

24/05/2007
C60

SCHEDULE 3 TO THE SPECIAL USE ZONE

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

THE TRIANGLE SITE – ST KILDA

Purpose

- To implement the Incorporated Document ‘St Kilda Foreshore Urban Design Framework, 2002’, which envisages the integrated renewal of The Triangle Site to provide a variety of public spaces, and entertainment and cultural venues.
- To facilitate new buildings and complementary land uses which supports the continued viability of the Palais Theatre.
- To ensure the conservation and refurbishment of the Palais Theatre building and ensure that any new adjacent development is respectful of (whilst not replicating nor dominating) this significant heritage place.
- To ensure architectural and urban design outcomes associated with new development, complement and contribute to the established architectural themes of St Kilda, and the layered history and culture of the area.
- To maximise public accessibility and use of the land through the creation of versatile public space to support a variety of activities, with active edges and a high level of pedestrian connectivity to adjoining public spaces and destinations, in particular the Foreshore Reserve.
- To ensure that the height, siting and design of new development protects and enhances important views and vistas, including:
 - Panoramic views of Port Phillip Bay and the horizon from The Upper Esplanade.
 - Direct views of the Foreshore Reserve from the Upper Esplanade.
 - Views to the Esplanade and St Kilda Hill from the Foreshore Promenade.
 - Views towards landmark buildings and structures from the Upper Esplanade, and the Foreshore Promenade including the Palais, Luna Park, and Catani Arch.
- To encourage new development which creates new vistas to and from the Triangle Site.
- To ensure that the design of new buildings responds positively to their siting as ‘buildings in space’, ensuring roof forms which create visual interest when viewed from elevated public areas, and that all plant and equipment are internalised so as not conspicuous from public view.
- To protect the environmental values of the Harbour and Foreshore.

1.0 Table of uses

24/05/2007
C60

Section 1 - Permit not required

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Informal outdoor recreation	

Arts and craft centre

Art gallery

Car Park

Cinema

Must comply with an approved
Development Plan

Function centre

Indoor recreation facility

Market

Nightclub

Restaurant

Mineral exploration

Mining

Must meet the requirements of Clause
52.08

Road

Search for stone

Must not be costeaning or bulk sampling

Section 2 - Permit required

USE	CONDITION
Office	The use shall be in association with or provide a direct service to a leisure or recreation related activity, or other approved use, within the zone.
Cinema Based Entertainment Facility	
Place of Assembly (other than Amusement parlour, Cinema, Exhibition centre, Function centre, Nightclub)	
Shop (excludes Adult sex bookshop, Bottle shop, Convenience shop, Restricted retail premises)	
Take Away Food Premises	
Tavern	
Hotel	
Residential Hotel	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE

Adult sex bookshop

Amusement Parlour

Bottle Shop

Brothel

Convenience Restaurant

Convenience Shop

Dwelling

Gambling premises

Industry

Motor Repairs

Panel beating

Restricted Retail Premises

Service Station

Warehouse

2.0
19/01/2006
VC37

Use of land

Amenity of the neighbourhood

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

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.

Exemption from notice and appeal

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 appeal rights of Section 82(1) of the Act, if consistent with an approved development plan prepared in accordance with schedule 1 of Clause 43.04 of the Port Phillip Planning Scheme

Decision guidelines

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

- Consistency with any Development Plan, approved under the Development Plan Overlay.
- Consistency with the Incorporated Document – ‘St Kilda Foreshore Urban Design Framework, 2002’.
- The effect that existing uses may have on the proposed use.
- The likely effects, if any, on the amenity of adjoining residential areas.
- 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

19/01/2006
VC37

Subdivision

Exemption from notice and appeal

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 appeal rights of Section 82(1) of the Act, if consistent with an approved development plan prepared in accordance with schedule 1 of Clause 43.04 of the Port Phillip Planning Scheme

Decision guidelines

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

- Consistency with any Development Plan, approved under the Development Plan Overlay.
- Consistency with the Incorporated Document – ‘St Kilda Foreshore Urban Design Framework, 2002’.
- The interface with adjoining zones, especially the relationship with the Foreshore Reserve and residential areas.
- The effect the subdivision will have on the potential to achieve integrated use and development of the land.

6.0

19/01/2006
VC37

Buildings and works

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 land.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels and roof levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading 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, and any roof structures or appurtenances.
- 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.

Exemption from notice and appeal

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 appeal rights of Section 82(1) of the Act, if consistent with an approved development plan prepared in accordance with schedule 1 of Clause 43.04 of the Port Phillip Planning Scheme

Decision guidelines

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

- Consistency with any Development Plan, approved under the Development Plan Overlay.
- Consistency with the Incorporated Document – ‘St Kilda Foreshore Urban Design Framework, 2002’.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal and emergency services.
- The provision of car parking and loading of service vehicles.
- The interface with adjoining zones, especially the relationship with the Foreshore Reserve and residential areas.
- The streetscape, including the conservation of key heritage buildings, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts, sides 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.
- The architectural and urban design treatment in context of the established architectural themes of St Kilda, and the layered history and culture of the area.
- The treatment of building elevations with public areas (including roof elevations) particularly with regard to roof form and plant and equipment.
- Clearly defined responsibilities for the maintenance of buildings, landscaping and paved areas.
- Consistency with the Management Plan approved as part of the Development Plan.

Maintenance

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

7.0
19/01/2006
VC37

Incorporated Document

The ‘St Kilda Foreshore Urban Design Framework, 2002’ is an Incorporated Document in this scheme at Clause 81.

Notes:

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.