

05/06/2014  
GC6**SCHEDULE 1 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ1****WYNDHAM HARBOUR****Purpose**

To provide a safe, functional and visually attractive harbour as part of an integrated marina and residential development.

To ensure the use and development are compatible with existing uses in the vicinity.

To provide for boating and boating-related activities on Port Phillip Bay.

To ensure the use and development complement existing tourist and recreational facilities within the western region of metropolitan Melbourne.

To provide for and enrich the physical, social and economic environments of the residents of the City of Wyndham and the western region of metropolitan Melbourne.

To provide for a mix of retail, residential, tourism and other complementary uses which will make the development economically feasible, and meet anticipated demand for the marina and its related facilities.

To ensure that the land within the zone is developed in an orderly and proper manner.

**1.0****Table of uses**05/06/2014  
GC6**Section 1 - Permit not required**

<b>Use</b>	<b>Condition</b>
<b>Aquaculture</b>	
<b>Apiculture</b>	Must meet the requirements of the Apiary Code of Practice, May 1997.
<b>Boat and caravan storage</b>	
<b>Caretaker's house</b>	
<b>Car park</b>	
<b>Dwelling</b>	Not more than 240 dwellings
<b>Exhibition centre</b>	
<b>Food and drink premises</b>	
<b>Fuel depot</b>	Must be directly related to a Pleasure boat facility or marine based activity.

Use	Condition
<b>Industry</b>	<p>Must be a Rural Industry or in conjunction with a Pleasure boat facility</p> <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 neighbourhood, including through the:</p> <ul style="list-style-type: none"> <li>▪ Transport of materials, goods or commodities to or from the land.</li> <li>▪ Appearance of any stored goods or materials.</li> <li>▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</li> </ul>
<b>Informal Outdoor Recreation</b>	
<b>Manufacturing sales</b>	Must be directly related to a Pleasure boat facility or marine based activity.
<b>Minor sports and recreation Facility</b>	
<b>Mineral exploration</b>	
<b>Mining</b>	Must meet the requirements of Clause 52.08-2.
<b>Minor utility installation</b>	
<b>Minor Sports and Recreation Facility</b>	
<b>Natural systems</b>	
<b>Office (other than Bank)</b>	
<b>Place of assembly</b>	
<b>Pleasure boat facility</b>	Not more than 1000 wet berths
<b>Primary produce sales</b>	Produce must be derived from the sea.
<b>Residential building</b>	
<b>Retail premises (other than Adult sex bookshop, Food and drink premises , Manufacturing sales and Primary produce sales)</b>	
<b>Road</b>	
<b>Search for stone</b>	Must not be costeaning or bulk sampling.
<b>Telecommunications facility</b>	Buildings and works must meet the requirements of Clause 52.19.
<b>Trade supplies</b>	Must be directly related to a Pleasure boat facility or marine based activity
<b>Transport terminal (other than Airport and Road Freight Terminal)</b>	
<b>Utility Installation</b>	
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01.

## Section 2 - Permit required

Use	Condition
Agriculture	
Bank	
Camping and caravan park	
Education centre	
Mail centre	
Major sports and recreation facility	
Mineral, stone or soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone)	
Service station	
Any other use not in Section 1 or 3, or any Section 1 use if the condition is not met.	

## Section 3 - Prohibited

Use
Abattoir
Adult sex bookshop
Brothel
Cemetery
Crematorium
Extractive industry
Motor racing track
Saleyard

### 2.0

19/10/2006  
C71

#### Buildings and works

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

#### Application Requirements

An application to construct a building, or to construct or carry out works must be accompanied by the following information, as appropriate:

- Finished and natural ground levels, floor levels, and overall building heights relative to the Australian Height Datum (AHD);
- A schedule of materials, colours and finishes;
- The intended use of the building.

### 3.0

19/10/2006  
C71

#### Subdivision

A permit is required to subdivide land.

#### **4.0 Decision Guidelines**

22/12/2009  
C126

Before deciding on an application, the responsible authority must consider:

- The location, provision and maintenance of public and private open space areas and other public facilities.
- The location, provision and maintenance of landscaping associated with the development of the land.
- The stages, if any, by which the development is proposed to proceed.
- The Environment Effects Statement Wyndham Cove Marina Development Main Report dated June 2005 and the Supplementary Reports Volumes 1, 2 and 3 to that document and the Minister's Assessment which provide a more detailed assessment of the environmental values and features of the site.
- The Wyndham Harbour Land Use Framework Plan (as amended to the satisfaction of the Responsible Authority from time to time).
- The Wyndham Harbour Design Guidelines (as amended to the satisfaction of the Responsible Authority from time to time).

#### **5.0 Exemption from Notice and Appeal**

19/10/2006  
C71

An application to use land, construct a building or construct or carry out works, or subdivide 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.

#### **6.0 Advertising Signage**

22/12/2009  
C126

Advertising sign controls are at Clause 52.05.

The zone is in Category 1 or Category 3 as designated on the Wyndham Harbour Land Use Framework Plan.

#### **7.0 Reference Documents**

22/12/2009  
C126

Wyndham Harbour Design Guidelines (as amended to the satisfaction of the Responsible Authority from time to time).

Wyndham Harbour Land Use Framework Plan (as amended to the satisfaction of the Responsible Authority from time to time).