

04/02/2016
VC127

SCHEDULE 1 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ1**.

QUEENSCLIFF HARBOUR

Purpose

Promote Queenscliff Harbour as a boating destination for Port Phillip and nearby coastal areas.

Provide a high level of service to boat users.

Promote the expansion of the harbour and tourist related facilities consistent with the Queenscliff Harbour Implementation Plan April 2005.

Protect the rights of all users of the Queenscliff foreshore.

Provide opportunities for marine and coastal tourism and education development on Port Phillip and the local Queenscliff marine and terrestrial environment in accordance with the objectives of the Victorian Coastal Strategy 2014.

Provide appropriate development that will create business and employment opportunities to complement the operation of the harbour and the township of Queenscliff, and contribute to the development and growth of regional tourism.

Minimise the impact of development on the Port Phillip and Swan Bay coastal environment.

Satisfy appropriate environment protection performance standards.

Encourage development that is consistent with the urban character and heritage values of the town of Queenscliff, Fishermen’s Flat and the harbour.

Provide for safe and efficient on-site vehicle movement and parking.

Provide safe and efficient vehicle ingress and egress to the harbour and ferry terminal areas.

Ensure that any increase in the area provided for parking only occurs through the consideration of specific development proposals.

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Table of uses

Section 1 - Permit not required

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Motor vehicle, boat, or caravan sales (other than Motor vehicle or caravan sales)	Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Boat and caravan storage (other than caravan storage)	Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Car park	Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005

Use	Condition
Caretaker's house	
Education centre	Must be directly related to a harbour or marine based activity
Exhibition centre (other than Art gallery)	Must be directly related to a harbour or marine based activity
Fuel depot	Must be directly related to a harbour or marine based activity
Industry (other than Materials recycling, Transfer station, Rural industry Car wash, Dry cleaner, Motor repairs and Panel beating)	Must be directly related to a harbour or marine based activity Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Informal outdoor recreation	
Manufacturing sales	Must be directly related to a harbour or marine based activity.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Minor utility installation	
Natural systems	
Office	Must be associated with ferry operations, lifesaving, first aid, police, pilotage, harbour or marine use, or tourism services
Place of assembly	Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Pleasure boat facility	Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Primary produce sales	Produce must be derived from the sea.
Research and development centre	Must be directly related to a harbour or marine based activity
Retail premises (other than Motor vehicle, boat, or caravan sales, Primary produce sales, Manufacturing sales, and Trade supplies)	The combined leasable floorspace must not exceed 2110 square metres Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Road	Must be generally in accordance with the Queenscliff Harbour Implementation Plan
Search for stone	Must not be costeaning or bulk sampling
Tavern (not including Accommodation, Amusement machines and Gambling)	Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19

Use	Condition
Trade supplies	Must be directly related to a harbour or marine based activity Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Transport terminal (other than Airport and Road freight terminal)	Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005
Wharf	Must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005

Section 2 - Permit required

Use	Condition
Any use in Section 1 if the condition is not met	
Any use not in Section 1 or 3	

Section 3 - Prohibited

Use
Any use in Section 2 if the condition is not met
Accommodation (other than Caretaker's dwelling)
Adult sex bookshop
Agriculture (other than Apiculture)
Amusement parlour
Art gallery
Brothel
Butcher
Car wash
Cemetery
Crematorium
Display home
Drive-in theatre
Dry cleaner
Extractive industry
Freeway service centre
Fruit and vegetable shop
Fuel depot if the condition in Section 1 is not met
Funeral parlour
Gambling premises
Landscape gardening supplies
Home occupation
Hospital
Hotel

Use
Mail centre
Milk depot
Major sports and recreation facility
Materials recycling
Motor racing track
Motor repairs
Newsagency
Nightclub
Open sports ground
Outdoor recreation facility
Panel beating
Pharmacy
Place of worship
Primary produce sales if the condition is not met
Restricted retail premises
Retail premises (other than Motor vehicle, boat, or caravan sales, Manufacturing sales, Primary produce sales and Trade supplies) if the condition in Section 1 is not met
Rural industry
Saleyard
Service station
Store (other than boat and caravan storage)
Supermarket
Video hire shop
Tavern (including Accommodation, Amusement machines and Gambling)
Transfer station
Winery

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Use

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 that will be carried out.
- Plans drawn to scale showing the layout of the proposed use, including all buildings, landscaping and works.
- Plans and elevations drawn to scale showing the colour, material and finishes of all buildings.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of operation, light spill, and delivery and despatch of goods and materials.
- Details of anticipated traffic and car parking generation and management

- Details of all infrastructure, drainage and effluent disposal requirements.

Exemption 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 review rights of Section 82(1) of the Act if it is generally in accordance with the Queenscliff Harbour Implementation Plan, April 2005.

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Buildings and works

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Buildings and works associated with a Section 1 use

No permit is required to carry out:

- Dredging works undertaken by or under the authority of the relevant harbour management authority to maintain navigable depths in existing channels or waterways and the harbour to ensure continued access to facilities;
- Works lawfully undertaken on behalf of the relevant harbour management authority for the maintenance repair or removal of any navigation aid or open framed marine structure.

No permit is required to construct a building or construct or carry out works for a Section 1 use, however the following requirements apply.

Prior to the commencement of any buildings and works, a development plan must be prepared to the satisfaction of the responsible authority.

Development Plan

The development plan must be generally in accordance with the Queenscliff Harbour Implementation Plan April 2005.

The development plan may be prepared in stages and must be submitted to the responsible authority for approval and endorsement.

The development plan must be accompanied by a site context plan and a site context report that demonstrate how the building or works satisfy the relevant sections of *Queenscliff Harbour Siting and Design Guidelines June 2004* and Clause 4.0 of this Schedule.

The development plan or each stage of the development plan must include (but not be limited to) details on the following matters as appropriate:

- The location, height, dimensions, cross sections and floor area of all buildings and works.
- The proposed use of each building.
- The hours of operation of the use.
- The materials and finishes of all buildings.
- An analysis of the visual impacts of the development when viewed from surrounding land and water.
- The location of all open space, including areas available to the public
- Proposed landscaping plan. A landscape plan must be prepared for all public and non-public areas and it must include details of the species, approximate numbers of trees, planting formations, and surface treatments, together with maintenance provisions.

- A management plan for managing public access, safety and security.
- An Advertising Masterplan to provide for the orderly display of signage and signage in keeping with the character of the area.
- A Traffic Management Plan providing details of the following:
 - Location of all vehicle, pedestrian and bicycle traffic management and controls works considered necessary when the development or any stage is completed.
 - Location and layout of parking areas for all proposed use and development including trailers and provision for the loading and unloading to service activities including boats and proposed access arrangements.
 - Arrangements for operating and maintaining the parking areas.
 - Provision of parking in accordance with the rates set out in the table to this Clause. The number of car parking spaces provided on site must be calculated in accordance with this table. The provisions of Clause 52.06 will not apply.
 - A program for monitoring traffic levels through the residential areas of Fishermen’s Flat to establish any changes in traffic as a result of the Harbour redevelopment. Should significant increases in traffic be recorded as a result of the development, traffic management measures to the satisfaction of the responsible authority are to be implemented.
 - A program of monitoring parking operation within the site and adjacent lands. Should significant increases in parking be recorded as a result of the development, parking management measures to the satisfaction of the responsible authority are to be implemented.
 - Traffic and parking provisions to allow for operation of the Harbour and Ferry Terminal during each stage of construction.
 - Provision for bicycle storage facilities in accordance with Clause 52.34
 - An Events Management Plan for the conduct of major public events including details of scheduling procedures for events, public notification, security, public safety, servicing, traffic management procedures both within the harbour precinct and in the surrounding road network.
 - Utility services associated with the development.
 - The stages, if any, in which the land is to be developed. This must include a program for the construction of each stage of the development. Where a stage is proposed a plan must also be submitted showing the relationship of that stage to the balance of the development.

The responsible authority may consider any one or more of the components of the plan.

All buildings and works, open space and landscaping and use of land must be in accordance with the approved development plan.

As the request of, or with the consent of the owner, the development plan may be amended to the satisfaction of the responsible authority.

Car Parking Table

The table at Clause 3.1 sets out the number of car spaces required for uses. A permit may be granted to reduce or to waive the number of car spaces required by the table. A new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land. Where a use is not specified in the table at Clause 3.1, an adequate number of car spaces must be provided to the satisfaction of the responsible authority.

Use	Car space measure	Rate
Retail Premises	Car spaces per 100 square metres gross leasable floor area	4.5
Office	Car spaces per 100 square metres gross leasable floor area	3.0
Food and drink premises	Car spaces per seat	0.35
Marine charter operations	Car spaces per passenger	0.4
Marina berth	Car spaces per berth	0.55
Boat storage	Car spaces per berth	0.2
Caretaker's House	Car spaces per house	1
Tavern	Car spaces per 100 square metres bar floor area available to the public plus Car spaces per 100 square metres of lounge floor area available to the public	0.6 0.3
Place of Assembly	Car spaces per seat	0.3
Pleasure boat facility	Car spaces per staff	0.5
Industry	Car spaces per staff	0.5

Parking provisions in the table to Clause 3.1 is subject to an allowance for use of a maximum of overflow parking demand from the harbour, including ferry foot passengers of 50 off-site car spaces for peak demand periods to the satisfaction of the responsible authority.

Before a requirement for car spaces is reduced or waived, the applicant must satisfy the responsible authority that the reduced provision is justified due to:

- The availability of car parking in the locality.
- The availability of public transport in the locality.
- Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.
- Any car parking deficiency or surplus associated with the existing use of the land.
 - Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.
 - Local traffic management.
 - Local amenity including pedestrian amenity.
 - An empirical assessment of car parking demand.
 - Any other relevant consideration.

Environmental Management Plan

Prior to the commencement of any buildings and works, an Environmental Management Plan (EMP) must be prepared to the satisfaction of the responsible authority. The EMP must include all monitoring, auditing, reporting and mitigation measures that are relevant to the development and use of the land.

The EMP must include measures to address the relevant construction and operation phase requirements of the development to the satisfaction of the responsible authority, including (but not limited to):

- Terrestrial and marine ecology
- Coastal processes
- Water quality
- Dredging associated with harbour construction and maintenance activities in accordance with the *Best Practice Environmental Management Guidelines*, Environment Protection Authority, October 2001, or any subsequent guidelines document
- Air quality
- Erosion mitigation and control
- Noise
- Drainage and stormwater management
- Waste management
- Storage and handling of hazardous materials
- Landscaping
- Harbour operations and berth management
- Construction activities
- An environmental monitoring and audit program for water quality, pollutants in sediments and epibioata in the harbour during construction and operation of the harbour to the satisfaction of the Environment Protection Authority. Baseline monitoring associated with the program must be undertaken prior to the commencement of any construction works in the harbour.

The EMP may be prepared in stages and must be submitted to the responsible authority for approval and endorsement. Before approving the EMP, the responsible authority must consider the comments of the Department of Sustainability and Environment and the Environment Protection Authority.

At the request of, or with the consent of the owner, the EMP may be amended to the satisfaction of the responsible authority in consultation with the relevant authorities

The EMP must be implemented to the satisfaction of the responsible authority.

Conservation Management Plan

A Conservation Management Plan for the slipways (D7821-0076), jetty pylon (H7821-0077), HMVS Lonsdale and any archaeological relics identified during construction must be prepared to the satisfaction of the responsible authority. The Conservation Management Plan may be prepared in stages. The Conservation Management Plan must be approved by the responsible authority prior to the commencement of any construction works which may impact upon the slipways, jetty pylon, or HMVS Lonsdale.

The Conservation Management Plan is to address archaeology and heritage issues, including management measures for the slipways, the jetty pylon, HMVS Lonsdale and any archaeological relics identified during construction as well as indicate overall heritage interpretive principles for the harbour precinct.

In relation to the slipways, a Conservation Management Plan should detail the management measures for the removal of the slipways and their historical recording.

In relation to the jetty pylon the Conservation Management Plan should detail the management measures for removal of the pylon and provision of an interpretative display.

In relation to the HMVS Lonsdale, the Conservation Management Plan should detail the steps to be taken to retain the vessel in situ without damage from construction works.

The Conservation Management Plan should be prepared in accordance with the principles of the Australia ICOMOS Burra Charter for the Conservation and Management of Cultural Heritage Places.

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Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a Section 2 use.

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Building and Design Requirements

Building Height

New development should generally conform to the height of adjoining low rise buildings so that the overall scale of buildings in the Harbour is not increased. Transitional heights are encouraged where new buildings are proposed near single storey heritage overlay areas.

New development fronting the Cut should be generally single storey in scale with a visible roof form that may extend above to a height of 6 metres.

New buildings must not exceed a height of two storeys and 8.5 metres above natural ground level. This does not apply to:

- Structures intended for public safety.
- Minor architectural features to a building on the eastern edge of the Harbour.
- Alterations and additions to an existing building that exceeds 2 storeys or 8.5 metres in height but which do not increase the maximum existing height of that building.

These height requirements cannot be varied with a permit or in a development plan.

No more than 45% of all new buildings may be two storeys in height.

Despite the maximum building height stated above, a lesser building height may be necessary in order to:

- reflect a “bottom up” rather than “top down” approach to building design;
- satisfy the Queenscliff Harbour Siting and Design Guidelines 2004.

Buildings within the East Harbour Building Envelope

The following requirements apply to buildings within the East Harbour Building Envelope as shown on the Queenscliff Harbour Implementation Plan:

- The gross floor area of new buildings must not exceed 4400 square metres.
- New buildings on the water edge should:
 - Be aligned parallel to the Harbour or the Cut.
 - Adopt relatively consistent elevations and horizontal and vertical features.
 - Incorporate low pitched, skillion or floating roof forms that contribute positively to the local townscape silhouette while also allowing natural light penetration into

buildings. Roof angles should relate to the roof pitches of contributory buildings in Fishermens's Flat.

- Buildings must be setback an average of no less than 15 metres and a minimum of 8 metres from the East Harbour Basin except for the eastern 'landmark building' where buildings must be setback not less than 4 metres.
- A pedestrian boardwalk having a minimum width of 4 metres must be provided adjacent to the Harbour basin edge
- Spaces between buildings on the Harbour should be generous to provide visual and pedestrian linkages from the East Basin to the car park in locations generally shown on the Queenscliff Harbour Implementation Plan, April 2005. Unobstructed viewing or pedestrian movement corridors within and through buildings may be considered.
- New buildings must form a clear sense of address and active frontage to the northern water frontage and incorporate attractive façade treatments to the southern elevations.
- New development should be contemporary in form but should utilise traditional building materials and finishes, including horizontal cladding boards, rendered brickwork and corrugated iron roofs. All materials, including door and window treatments, should be durable and resistant to the coastal conditions.
- Where buildings are more than one storey, elevations with a combination of materials and consideration of a solid building base and lightweight upper level/roof form or top are encouraged.
- Service and access areas should be well concealed from public view.

Car Parking Areas

- Trees and aisles in car parking areas should be aligned in a manner that encourages clear view lines towards the waterfront and the Harbour edge.
- Pedestrian access through parking areas should be clearly defined and accessible. Pedestrians should not rely on walking across parking areas to gain access to the waterfront.
- Car parking areas should be well vegetated with evergreen native canopy trees that, reduce the overall visual extent of the parking surface and provide ample shade and/or shelter. Trees in car parking areas should be located in aligned rows at generally 10 metres intervals.
- Car parking areas should be designed to reflect the informal character of Queenscliff's urban and foreshore areas.

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Decision Guidelines

Before deciding on an application or to approve a development plan, 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 Municipal Strategic Statement.
- The purpose of the Schedule.
- The objectives and decisions guidelines of any relevant overlay applying to the land.
- The comments of Parks Victoria, Department of Sustainability and Environment, Barwon Water, Environment Protection Authority and Vic Roads.
- The *Queenscliff Harbour Implementation Document, June 2004*, Parks Victoria,

- The impacts of the development on local and regional recreational and tourism activities.
- The effect of the use or development on the operation of the harbour.
- The impact on coastal processes.
- The effect on the amenity of adjoining land.
- The visual impact of the development when viewed from surrounding land and water.
- The impact of traffic generated by the proposed use and development and whether any additional traffic management or traffic control works are likely to be required in the area.
- The environmental management measures proposed to ensure minimal impact on the harbour and surrounding marine and terrestrial environment.
- The Queenscliff Harbour Siting and Design Guidelines June 2004.
- The impact of the proposed subdivision or development on the prevailing heritage character of adjoining and nearby buildings, and of the Queenscliff Township.

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Advertising signs

Development within the site is exempt from the advertising sign requirements at Clause 52.05 provided that an Advertising Masterplan has been approved by the responsible authority as required under Clause 3.1.

Reference Document

Queenscliff Harbour Implementation Document, June 2004, Parks Victoria

Queenscliff Harbour Siting and Design Guidelines, Borough of Queenscliffe, June 2004