

19/01/2006  
VC37

**SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY**

Shown on the planning scheme map as LSIO

**1.0**

19/01/2006  
VC37

**Permit requirement**

None Specified

#### **44.04**

21/09/2009  
VC60

### **LAND SUBJECT TO INUNDATION OVERLAY**

Shown on the planning scheme map as **LSIO** with a number (if shown).

#### **Purpose**

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

#### **44.04-1**

15/09/2008  
VC49

### **Buildings and works**

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 4500 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.

- The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

#### **44.04-2**

19/01/2006  
VC37

#### **Subdivision**

A permit is required to subdivide land.

#### **44.04-3**

19/01/2006  
VC37

#### **Application requirements**

##### **Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

#### **44.04-4**

19/01/2006  
VC37

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

An application under this overlay 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.

#### **44.04-5**

19/01/2006  
VC37

#### **Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

#### **44.04-6**

21/09/2009  
VC60

#### **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 local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

**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 the requirements of the zone which applies to the land.*

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

19/01/2006  
VC37

**SCHEDULE 4 TO THE SPECIAL USE ZONE**

Shown on the planning scheme map as SUZ4

**ALTONA SPECIAL INDUSTRIAL AREA**

**Purpose**

To provide for a range of industrial uses and services that do not prejudice the operation and expansion of the petrochemical industry.

To provide for the minimisation of exposure to risk to health or life of persons working in or visiting the area.

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

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

**1.0**

19/01/2006  
VC37

**Table of uses**

**Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Extensive animal husbandry	
Home occupation	
Industry (other than Materials recycling)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school:</p> <ul style="list-style-type: none"> <li>• The air emission buffer, for a purpose listed in the table to Clause 52.10.</li> <li>• 30 metres, for a purpose not listed in the table at Clause 52.10.</li> </ul>
Informal outdoor recreation	
Mail centre	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.

**Section 1 - Permit not required (continued)**

<b>USE</b>	<b>CONDITION</b>
Minor utility installation	
Natural systems	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Service station	The land must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
Tramway	
Warehouse (other than Mail centre)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school:</p> <ul style="list-style-type: none"> <li>• The air emission buffer, for a purpose listed in the table to Clause 52.10.</li> <li>• 30 metres, for a purpose not listed in the table at Clause 52.10.</li> </ul>

**Section 2 - Permit required**

<b>USE</b>	<b>CONDITION</b>
Adult sex bookshop	
Agriculture	
Caretaker's house	
Convenience shop	
Education centre	Must not be a primary or secondary school.
Equestrian supplies	
Leisure and recreation (other than Informal outdoor recreation)	
Lighting shop	Must be in one occupation with a leasable floor area of at least 500 square metres.

**Section 2 - Permit required (continued)**

USE	CONDITION
<b>Materials recycling</b>	The land must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
<b>Office</b>	The leasable floor area must not exceed 500 square metres.
<b>Party supplies</b>	
<b>Restricted retail premises (other than Equestrian supplies, Lighting shop, and Party supplies)</b>	Must be in one occupation with a leasable floor area of at least 1000 square metres.
<b>Retail premises (other than Shop)</b>	
<b>Utility installation (other than Minor utility installation)</b>	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 or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
<b>Any other use not in Section 1 or 3</b>	

**Section 3 - Prohibited**

USE
<b>Accommodation (other than Caretaker's house)</b>
<b>Hospital</b>
<b>Intensive animal husbandry</b>
<b>Shop (other than Adult sex bookshop, Convenience shop, and Restricted retail premises)</b>

**2.0**  
19/01/2006  
VC37

**Use of land**

**Amenity of the neighbourhood**

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

- 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.



### **Use of unserviced subdivision, Merton Road**

Land bounded by Merton Road, Harcourt Road, Danglow Avenue and the Special Use Zone 1 must not be used or developed for any purpose other than agriculture unless the land:

- is connected to a reticulated water supply, a reticulated sewerage system and a reticulated drainage system to the satisfaction of the responsible authority and the relevant water supply, sewerage and drainage authority; and
- is comprised of a lot of at least two hectares.

### **Application requirements**

An application to use land for an 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 licence under the Dangerous Goods Act 1985 is required.
- 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.

### **Decision guidelines**

Before deciding on an application to use land, 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.
- 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.
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- Any measures to protect the health and safety of persons on the land or on land nearby.



- Whether the use or development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of the Department of Natural Resources and Environment about any proposal to use land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

### 3.0

19/01/2006  
VC37

#### Subdivision

#### Exemptions

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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

#### Decision guidelines

Before deciding on an application to subdivide land, 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.
- Whether the development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- The protection of the natural features of the area, including grass lands, wetlands and areas of significant habitat on/or adjacent to the area.
- The views of the Department of Natural Resources and Environment about any proposal to subdivide land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

### 4.0

19/01/2006  
VC37

#### Buildings and works

#### Permit requirement

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

This does not apply to a building or works which:

- Rearrange, alter, renew or maintain plant if the area or height of the plant is not increased.
- Comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Are used for crop raising, extensive animal husbandry or informal outdoor recreation.

#### **Maximum site cover and plot ratio requirement**

The coverage of buildings on each site must not exceed 60 percent of the site area.

The ratio of floor area to site area must not exceed 0.6:1.

For land with a boundary with a residential zone the coverage of buildings on each site must not exceed 47 percent of the site area and the ratio of floor area to site area must not exceed 0.47:1.

#### **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.
  - The layout of existing and proposed buildings, and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- 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 layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

#### **Layout guidelines**

The following guidelines for the layout of buildings, works and landscape areas are to be met to the satisfaction of the responsible authority.

All buildings are to be set back at least:

- 20 metres from a road in a Road Zone, Category 1.
- 20 metres from a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.
- 20 metres from a boundary to a Public Conservation and Resource Zone containing native grass land.

The setback may accommodate car parking areas, roads and services provided it is demonstrated that the siting and design of buildings could achieve adequate landscaped screening and minimise overshadowing of the grass land.

- 9 metres from a boundary to any other road.

Landscape areas are to be provided as follows:

- 9 metres wide along a boundary to any road.
- 9 metres wide along a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.
- 4 metres wide along the boundary to a Public Conservation and Resource Zone containing native grass land.

This area should be exclusively for landscaping and comprise small shrubs, grasses and ground covers (from the list recommended by the Department of Natural Resources and Environment and indigenous to the area) to minimise overshadowing of the grass land.

- within 10 metres of the Geelong-Melbourne railway and the Laverton-Altona railway.
- within 100 metres of the bank of Kororoit Creek.
- within 50 metres of a boundary of the Public Use Zone containing Cherry Lake and the Truganina Swamp.
- within 60 metres of the banks of Cherrys Creek and Kayes Drain the combination of buildings, works and landscaping should complement the watercourses to achieve the net landscape effect appropriate to the site, to the scope of development and to the precinct and to achieve a high quality design result.
- 30 metres wide along the boundary to any residential zone.
- for land with a boundary with a residential zone at least 30 percent of each site is to be developed as a landscape amenity area which may contain car parking areas, spur lines to railway sidings, roads and services provided they are adequately screened from adjoining land.

### **Exemptions**

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. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

### **Decision guidelines**

Before deciding on an application to construct a building or construct or carry out works, 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 impact of surface water run-off on to adjoining land containing native grass land.
- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- Any measures to protect the health and safety of persons on the land or on land nearby.
- Whether the development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- Whether the development presents an attractive landscaped setting particularly in relation to the treatment of street frontages.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of Melbourne Water Corporation about any proposal for buildings or works within 20 metres of Cherrys Creek or Kayes Drain.
- The views of the Department of Natural Resources and Environment about any proposal for buildings or works on land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

**Maintenance**

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

**5.0**

19/01/2008  
VC37

**Employee population density guideline**

**Permit requirement**

Employee density is controlled by reference to the map entitled *Altona Employee Population Density Controls*. For the purpose of this Clause, one employee is equivalent to a person spending 44 hours on the site in any week.

A permit is required for the use of land designated on the map with a PD description unless the minimum floor area per employee as set out opposite that description in the following table is met.

PD DESCRIPTION	MINIMUM FLOOR AREA REQUIRED PER EMPLOYEE
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PD10	315 m <sup>2</sup>
PD30	105 m <sup>2</sup>

PD60

52 m<sup>2</sup>

A permit is required for the use of land designated on the map with a PD description unless the number of persons employed on the land (calculated on a lot by lot basis) does not exceed that calculated using the ratios in the following table.

PD DESCRIPTION	MINIMUM FLOOR AREA REQUIRED PER EMPLOYEE	MAXIMUM NUMBER OF EMPLOYEES PER HECTARE
PD 10	315 m <sup>2</sup>	19
PD 30	105 m <sup>2</sup>	57

### Application requirements

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

- The number of persons to be employed on the site.
- 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 licence under the Dangerous Goods Act 1985 is required.
- 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 dispatch.
  - Light spill or glare.

### Decision guidelines

Before deciding on an application to use land, 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.
- 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.

- The views of the Ministers administering the Dangerous Goods Act 1985 and the Occupational Health and Safety Act 1985 about the risk to persons in nearby residential and industrial areas.
- Any measures to protect the health and safety of persons on the land or on land nearby.
- Whether the use or development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.

**6.0**

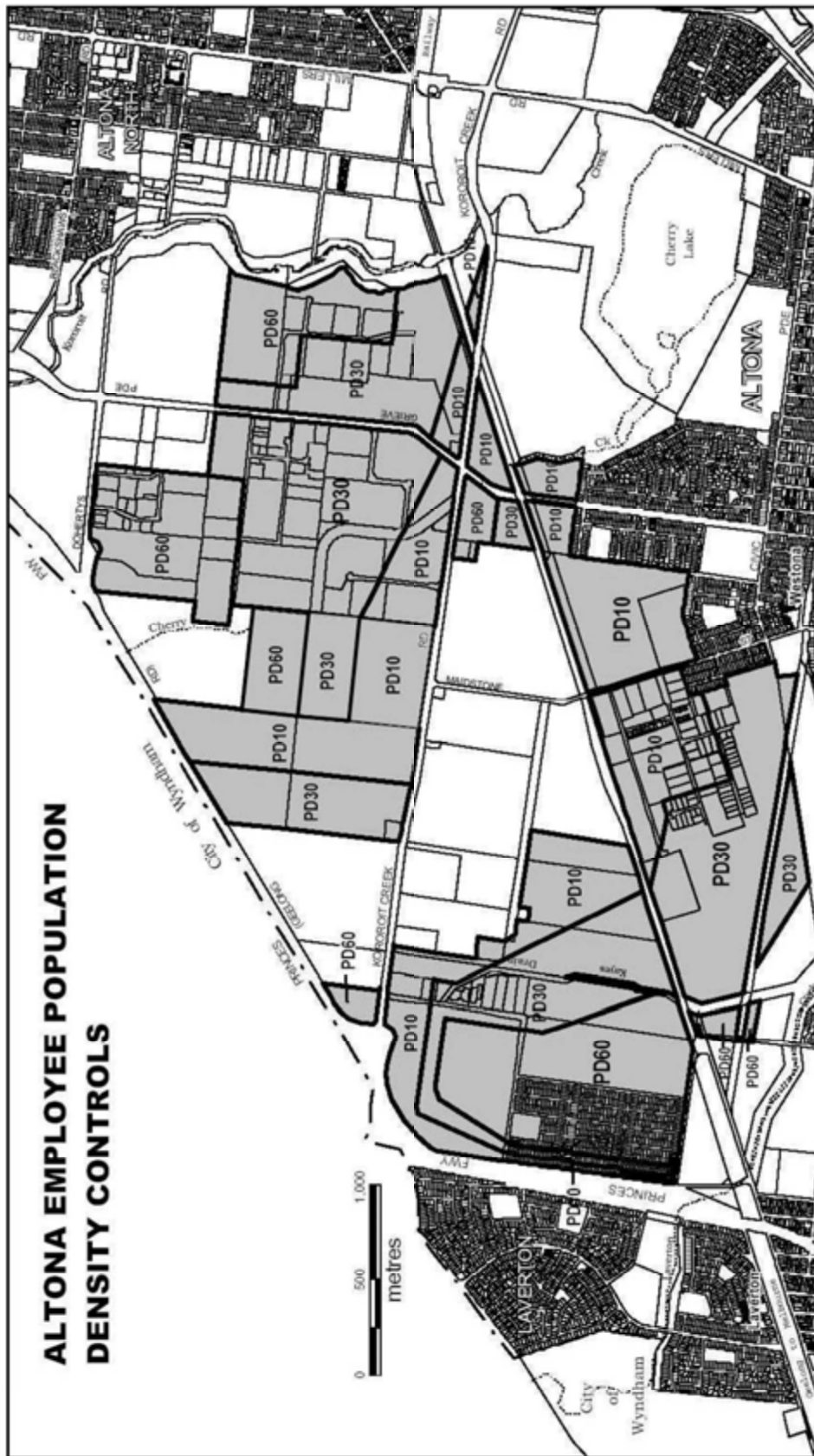
19/01/2006  
VC37

**Advertising signs**

This zone is in Category 2.



Altona Employee Population Density Controls



**37.01**19/01/2006  
VC37**SPECIAL USE ZONE**

Shown on the planning scheme map as **SUZ** with a number.

**Purpose**

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule in this zone.

**37.01-1**19/01/2006  
VC37**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone

**Section 2 - Permit required**

USE	CONDITION
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.

Any other use not in Section 1 or 3 of the schedule to this zone

**Section 3 - Prohibited**

USE
Any use in Section 3 of the schedule to this zone

**37.01-2**19/01/2006  
VC37**Use of land**

Any requirement in the schedule to this zone must be met.

**Application requirements**

An application to use land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that 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.

**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 guidelines in the schedule to this zone.

**37.01-3**  
19/01/2006  
VC37

### **Subdivision**

#### **Permit requirement**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

#### **Application requirements**

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

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

The schedule to this zone may specify that 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.

#### **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 guidelines in the schedule to this zone.

**37.01-4**  
19/01/2006  
VC37

### **Buildings and works**

#### **Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

#### **Application requirements**

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

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

The schedule to this zone may specify that 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.

## **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 guidelines in the schedule to this zone.

### **37.01-5**

19/01/2006  
VC37

## **Advertising signs**

Advertising sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

### **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.*