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C97**SCHEDULE 3 TO THE SPECIAL USE ZONE**

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

WARRNAMBOOL WEST INDUSTRIAL PRECINCT - TRANSITION AREA**Purpose**

To provide for a range of industrial uses, storage, distribution of goods, services and associated uses in a manner which provides an appropriate transition between residential properties on Merrivale Drive and the West Warrnambool Industrial Precinct.

To provide for a high standard of building design and landscaping to reflect the prominent location and visual profile of the land.

To manage and minimise amenity based conflicts between industrial activities and sensitive land uses.

To manage the establishment of sensitive land uses within existing buffers taking into account potential for amenity based conflicts.

1.0**Table of uses**10/09/2015
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Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Car park	
Convenience shop	
Extensive animal husbandry	
Home occupation	
Informal outdoor recreation	
Minor utility installation	
Office (other than Medical centre)	The leasable floor area must not exceed 500 square metres.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.
Warehouse	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Caretaker's house	
Education centre	Must not be a primary or secondary school.
Industry (other than Abattoir, Materials recycling, Refuse disposal, Sawmill, Transfer station)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.

Use	Condition
Landscape gardening supplies	
Leisure and recreation (other than Informal outdoor recreation)	
Medical centre	
Party supplies	
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship)	
Restricted retail premises (other than Party supplies)	Must be in one occupation with a leasable floor area of at least 1,000 square metres.
Retail premises (other than Convenience shop, Restricted retail premises, and Shop)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Abattoir
Accommodation (other than Caretaker's house)
Amusement parlour
Animal boarding
Animal training
Brothel
Hospital
Intensive animal husbandry
Materials recycling
Motor racing track
Nightclub
Refuse disposal
Saleyard
Sawmill
Shop (other than Convenience shop and Restricted retail premises).
Transfer station

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Use of land

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- The effect of additional traffic and parking.
- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

- Potential to unreasonably overlook existing private open space.

Application requirements

An application to use land for an industry 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 separation distance between the proposed use and sensitive land uses is recommended within the 'Recommended Separation Distance for Industrial Residual Air Emissions, Publication 1518'.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Light spill or glare.
- A Transport Impact Assessment Report that contains the following information:
 - Estimated vehicle generation levels.
 - The level, allocation and location of car parking required on the land.
 - Ingress and egress points and the estimated levels of usage.
 - Any proposed off-site traffic management treatments.
 - Pedestrian and bicycle movement and connections.

Decision guidelines

Before deciding on an application, 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 and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas, or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- Whether a separation distance between the proposed use and sensitive land uses is recommended within the 'Recommended Separation Distance for Industrial Residual Air Emissions, Publication 1518'.
- The effect that nearby industries 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.

- Any measures to protect the health and safety of persons on the land or on land nearby.

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Subdivision

Permit requirement

A permit is required to subdivide land.

Application requirements

An application to subdivide land must be accompanied by a layout plan (informed by a Traffic Impact Assessment) that:

- Details all aspects of the movement network, including streets, intersection treatments, traffic management devices and pedestrian/cycle paths.
- Includes typical cross sections for all streets
- Identifies any proposed off site traffic management treatments including the upgrading of Eccles Street and its intersection with Merrivale Drive.
- Provides a landscape buffer at the rear of residential properties fronting Merrivale Drive and along Eccles Street.

Exemption from notice and review

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.

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

Decision guidelines

Before deciding on an application, 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 and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas including ability to accommodate a mature 5 metre landscape buffer along the southern boundary of the land and ability to accommodate uses without unreasonable overlooking of private open space.
- Management of traffic impacts on Eccles Street.

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Buildings and works

Permit requirement

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

This does not apply to:

- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than 100 square metres.
- An outbuilding associated with an existing dwelling provided the floor area of the outbuilding is not more than 100 square metres.
- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 4500 litres if the following requirements are met:
 - The rainwater tank is not located within the building's setback from a street (other than a lane).
 - The rainwater tank is no higher than the existing building on the site.
 - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

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 site.
 - Adjoining roads.
 - Relevant ground levels and any proposed cut and fill arrangements.
 - The layout of existing and proposed buildings and works.
 - Driveways and vehicle parking, loading areas and vehicle access egress.
 - External storage and waste treatment areas.
 - Location and direction of external lighting.
 - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape plan which includes the description of vegetation to be planted, including the 5 metre mature landscaped area, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Decision guidelines

Before deciding on an application, 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 and local planning policies.

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

Maintenance

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

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Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.