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SCHEDULE 9 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ9**

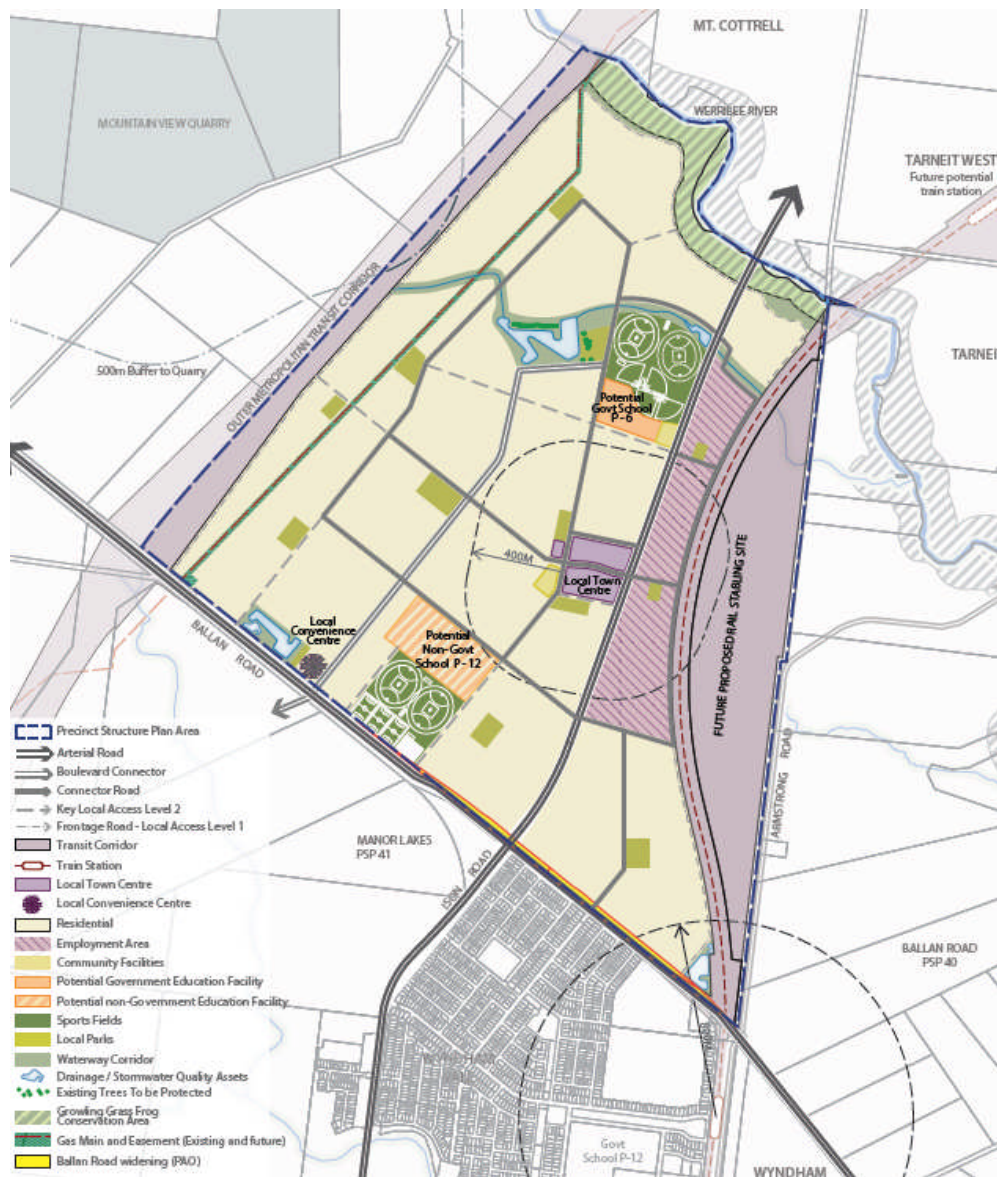
WESTBROOK PRECINCT STRUCTURE PLAN

1.0 The Plan

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Map 1 to Schedule 9 to Clause 37.07 shows the Future Urban Structure for Westbrook. It is a reproduction of Plan 2 in the Westbrook Precinct Structure Plan.

MAP 1 TO SCHEDULE 9 TO CLAUSE 37.07



2.0 Use and development

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2.1 The Land

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The use and development provisions specified in this schedule apply to the land shown as 'Precinct Structure Plan Area' in Map 1 of this schedule and shown as UGZ9 on the planning scheme maps.

Note: If land shown on Map 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

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The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

Land use or development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land	Applied zone provisions
Local town centre	Clause 34.01 – Commercial 1 Zone
Local convenience centre	
Employment area	Clause 34.02 – Industrial 1 Zone
Arterial road	Clause 36.04 – Road Zone Category 1
Outer Metropolitan Ring Transit Corridor	
Connector road	Clause 36.04 – Road Zone Category 2
Waterway corridor	Clause 36.03 – Public Conservation and Resource Zone
Retarding basins	
Regional Rail Link Transit Corridor	Clause 36.01 – Public Use Zone 4
Future Rail Stabling Yard	
All other land	Clause 32.07s1 – Residential Growth Zone 1

2.3 Specific provision – Reference to a public land manager in an applied zone

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Where Public Conservation and Resource Zone is applied in Table 1 and the land is in private ownership Melbourne Water or Wyndham City Council or Parks Victoria, as appropriate, is the public land manager for the purposes of the zone.

2.4 Specific provision – Reference to a planning scheme zone is a reference to an applied zone

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A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Residential Growth Zone specifies 'Car wash' as a Section 2 Use with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land'.

2.5 Specific provision – Use and development of future Council open space

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A permit is not required to use or develop land shown in the *Westbrook Precinct Structure Plan* as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the *Westbrook Precinct Structure Plan* and with the prior written consent of the responsible authority.

2.6 Specific provisions – Use of land

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The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Shop where the applied zone is Commercial 1 Zone	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds: <ul style="list-style-type: none"> ▪ 8,000 square metres for land shown as a local town centre in the incorporated Westbrook Precinct Structure Plan. ▪ 500 square metres for land shown as a local convenience centre in the Westbrook Precinct Structure Plan.
Any use in an applied zone with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’	At the end of the condition add the words, ‘or any arterial road described in the Westbrook Precinct Structure Plan’.
Primary school Secondary school	A permit is not required to use land for a primary or secondary school on land shown as Non Government School P-12 in the Westbrook Precinct Structure Plan.

2.7 Specific provisions - Department of State Development, Business and Innovation (DSDBI) (Earth Resources)

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An application to develop land for a sensitive use within 480 metres of the property boundary of lands on Cobbledicks Ford Road, Wyndham Vale (described as Lot 1 on TP827630, Lot 1 on LP200501 and Lots 13 & 14 on LP221963) (‘the Mountain View Quarry’) where that property is subject to a Work Authority under the Mineral Resources (Sustainable Development) Act 1990, must be referred to the DSDBI.

The DSDBI may request a risk assessment prepared by a suitably experienced and qualified consultant that acknowledges the existing and likely future land use and provides sufficient confidence that a sensitive use can be safely developed within 480 metres of any quarrying activity at the Mountain View Quarry.

2.8 Specific provision – Dwellings on a lot less than 300 square metres

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A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme.

2.9 Specific provision – Buildings and works for a school

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A permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a non government school unless exempt under Clauses 62.02-1 and 62.02-2.

2.10 Specific provision – Permit required for a fence on employment land fronting Ison Road

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A permit is required to construct a fence on land in an applied Industrial 1 Zone that is fronting Ison Road.

3.0 Application requirements

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3.1 All subdivision applications

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Stormwater management

Any application for subdivision must be accompanied by a Stormwater Management Strategy that addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water.

Kangaroo management

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:

- strategies to avoid land locking land adjacent to the subdivision that provides habitat to kangaroos; and
- management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
- management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:

- a copy of the approved Kangaroo Management Plan; and
- a ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

Traffic Impact Assessment

An application that proposes to create or change access to Ison Road or Westbrook must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit must be to the satisfaction of VicRoads.

3.2 Residential subdivision

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In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories outlined in Table 2.

An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment
- The landscaping of any land
- The provision of public open space and land for any community facilities
- What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application to use land for a sensitive use or to subdivide land where the Residential Growth Zone is the applied zone must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person that provides the following information:

- A detailed assessment of potential contaminants on the relevant land.
- Clear 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.
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water.
- Recommended remediation actions for any potentially contaminated land.

3.3 Development applications on land containing or abutting the Werribee River, its tributaries and environs

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An application on land containing or abutting the Werribee River, its tributaries and environs must be accompanied by:

A plan that shows:

- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance; and
- Recreation facilities to be provided within public open space; and
- Stormwater facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation; and

- The width of the waterway corridor to the satisfaction of Melbourne Water and the responsible authority.

A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.

4.0 Conditions and requirements for permits

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Refer to the precinct structure plan applying to the land.

5.0 Advertising signs

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The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

5.1 Land and home sales signs

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Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The advertisement area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.
- A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.