

19/01/2006  
VC37**SCHEDULE 4 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ4****RECREATIONAL DEVELOPMENT****Purpose**

To provide for integrated recreational and residential development in appropriate locations.

**1.0**10/08/2006  
C68(Part 1)**Table of uses****Section 1 - Permit not required**

<b>USE</b>	<b>CONDITION</b>
<b>Apiculture</b>	Must meet the requirements of the Apiary Code of Practice, May 1997.
<b>Bed and breakfast</b>	No more than 6 persons may be accommodated away from their normal place of residence.  At least one car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.
<b>Dwelling</b>	Must be located south of Pickings Rd and north of Nepean Highway, Safety Beach; be the only dwelling on the lot and meet the requirements of Clause 3.1 of this schedule.
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<b>Mineral exploration</b>	
<b>Mining</b>	Must meet the requirements of Clause 52.08-2.
<b>Minor utility installation</b>	
<b>Natural systems</b>	
<b>Railway</b>	
<b>Road</b>	
<b>Search for stone</b>	Must not be costeaning or bulk sampling.
<b>Tramway</b>	

**Section 2 - Permit required**

<b>USE</b>	<b>CONDITION</b>
<b>Accommodation (other than Dependent person's unit and Dwelling)</b>	
<b>Agriculture (other than Apiculture, Animal keeping, Aquaculture, Intensive animal husbandry, and Timber production)</b>	
<b>Animal keeping (other than Animal boarding)</b>	Must be no more than four animals.
<b>Bed and breakfast – if the Section 1 condition is not met</b>	
<b>Car park</b>	Must be used in conjunction with another use in Section 1 or 2.
<b>Car wash</b>	Must be on land also used for a service station.
<b>Community market</b>	
<b>Convenience restaurant</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Convenience shop</b>	The leasable floor area must not exceed 80 square metres.
<b>Dependent person's unit – if the Section 1 condition is not met</b>	Must meet the requirements of Clause 3.1 of this schedule.
<b>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</b>	Must meet the requirements of Clause 3.1 of this schedule.
<b>Food and drink premises (other than Convenience restaurant and Take away food premises)</b>	
<b>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</b>	
<b>Medical centre</b>	
<b>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</b>	
<b>Place of assembly (other than an Amusement parlour and Nightclub)</b>	
<b>Plant nursery</b>	
<b>Postal agency</b>	
<b>Primary produce sales</b>	

**Section 2 - Permit required continued**

<b>USE</b>	<b>CONDITION</b>
<b>Service station</b>	The site must adjoin a business zone or industrial zone, or abut on two boundaries a road in a Road Zone.  The site must not exceed either: <ul style="list-style-type: none"> <li>• 3000 square metres.</li> <li>• 3600 square metres if it abuts on two boundaries a road in a Road Zone.</li> </ul>
<b>Store</b>	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
<b>Take away food premises</b>	The site must adjoin, or have access to, a road in a Road Zone.
<b>Timber production</b>	Must meet the requirements of Clause 52.18.
<b>Utility installation (other than Minor utility installation)</b>	
<b>Any other use not in Section 1 or 3</b>	

**Section 3 - Prohibited**

<b>USE</b>
<b>Amusement parlour</b>
<b>Animal boarding</b>
<b>Aquaculture</b>
<b>Brothel</b>
<b>Industry (other than Car wash)</b>
<b>Intensive animal husbandry</b>
<b>Motor racing track</b>
<b>Nightclub</b>
<b>Office (other than Medical centre)</b>
<b>Retail premises (other than Community market, Convenience shop, Food and drink premises, Plant nursery, Postal agency, and Primary produce sales )</b>
<b>Saleyard</b>
<b>Transport terminal</b>
<b>Warehouse (other than Store)</b>

**2.0**19/01/2006  
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A permit is required to subdivide land.

Each lot must be at least 20 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots. The number of lots must not be increased and all lots must have an area of at least 0.4 hectares.

- The average area of all lots is 20 hectares. All lots must have a minimum area of at least 0.4 hectares. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided under this provision. The agreement must be registered on title.
- The subdivision is to excise an existing dwelling or excise a lot for a dwelling. Only two lots may be created and each lot must be at least 0.4 hectare. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided under this provision. The agreement must be registered on title. If the land contains more than one dwelling at the Approval date, each dwelling may be excised under this provision.
- The subdivision is approved in conjunction with an integrated recreational development providing accommodation in the form of houses, group houses, flats or sites for the parking of caravans, camp sites etc and associated recreational facilities such as golf courses, marina facilities, swimming pools, tennis courts, bowling greens, horse riding facilities, gardens and the like which occupy a major proportion of the total site area and are predominantly operated for the benefit of the occupants.

Land must not be subdivided for the purpose of an integrated recreational development until a development plan showing the proposed use and development of the whole site is approved by the responsible authority. The development plan may be subsequently amended to the satisfaction of the responsible authority.

A Section 173 Agreement may be required to ensure the development of recreational facilities or the provision of a bond prior to the subdivision of land, and to ensure the ongoing management of open space, landscaping, infrastructure and recreational facilities to the satisfaction of the Responsible authority.

### **Application requirements**

An application to subdivide land must be accompanied by a report which explains how the proposed subdivision:

- Promotes the purposes of this zone.
- Responds to the decision guidelines for this zone.

An application to subdivide must be referred to the referral authorities listed in Clause 66.

### **3.0**

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### **Buildings and works**

A permit is not required to construct a building or construct or carry out works but only if one of the following applies:

- The development is in accordance with a Development Plan approved under Clause 2.0 of this Schedule or its predecessor.
- The development is for a single dwelling on a lot located south of Pickings Rd and north of Nepean Highway, Safety Beach that meets all of the following requirements:
  - The lot must be less than 1000 square metres.
  - Any building must be setback not less than 7.5 metres from the front boundary, 3 metres from the rear boundary and 1.2 metres from any other boundary of the lot.
  - Any building must have a maximum building height of 4.5 metres or less.
  - Any front fence within three metres of the front boundary must be 1.2 metres or less in height.
  - The development must meet the requirements of Clause 54, to the extent that they are consistent with the above setback and height provisions, as if Clause 54 applied to the Special Use Zone Schedule 4.

### 3.1 Availability of services

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A lot may only be used for one or more dwellings provided the following requirements are met:

- Access must be provided via an all-weather road to the satisfaction of the responsible authority.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environmental Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes to the satisfaction of the responsible authority.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the responsible authority.

These requirements also apply to a Dependent person's unit.

### 4.0 Decision guidelines

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Before deciding on an application to use, subdivide land, construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The likely effect on the natural physical qualities and habitat value of the land
- The protection and enhancement of the natural environment and the character of the area.
- The retention of vegetation and fauna habitat.
- The need to revegetate land, including, gullies, ridge lines, property boundaries, discharge areas, ground water recharge areas and riparian buffers along waterways.
- The effect of the proposed development on the landscape of the locality.
- The existing and likely pressure of recreational use on reserves and foreshore areas in the locality and their continued maintenance in a condition appropriate to their function.
- The preservation of the recreational amenity of the locality.
- The intensity of development and utilisation proposed.
- The layout and design of access roads, parking spaces and pedestrian routes having regard to pedestrian and vehicular safety and accessibility.
- The impact of the use or development on the existing and surrounding rural uses.
- The location of any building or works with respect to the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will cause significant traffic generation which will require additional traffic management programs to be initiated.
- The location, design and capacity of all existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities.
- The massing, scale, design and colour of buildings and their ancillary works.
- The nature, type, extent and management of the associated recreational facilities.
- The landscaping of the land.
- Any advertising sign, entrances gateways or marketing features proposed.
- Any other matters which the responsible authority considers being in the interest of the conservation and enhancement of the character of the area for its natural scenic beauty scientific interest or cultural importance.

### 5.0 Advertising signs

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Advertising sign requirements are at Clause 52.05. This zone is in Category 3.