10/09/2021
C126hbay

SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ2.**

PETROLEUM REFINERY AREA

Purpose

To provide for the operation and modernisation of the petroleum refining industry in a manner that does not affect the safety and amenity of nearby residential areas.

To provide for the orderly and proper development of the area and for adequate landscaping to reduce the visual impact of the refinery.

1.0

14/11/2022
VC227

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Car park	
Industry (other than Automated collection point)	Must be a petroleum refinery in accordance with Clause 2.0 of this schedule.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Railway	
Search for stone	Must not be costeaning or bulk sampling
Service station	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Mail centre	
Utility installation (other than Minor utility installation)	
Animal keeping **Intensive animal husbandry**	Must meet the requirements listed in the Code of Practice for the Welfare of Horses

Section 3 - Prohibited

Use
Dry cleaner

Use
Laundromat
Rural industry
Any use not in Section 1 or 2

2.0 Use of land

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For the purpose of this schedule a petroleum refinery is defined as an industry using plant, equipment and facilities for the conversion of crude oil and other feed stocks into finished and intermediate petroleum products and by-products. This includes facilities for the receipt of crude oil and other feed stocks, facilities for the storage of crude oils, intermediate and finished products and by-products, pumping, pipeline and distribution facilities, units for the removal and control of impurities and by-products, waste treatment facilities, utilities including steam raising and electrical generating equipment, control rooms, laboratories, research facilities, administration, warehousing, maintenance, training and amenity buildings and facilities and other associated works.

Land may be used as a petroleum refinery provided that the land south of Kororoit Creek Road and to the west of the 3 metre contour (Australian Height Datum) is maintained as a conservation area to the satisfaction of the responsible authority.

The use of the land for a petroleum refinery is exempt from the standard and reduced parking requirements of Clause 52.06 if parking is provided on the site to the satisfaction of the responsible authority.

Application requirements

The following application requirements apply to an application for a permit to use land 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:

- 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

The following decision guidelines apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ~~The Municipal Planning Strategy, the Planning Policy Framework 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.

3.0 Subdivision

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Exemptions

An application for the subdivision of land 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~~Commercial 1 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

The following decision guidelines apply to an application for a permit to subdivide land under Clause 37.01, in addition to those Specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ~~The Municipal Planning Strategy, the Planning Policy Framework 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 of the petroleum refinery.

4.0 Buildings and works

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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:

- Provide or alter plumbing and electrical services.
- Involve the minor rearrangement of car parking areas and landscaping provided that these areas are not diminished.
- Rearrange, alter or renew plant if the areas of plant external to existing buildings is not increased.
- Are a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, car parking, loading or landscaping areas.
- Any works carried out by a public authority or a municipal council in association with the development of new plant or buildings.
- 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.

Application requirements

The following application requirements apply to an application for a permit to construct a building or construct or carry out works 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:

- 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. The layout is to include landscape buffers along Millers Road and Kororoit Creek Road frontages and all other boundaries of the refinery.
- The type of use and the process to be employed.
- Dust control, drainage and maintenance of areas not required for immediate use.
- The type and quantity of goods to be stored and whether a licence is required under the Dangerous Goods Act 1985.

Exemptions

An application to construct a building or construct or carry out works 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~~Commercial 1 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

The following decision guidelines apply to an application for a permit to construct a building or construct or carry out works under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ~~The Municipal Planning Strategy, the Planning Policy Framework and local planning policies.~~
- The views of the Environment Protection Authority, the Department of Natural Resources and Environment and the Minister administering the Dangerous Goods Act.
- The adequacy of information supplied on the type of use and the processes to be employed.
- Drainage of the land
- The views of a relevant waterway management authority constituted under the Water Act 1989 or any other Act about any proposed development within the flood plain of the Kororoit Creek.
- Availability of services.

- Effect of traffic on surrounding roads.
- Layout of the site and design of buildings including methods of minimising the visual impact of the refinery on:
  - nearby residential areas.
  - Kororoit Creek Road.
  - Millers Road.
  - Kororoit Creek.
  - Altona Coastal Park.
  - Cherry Lake.
- Layout of the site and design of buildings including:
  - The relationship of the buildings and works to the street and adjoining properties.
  - The set backs from Millers Road and Kororoit Creek Road.
- Access and egress, car parking, access roads and loading bay layout.

5.0 Signs

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This zone is in Category 2.