

Appendix D - Ordinance Anomalies

Item No.	Clause	Title	Explanation	Recommended Changes
OR1	52.27	Schedule to the Licensed premises particular provision	This clause has become outdated due to changes in the Liquor Control Reform Act 1998 and land use definitions. The Darebin Planning Scheme Review Report 2010 recommends updating the schedule to reflect these changes.	Replace existing schedule with the proposed new schedule included in Appendix F .
OR2	37.06	PDZ Schedule 2	The schedule to the PDZ includes convenience restaurants as a Section 2 Use, with a condition that they must form part of an integrated development. This has had the unintended impact of prohibiting the use of land for cafe (which do not have a land use definition and fall under convenience restaurant) unless development occurs on the site. The drafting of this clause has had unintended impacts in that it forces development with a certain use.	Move Convenience Restaurant to a Section 1 Use with the condition that it must form part of an integrated development in Schedule 2 to the PDZ. Refer to Appendix G .
OR3	43.02	Schedule 5 to the Design and Development Overlay	Under DDO5, a permit is required for all buildings and works, which is unnecessarily restrictive. The drafting of the DDO5 has had unintended impacts, in that all buildings and works within the DDO5 area require a permit, even those that are less than 8 metres in height.	Modify clause 2.0 of DDO5 to state that "A permit is not required to construct a building or carry out works if the requirement in the table below is met." as per Appendix H .
OR4	43.02	Schedule 14 to the Design and Development Overlay	DDO14 refers to 'business zones', which were replaced with commercial zones in 2013.	Replace the reference to 'business zones' with 'commercial zones', as per Appendix I .