

07/04/2008
C92**SCHEDULE 4 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ4****PORT OF MELBOURNE****Purpose**

To provide for the ongoing operation and development of the Melbourne Port as a key area of the State for the interchange, storage and distribution of goods.

To provide for uses which derive direct benefit from co-establishing with a port.

1.007/04/2008
C92**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Industry (other than Rural Industry)	<p>Must be directly associated with and reliant upon the port.</p> <p>Must not be for a purpose shown with a Note 1 or Note 2 in the Table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the Table to Clause 52.10; • 30 metres, for a purpose not listed in the table to Clause 52.10.
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Pleasure boat facility	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.

Section 1 - Permit not required (continued)

USE	CONDITION
Service station	The land must be at least the 30 metres from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
Shipping container storage	<p>Must be directly associated with and reliant upon the Port.</p> <p>Must not be for a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, the Capital City Zone, the Docklands Zone, land used for a hospital or an education centre or land in a public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the Table to Clause 52.10 • 30 metres, for a purpose not listed in the table to Clause 52.10.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Tramway	
Transport terminal (other than Heliport and Wharf)	<p>Must be directly associated with and reliant upon the port.</p> <p>The land must be at least 30 metres from land (not a road) which is in a residential zone, Business 5 Zone, the Docklands Zone, land used for a hospital or an education centre or land in a public Acquisition Overlay to be acquired for a hospital or an education centre.</p>

USE	CONDITION
Warehouse	<p>Must be directly associated with and reliant upon the Port.</p> <p>Must not be for a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, the Capital City Zone, the Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • the threshold distance, for a purpose listed in the Table to Clause 52.10 • 30 metres, for a purpose not listed in the table to Clause 52.10.

Wharf

Section 2 - Permit required

USE	CONDITION
Caretaker's house	
Convenience shop	
Education centre	Must not be a primary or secondary school
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Heliport	
Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Office	The leasable floor area must not exceed 500 square metres.
Place of Assembly	
Retail premises (other than Market and Shop)	
Utility installation (other than Minor utility installation)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited**USE****Accommodation (other than Caretaker's house)****Child care centre****Extractive industry****Hospital****Major sports and recreation facility****Market****Motor racing track****Shop (other than Convenience shop)****2.0**07/04/2008
C92**Use of land****Application requirements**

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

- A report which demonstrates a need or significant benefit for the use to establish close to the port or associated uses.
- 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 licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.
- A Site Environmental Management Plan for the management of environmental issues associated with the operation of the use.
- An assessment against the policies of the Port Strategic Statement.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Port Strategic Statement and local planning policies.

- The effect that the use may have on land in a residential zone, Business 5 Zone, the Capital City Zone, the Docklands Zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or education centre, having regard to any comments or directions of the referral authorities.
- The effect that the use may have on nearby existing or proposed uses for or associated with the port.
- The effect that nearby existing or proposed uses for or associated with the port may have on the proposed use.
- Whether there is a demonstrated need or significant benefit associated with any proposed industry, transport terminal, utility installation (other than a minor utility installation) or warehouse, in it being located near or associated with port facilities or uses.
- The drainage of the land.
- The availability of and connection to services.
- Provision for fire protection and other emergency services.
- The effect of traffic likely to be generated on roads including the need for and provision of traffic management plans.
- The interim use of those parts of the land not required for the proposed use.
- The requirements of the Strategic Framework Plan contained in the Port Strategic Statement if applicable.

3.0

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Subdivision

Lots may only be created if the land is to be used for an approved port related use.

Exemption from notice and review

An application 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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, Capital City Zone, Docklands Zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Port Strategic Statement and local planning policies.
- The ability of the land as subdivided to accommodate future port related uses.
- The ability of the land to be combined with other lots for use as a port related use.
- Any natural and cultural values on or near the land.
- The purpose of the zone.
- The use intended.
- The extent of any existing or proposed reclamation works.
- The topography of the land.
- The availability and standard of road access, drainage, sewerage and other infrastructure available to the site.

- Whether the frontage is adequate to provide for industrial traffic requirements.
- Any easement or rights of way which may be required to convey public or private goods or services to or across the land.

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Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to a building or works which:

- Provide for a Pleasure boat facility, Wharf, or Shipping container storage and other storage and handling facilities (not tanks for bulk liquid storage), navigational beacons and aids, terminals and other associated facilities.
- Rearrange, alter, renew or maintain plant if the area or height of the plant is not increased.
- Comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or any notice under the Environment Protection Act 1970.
- Provide for a railway, road or tramway.
- Provide for informal outdoor recreation.
- Alter electrical or gas services or telephone lines.
- Alter plumbing services which do not affect the drainage of other land.

Application requirements

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;
 - relevant ground levels;
 - the layout of existing and proposed buildings and works;
 - the locations of the proposed use of all existing and proposed buildings;
 - the provision of on-site vehicle parking;
 - loading and unloading areas;
 - internal vehicle movements;
 - site entrance and exit points;
 - proposed landscape areas;
 - external storage and waste treatment areas;
 - features above or below water.
- 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.
- Where development involves reclamation, information concerning the type and amount of material to be used to carry out the reclamation works and the uses to which the reclaimed land can be put.
- Details relating to the staging of development and an appropriate time scale in which each stage of development should be completed.
- A Site Environmental Management Plan for the management of environmental issues associated with the construction of the development or carrying out of works.

Exemption from notice and review

An application to construct a building or construct or carry out works 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. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone, Capital City Zone, Docklands Zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Port Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land or water.
- The effect of the proposed development on the future development of the land and adjoining area for port and port related uses.
- The effect of the development on adjoining areas.
- Traffic generation and traffic management proposals.
- The adequacy of provision for parking and site access.
- The location and extent of loading, storage and service areas.
- The adequacy of existing roads and infrastructure to support the proposed development.
- The built form and visual impact of the proposed development, including signage.
- The objectives and likely effectiveness of the proposed landscaping treatment.
- The adequacy of stormwater discharge.
- The requirements of the Strategic Framework Plan contained in the Port Strategic Statement if applicable.

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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

The advertising sign requirements are at Clause 52.05. This Zone is in Category 2.