



Toolangi Forest Discovery Centre (TFDC)
Part 1683 Healesville – Kinglake Road,
Toolangi, and Crown Allotment 42 and part
Crown Allotment 2002, Parish of
Tarrawarra North

September 2023

MURRINDINDI PLANNING SCHEME

Incorporated Document

This document is an incorporated document in the Murrindindi Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987

1.0 INTRODUCTION

This document is an Incorporated Document in the schedules to Clause 36.02 Public Park and Recreation Zone (PPRZ) and Clause 72.04 - Incorporated Documents of the Murrindindi Planning Scheme.

The land identified in Clause 2.0 of this document may be used in accordance with the controls contained in Clauses 6.0 of this document.

2.0 LAND DESCRIPTION

This document applies to Toolangi Forest Discovery Centre land, described as: □ Part of 1683 Healesville-Kinglake Road, Toolangi, Crown Allotment 42 and part Crown Allotment 2002, Parish of Tarrawarra North. and outlined on the map below. The land is referred to in this document as 'the land'.

The land is approximately 13 hectares in area. The Toolangi Forest Discovery Centre, associated car park and sculpture and walking trails are located on the land, with a mixture of modified and remnant bushland on the remainder of the land.



Figure 1 – Map of land subject to this Incorporated Document, outlined in [Red]

3.0 APPLICATION OF PLANNING SCHEME PROVISIONS

Despite any provision to the contrary or any inconsistent provision in the scheme, the land identified in the incorporated document may be used in accordance with the controls contained in this document.

In the event of any inconsistency between the controls contained in this document and any provisions of the Murrindindi Planning Scheme, the controls contained in this document will prevail.

The following provisions apply to the land to which this Incorporated Document applies:

The following uses may be conducted on the land without a planning permit triggered under the Public Park and Recreation Zone, subject to the following conditions:

Uses:

- Any Section 1 use that does not meet the condition:
 - must be conducted by or on behalf of the public land manager; or
 - must be either of the following:
 - A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Safety Act 2010, the Port Management Act 1995, or the Crown Land (Reserves) Act 1978.
 - A use specified in an Incorporated plan in a schedule to this zone.
- Any Section 2 use that does not meet the Section 1 condition and does not meet the Section 2 condition “Must be associated with the public use”.
- The following uses specifically identified in this incorporated plan:

Art Gallery

Art and Craft Centre

Cinema

Convenience restaurant

Food and drink premises (other than Bar and Hotel)

Hall

Interpretation centre

Leisure and recreation (other than Racecourse, Motor racing track)

Museum

Shop (other than adult sex product shop, beauty salon, bottle shop, convenience shop, dry cleaning agent, department store, hairdresser, laundromat, supermarket and Restricted retail premises)

4.0 EXPIRY OF THIS SPECIFIC CONTROL

The provisions of this Incorporated Plan will be reviewed as part of the regular review of the Murrindindi Planning Scheme required under section 12 of the *Planning and Environment Act 1987*.

The Incorporated Plan does not have an expiry date.

5.0 PURPOSE

This document is an incorporated plan that provides for uses on the land that are not directly associated with the public land use or conducted by or on behalf of a public land manager.

Clauses 36.02-6 and Clause 36.02-7 of the Public Park and Recreation Zone provide for the use of an incorporated plan to outline specific provisions as to how land may otherwise be used and developed.

The widened scope of land uses under this incorporated document facilitates the following purposes for the land:

- Ensure the Toolangi Forest Discovery Centre is a viable and vibrant community-based enterprise providing a wide range of community-based activities.
- Provide for an expansion of uses on the land, including recreational, educational, environmental, tourism, cultural and community uses.
- Provide opportunity for both public and private uses of land in accordance with land manager directions and the purpose of the reservation under the Crown Land (Reserves) Act 1978.

6.0 CONDITIONS

The following conditions apply to the use allowed by this incorporated document:

- Written consent for the proposed use from the Secretary to the department responsible for administering the *Crown Land (Reserves) Act 1978*.
- The use must be consistent with the purpose of the public land reservation applying to the land under the *Crown Land (Reserves) Act 1978*.
- The use must comply with any conditions imposed on a lease or appointment of Committee of Management, as relevant, under the *Crown Land (Reserves) Act 1978*.
- A revised Emergency Management Plan must be submitted to the responsible authority within two weeks of a new use commencing. Any Emergency Management Plan must include that the site will be closed on Catastrophic Fire Danger Rating days and modify activities on Extreme fire danger days for public safety.

END OF DOCUMENT