

26/10/2017
C86**SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE**

Shown on the planning scheme map as **SUZ3**.

DAIRY FOOD PRODUCTION PLANT - CONNOR AND MURRAY STREETS, COLAC**Purpose**

To allow for the ongoing and future use and development of the land for the purpose of industry, manufacturing, storage and distribution of iced-confection, milk and dairy-based products.

To provide for the ongoing and future use and development of the land for the purpose of administrative, commercial and office functions associated with Bulla Dairy Foods.

To support employment and investment opportunities within the Colac Otway Shire.

To ensure that the use and development of the site is undertaken in a manner which recognises and considers the interfaces with adjoining land uses.

To provide for the use and development of the land in accordance with the Incorporated Document entitled 'Dairy Food Production Plant – Connor and Murray Streets, Colac, May 2016'.

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C86**Table of uses****Section 1 - Permit not required**

Use	Condition
Car park	<p>Must be associated with the manufacturing or production of iced-confection, milk and dairy-based products.</p> <p>Must be generally in accordance with Dairy Food Production Plant – Connor and Murray Streets, Colac approved as part of an Incorporated Document forming part of this Planning Scheme.</p>
Industry (other than Materials recycling, Refuse disposal, Rural industry, Service industry, Transfer station)	<p>Must be associated with the manufacturing or production of iced-confection, milk and dairy-based products.</p> <p>Must be generally in accordance with Dairy Food Production Plant – Connor and Murray Streets, Colac approved as part of an Incorporated Document forming part of this Planning Scheme.</p>
Manufacturing Sales	<p>Must be associated with the manufacturing or production of iced-confection, milk and dairy-based products.</p> <p>Must be generally in accordance with Dairy Food Production Plant – Connor and Murray Streets, Colac approved as part of an Incorporated Document forming part of this Planning Scheme.</p>
Minor Utility Installation	
Office	<p>Must be associated with the manufacturing or production of iced-confection, milk and dairy-based products.</p> <p>Must be generally in accordance with Dairy Food Production Plant – Connor and Murray Streets, Colac approved as part of an Incorporated Document forming part of this Planning Scheme.</p>

Rural Industry	<p>Must be associated with the manufacturing or production of iced-confection, milk and dairy-based products.</p> <p>Must be generally in accordance with Dairy Food Production Plant – Connor and Murray Streets, Colac approved as part of an Incorporated Document forming part of this Planning Scheme.</p>
Shop	<p>Must be associated with the manufacturing or production of iced-confection, milk and dairy-based products.</p> <p>Must be generally in accordance with Dairy Food Production Plant – Connor and Murray Streets, Colac approved as part of an Incorporated Document forming part of this Planning Scheme.</p>
Warehouse	<p>Must be associated with the manufacturing or production of iced-confection, milk and dairy-based products.</p> <p>Must be generally in accordance with Dairy Food Production Plant – Connor and Murray Streets, Colac approved as part of an Incorporated Document forming part of this Planning Scheme.</p>
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Agriculture
Child care centre
Earth and energy resources industry
Leisure and recreation
Materials recycling
Place of assembly
Pleasure boat facility
Refuse disposal
Retail premises (other than Food and drink premises, Manufacturing sales and Shop)
Service industry
Transfer station
Transport terminal

2.0

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Use of land

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.

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 use land in Section 2 must be accompanied by the following information, as appropriate:

- 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 the hours of delivery and despatch
 - Light spill or glare.

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 effect that the use may have on nearby existing residential areas or other uses which are sensitive to industrial off-site effects
- The effect that existing uses may 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
- The interim use of those parts of the land not required for the proposed use.

3.0

Subdivision

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A permit is not required to subdivide land if the proposed subdivision is generally in accordance with a Master Plan approved as part of an Incorporated Document forming part of this Planning Scheme.

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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential 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.

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:

- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

4.0**Buildings and works**26/10/2017
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A permit is not required if:

- the proposed buildings and works are generally in accordance with a Master Plan approved as part of an Incorporated Document forming part of this Planning Scheme
- the proposed buildings or works rearrange, alter or renew plant if the area or height of the plant is not increased.

Buildings or works which are generally in accordance with a Master Plan approved as part of an Incorporated Document forming part of this Planning Scheme must be constructed or carried out in accordance with the following plans, as appropriate, prepared to the satisfaction of the responsible authority:

- Site Context Plan identifying the location and extent of the new works, including surrounding land uses and built form
- Existing conditions, floor plans and elevations
- Proposed floor plans and elevations
- Section drawings
- Landscaping details (if any)
- Colours, materials and finishes
- Car Parking, Access, Bicycle Parking and Loading Report or a Traffic Management Plan where buildings and works will result in a significant increase in traffic generation or parking requirements
- Infrastructure / Services Report
- Stormwater Management Plan specifying details of how stormwater runoff from proposed new buildings or works will be managed
- Waste Management Plan (if proposing new uses or additional floor space that would warrant a change to existing arrangements)
- Noise Management Plan (if proposing new industrial or warehouse uses only) which is consistent with the Acoustic Report included in the Master Plan
- Odour Report (if proposing new industrial or warehouse uses only) providing details on the expected levels of emissions from new buildings or works
- An assessment of the proposal against any relevant State Environment Protection Policies
- Construction Management Plan (if proposing new industrial or warehouse uses only) specifying measures proposed to ensure that construction activity has minimal impact on surrounding areas
- Environmental Management Plan (if proposing new industrial or warehouse uses only) showing measures proposed to be applied to the new buildings or works to achieve minimal impact on surrounding areas. The Environmental Management Plan must include all monitoring, auditing, reporting and mitigation measures that are relevant to the new use and development of the land.

If the above items are generally in accordance with an approved Master Plan and to the satisfaction of the responsible authority, the plans may be approved by the responsible authority.

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
- The location, height and purpose of buildings and works on adjoining land
- Relevant ground levels
- The layout of existing and proposed buildings and works
- All driveway, car parking including the number of new car parking spaces and loading and unloading areas
- Proposed landscape areas
- All external storage and waste treatment areas
- Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

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.

Any consent required for plans lodged under Section 4.0 of this Schedule which are generally in accordance with a Master Plan approved as part of an Incorporated Document forming part of this Planning Scheme 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.

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 interface with adjoining zones, especially the relationship with residential areas
- Whether the proposal enhances visual character and pedestrian amenity
- Whether the proposal achieves a high standard of architectural and urban design
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport
- The provision of car parking and bicycle parking
- The provision for the loading and unloading of vehicles
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road
- The storage of rubbish and materials for recycling
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas
- The availability of and connection to services
- The drainage of the land.

5.0 Advertising signs

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Advertising sign requirements are at Clause 52.05. All land located within this zone is in Category 3.