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Proposed C241wsea

## SCHEDULE 11 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ11**.

### SHENSTONE PARK PRECINCT STRUCTURE PLAN - ELECTRICITY EASEMENT

#### Purpose

To manage the transition of non-urban land into urban land generally in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with the incorporated *Shenstone Park Precinct Structure Plan*.

## 1.0

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### Table of uses

Any requirement in the Table of uses and any requirement specified in this schedule or the incorporated *Shenstone Park Precinct Structure Plan* applying to the land must be met.

A permit granted must be generally in accordance with the incorporated *Shenstone Park Precinct Structure Plan* applying to the land.

#### Section 1 - Permit not required

Use	Condition
Convenience shop Crop raising Grazing animal production Home based business	
Industry (other than Materials recycling and Transfer station)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, 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:</p> <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.</li> <li>▪ 30 metres, for a purpose not listed in the table to Clause 53.10.</li> </ul> <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> <li>▪ Transport of materials, goods or commodities to or from the land.</li> <li>▪ Appearance of any stored goods or materials.</li> <li>▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</li> </ul>
Informal outdoor recreation Mail centre Railway	
Service station	<p>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, 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.</p> <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> <li>▪ Transport of materials, goods or commodities to or from the land.</li> </ul>

## WHITTLESEA PLANNING SCHEME

Use	Condition
	<ul style="list-style-type: none"> <li>Appearance of any stored goods or materials.</li> <li>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</li> </ul>
Shipping container storage	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, 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:</p> <ul style="list-style-type: none"> <li>The threshold distance, for a purpose listed in the table to Clause 53.10.</li> <li>100 metres, for a purpose not listed in the table to Clause 53.10.</li> </ul> <p>The site must adjoin, or have access to, a road in a Road Zone.</p> <p>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</p> <p>The height of the shipping contained stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</p> <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> <li>Transport of materials, goods or commodities to or from the land.</li> <li>Appearance of any stored goods or materials.</li> <li>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</li> </ul>
Takeaway food premises Tramway	
Warehouse (other than Mail centre and Shipping container storage)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, 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:</p> <ul style="list-style-type: none"> <li>The threshold distance, for a purpose listed in the table to Clause 53.10.</li> <li>30 metres, for a purpose not listed in the table to Clause 53.10.</li> </ul> <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> <li>Transport of materials, goods or commodities to or from the land.</li> <li>Appearance of any stored goods or materials.</li> <li>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</li> </ul>
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01

### Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.

## WHITTLESEA PLANNING SCHEME

Use	Condition
Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) Caretaker's house	
Education centre	Must not be a primary or secondary school.
Leisure and recreation (other than Informal outdoor recreation)	
Materials recycling	The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre of land in a Public Acquisition Overlay to be acquired for a hospital or education centre.
Office	
Place of assembly (other than Carnival and Circus) Restricted retail premises Retail premises (other than Shop and Take away food premises)	
Transfer station	The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre of land in a Public Acquisition Overlay to be acquired for a hospital or education centre.
Utility installation (other than Minor utility installation and Telecommunications facility).	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land use for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
<b>Any other use not in Section 1 or 3</b>	

### Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house) Cinema based entertainment facility Hospital Intensive animal production Pig farm Poultry farm Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises) See Section 3 of 37.01-1 for relevant provisions

## 2.0

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### Use of land

#### Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

An application to use land for industry or warehouse 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 Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

#### **Exemption from notice and review**

An application for the use of land which is generally in accordance with the incorporated *Shenstone Park Precinct Structure Plan* 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.

### **3.0**

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#### **Subdivision**

##### **Application requirements**

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Be generally in accordance with the incorporated *Shenstone Park Precinct Structure Plan*.
- Include any conditions or requirements specified in the incorporated *Shenstone Park Precinct Structure Plan*.

#### **Exemption from notice and review**

An application for subdivision of land which is generally in accordance with the incorporated *Shenstone Park Precinct Structure Plan* 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.

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#### **Buildings and works**

##### **Permit requirements**

The construction of a building (not including a temporary building, a building associated with a minor utility installation, a renewable energy facility or telecommunications facility, a structure, a fence or other appurtenances of a building) on land shown within the 'Woody Hill blast buffer' on Plan 15 of the incorporated *Shenstone Park Precinct Structure Plan* is prohibited.

### Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Be generally in accordance with the incorporated *Shenstone Park Precinct Structure Plan*.
- Include any conditions or requirements specified in the incorporated *Shenstone Park Precinct Structure Plan*.

### Exemption from notice and review

An application to construct a building or construct or carry out works which is generally in accordance with the incorporated *Shenstone Park Precinct Structure Plan* 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.

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### Signs

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