

14/12/2017
C64**SCHEDULE 9 TO CLAUSE 37.01 SPECIAL USE ZONE**

Shown on the planning scheme map as **SUZ9**.

WIMMERA INTERMODAL FREIGHT TERMINAL PRECINCT**Purpose - General**

To facilitate the development of the Wimmera Intermodal Freight Terminal Precinct (the Precinct) as a major intermodal freight and logistics hub for the Wimmera- Mallee region having regard to Map 1 to Schedule 9 to Clause 37.01.

To provide for industry involved in the storage and distribution of primary produce and raw materials and associated industry, warehouse, manufacturing, mineral sands processing and storage handling, office and retail uses in a manner which does not affect the safety and amenity of local communities.

To ensure appropriate separation between food related industries and the storage and transfer of mineral sands and other earth resources.

To provide a range of lot sizes to the extent appropriate to encourage industry and warehousing of various scales and to provide catalyst developments.

To provide for the staged development of the Precinct and orderly provision of infrastructure, services and transport facilities taking into account environmental and hydrological considerations.

To ensure flexibility in the use and development of the Precinct to respond to changing economic circumstances over the long term development of the Precinct.

To protect the ongoing operation and development of the Wimmera Intermodal Freight Terminal.

To develop a high quality built environment that will attract industry investment and create jobs.

Purpose – Sub-precinct 1 Grain and bulk agricultural produce

To provide for industry and warehousing involved in the collection, storage and transfer of grain and other bulk agricultural produce on land generally in sub precinct 1 having regard to Map 1 to Schedule 9 to Clause 37.01.

To ensure appropriate separation between industry and warehousing involved in the storage and transfer of mineral sands and other earth resources from food related industries and warehousing.

Purpose – Sub-precinct 2 Mineral sands

To provide for industry and warehousing involved in the storage and transfer of mineral sands and other earth resources on land generally in sub precinct 2 having regard to Map 1 to Schedule 9 to Clause 37.01

To ensure appropriate separation between industry and warehousing involved in the storage and transfer of mineral sands and other earth resources from food related industries and warehouses.

Purpose – Sub-precinct 3 Warehousing and logistics

To provide for large scale warehousing and logistic industries and mineral sands processing and storage handling in close proximity to the Wimmera Intermodal Freight Terminal generally on land in sub precinct 3 having regard to Map 1 to Schedule 9 to Clause 37.01

To provide opportunity for industries that benefit from a shared boundary with the Wimmera Intermodal Freight Terminal.

To ensure the primacy of freight movements adjacent to the Wimmera Intermodal Freight Terminal.

Mineral sands development shall be discouraged from abutting the northern side of the Wimmera Intermodal Freight Terminal.

Purpose – Sub-precinct 4 Large Manufacturing

To provide for large scale manufacturing and general industries and mineral sands processing and storage handling with adverse amenity potential that require large separation distances from sensitive land uses (e.g. dwellings) generally on land in sub-precinct 4 having regard to Map 1 to Schedule 9 to Clause 37.01.

To provide for export orientated food manufacturing, food packaging and other manufacturing related industries.

To encourage manufacturing industries that support the expansion of reticulated gas, potable water and sewerage infrastructure.

To discourage small-scale manufacturing in this sub-precinct.

Purpose – Sub-precinct 5 Warehousing, logistics and small manufacturing

To provide for a mix of small-scale manufacturing, warehousing, logistics and industries generally on land in sub precinct 5 having regard to Map 1 to Schedule 9 to Clause 37.01

Purpose – Sub-precinct 6 Highway business

To provide for a range of service industries and ancillary uses along the Henty Highway frontage that support the Precinct on land in sub precinct 6 as shown in Map 1 to Schedule 9 to Clause 37.01

To provide for convenience retail, service station and rest areas that support the Precinct.

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Table of uses

Sub-precinct 1 - Grain and bulk agricultural produce

Section 1 - Permit not required

Use	Condition
<p>Crop raising Extensive animal husbandry Informal outdoor recreation Minor utility instillation Railway</p>	
<p>Rural Industry</p>	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10. Must not adversely affect the amenity of the precinct, including through the :</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.

Rural store	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>Must not adversely affect the amenity of the precinct, including through the :</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Crop raising, Extensive animal husbandry, and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	
Education centre	Must not be a primary or secondary school
Emergency services facility	
Employment training centre	
Food and drink premises (other than Hotel and Tavern)	
Industry (other than Rural industry)	Must not be associated with the store of mineral sands.
Office (other than Bank, Electoral office, Medical centre, Real estate agency, travel agency)	
Rural industry if the Section 1 conditions are not met	
Rural store if the Section 1 conditions are not met	
Service station	
Transport terminal	
Utility instillation	
Warehouse	Must not be associated with the store of mineral sands.

Section 3 - Prohibited

Use
Accommodation (other than Caretakers house)
Adult Sex book shop
Bank
Cinema based entertainment facility
Earth and energy resources industry

Electoral office
Hospital
Hotel
Intensive animal husbandry
Medical centre
Real estate agency
Retail premises (other than Food and drink premises)
Shop (other than Convenience shop)
Tavern
Travel agency

Table of uses

Sub-precinct 2 - Mineral sands

Section 1 - Permit not required

Use	Condition
Crop raising	
Extensive animal husbandry	
Industry (other than Rural industry)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10. Must not adversely affect the amenity of the precinct, including through the : <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.
Informal outdoor recreation	
Minor utility instillation	
Railway	
Warehouse (other than Rural Store)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10. Must not adversely affect the amenity of the precinct, including through the : <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Crop raising, Extensive animal husbandry, and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	

Education centre	Must not be a primary or secondary school
Emergency services facility	
Employment training centre	
Food and drink premises (other than Hotel and Tavern)	
Industry	
Office (other than Bank, Electoral office, Medical centre, Real estate agency, Travel agency)	
Service station	
Transport terminal	
Utility instillation	
Warehouse	

Section 3 - Prohibited

Use
Accommodation (other than Caretakers house)
Adult Sex book shop
Bank
Cinema based entertainment facility
Electoral office
Hospital
Hotel
Intensive animal husbandry
Medical centre
Real estate agency
Rural industry
Rural store
Retail premises (other than Food and drink premises)
Shop (other than Convenience shop)
Travel agency
Tavern

Table of uses

Sub-precinct 3 - Warehousing and logistics

Section 1 - Permit not required

Use	Condition
Crop raising	
Extensive animal husbandry	
Minor utility instillation	
Railway	

Shipping container storage	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The site must adjoin, or have access to a road in a Road Zone.</p> <p>Shipping containers must be setback at last 9 metres from a road in a Road Zone.</p> <p>The height of shipping container stacks must not exceed 6 containers or 16 metres whichever is the lesser.</p> <p>Must not adversely affect the amenity of the precinct, including through the :</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Transport terminal	
Warehouse (other than Shipping container storage)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>Must not adversely affect the amenity of the precinct, including through the :</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Crop raising, Extensive animal husbandry, and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	
Emergency services facility	
Employment training centre	
Food and drink premises(other than Hotel, and Tavern)	
Industry	
Office (other than Bank, Electoral office, Medical centre, Real estate agency, travel agency)	
Service station	
Utility instillation	

Section 3 - Prohibited

Use
Accommodation (other than Caretakers house)
Adult Sex book shop
Bank
Cinema based entertainment facility
Electoral office
Hospital
Hotel
Intensive animal husbandry
Medical centre
Real estate agency
Retail premises (other than Food and drink premises)
Shop (other than Convenience shop)
Travel agency
Tavern

Table of uses

Sub-precinct 4 Large manufacturing

Section 1 - Permit not required

Use	Condition
Crop raising	
Extensive animal husbandry	
Industry (other than Material recycling and Rural Industry)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>Must not adversely affect the amenity of the precinct, including through the :</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.
Minor utility instillation	
Railway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Crop raising, Extensive animal husbandry, and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	
Emergency services facility	
Employment training centre	

Food and drink premises (other than Hotel, and Tavern)

Materials recycling

Office (other than Bank, Electoral office, Medical centre, Real estate agency, travel agency)

Rural Industry

Service station

Transport terminal

Utility instillation

Warehouse

Section 3 - Prohibited

Use
Accommodation (other than Caretakers house)
Adult Sex book shop
Bank
Cinema based entertainment facility
Electoral office
Hospital
Hotel
Intensive animal husbandry
Medical centre
Real estate agency
Retail premises (other than Food and drink premises)
Shop (other than Convenience shop)
Travel agency
Tavern

Table of uses

Sub-precinct 5 Warehousing, logistics and small manufacturing

Section 1 - Permit not required

Use	Condition
Crop raising	
Extensive animal husbandry	
Minor utility instillation	
Railway	
Rural industry	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>Must not adversely affect the amenity of the precinct, including through the :</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.

Transport terminal	<p>Must not adversely affect the amenity of the precinct, including through the :</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.
Warehouse	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>Must not adversely affect the amenity of the precinct, including through the :</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam soot, ash dust, waste water, waste products, grit or oil.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Crop raising, Extensive animal husbandry, and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	
Emergency services facility	
Employment training centre	
Food and drink premises(other than Hotel, and Tavern)	
Industry (other than Rural industry)	
Office (other than Bank, Electoral office, Medical centre, Real estate agency, travel agency)	
Service station	
Utility instillation	

Section 3 - Prohibited

Use
Accommodation (other than Caretakers house)
Adult Sex book shop
Bank
Cinema based entertainment facility
Electoral office
Hospital
Hotel
Intensive animal husbandry
Medical centre
Real estate agency

Retail premises (other than Food and drink premises)
 Shop (other than Convenience shop)
 Travel agency
 Tavern

Table of uses

Sub-precinct 6 Highway Business

Section 1 - Permit not required

Use	Condition
Convenience shop	
Crop raising	
Extensive animal husbandry	
Food and drink premises (other than Hotel, and Tavern)	
Informal outdoor recreation	
Minor utility instillation	
Railway	
Service station	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Crop raising, Extensive animal husbandry and Intensive animal husbandry)	
Caretaker's house	
Education centre	Must not be a primary or secondary school.
Emergency services facility	
Employment training centre	
Industry	
Office (other than Bank, Electoral office, Medical centre, Real estate agency, travel agency)	
Transport terminal	
Utility instillation	
Warehouse	

Section 3 - Prohibited

Use
Accommodation (other than Caretakers house)
Adult Sex book shop
Bank
Cinema based entertainment facility
Electoral office
Hospital
Hotel
Intensive animal husbandry
Medical centre
Real estate agency
Retail premises (other than Food and drink premises)
Shop (other than Convenience shop)
Travel agency
Tavern

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The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- A use must not detrimentally affect the amenity of the neighbourhood, including through the:
 - Transport of materials, goods or commodities to or from the land.
 - Appearance of any building, works or materials.
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

An application for use must be accompanied by the following information, as appropriate:

- An assessment as to how the proposed use is consistent with the purpose of Wimmera Intermodal Freight Precinct based on the purpose of the relevant sub-precinct area and having regard to Map 1 to Schedule 9 to Clause 37.01.
- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.

- Emissions to land or water.
- Traffic, including impacts of the use on the operation of the Wimmera Intermodal Freight Terminal and Precinct, required works, the hours of delivery and despatch and High Productivity Freight Vehicle routes.
- Light spill or glare.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the use is consistent with the purpose of the relevant sub-precinct area.
- If a land use is proposed within close vicinity to the Wimmera Intermodal Freight Terminal, whether it has been demonstrated that there is a need for the proposed use to use or have access to the Terminal.
- Whether it has been demonstrated that the proposed land use is not incompatible with surrounding land uses so as to prevent environmental problems created by siting incompatible land uses close together.
- The effect that the use may have on nearby existing or proposed uses that are sensitive to industrial offsite effects, having regard to any comments or directions of the referral authorities.
- Environmental risks associated with the proposed use, and the adequacy of proposed mitigation measures to ameliorate those risks.
- The effect that nearby industry will have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads, rail and the operation of the Wimmera Intermodal Freight Terminal.
- The interim use of those parts of the land not required for the proposed use.

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Subdivision

Permit requirement

The subdivision of land should:

- Consider the *Urban Design Guidelines for Victoria, 2017*.
- Create a boulevard along Freight Terminal Road and its extension.
- Not create a lot with direct road access from Henty Highway or Wimmera Highway.
- Provide for the principal access to the Wimmera Intermodal Freight Terminal Precinct through a T-junction intersection at the corner of Henty Highway and Freight Terminal Road or in accordance with any approved development plan under Schedule 9 to the Clause 43.03.
- Provide for a new T-junction intersection to Wimmera Highway to the east of Molyneaux Road to service lots when relevant, or in accordance with any approved development plan under Schedule 9 to the Clause 43.04.
- Provide an internal loop road to service highway business uses in Precinct 6 Highway Business.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An application to subdivide land must be accompanied by a report that demonstrates how the proposed subdivision will:
 - In the absence of reticulated sewerage, ensure that each proposed lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970, inclusive of an effluent disposal area.
 - Ensure each proposed lot is large enough to contain a building envelope for a use within section 1 or 2 of the relevant sub-precinct.
 - Ensure each proposed lot is capable of managing traffic, having regard to the local road network.
 - Relate to existing or likely use and development of adjoining and nearby land.
 - Be managed if a staged subdivision is proposed, showing how the balance of the land may be subdivided.

Exemption from notice and review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- Interaction with railway facilities and/or the Wimmera Intermodal Freight Terminal.

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Buildings and works

Permit requirement

No permit is required to construct a building or construct or carry out works for the following:

- To rearrange, alter or renew plant if the area or height of the plant is not increased.
- For a building or works which are used for crop raising, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 4500 litres if the following requirements are met:
 - The rainwater tank is not located within the building's setback from a street or road.
 - The rainwater tank is no higher than the existing building on site.
 - The rainwater tank is not located in an area that is provided for carparking, loading, unloading or access way.

The following requirements apply to construct a building or construct or carry out works:

- Buildings must be sufficiently setback from frontages to allow for the appropriate future expansion of the road network.
- Buildings should be setback a minimum of 10 metres along Freight Terminal Road and its extension and 6 metres along other roads.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:
 - A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads and rail.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - Construction material and methods.
 - Driveways and vehicle parking and loading areas.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
 - Elevation drawings to scale which show the colour and materials of all buildings and works.
 - Construction details of all drainage works, driveways and vehicle parking and loading areas.
 - A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
- A report must be submitted to the responsible authority addressing any potential amenity impacts on nearby areas.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- Interaction with railway facilities, or the Wimmera Intermodal Freight Terminal.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

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Advertising signs

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Advertising sign requirements are at Clause 52.05. All land located within the Wimmera Intermodal Freight Terminal Precinct is in Category 2.

Map 1 to Schedule 9 to Clause 37.01

Wimmera Intermodal Freight Terminal Precinct Land Use Precinct Plan. This plan is conceptual and indicative only and is not drawn to scale.

