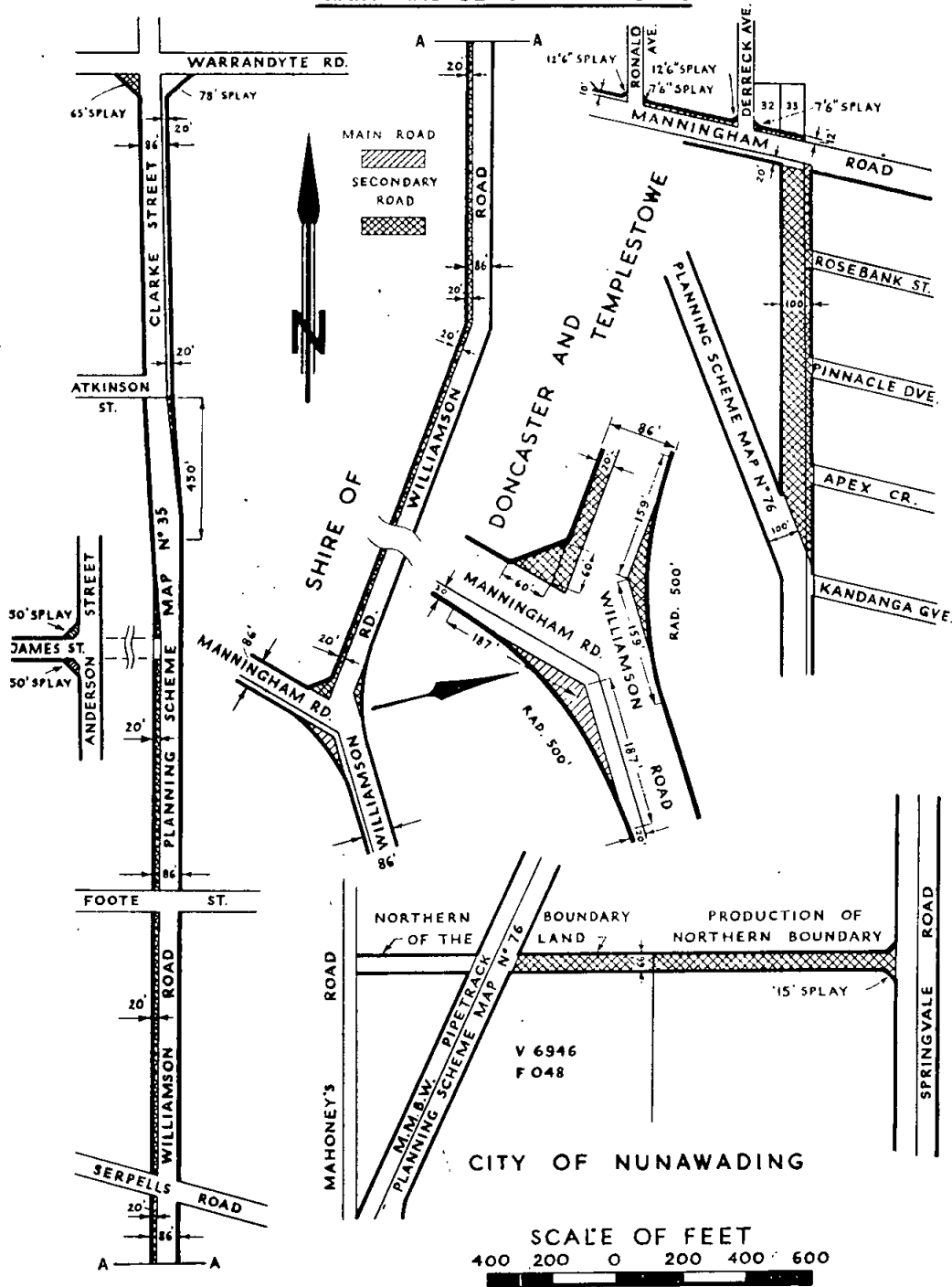
SECOND SCHEDULE—continued.

PLAN N^o 14
LAND RESERVED FOR THE PURPOSES OF
MAIN AND SECONDARY ROADS



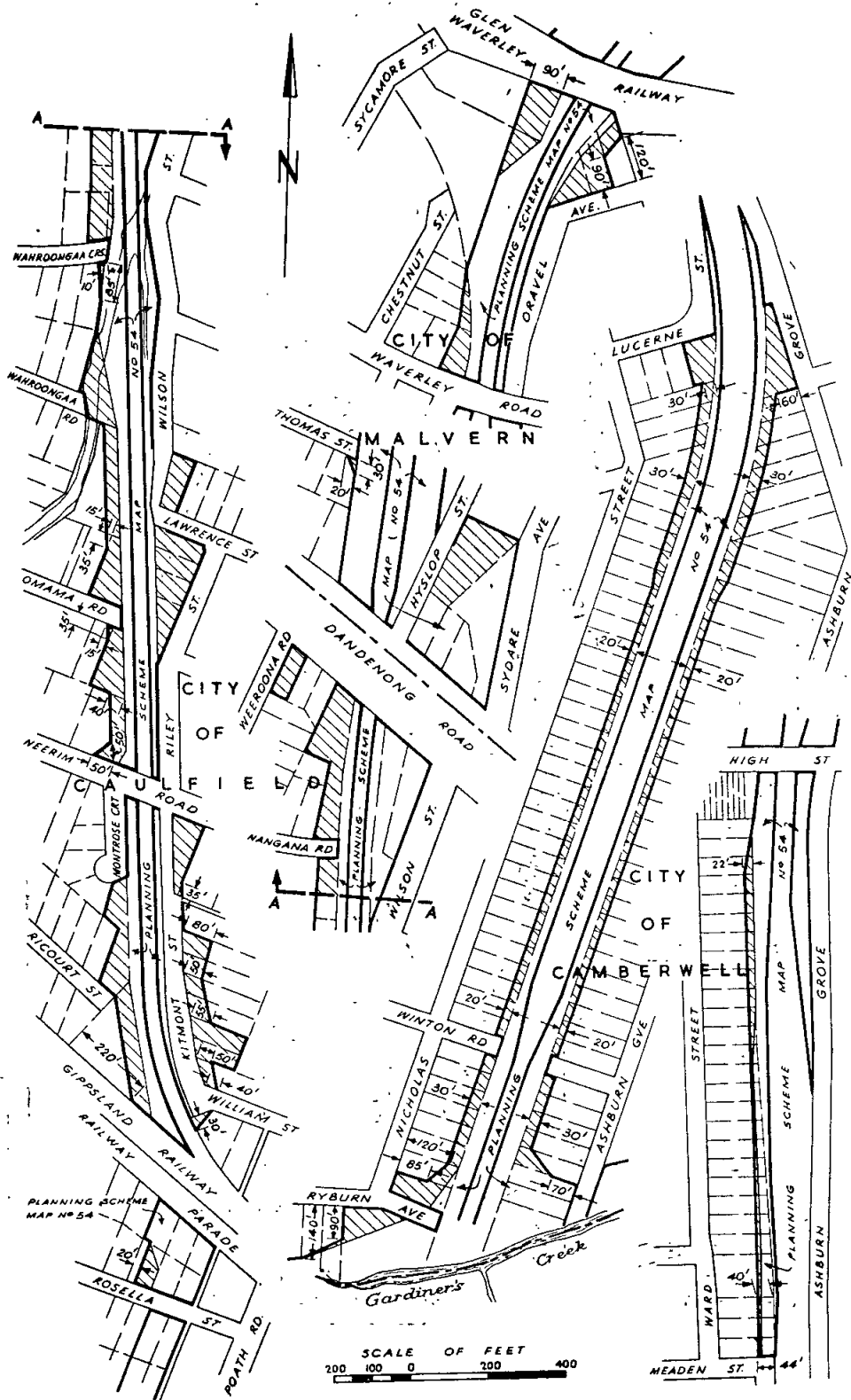
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PLAN N° 15
LAND RESERVED FOR THE PURPOSES OF
MAIN AND SECONDARY ROADS



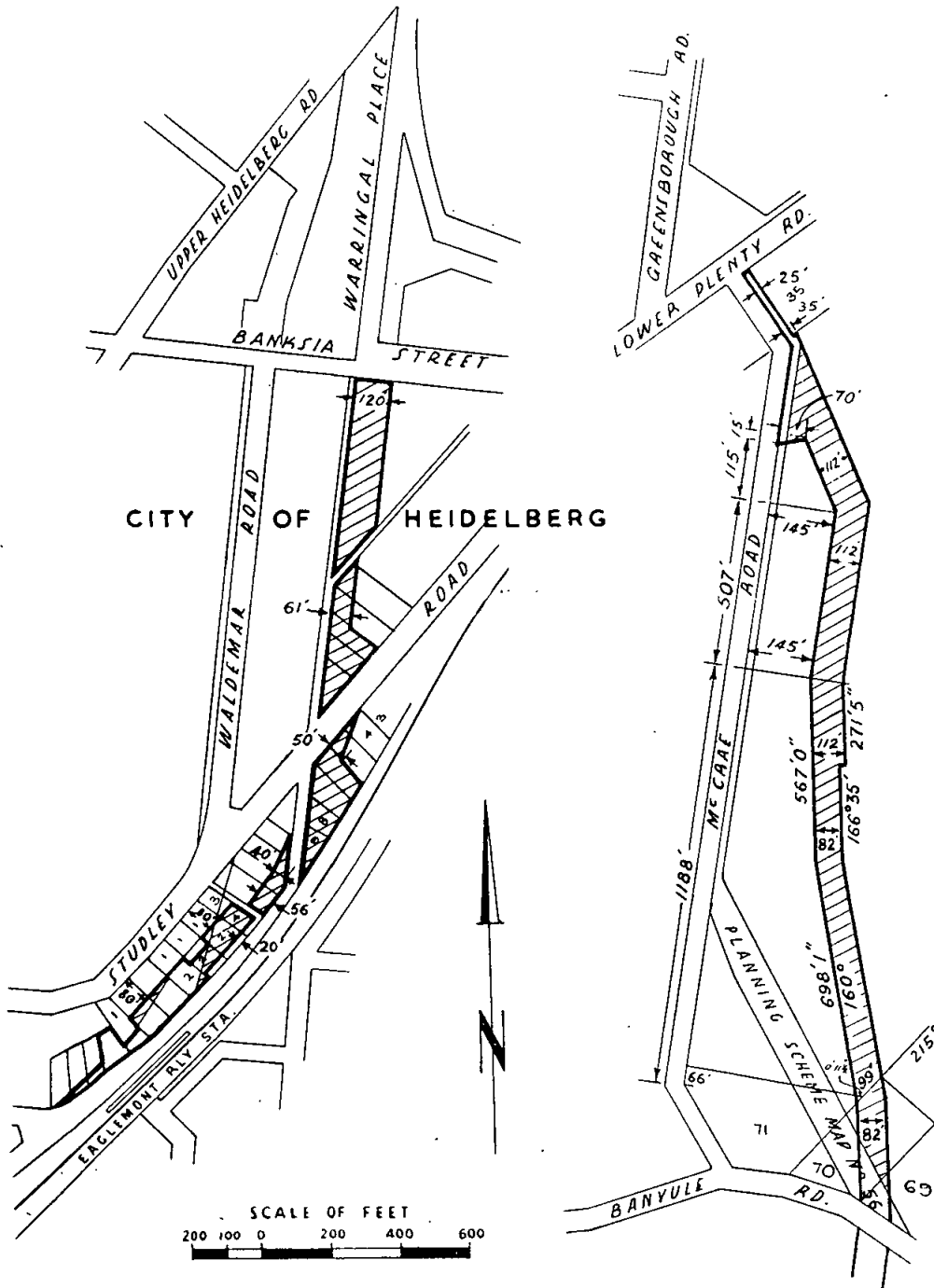
SECOND SCHEDULE—continued.

PLAN N^o 16
LAND RESERVED FOR THE PURPOSE OF A MAIN ROAD



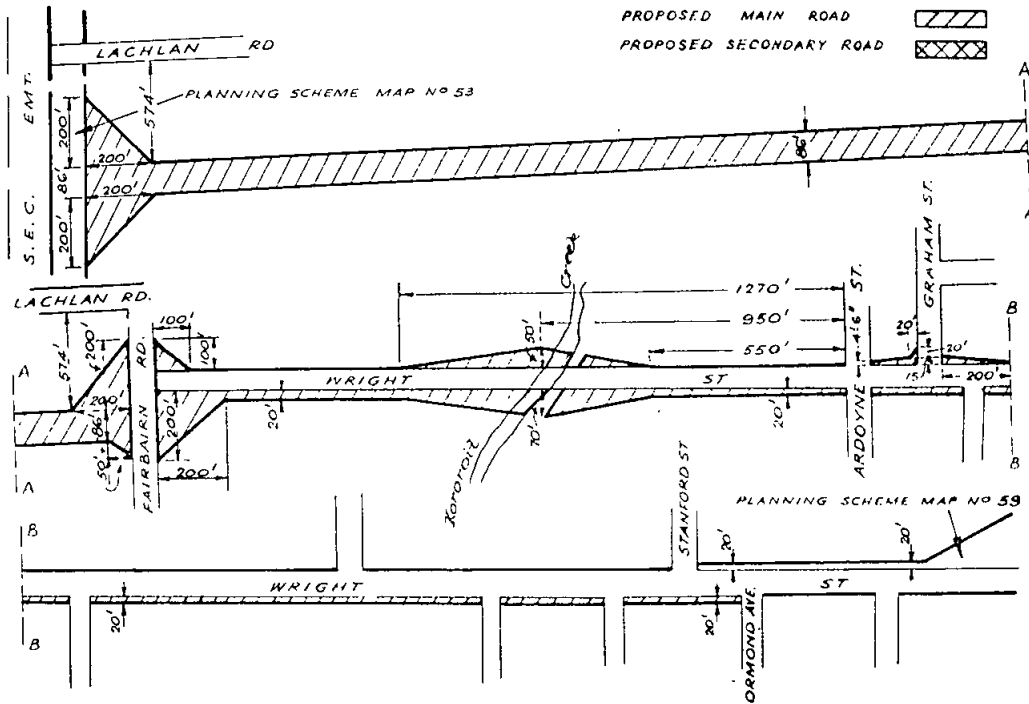
SECOND SCHEDULE—continued.

PLAN N^o 17
LAND RESERVED FOR THE PURPOSE
OF A MAIN ROAD

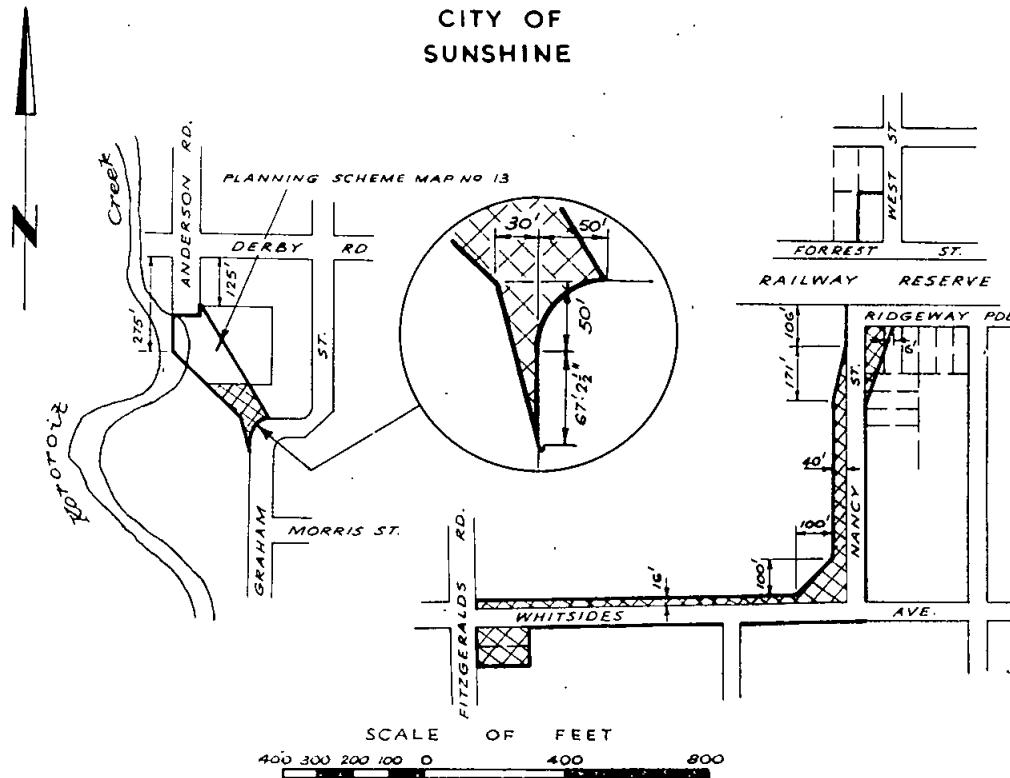


SECOND SCHEDULE—continued.

PLAN N° 18
LAND RESERVED FOR THE PURPOSES OF MAIN AND SECONDARY ROADS

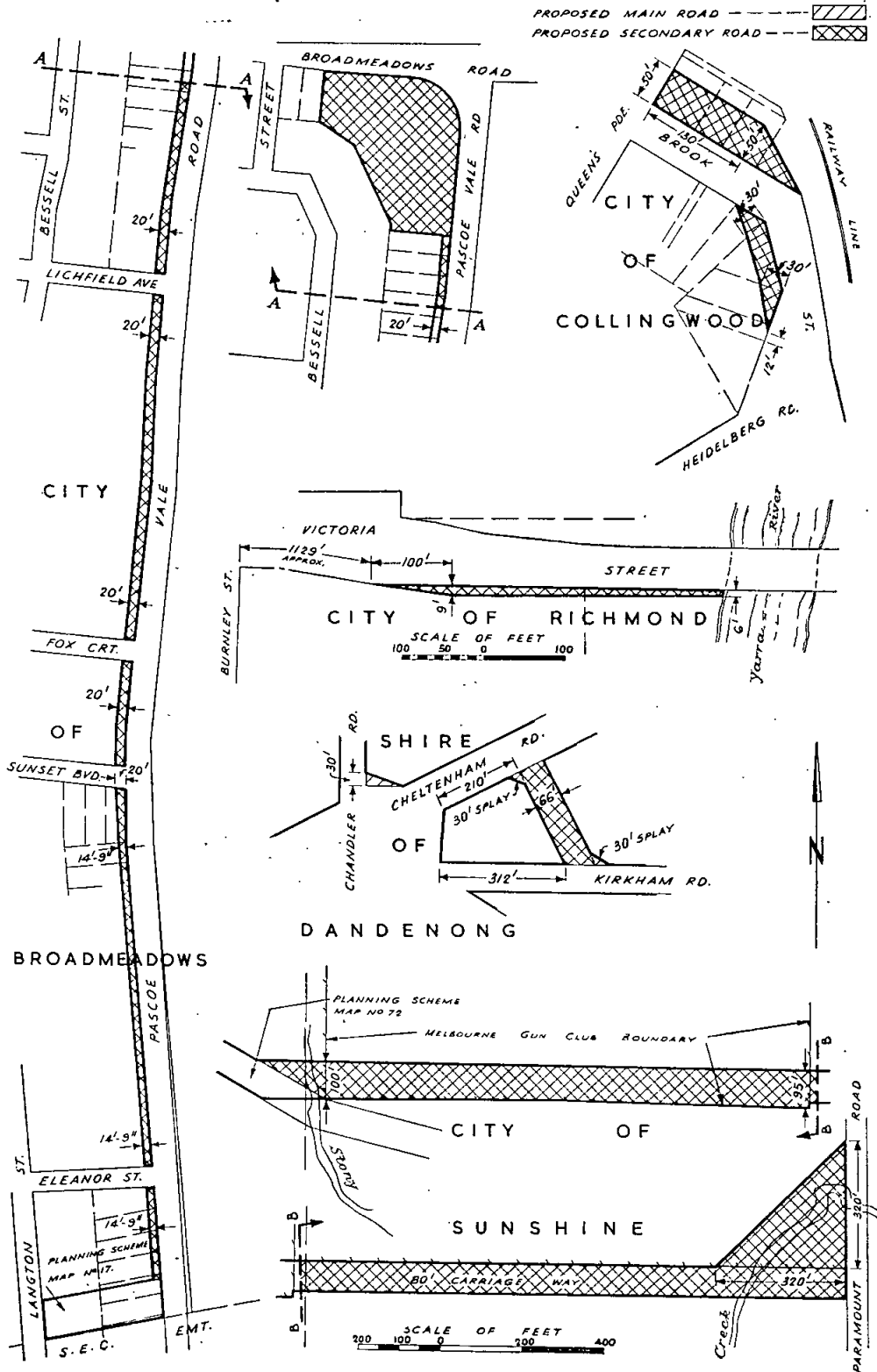


CITY OF SUNSHINE



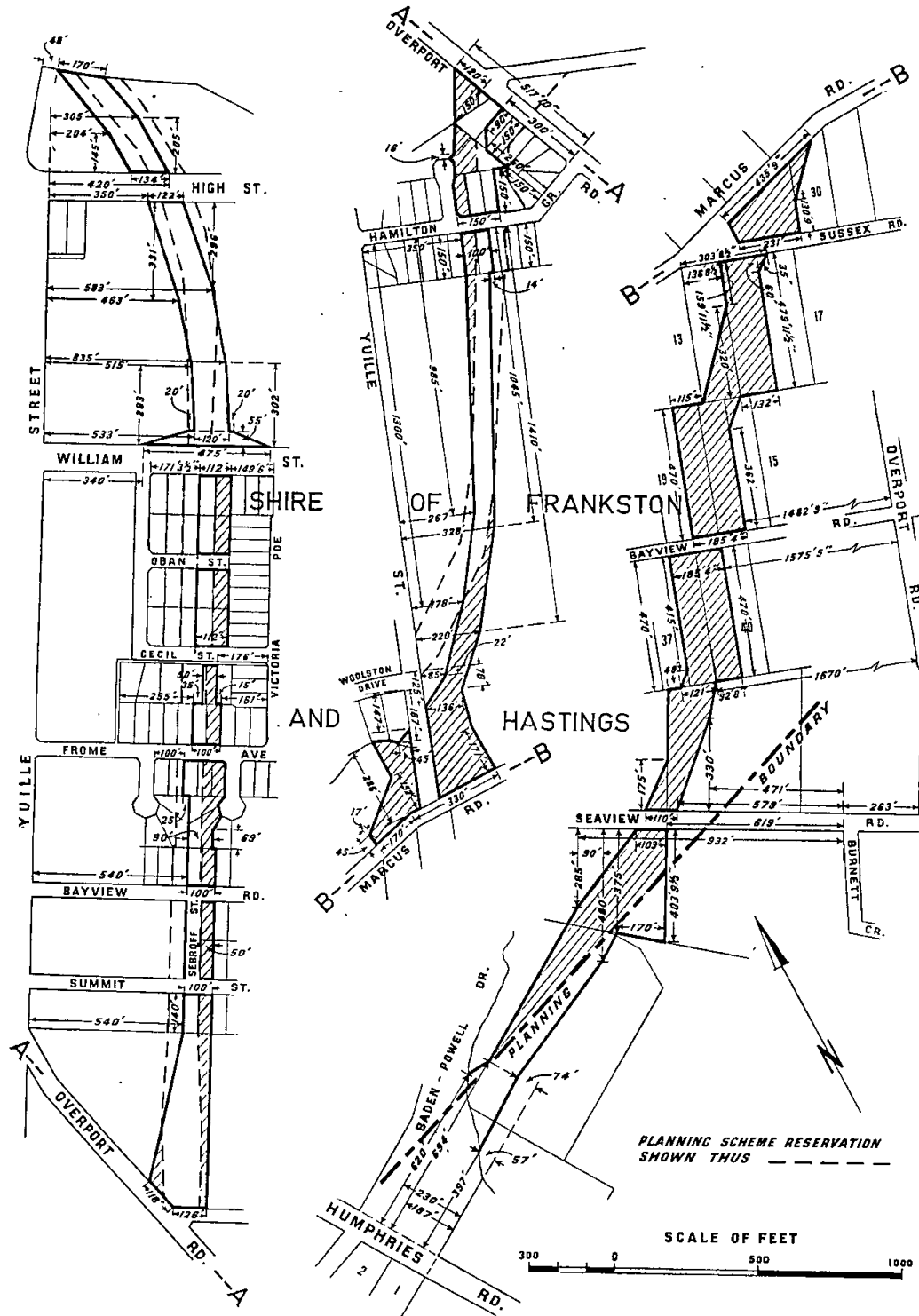
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PLAN No 19
LAND RESERVED FOR THE PURPOSES OF MAIN AND SECONDARY ROADS



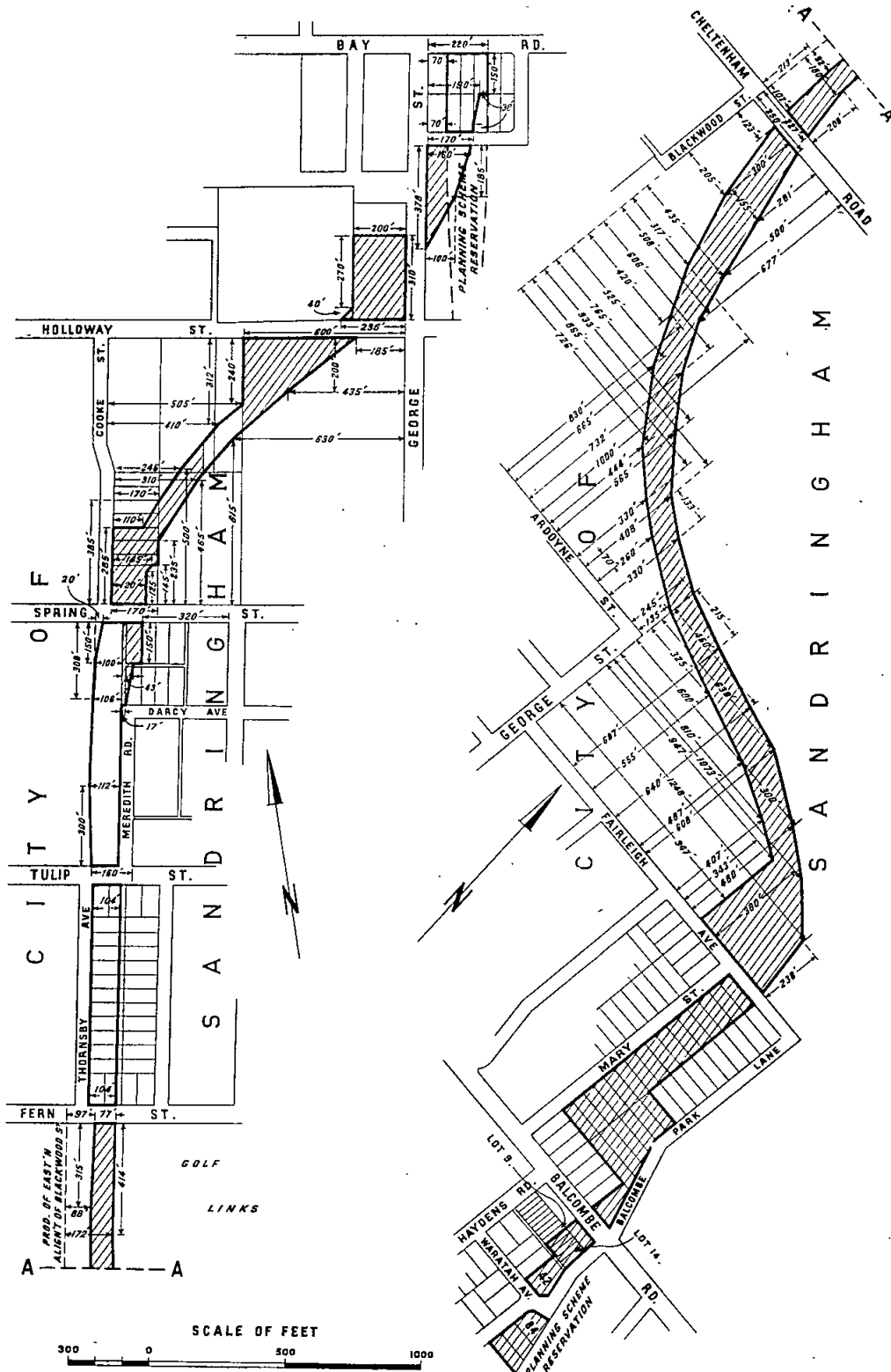
SECOND SCHEDULE—continued.

PLAN N^o 20
LAND RESERVED FOR THE PURPOSE OF A RAILWAY



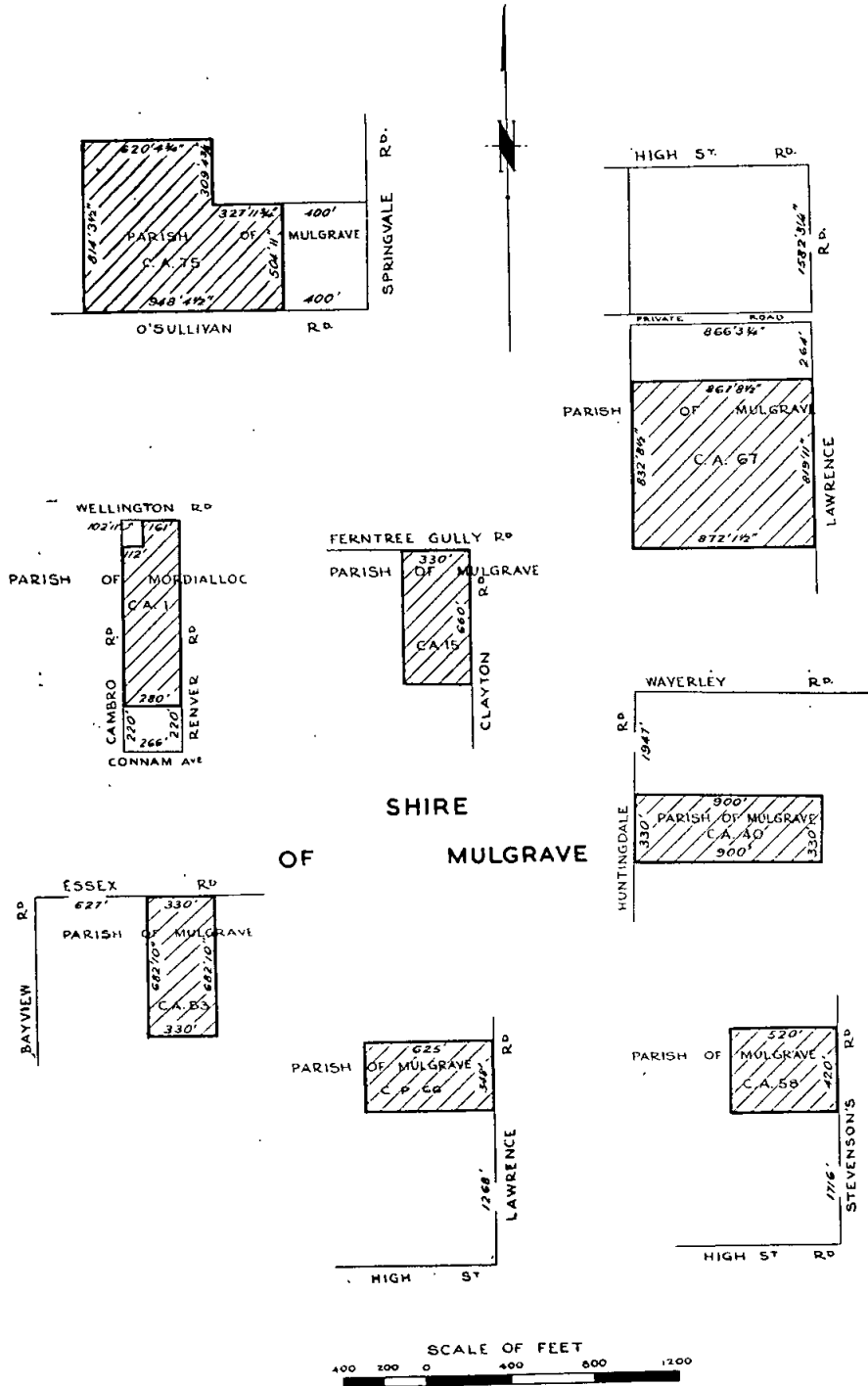
SECOND SCHEDULE—continued.

PLAN N^o 21
LAND RESERVED FOR THE PURPOSE OF A RAILWAY



SECOND SCHEDULE—continued.

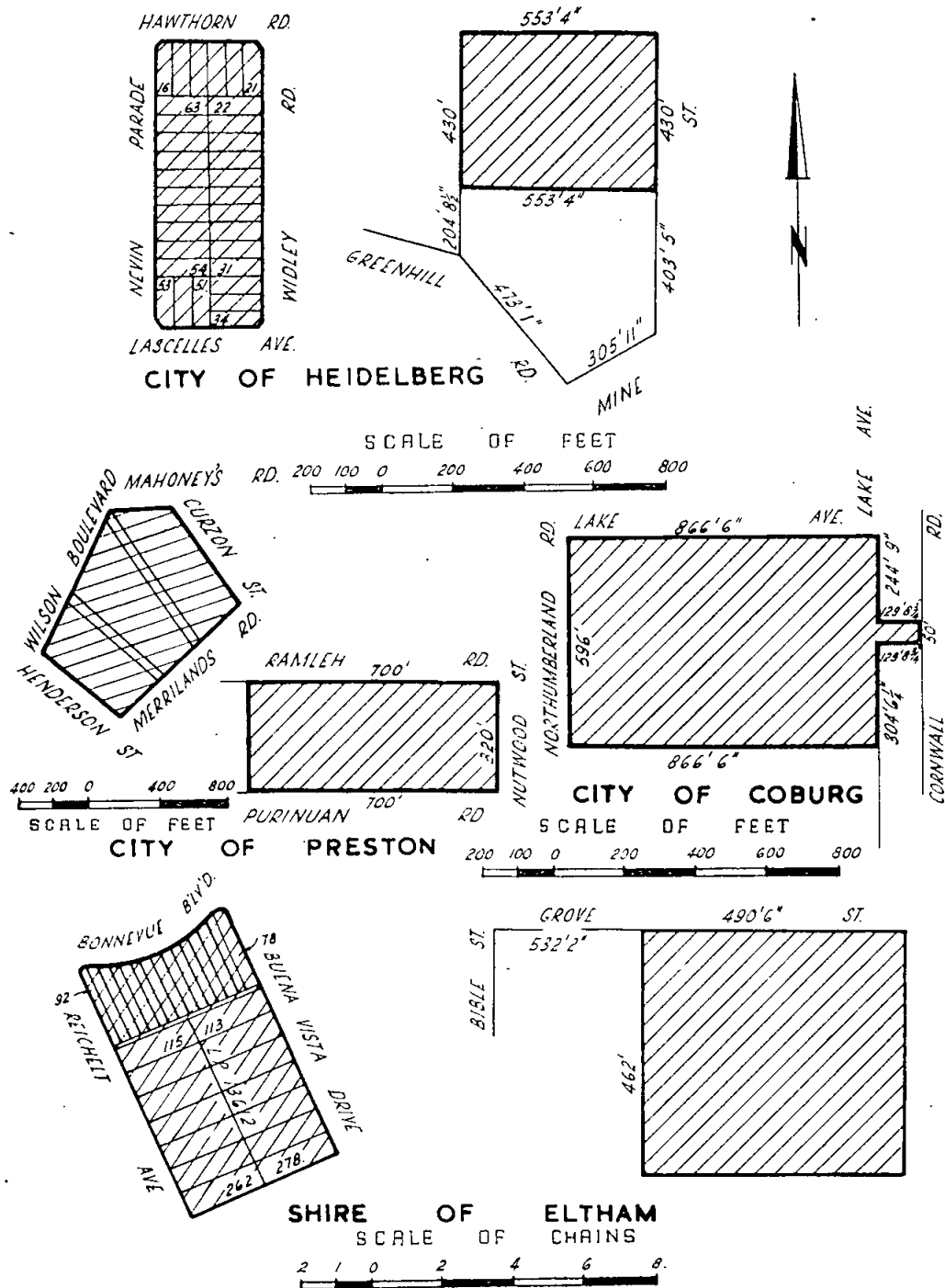
PLAN N^o. 22
LAND RESERVED FOR PUBLIC PURPOSES
SCHOOLS



SECOND SCHEDULE—continued.

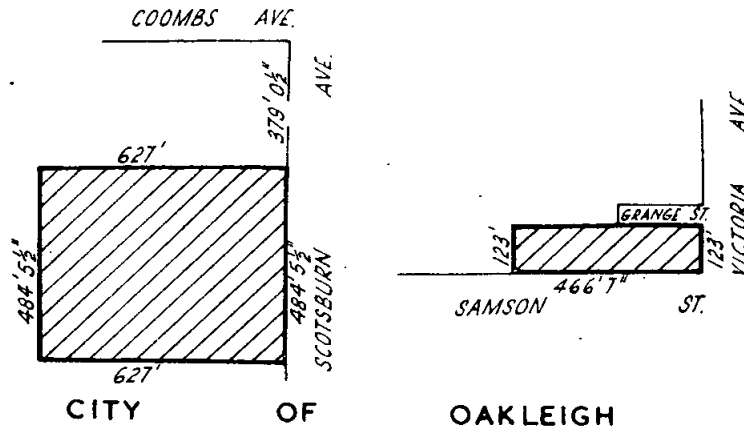
PLAN N^o 23

LAND RESERVED FOR PUBLIC PURPOSES — SCHOOLS

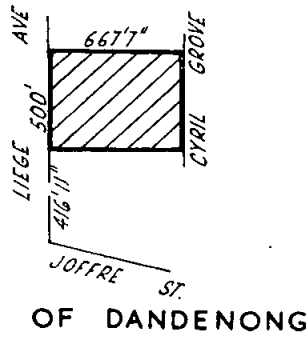
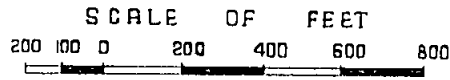


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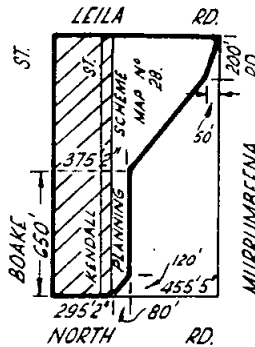
PLAN N^o 24
LAND RESERVED FOR PUBLIC PURPOSES—SCHOOLS



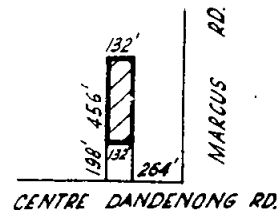
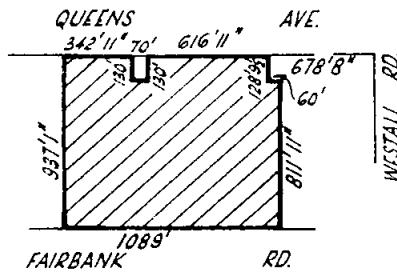
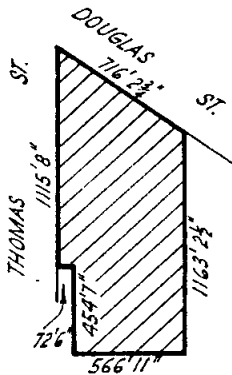
CITY OF OAKLEIGH



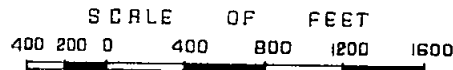
SHIRE OF DANDENONG



CITY OF CAULFIELD

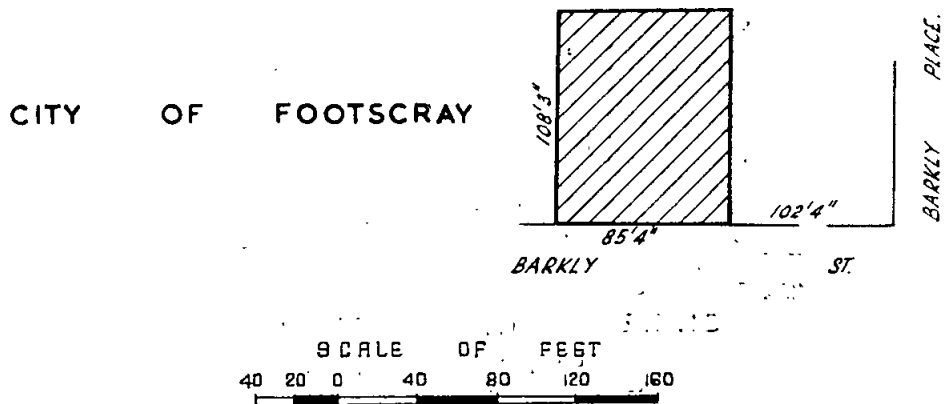
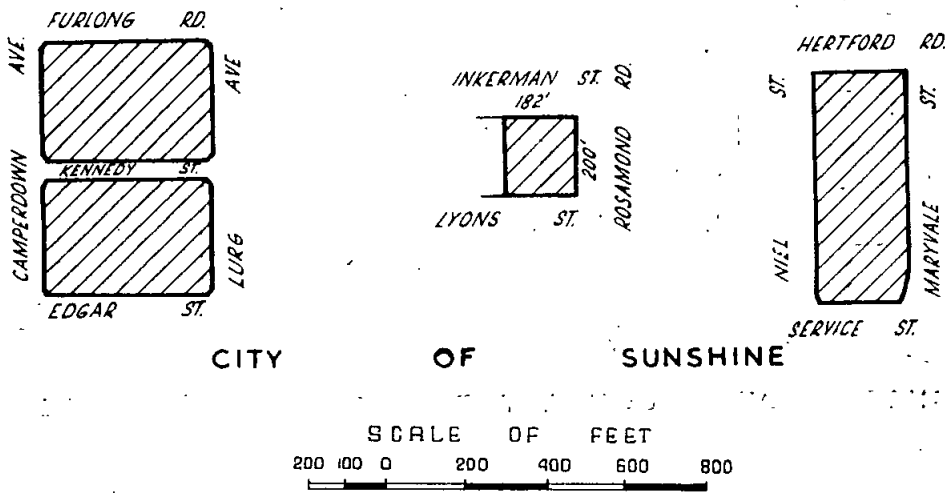
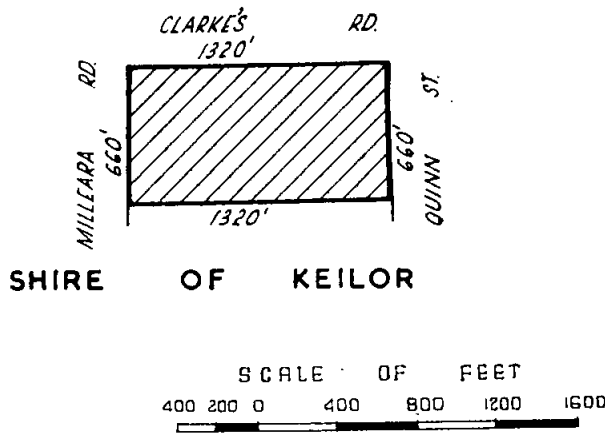


SHIRE OF SPRINGVALE AND NOBLE PARK.



SECOND SCHEDULE—continued.

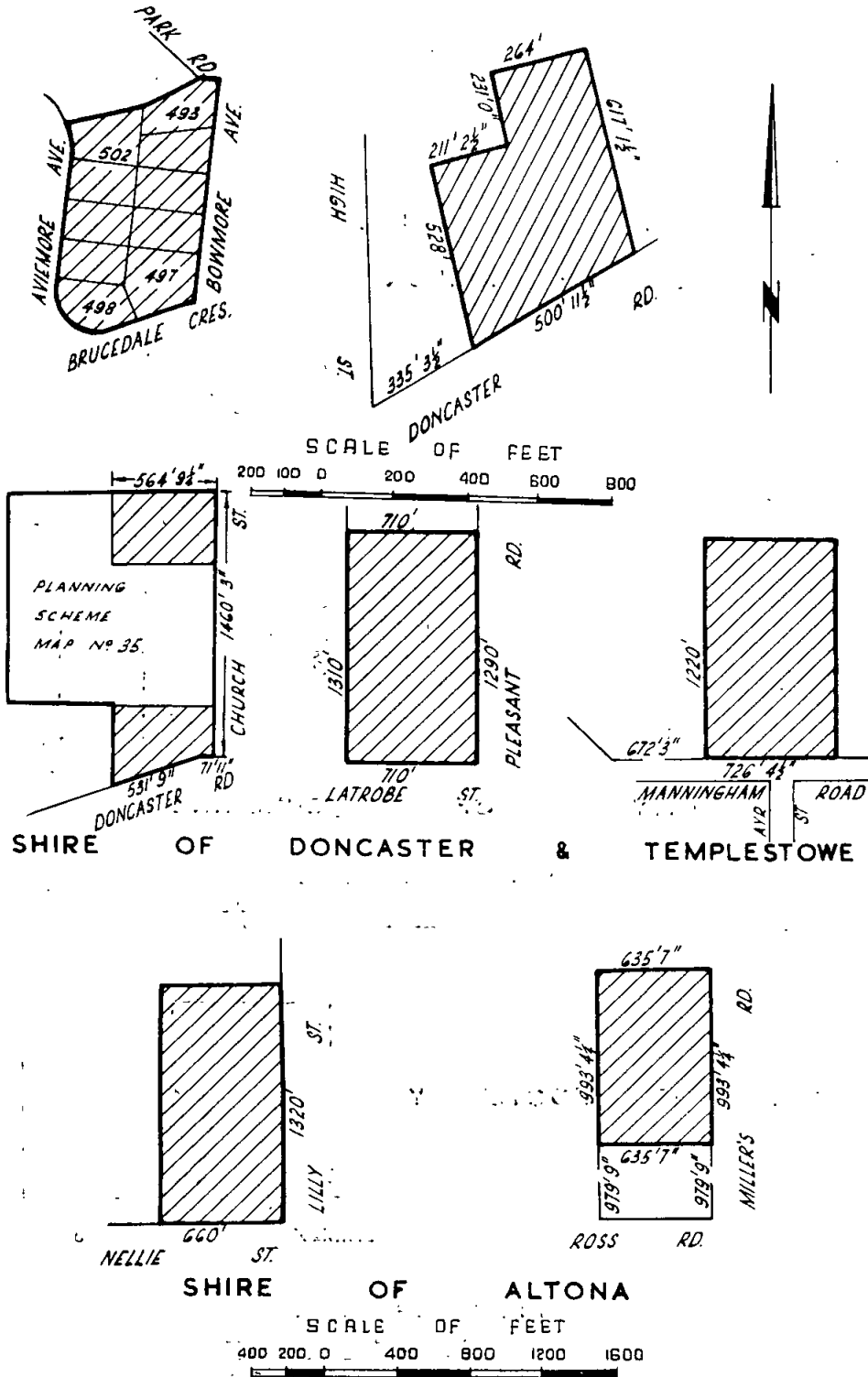
PLAN N^o 25
LAND RESERVED FOR PUBLIC PURPOSES—SCHOOLS



SECOND SCHEDULE—continued.

PLAN N^o 26

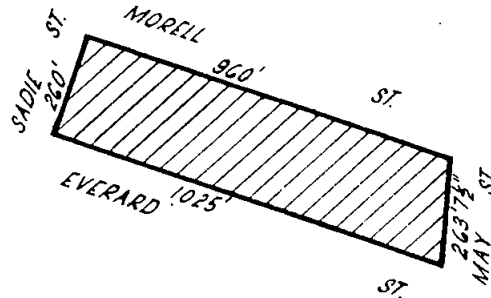
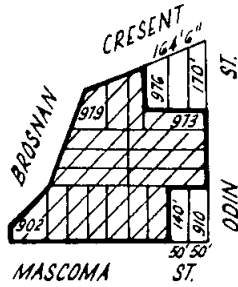
LAND RESERVED FOR PUBLIC PURPOSES—SCHOOLS



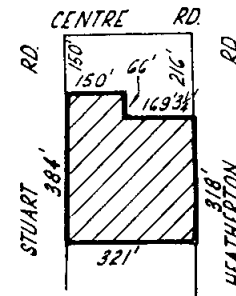
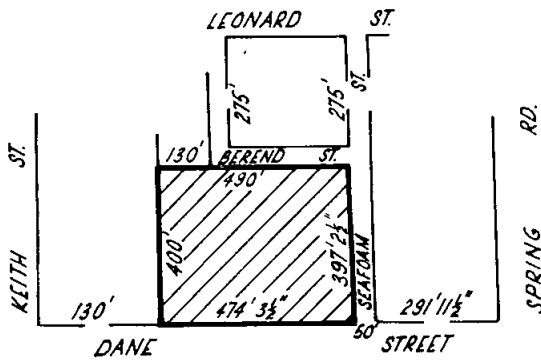
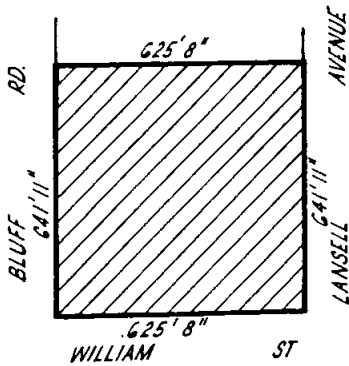
SECOND SCHEDULE—continued.

PLAN N^o 27

LAND RESERVED FOR PUBLIC PURPOSES — SCHOOLS



CITY OF BROADMEADOWS



CITY OF MOORABBIN

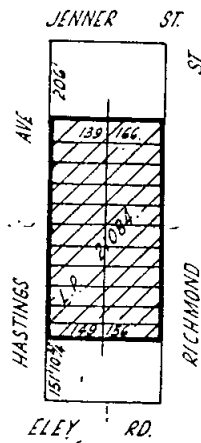
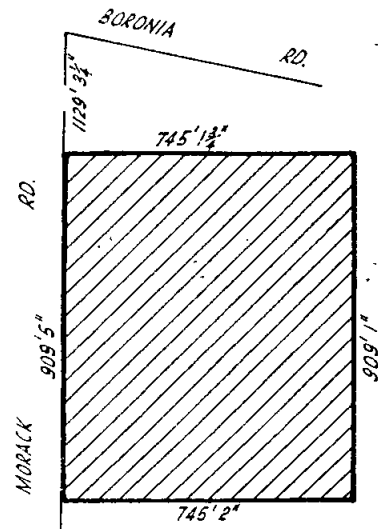
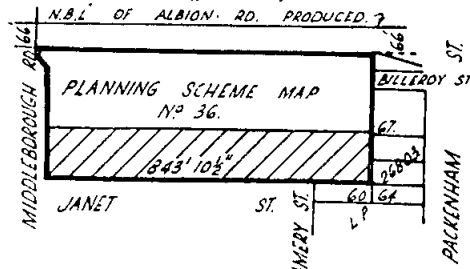
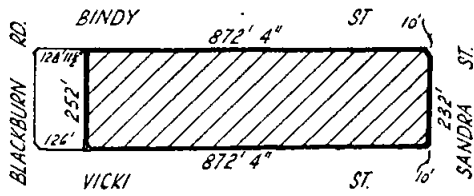
SCALE OF FEET



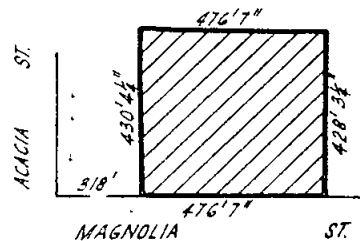
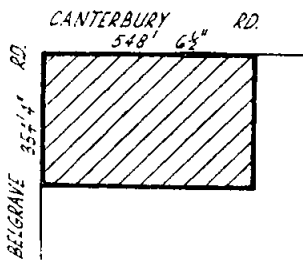
SECOND SCHEDULE—continued.

PLAN NO 28

LAND RESERVED FOR PUBLIC PURPOSES — SCHOOLS

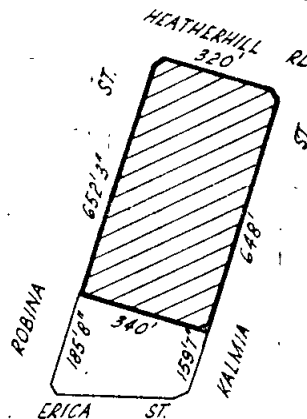
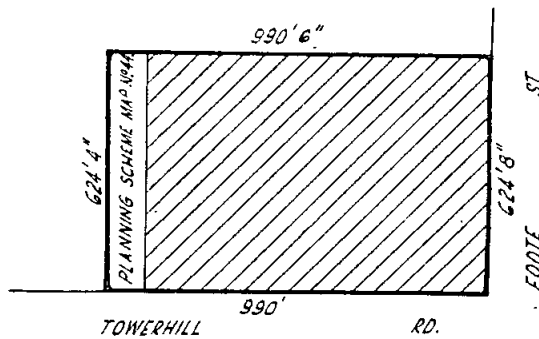


CITY OF NUNAWADING



BOROUGH OF RINGWOOD

CITY OF MORDIALLOC



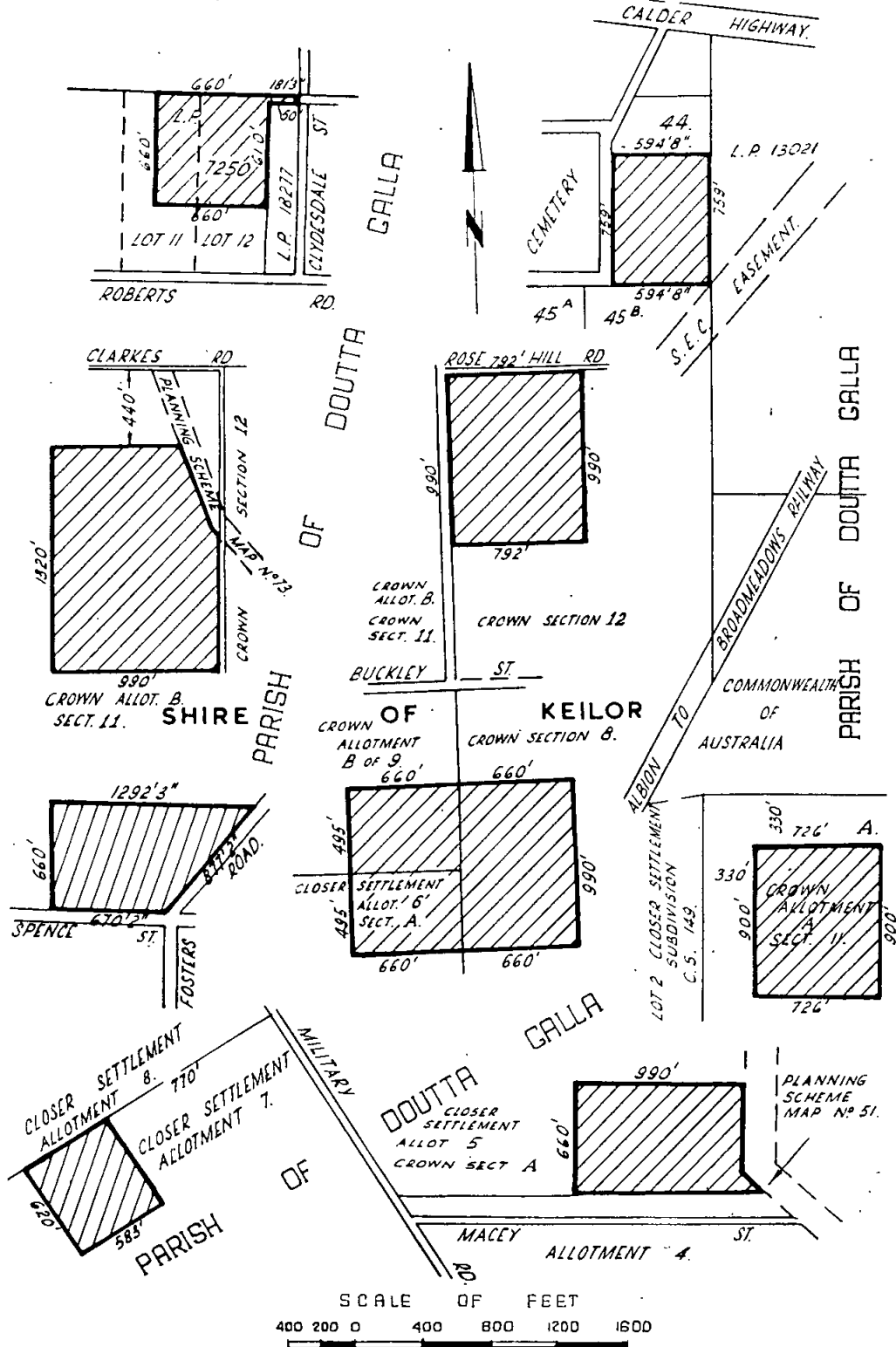
SHIRE OF FRANKSTON AND HASTINGS

SCALE OF FEET

200 100 0 200 400 600 800

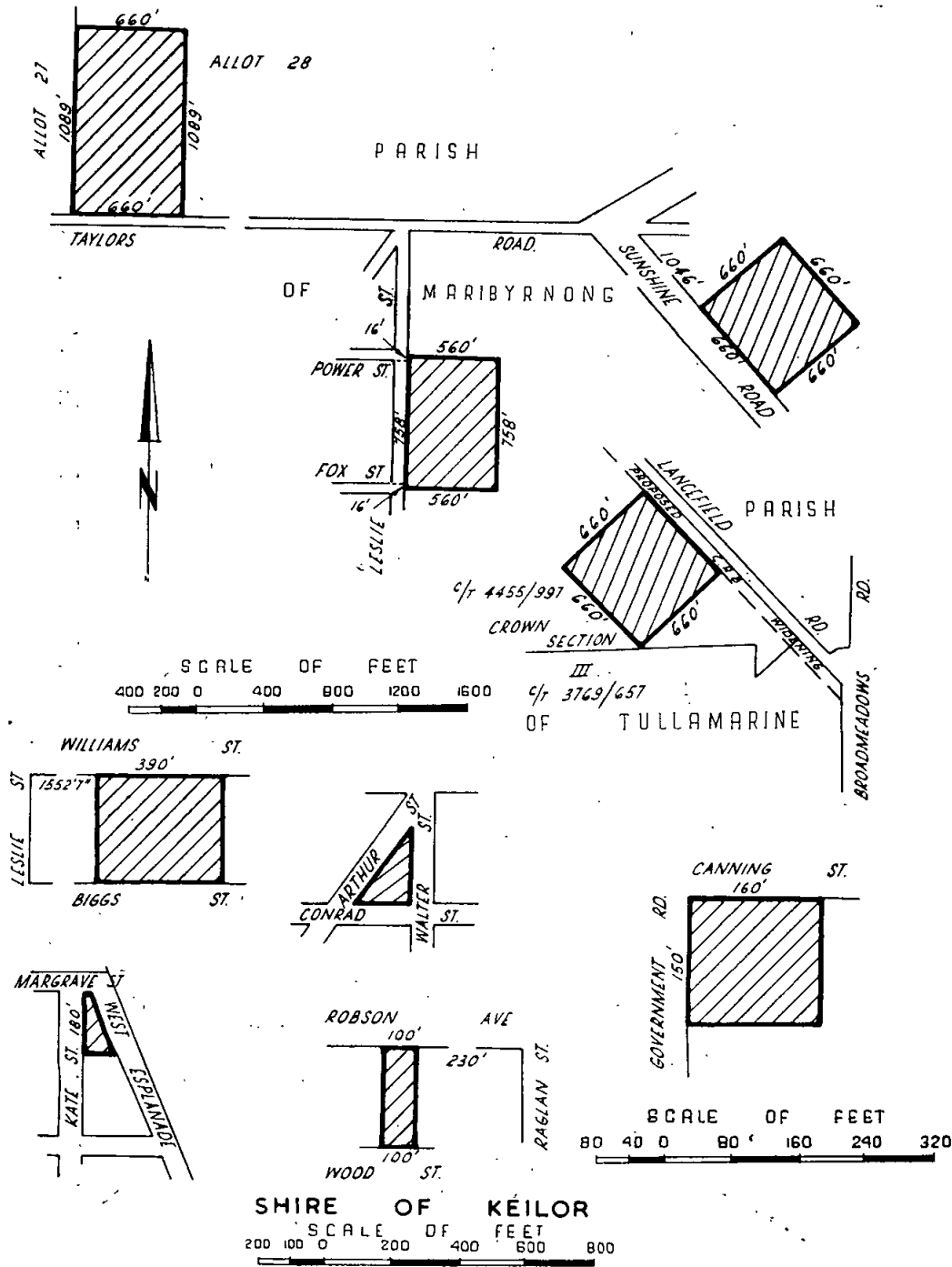
SECOND SCHEDULE—continued.

PLAN N^o 29
LAND RESERVED FOR THE PURPOSE
OF PUBLIC OPEN SPACE



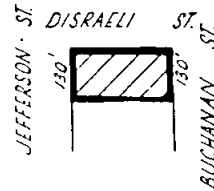
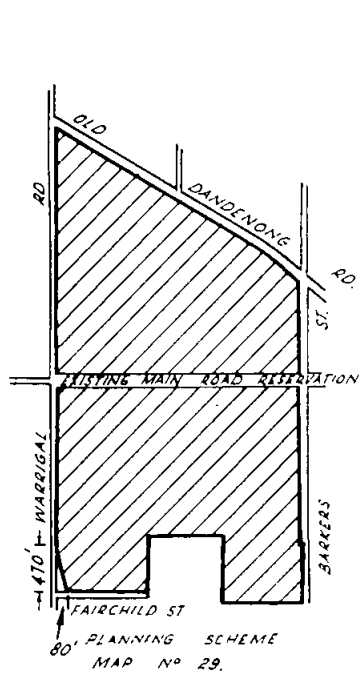
SECOND SCHEDULE—continued.

PLAN N° 30
LAND RESERVED FOR THE PURPOSE
OF PUBLIC OPEN SPACE

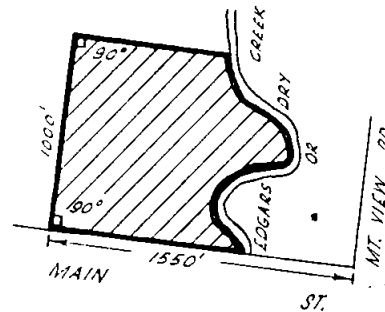
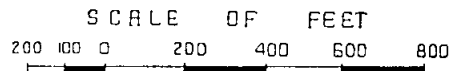


SECOND SCHEDULE—continued.

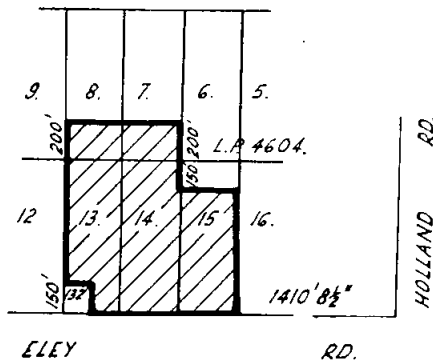
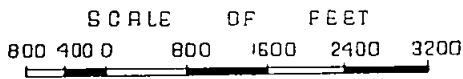
PLAN No 31
LAND RESERVED FOR THE PURPOSE
OF PUBLIC OPEN SPACE



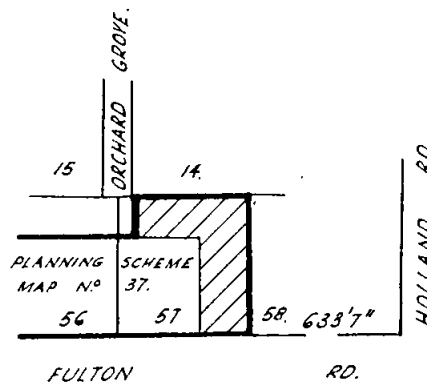
CITY OF SUNSHINE



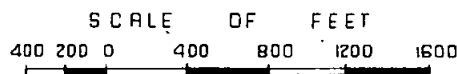
CITY OF MOORABBIN



SHIRE OF WHITTLESEA

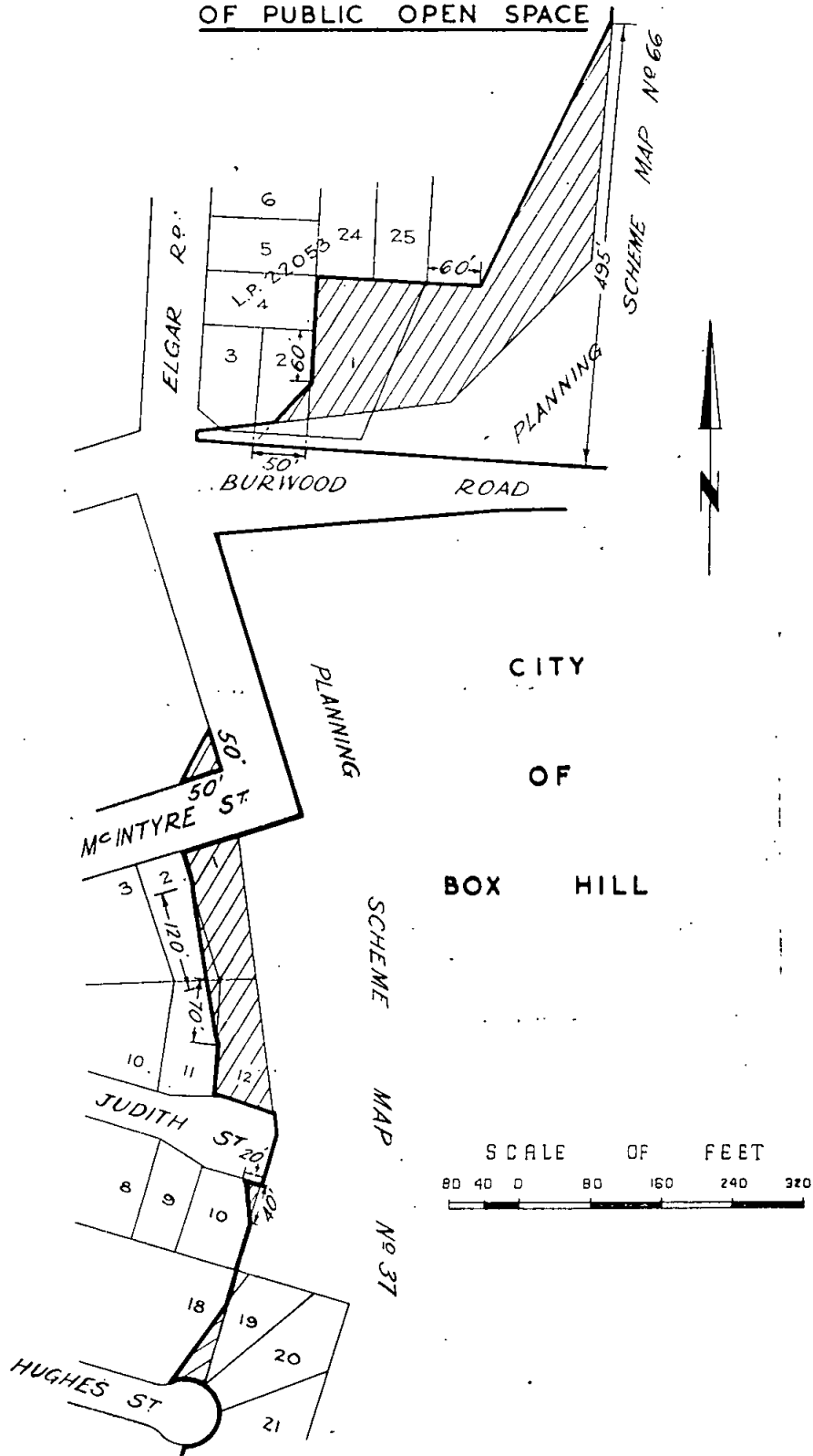


CITY OF NUNAWADING



SECOND SCHEDULE—continued.

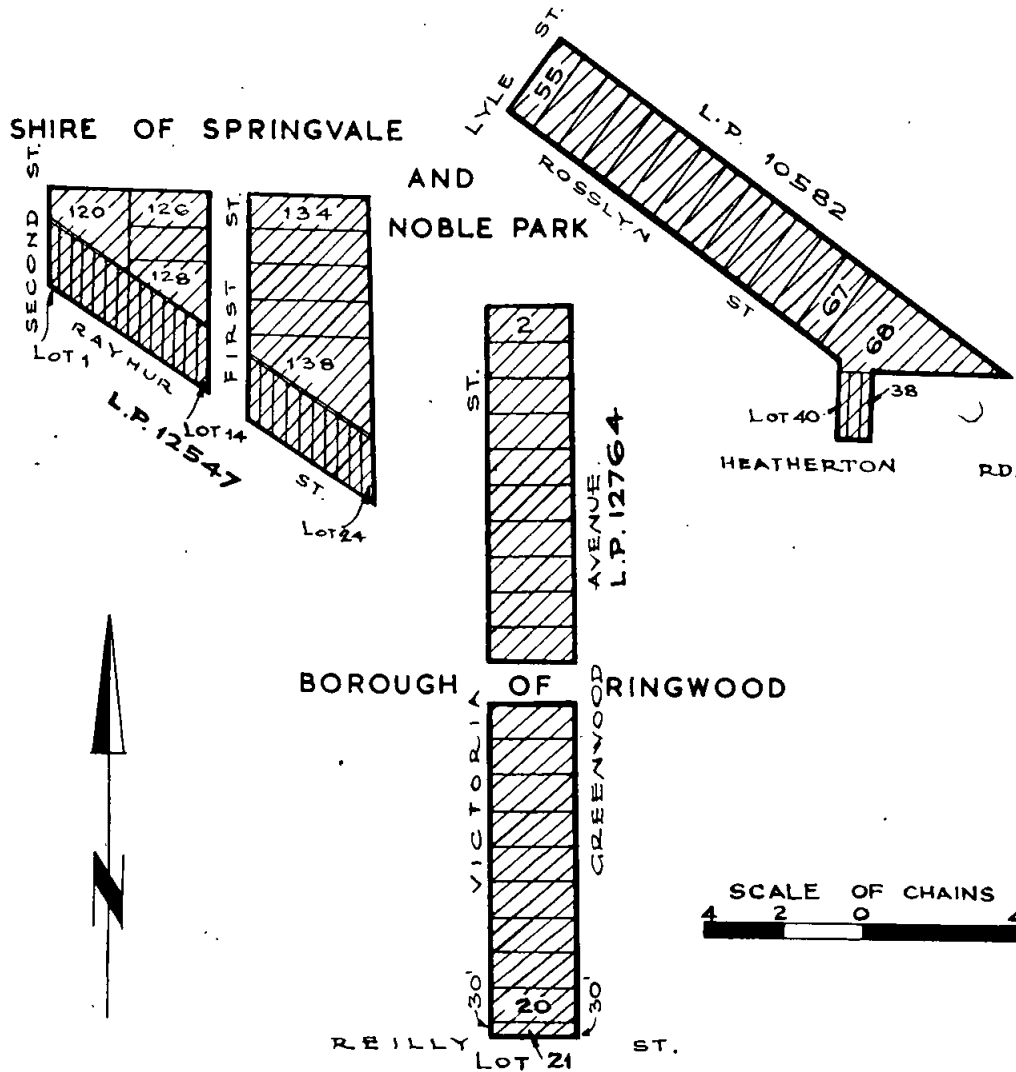
PLAN N° 33
LAND RESERVED FOR THE PURPOSE
OF PUBLIC OPEN SPACE



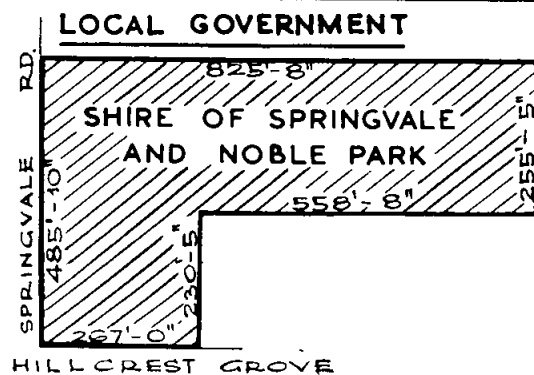
SECOND SCHEDULE—continued:

PLAN Nº 34

LAND RESERVED FOR THE PURPOSE
OF PUBLIC OPEN SPACE

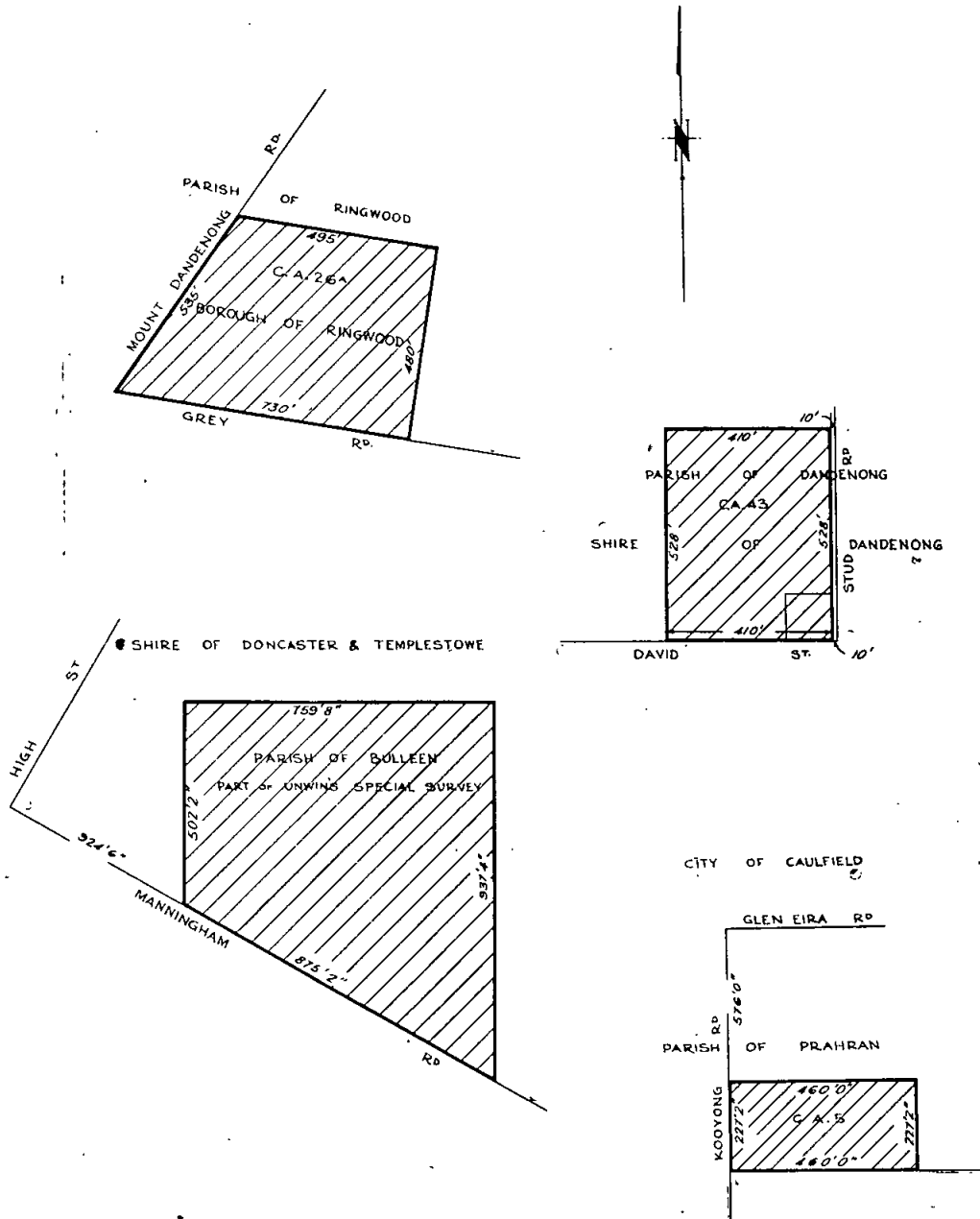


LAND RESERVED FOR PUBLIC PURPOSES



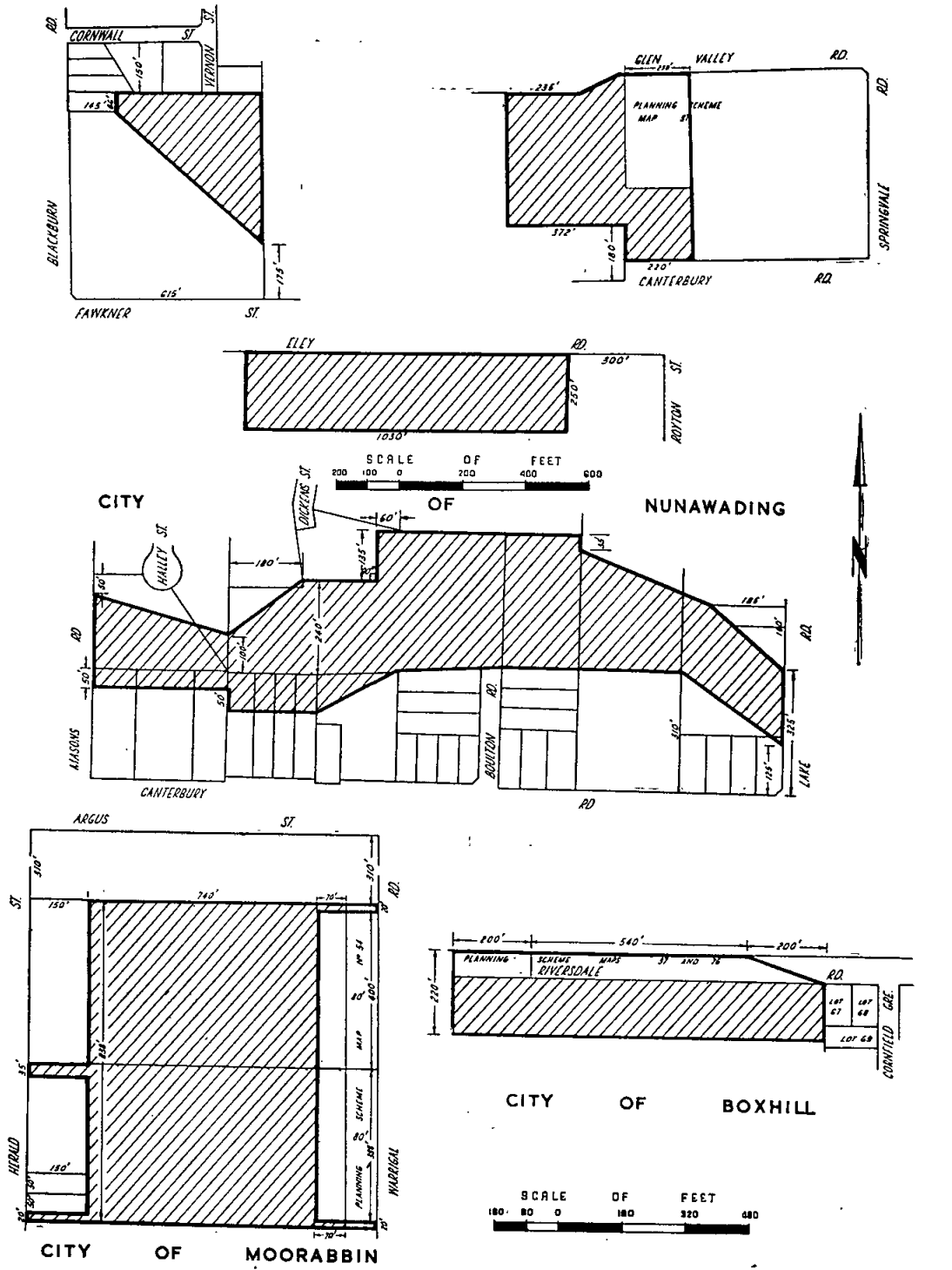
SECOND SCHEDULE—continued.

PLAN N^o. 35
LAND RESERVED FOR PURPOSE OF A
HOSPITAL



SECOND SCHEDULE—continued.

PLAN No 36
LAND RESERVED FOR PUBLIC PURPOSES ————— M.M.B.W.



Dated the eleventh day of February, One thousand nine hundred and fifty-eight.

The common seal of the Melbourne and Metropolitan Board of Works was affixed hereto in the presence of—

(SEAL) R. E. TRICKEY, Chairman.
CHAS. ROOKS, Member.
C. TRATHAN, Secretary.

Report by the Town and Country Planning Board, on the 6th day of March, 1958. Recommended for approval.—FRED. C. COOK, Chairman.

Approved by the Governor in Council, on the 18th day of March, 1958.—A. MAHLSTEDT, Clerk of the Executive Council.

