

SCHEDULE 14 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ14**.

Ballarat West Employment Zone (BWEZ)**Land to which this schedule applies**

This schedule applies to land in Mitchell Park and Cardigan known as the Ballarat West Employment Zone (BWEZ), as shown on the BWEZ Master Plan drawing attached to this schedule. The precincts referred to in this schedule are shown on the land use precinct plan attached to this schedule.

Purpose - General

To facilitate the development of the BWEZ.

To provide for industry, research and development, freight hub and related transport activities, aviation-related uses, and support services in accordance with the Ballarat West Employment Zone Master Plan Document 2012.

To foster employment generating uses primarily through the manufacturing, construction, transport and logistics, wholesale trade and enabling industries sectors, and by limiting the extent of land in the BWEZ used for retailing, offices and warehouses.

To ensure that subdivision of the BWEZ retains sites that will accommodate operators at a range of scales and makes provision for key landmark sites and catalyst developments.

To provide that the development of the BWEZ is staged in an orderly manner, having regard to essential services, transport facilities, environmental and hydrological considerations, and the proximity of Ballarat Airport.

To ensure that the development of the BWEZ enhances the environmental values of the surrounding area and the BWEZ site, and respects the identified heritage values of the BWEZ site.

To ensure that any sensitive industrial operations in areas adjacent to the BWEZ are protected from emissions from the BWEZ area.

To ensure that appropriate buffer distances are maintained between the BWEZ and adjacent existing and future residential areas.

To provide for low-density residential development in the BWEZ Precinct C on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Purpose - Precinct A – BWEZ Core Precinct

To provide for:

- Manufacturing, construction, transport and logistics, wholesale trade and enabling industries and an Inter-modal Freight Hub.
- Strategic development sites and signature sites with high exposure to the Ballarat Western Link Road primarily for large scale industrial operations.
- An Innovation – Research and Development Enterprise zone.
- A high quality main entry point for the BWEZ.
- Industrial uses in the eastern part of the precinct requiring large buffer distances from sensitive uses adjoining the BWEZ.

- An environmental corridor which enhances native habitat, and incorporates open space and an overland flow line.
- The development of key employment sites for a range of small, medium and large scale operations.
- Sites for small and medium manufacturing, transport related and aviation related activities.
- High exposure convenience uses and a service centre for the BWEZ.
- A buffer between existing residential development at Mitchell Park and small and medium enterprises.
- An energy precinct and associated uses and alternative sites for an energy plant.
- Environmental corridors linked to the Winter Swamp which enhance native habitat, and incorporate open space and an overland flow line.

Purpose - Precinct B – Sturt Street Precinct

To provide for a gateway development which:

- Has minimal impacts on residential development to the south.
- Respects the heritage values of the Ballarat Avenue of Honour.
- Respects the environmental and cultural heritage values of adjoining land.
- Is complementary to the BWEZ functions.
- Is integrated with the development of the Ballarat West Growth Area.

Purpose - Precinct C – Buffer and Residential Precinct

To provide for:

- A buffer between existing and proposed low density residential areas and industrial and transport uses in the BWEZ.
- Low density residential development which provides for a transition between the Ballarat West Employment Zone buffer area to the north, and existing residential development to the south and west of the Ballarat West Employment Zone.

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Table of uses

Precinct A – BWEZ Core Precinct

Section 1 - Permit not required

Use	Condition
Convenience shop	
Emergency services facility	
Food and drink premises (other than Convenience restaurant)	Must not be greater than 100 square metres in floor area.

Use	Condition
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 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 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"> • The threshold distance, for a purpose listed in the table to Clause 52.10. • 30 metres, for a purpose not listed in the table to Clause 52.10.
Minor utility installation	
Natural systems	
Railway	
Research and development centre	Must be located on land identified for Innovation – R & D Cluster Enterprise zone in the BWEZ Master Plan Document 2012.
Retail premises (other than Food and drink premises, Gambling premises, Market or Shop)	Must not be greater than 500 square metres in floor area and must not be located on a contiguous lot also containing a retail premises.
Transport terminal (other than Heliport)	Must be located on land identified for Freight Hub and ancillary uses in the BWEZ Master Plan Document 2012.
Warehouse (other than Shipping container storage)	<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, Business 5 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"> ▪ The threshold distance, for a purpose listed in the table to Clause 52.10. ▪ 30 metres, for a purpose not listed in the table to Clause 52.10. <p>Must not be located on a site identified as a Strategic Development Site or Signature Site or within the Innovation - R & D Cluster Enterprise zone in the BWEZ Master Plan Document 2012.</p>
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Section 2 - Permit required	
Use	Condition
Caretaker's house	
Community market	
Convenience restaurant	Must be located on the land identified for Convenience Uses/Service Centre in the BWEZ Master Plan Document 2012.

Use	Condition
Education centre (other than Primary school or Secondary school) Indoor recreation facility Industry (if the Section 1 conditions are not met)	
Materials recycling	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 an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or education centre.
Office	
Renewable energy facility	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 an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or education centre.
Research and development centre (if the Section 1 condition is not met)	
Restricted recreation facility	
Retail premises (other than Gambling premises, Market or Shop) (if the Section 1 conditions are not met)	
Service station	Must be located on the land identified for Convenience Uses/Service Centre in the BWEZ Master Plan Document 2012.
Shipping container storage	<p>Must be located on land identified for Freight Hub and ancillary uses in the BWEZ Master Plan Document 2012.</p> <p>Must be set back at least 100 metres from the Ballarat Western Link Road.</p> <p>The area used for shipping container storage must not exceed 50% of the site area.</p>
Shop (other than Convenience shop or Department store)	Must be located on the land identified for Convenience Uses/Service Centre in the BWEZ Master Plan Document 2012.
Transfer 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 an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or education centre.
Transport terminal (other than Heliport)	
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, Business 5 zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or education centre.

Use	Condition
Warehouse (other than Shipping container storage) (if the Section 1 conditions are not met)	

Section 3 - Prohibited

Use
Any use not in Section 1 or Section 2

Precinct B – Sturt Street Precinct

Section 1 - Permit not required

Use	Condition
Convenience shop	
Emergency services facility	
Food and drink premises (other than Convenience restaurant)	Must not be greater than 100 square metres in floor area.
Minor utility installation	
Natural systems	
Office	Must not be greater than 1000 square metres in floor area and must not be located on a contiguous lot also containing an office.
Retail premises (other than Food and drink premises, Gambling premises, Market or Shop)	Must not be greater than 500 square metres in floor area and must not be located on a contiguous lot also containing a retail premises.
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 (other than Primary school or Secondary school)	
Indoor recreation facility	
Industry (other than Materials recycling and Transfer station)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.
Office (if the Section 1 conditions are not met)	
Research and development centre	
Restricted recreation facility	
Retail premises (other than Gambling premises, Market or Shop) (if the Section 1 conditions are not met)	
Shop (other than Convenience shop or Department store or Supermarket)	

Use	Condition
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, Business 5 zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or education centre.
Warehouse (other than Shipping container storage)	

Section 3 - Prohibited

Use
Any use not in Section 1 or 2

Precinct C – Buffer and Residential Precinct

Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 2 of this schedule.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. Must meet the requirements of Clause 2 of this schedule.
Home occupation	
Informal outdoor recreation	
Minor utility installation	
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent person's unit and Dwelling)	
Agriculture (other than Animal keeping, Apiculture and Intensive animal husbandry)	
Animal Boarding	
Animal Keeping (other than Animal boarding) – if the Section 1 condition is not met)	Must be no more than 5 animals
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Community market	
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	The leasable floor area must not exceed 80 square metres.
Dependent person's unit – if the Section 1 condition is not met	Must meet the requirements of Clause 2 of this schedule.
Dwelling (other than Bed and breakfast) if the Section 1 condition is not met	Must result in no more than two dwellings on the lot. Must meet the requirements of Clause 2 of this schedule.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Medical centre	
Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub)	
Plant nursery	
Service station	The site must either: <ul style="list-style-type: none"> ▪ Adjoin a business zone or industrial zone. ▪ Adjoin, or have access to, a road in a Road Zone. The site must not exceed either: <ul style="list-style-type: none"> ▪ 3000square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling.

Use	Condition
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Amusement parlour
Brothel
Cinema based entertainment facility
Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Community market, Convenience shop, Food and drink premises, and Plant nursery)
Saleyard
Stone extraction
Transport terminal
Warehouse (other than store)

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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:

- 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.
- Loading and unloading of containers from vehicles or trains.

Ballarat Airport

A use must not interfere with the functions of Ballarat Airport in any way.

Precinct C – Buffer and Residential Precinct

Use for one or two dwellings or a dependent person's unit

A lot may be used for one or two dwellings provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.
- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person's unit.

Application requirements

An application to use land (other than for a residential purpose) 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 (Major Hazard Facilities) Regulations 2000 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 2000 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 and High Productivity Freight Vehicle routes.
 - Light spill or glare.

An application to use land for a sensitive use must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional which provides the following information:

- The nature of the previous and existing land use/ activities on the land.
- An assessment of the potential level and nature of contamination on the land.
- Advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

Applications to use land for an office greater than 1000 square metres in leasable floor area or a retail premises greater than 500 square metres in leasable floor area (not including applications for manufacturing sales and trade sales) must be accompanied by an economic assessment of the impact of the proposal:

- on the primary role of the BWEZ to provide for industry, research and development, freight hub and related transport activities, aviation-related uses, and support services; and

- on the role and hierarchy of existing and proposed activity centres within Ballarat, as defined in the Ballarat Activity Centres Strategy 2011, particularly centres located in the Ballarat West Growth 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.
- Whether the application is consistent with the purposes for the BWEZ and the strategies for each precinct.
- The BWEZ Master Plan Document 2012.
- 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 the use of land for a warehouse achieves the purpose of the zone where the site is identified in the BWEZ Master Plan Document 2012 as:
 - a Strategic Development Site; or
 - a Signature Site; or
 - within the Innovation - R & D Cluster Enterprise zone; or
 - within Precinct B (Sturt Street Precinct).
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.
- The effect on the operations of Ballarat Airport.
- Any natural or cultural values on or near the land.

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Subdivision

Permit requirement

A permit is required to subdivide land.

In Precinct C (Buffer and Residential Precinct) each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least 0.4 hectare. If no area is specified, each lot must be at least 0.4 hectare.

A permit may be granted to create lots smaller than 0.4 hectare in Precinct C if the subdivision:

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

Application requirements

An application to subdivide land must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional which provides the following information to the satisfaction of the Responsible Authority:

- The nature of the previous and existing land use/ activities on the land.
- An assessment of the potential level and nature of contamination on the land.
- Advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

An application to subdivide land in BWEZ Precinct A (BWEZ Core) and Precinct B (Sturt Street) should have regard to the Ballarat West Employment Zone Master Plan Document 2012.

An application to subdivide land in BWEZ Precinct C (Buffer and Residential Precinct) must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Show for each lot:
 - A building envelope and driveway to the envelope.
 - Existing vegetation.
 - In the absence of reticulated sewerage, an effluent disposal area.
- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.
- If a staged subdivision, show how the balance of the land may be subdivided.

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.
- Whether the application is consistent with the zone purposes.
- Whether the application is generally consistent with the BWEZ Master Plan Document 2012.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.
- Interaction with the Skipton Rail Trail and Winter Swamp.
- Interaction with railway facilities.

In addition, for an application to subdivide land in Precinct C (Buffer and Residential Precinct), the responsible authority must consider, as appropriate:

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage:
 - The capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
 - The benefits of restricting the size of lots to the minimum required to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria).
 - The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.
- The relevant standards of Clauses 56.07-1 to 56.07-4.

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Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works, or to create or alter access to the Ballarat Western Link Road.

A permit is not required for building or works which:

- Rearrange, alter, renew or maintain 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 and rail.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.

- Construction material and methods.
- 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.

A report must be submitted to the responsible authority addressing any potential amenity impacts on nearby areas.

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.
- Whether the application is consistent with the zone purposes.
- Whether the application is generally consistent with the BWEZ Master Plan Document 2012.
- 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.
- The effect of a proposal to create or alter access to the Ballarat Western Link Road on the operation of the road and on public safety.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect on the operations of Ballarat Airport.
- The potential amenity impacts on nearby residential and urban areas.

Maintenance

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

5.0 Advertising Signs

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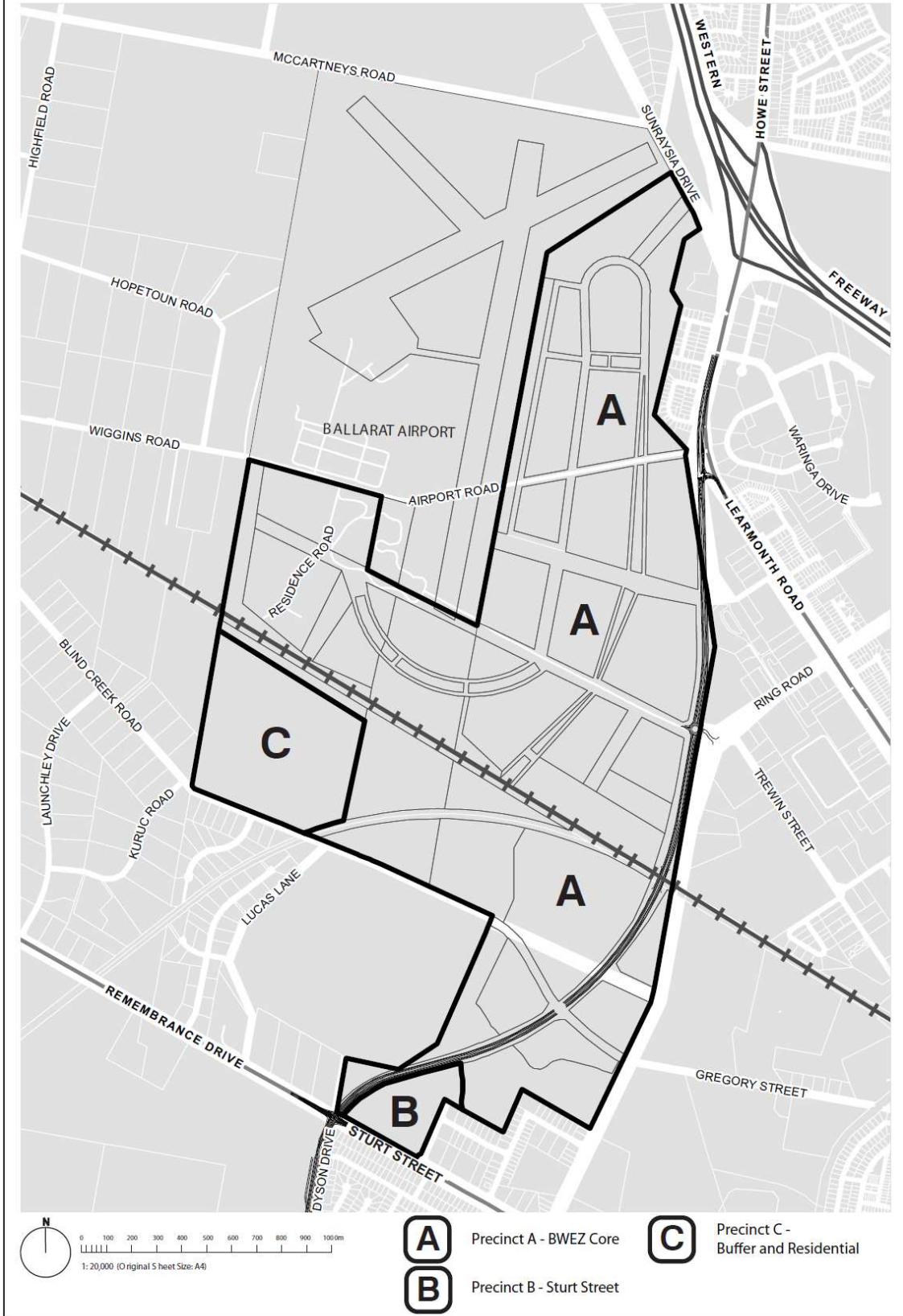
Advertising sign requirements are at Clause 52.05. This zone is in Category 2, except for Precinct C (Buffer and Residential Precinct), which is in Category 3.

6.0 Reference Documents

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AECOM: Ballarat West Employment Zone Master Plan Document 2012 (adopted May 2012).

BALLARAT WEST EMPLOYMENT ZONE
Land Use Precinct Plan



**BALLARAT WEST EMPLOYMENT ZONE
Master Plan**

