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SCHEDULE 14 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ14**.

East Werribee Employment Precinct

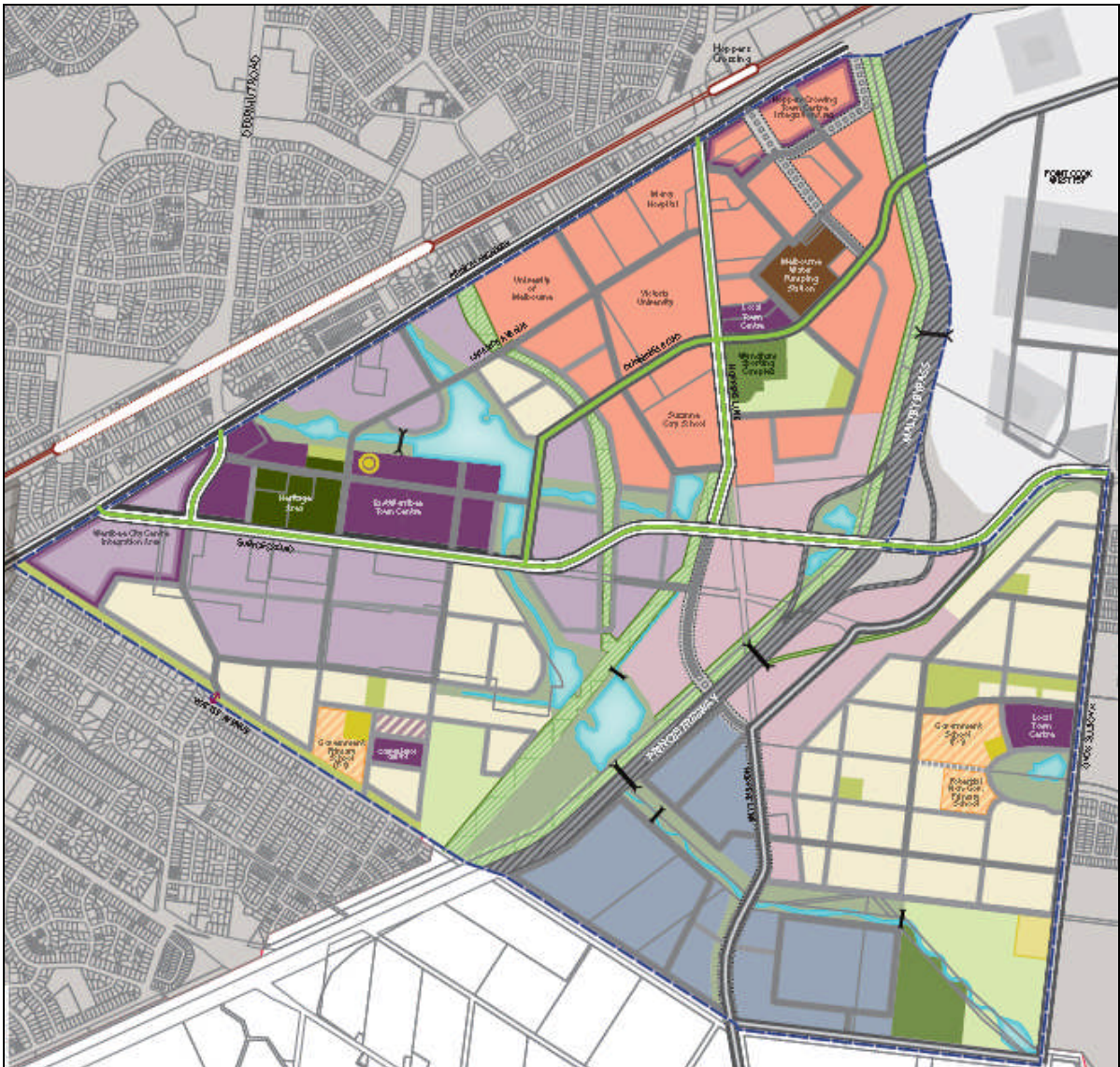
1.0

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The plan

Map 1 shows the future urban structure proposed for the *East Werribee Employment Precinct Structure Plan*. It is a reproduction of Plan 2 in the *East Werribee Employment Precinct Structure Plan*.

Map 1 to Schedule 14 to Clause 37.07



2.0 Use and development

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2.1 The land

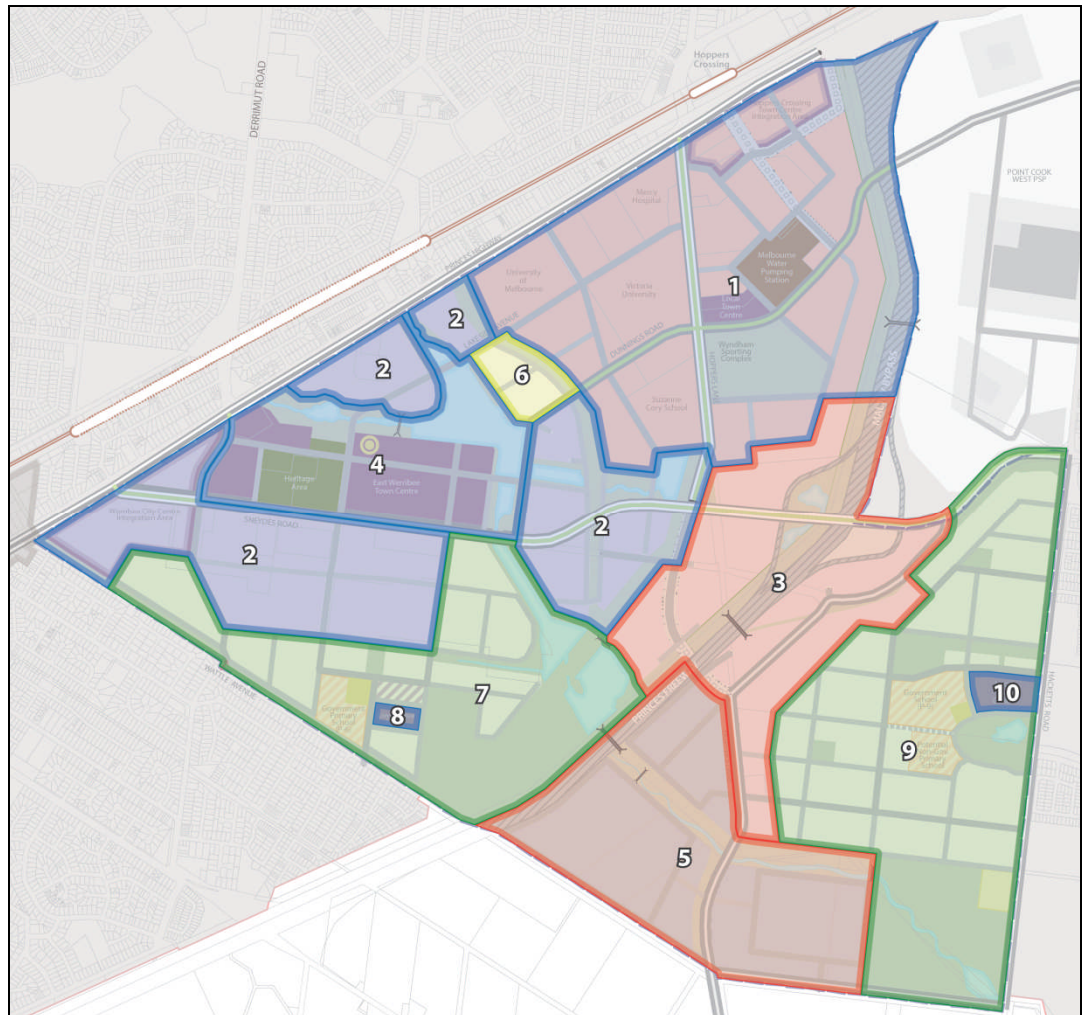
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The use and development provisions specified in this schedule apply to the land as shown on Maps 1 and 2 and shown as UGZ14 on the planning scheme maps.

The land comprises the areas referred to in the Precinct Structure Plan and depicted on Map 2:

Note: If land shown on Map 2 is not zoned UGZ, the provisions of this zone do not apply.

Map 2 to Schedule 14 to Clause 37.07



- | | |
|--------------------------------------|---|
| 1 - Health & Learning Hub | 6 - Lakeside Community |
| 2 - Commercial Hub | 7 - Wattle Village Community |
| 3 - Interchange Business Hub | 8 - Convenience Centre (Wattle Village) |
| 4 - East Werribee Town Centre | 9 - Point Cook South West Community |
| 5 - Enterprise Hub | 10 - Local Town Centre (Point Cook South West) |

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Applied zone provisions

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

Table 1: Applied zones

Generally in accordance with the area nominated on map 2	Applied zone provisions
Commercial Hub	Clause 34.01 – Commercial 1 Zone
Convenience Centre (Wattle Village Community)	
East Werribee Town Centre	
Enterprise Hub	Clause 33.01 – Industrial 1 Zone
Health and Learning Hub	Clause 34.01 – Commercial 1 Zone
Interchange Business Hub	Clause 33.01 – Industrial 1 Zone
Lakeside Community	Clause 32.07 – Residential Growth Zone
Local Town Centre (Point Cook South West Community)	Clause 34.01 – Commercial 1 Zone
Point Cook South West Community (excluding Local Town Centre)	Clause 32.08 – General Residential Zone
Wattle Village Community (excluding Convenience Centre)	

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Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the *East Werribee Employment 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 *East Werribee Employment Precinct Structure Plan* and with the prior written consent of Wyndham City Council.

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Specific provisions – Use and development by the public land manager

A permit is not required to use or develop public land by the relevant public land manager provided the use or development is carried out generally in accordance with the *East Werribee Employment Precinct Structure Plan* and with the prior written consent of the Growth Areas Authority.

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Specific provisions – Use of land in the General Residential Zone

Table 2: Use

Use	Condition
Primary school	A permit is not required to use land for a Primary school on land shown as Potential Non Government Primary School.
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 East Werribee Employment Precinct Structure Plan'.

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Specific provisions – Use of land in the Residential Growth Zone

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Table 3: Use

Use	Condition
Place of worship	A permit is required to use land for a Place of worship.
Residential aged care facility	A permit is required to use land for a Residential aged care facility.
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 East Werribee Employment Precinct Structure Plan'.

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Specific provisions – Use of land in the Commercial 1 Zone

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Table 4: Use

Use	Condition
Child care centre	A permit is required to use land for a Child care centre in the Health and Learning Hub.
Corrective institution	A permit is required to use land for a Corrective institution.
Major sport and recreation facility	A permit is required to use land for a Major sport and recreation facility.
Primary school Secondary school	A permit is required to use land for a Primary school or Secondary school.
Shop	<p>A permit is required to use land for a Shop in the Health and Learning Hub (this condition does not apply to land shown as Local Town Centre or Hoppers Crossing Town Centre Integration Area).</p> <p>A permit is required to use land for a Shop in the Commercial Hub.</p> <p>A permit is required to use land for a Shop if</p> <p>the combined leasable floor area of all shops exceeds the following area for the relevant centre as described in the East Werribee Precinct Structure Plan:</p> <ul style="list-style-type: none"> ▪ 5000 square metres for land shown as Local Town Centre in the Health and Learning Hub ▪ 1500 square metres for land shown as Convenience Centre in Wattle Village Community ▪ 8000 square metres for land shown as Local Town Centre in Point Cook South West Village.

Use	Condition
Retail premises (other than Shop)	A permit is required to use land for a Retail premises (other than Shop) in the Health and Learning Hub and Commercial Hub.
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 East Werribee Employment Precinct Structure Plan'.

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Specific provisions – Use of land in the Industrial 1 Zone

Table 5: Use

Use	Condition
Service station	A permit is required to use land for a Service station.
Shipping container storage	A permit is required to use land for Shipping container storage.
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 East Werribee Employment Precinct Structure Plan'.

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Specific Provisions - Dwellings on a lot less than 300 square metres

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.

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Specific provisions – Referral of applications to Public Transport Victoria

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the *East Werribee Employment Precinct Structure Plan* where the following requirements are met:

- a road nominated on Plan 10 – Active and Public Transport Networks in the *East Werribee Employment Precinct Structure Plan* as a potential bus route is constructed (including any partial construction where relevant) in accordance with its corresponding cross section in the *East Werribee Employment Precinct Structure Plan* and in accordance with the *Public Transport Guidelines for Land Use and Development*; and
- any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the *Public Transport Guidelines for Land Use and Development*; and
- unless otherwise agreed in writing with the Director of Public Transport, prior to the issue of a Statement of Compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder, as follows:
 - generally in the location identified by the Director of Public Transport;
 - in accordance with the *Public Transport Guidelines for Land Use and Development* with a concrete hard stand area, and in activity centres a shelter must also be constructed;
 - be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002*; and

· be provided with direct and safe pedestrian access to a pedestrian path to the satisfaction of the Director of Public Transport.

The responsible authority may address any of the above matters through planning permit conditions.

2.11 Specific provisions - development plan

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No permit is required to construct a building or to construct or carry out works in the Health and Learning Hub, Commercial Hub, Interchange Business Hub, East Werribee Town Centre, Enterprise Hub, Lakeside Community or within the Convenience Centre in the Wattle Village Community or Local Town Centre in Point Cook South West Community if the buildings or works are constructed in accordance with an approved development plan.

2.12 Specific provisions - Primary school

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

3.0 Application requirements for planning permits

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If in the opinion of the responsible authority a requirement listed at 3.1 – 3.3 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1 Subdivision – residential development in Lakeside, Wattle Village and Point Cook South West Communities

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An application for a residential subdivision must be accompanied by:

- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.

3.2 Use or develop land for a Local Town Centre or Convenience Centre

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An application to use or subdivide land, construct a building or construct or carry out works for a Local Town Centre or Convenience Centre must be generally in accordance with the role and function of the centre set out in the *East Werribee Employment Precinct Structure Plan*.

An application to use or subdivide land, construct a building or construct or carry out works for a Local Town Centre or Convenience Centre must also be accompanied by following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
 - Address the relevant town centre design requirements and guidelines contained within the *East Werribee Employment Precinct Structure Plan*;
 - Address any relevant design guidelines prepared by the Victorian Government or the Wyndham City Council;
 - Demonstrate how the proposal relates to existing or approved development in the area;

- Demonstrate site responsive architecture and urban design;
 - Demonstrate how the proposal will contribute to the urban character of the centre;
 - Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies such as the Department of Transport, Planning and Local Infrastructure;
 - Include environmental sustainability initiatives including integrated water management and energy conservation;
 - Address the relevant provisions in the planning scheme for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
 - Address the relevant provisions in the planning scheme for any proposed advertising signs;
 - Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
 - Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments).
- An overall landscape concept/master plan for the centre including a design of the town square/ public space.

3.3 Public infrastructure plan

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An application for subdivision and/ or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water
- what land may be affected or required for the provision of infrastructure works
- the provision, staging and timing of stormwater drainage 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
- what, if any, infrastructure set out in the East Werribee Employment Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of the Collecting Agency
- the provision of public open space and land for any community facilities.

Any other matter relevant to the provision of public infrastructure required by the responsible authority or Collecting Agency

3.4 Shell pipelines

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Applications for use or development in the vicinity of the Shell high pressure oil pipelines must be accompanied by a response to the Shell documents: *Conditions for Works Near Shell & WAG High Pressure Pipelines In Victoria* and *Land Use Planning, Development & Subdivision Near Shell & WAG High Pressure Pipelines In Victoria*.

3.5 APA GasNet pipelines

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Applications for use or development in the vicinity of the APA GasNet high pressure pipeline must be accompanied by a response to the document: *Conditions for Works Near APA Group Gas Transmission Pipelines*.

4.0 Development plan – Health and Learning Hub, Commercial Hub, Interchange Business Hub, East Werribee Town Centre, Enterprise Hub, Lakeside Community, Convenience Centre in the Wattle Village Community or Local Town Centre in Point Cook South West Community

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A development plan for each hub or centre, or part of a hub or centre, including an amendment to a development plan, may be submitted to the responsible authority for approval and may be approved with or without conditions.

A submitted development plan must be to the satisfaction of the responsible authority, be generally in accordance with the *East Werribee Employment Precinct Structure Plan*, and must include as appropriate:

- For residential development of four or more storeys - a site analysis and design response, including the boundaries and dimensions of the site, adjoining buildings and roads, generally in accordance with the provisions of Clause 52.35.
- A detailed assessment against the Vision, objectives and requirements contained within the *East Werribee Employment Precinct Structure Plan*. The assessment must include a section explaining how the development addresses the approved Design Requirements and Guidelines for the relevant hub or centre.
- For development within a Local Town Centre or Convenience Centre, a design response report addressing the relevant matters in accordance with sub-clause 3.2 of this schedule.
- A Public Infrastructure Plan in accordance with sub-clause 3.3 of this schedule.
- For development proposals in the vicinity of the Shell high pressure oil pipelines, a report in accordance with sub-clause 3.4 of this schedule.
- For development proposals in the vicinity of the APA GasNet high pressure gas pipelines, a report in accordance with sub-clause 3.5 of this schedule.
- The location and height of all buildings and works, including the relevant ground levels and building heights to Australian Height Datum (AHD).
- Detailed elevations and sections drawn to scale including heights to Australian Height Datum (AHD).
- A coloured set of elevations and or perspectives including a samples board detailing the colours and materials to be used.
- The proposed uses for each building.
- The number and layout of all car parking spaces and access lanes.
- The number and location of all bicycle parking and associated facilities.
- The location of all loading areas and access to and from these areas.
- Detailed engineering plans of all proposed public works prior to the commencement of works.
- The location of all vehicle, bicycle and pedestrian accessways.
- The location and details of all open space, including areas available to the public.
- An operations plan including the following, as appropriate:
 - General amenity provisions.

- Proposals for the permanent management and upkeep of public areas.
- The maintenance of undeveloped land on the site.
- The operation of waste collection.
- The operation and management of car parking spaces.
- Litter management.
- A landscape plan which includes:
 - All existing vegetation to be retained or removed.
 - The location, quantity and size at maturity of all proposed plants - as far as possible this should include indigenous species.
 - The botanical name of all new plantings.
 - Details of all proposed design features such as paths, paving and fencing.
 - Management requirements for significant vegetation during the construction phase, watering and maintenance methods for new vegetation.
 - A schedule of park furniture, public lighting and embellishments.
- A wind assessment for new developments of four storeys or more, excluding a basement.
- Details of external lighting treatment.
- The indicative location, type and design of proposed signs.

Development must be carried out in accordance with any approved development plan.

4.1 Consideration of development plan

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Further information must be required within 14 days after the plan is received by the responsible authority.

The responsible authority must make a decision on the plan or amendment within 42 days of the receipt of the application, or within 42 days of the receipt of further information if further information is required.

The responsible authority must consider the views of the Wyndham City Council prior to making a decision on the plan.

5.0 Specific provisions - Use or develop land for a sensitive purpose – Environmental Site Assessment

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Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, a Phase 2 Environmental Site Assessment, including soil and groundwater investigation as per the recommendations of the *Phase 1 Environmental Site Assessment – Werribee Employment Precinct* (22 March 2009) prepared by Compass Environmental, must be carried out to the satisfaction of the responsible authority.

Upon receipt of the Phase 2 Environmental Site Assessment the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The use or construction or carrying out of buildings and works must not commence until the responsible authority is satisfied that the land is suitable for the intended use.

This requirement does not apply to land shown as ‘Hoppers Crossing Town Centre Integration Area’ shown on the future urban structure at Map 1 and in the *East Werribee Employment Precinct Structure Plan*.

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Specific provisions – Construction management plan

Prior to the commencement of any works, including demolition, a construction management plan must be approved by and then implemented to the satisfaction of the responsible authority. The plan must provide for any relevant matter to the satisfaction of the responsible authority and may include the following details as appropriate:

- containment of dust, dirt and mud within the site and method and frequency of clean up;
- procedures in the event of build up of matter outside the site;
- methods for management of noise and general nuisance;
- site security;
- waste and storm water treatment;
- construction program;
- preferred routes for trucks delivering to the site;
- delivery and unloading points and expected frequency;
- an emergency contact that is available for 24 hours per day for residents and the responsible authority in the event of relevant queries or problems experienced; and
- traffic management measures to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

Any construction management plan relating to development within, crossing or in close proximity to the APA GasNet high pressure gas pipeline easement must be to the satisfaction of APA GasNet and prohibit the use of rippers or horizontal directional drills within or crossing the APA GasNet pipeline easement.

The construction management plan may be amended to the satisfaction of the responsible authority.

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Specific provisions – Employment Design Guidelines Area

Except with the consent of the responsible authority, a permit or development plan must not be granted or approved to use or subdivide land, or construct a building and carry out works on land within the “*Employment Design Guidelines Area*” shown on *Plan 5 - Design Guidelines* of the *East Werribee Employment Precinct Structure Plan* until Design Requirements and Guidelines for the relevant hub, community, convenience centre, local town centre or convenience centre within which the development proposal is located, have been prepared to the satisfaction of the responsible authority.

Design Requirements and Guidelines approved under this schedule must be generally in accordance with the *East Werribee Employment Precinct Structure Plan*.

An application for use and/or development on land shown within “*Employment Design Guidelines Area*” shown on *Plan 5 - Design Guidelines* of the *East Werribee Employment Precinct Structure Plan* must be consistent with any Design Requirements and Guidelines approved under this schedule for the relevant hub, community, convenience centre, local town centre or convenience centre within which the development proposal is located.

A permit may be granted to use or subdivide land, or a permit or development plan granted to construct a building or construct and carry out works prior to the approval of Design Requirements and Guidelines if, in the opinion of the responsible authority, the permit or development plan is consistent with the requirements for the Design Requirements and

Guidelines and the permit or development plan implements the objectives for the relevant hub, community, convenience centre, local town centre or convenience centre as set out in the *East Werribee Employment Precinct Structure Plan*.

The responsible authority may allow Design Requirements and Guidelines to be prepared in stages.

The Design Requirements and Guidelines may be amended to the satisfaction of the responsible authority.

8.0 Specific provisions – Referral of applications

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Any application to subdivide land must be referred to the Growth Areas Authority in accordance with section 55 of the Act.

9.0 Advertising signs

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The following advertising sign categories in this scheme apply by reference to Table 1 of this Schedule.

Table 6: Advertising signs

Applied zone	Advertising sign category
Commercial 1 Zone	Category 1
General Residential Zone	Category 3
Industrial 1 Zone	Category 2
Residential Growth Zone	Category 3

9.1 Land and home sales signs

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Despite the provisions of Clause 52.05, signs promoting the sale of commercial, industrial or residential land, or dwellings 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 an 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; and
- the sign is set back a minimum of 750mm from the property boundary