

SCHEDULE 9 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ9**.

SCHEDULE 9 TO THE SPECIAL USE ZONE**Purpose**

To facilitate the urban renewal of the site in the context of its location and historical land use.

To provide for the integration of the site into the wider Epping Metropolitan Activity Centre and employment area and ensure that the renewal of the site does not affect the safety or amenity of adjacent sensitive uses.

To create mixed use commercial centres including office, business, research, health, community and other service uses with limited retail uses catering to local and convenience needs.

To provide for a diverse range of accommodation types.

To ensure that land is appropriately rehabilitated for the proposed future use and development.

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

Use	Condition
Accommodation (other than camping and caravan park and corrective institution)	Any frontage at ground floor level must not exceed 2 metres.
Exhibition centre	
Function centre	
Informal outdoor recreation	
Hospital	Must be located adjacent to the Northern Hospital Epping.
Hotel	
Minor utility installation	
Office	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Restricted recreation facility	
Restricted retail premises	
Retail premises (other than shop, food and drink premises, gambling premises, market, motor vehicle, boat or caravan sales and trade supplies)	
Take away food premises	
Bar	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Food and drink premises (other than hotel, bar and take away food premises)	
Gambling premises	

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Use	Condition
Leisure and recreation (other than informal outdoor recreation, major sports and recreation facility, motor racing track and restricted recreation facility)	
Market	
Motor vehicle, boat or caravan sales	
Place of assembly (other than exhibition centre, function centre and place of worship)	
Research and development centre	Must not be for a purpose listed in Clause 53.10
Service industry	Must meet the threshold distance listed in Clause 53.10
Shop (other than adult sex product shop and restricted retail premises)	The maximum net leasable floor area of a single tenancy must not exceed 1,450sqm. For land within 100 metres north of Deveny Road, the use must be located only at ground floor level.
Trade supplies	
Warehouse (other than fuel depot)	Must not be for a purpose listed in Clause 53.10
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex product shop
Agriculture
Brothel
Camping and caravan park
Corrective institution
Crematorium
Earth and energy resources industry
Fuel depot
Industry (other than research and development centre and service centre)
Major sports and recreation facility
Motor racing track
Saleyard
Shop (other than adult sex product shop and restricted retail premises) - if the Section 2 conditions are not met

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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.

Application requirements

An application for a permit for any use of land must be accompanied by a Certificate or Statement of Environmental Audit prepared under Part IXD of the *Environmental Protection Act 1970* and must also include a statement by a suitably qualified person:

- Identifying all measures to give effect to any relevant conditions on a Statement of Environmental Audit.
- Identifying any remaining obligations under any statutory notice issued by the Environment Protection Authority.
- Identifying a schedule of actions to satisfy outstanding post-closure rehabilitation and aftercare obligations applicable to the former landfill.
- Identifying any financial assurance affecting the land and other arrangements to secure ongoing environmental obligations.

Decision guidelines

Before deciding on an application for any use of land, the responsible authority must consider the following matters, as relevant, in addition to those set out in Clause 65:

- The interface with adjoining land.
- The level of integration of the development with adjoining land.
- The effect that historical or existing uses may have on the proposed use.
- The environmental contamination and rehabilitation requirements for the land.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.

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Subdivision

Application Requirements

None specified.

Decision Guidelines

Before deciding on an application for subdivision of land, the responsible authority must consider the following matters, as relevant, in addition to those set out in Clause 65:

- The environmental contamination and rehabilitation requirements for the land, including the extent to which post closure rehabilitation and aftercare obligations and remediation have been completed.
- The views of the Environment Protection Authority.
- Provision for vehicles providing supplies, waste removal and emergency services and public transport.
- The pattern of subdivision and its effect on the spacing of buildings.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- For residential land subdivision, the requirements of Clause 56.

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Buildings and works

No planning permit is required for:

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- The installation of an automatic teller machine.
- An alteration to an existing building facade provided:
 - The alteration does not include the installation of an external roller shutter.
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.
- The construction of a single dwelling on a lot of more than 300 square metres, provided that the construction is in accordance with the requirements of a Certificate or Statement of Environmental Audit and the provisions of the Environmental Audit Overlay which applies to the land.
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Construct or carry out any works associated with the remediation of the land in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*.
- Construct or carry out works associated with any Geotechnical investigations related to the remediation of the land.
- Construct or carry out works associated with any requirements of the *Environmental protection and Biodiversity Conservation Act 1999* and associated approvals granted under that Act.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
 - 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 the proposed buildings and works.
 - Proposed access and pedestrian areas.
 - Driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - The location of easements and services.
 - Elevations showing the colour and materials of all buildings and works.
- A statement prepared by a suitably qualified person to confirm that the proposed buildings and works are suitable having regard to the approved Site Remediation Strategy in the Development Plan and other legislative requirements as relevant.

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider the following matters, as relevant, in addition to those set out in Clause 65:

- The environmental contamination and rehabilitation requirements for the land.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, protection of 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 design of buildings, including provision for solar access

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Signs

Sign requirements are at Clause 52.05. This land is in category 2.