

17/03/2016
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SCHEDULE 1 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ1**.

Alfredton West Precinct Structure Plan (2011)

1.0

02/06/2011
C150

The Plan

MAP 1 shows the future urban structure proposed in the Alfredton West Precinct Structure Plan (2011). Map 1 is an extract from the Alfredton West Precinct Structure Plan.

Map 1: Alfredton West Precinct Structure Plan



2.0

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Use and Development

2.1

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Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building and construction and carrying out of works, generally in accordance with Map 1 of this schedule.

Table 1: Applied zone provisions

Land as shown on map 1 of this schedule	Applied zone provisions on map 1 to this schedule
Neighbourhood activity centre	Clause 34.01 – Commercial 1 Zone

Land as shown on map 1 of Applied zone provisions on map 1 to this schedule this schedule	
Employment land	Clause 34.01 – Commercial 1 Zone
Community hub	Clause 34.01 – Commercial 1 Zone
Medium density residential	Clause 32.07 – Residential Growth Zone
All other land in the precinct	Clause 32.08 – General Residential Zone

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2.2 Specific provisions – Use of land

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The following provisions apply to the use of the land.

Table 2: Use

Use	Requirement
Industry	Prohibited.
Shop where the applied zone is Commercial 1 Zone	Car parking, loading bays and bicycle provision must be provided to the satisfaction of the responsible authority.
Office where the applied zone is Commercial 1 Zone	Car parking, loading bays and bicycle provision must be provided to the satisfaction of the responsible authority.

2.3 Specific provisions – Construction of one or more dwellings on a lot with frontage to Remembrance Drive / Avenue of Honour

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A permit is required to construct one or more dwellings on a lot with a frontage or rear presentation to Remembrance Drive / Avenue of Honour. A permit must be generally in accordance with design guidelines prepared by the responsible authority pursuant to the Alfredton West Precinct Structure Plan.

2.4 Specific provisions – Construction and extension of one dwelling on a lot

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A permit is not required to construct one dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is required to construct or extend a fence within 3 metres of a street on a lot of between 250 and 300 square metres unless the Front Fence Height Standard in Table A2 of Clause 54.06-2 is met.

2.5 Specific provisions – Construction and extension of two or more dwellings on a lot

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A permit is required to:

- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

2.6 Specific provisions – Master plan for education precinct

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A permit must not be granted to use land, construct a building or construct or carry out works for an education centre until a master plan has been prepared to the satisfaction of the responsible authority. The master plan must show:

- The location of all buildings, car parking areas, access driveways, playing fields and other works associated with the education centre.
- The staging of development.

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

2.7 Specific provisions – Landscape master plan for Alfredton West Precinct Structure Plan

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A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a landscape master plan for the land north of the alignment of Cuthberts Road (excluding the neighbourhood activity centre and employment land) including all open spaces in those areas has been prepared to the satisfaction of the responsible authority and a further landscape master plan for the land south of the alignment of Cuthberts Road has been prepared to the satisfaction of the responsible authority.

The landscape master plans must address and respond to the provisions set out at Section 4.4.3 of the Alfredton West Precinct Structure Plan and include objectives and principles for the subsequent preparation of detailed landscape plans in relation to each part of the land.

3.0 Application requirements

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An application for use, buildings and works, or subdivision must be accompanied by a preliminary site assessment of the potential for contaminated land as a result of the previous land uses in areas proposed for a sensitive use (residential use, child care centre, pre-school centre or primary school). The site assessment must be to the satisfaction of the responsible authority.

Neighbourhood Activity Centre and Employment Land

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works within the land identified as the Neighbourhood Activity Centre and Employment Land in the Alfredton West Precinct Structure Plan until an urban design framework for the Neighbourhood Activity Centre and the Employment Land has been prepared to the satisfaction of the responsible authority.

Unless the responsible authority agrees, the urban design framework must address all of the land identified as the Neighbourhood Activity Centre and Employment Land in the Alfredton West Precinct Structure Plan and must address and respond to Section 4.5 of the Alfredton West Precinct Structure Plan and any other relevant part of the Alfredton West Precinct Structure Plan as appropriate.

A permit may be granted to subdivide land or to construct a building or construct and carry out works in respect of land identified as the Neighbourhood Activity Centre and Employment Land prior to the approval of an urban design framework if the responsible authority is satisfied that the grant of the permit is consistent with and implements the objectives and planning and design guidelines for the Neighbourhood Activity Centre and Employment Land set out in the Alfredton West Precinct Structure Plan .

The responsible authority may allow the urban design framework to be prepared in stages.

The urban design framework may be amended to the satisfaction of the responsible authority.

Subdivision

An application for subdivision must be accompanied by a site analysis and design response as detailed in Clause 56.01. In addition, the site analysis and design response must show or address the following to the satisfaction of the responsible authority:

- Any design response or guidelines adopted by the responsible authority pursuant to the Alfredton West Precinct Structure Plan.
- Clauses 56.02 to 56.09 of the scheme.
- A table setting out the amount of land allocated to the proposed uses.
- Integration with the existing or proposed subdivision of adjoining properties including through alignment and configuration of the street network and landscape themes.
- The staging of the development.
- Where any planned community infrastructure, public open space areas are to be located and in respect of open space, its intended recreation function.
- An assessment of the existing surface and subsurface drainage conditions on the site by a suitably qualified professional and the potential impacts on the proposed development.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that explains how the subdivision meets the objectives and planning and design guidelines for the Alfredton West Precinct Structure Plan.

If the responsible authority is satisfied that an application requirement or a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive any of the requirements.

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Conditions and Requirements for Permits

Any permit must contain conditions and requirements as appropriate which give effect to any relevant part of the incorporated Alfredton West Precinct Structure Plan.

Environmental assessment of land

Before the plan of subdivision is certified under the *Subdivision Act 1988*, further testing in accordance with the recommendations (if any) of the preliminary site assessment lodged with the application must be carried out to the satisfaction of the Responsible Authority.

Upon receipt of the further testing report 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 plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Development Contributions

Where a development contributions plan has not been incorporated in this scheme, a Statement of Compliance in respect of subdivision of land must not be issued unless the owner enters into an agreement under Section 173 of the *Planning and Environment Act 1987* providing for development contributions. The agreement must have regard to the matters set out in Alfredton West Precinct Structure Plan.

The agreement must include requirements to provide those development contributions that the responsible authority is satisfied are necessary to be provided on or to the land or on other land as a result of the development of the land the subject of the application or to ensure the orderly and proper development of the Alfredton West Precinct. The Agreement must be generally consistent with and complement any agreement in respect of the land north of the alignment of Cuthberts Road which has been executed for similar purposes.

Conditions for subdivision permits that allow the creation of a lot of between 250 square metres and 300 square metres

Before the issue of a statement of compliance for the subdivision (or a stage of the subdivision) a building envelope plan for each lot between 250 square metres and 300 square metres to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

The approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987* that is recorded on the title to the land. The restriction or the agreement must provide for:

- The building envelope to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside of a building envelope only with the consent of the responsible authority.
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

Where the building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987*, the building envelope plan may be approved after the plan of subdivision is certified.

Conditions for subdivision or building and works permits where land is required for community facilities, public open space, road widening and drainage

Land identified as public open space or community facilities as set out in the Alfredton West Precinct Structure Plan must be transferred to or vested in Council in accordance with the terms and conditions of the Section 173 Agreement or an approved Development Contributions Plan.

Road widening

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be transferred to or vested in Council or VicRoads in accordance with the terms and conditions of the Section 173 Agreement or an approved Development Contributions Plan.

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Advertising Signs

The advertising category is the category which is applicable for the relevant applied zone except that for the land nominated as Employment Land in Map 1 where the advertising category is category 4.

All advertising signs must be sensitive to the interface with Remembrance Drive / Avenue of Honour and meet the requirements of any design guidelines adopted by the responsible authority pursuant to the Alfredton West Precinct Structure Plan.

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign that promotes the sale of land or dwellings.

A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone or Residential Growth Zone provided:

- The application for a permit is lodged concurrently with an application for buildings and works for an office on the same land.
- The sign is not illuminated
- No fittings or wiring are visible from adjacent streets or properties.

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Decision guidelines

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Before deciding on an application to subdivide, use and/or develop land the responsible authority must consider, as appropriate:

- Whether the application is consistent with the Alfredton West Precinct Structure Plan 2011.
- Whether the application is consistent with any urban design framework or master plan approved under this Schedule.
- Whether the application is consistent with the Ballarat West Growth Area Plan 2009, City of Ballarat.