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**SCHEDULE 8 TO THE URBAN GROWTH ZONE**

Shown on the planning scheme map as **UGZ8**

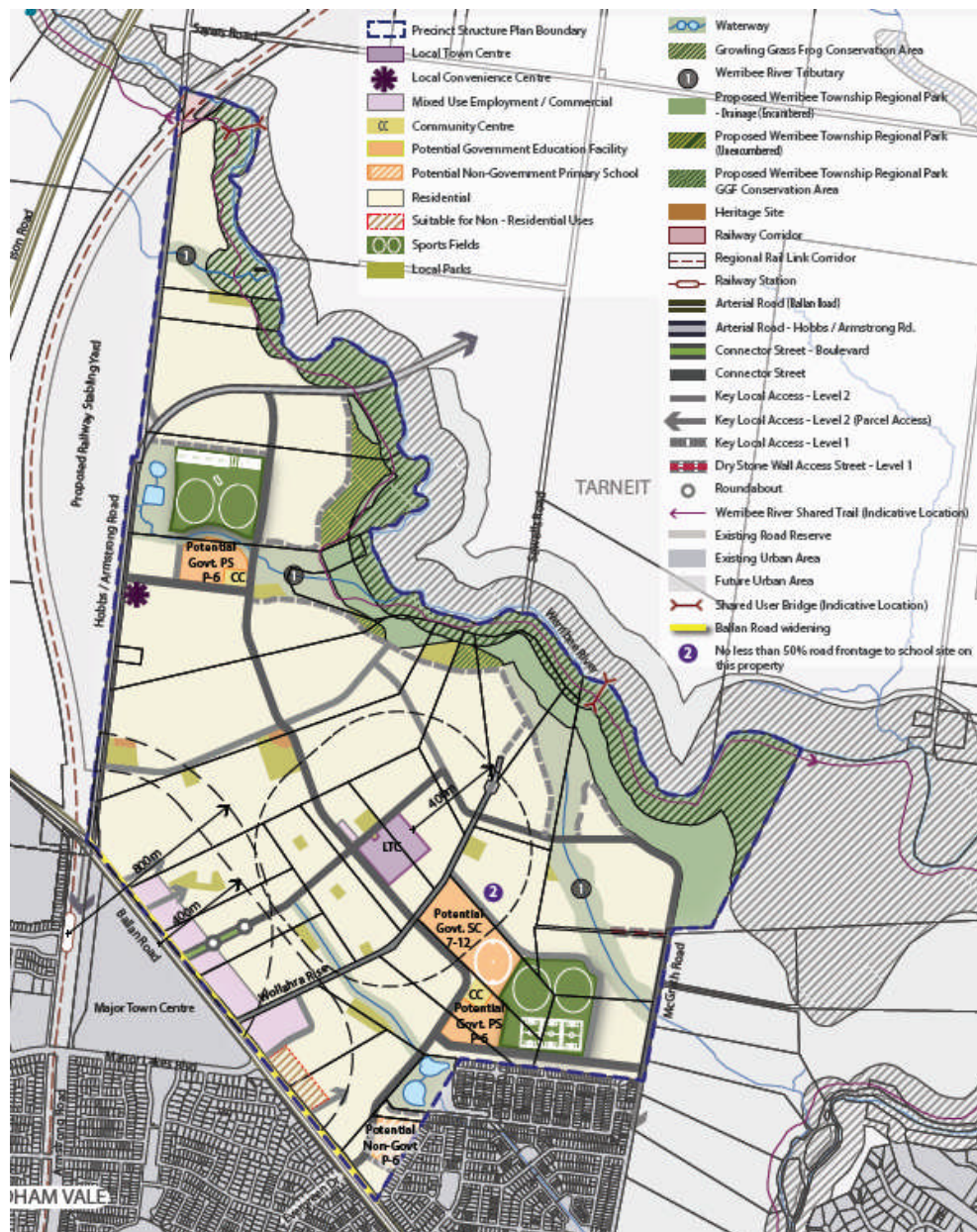
**BALLAN ROAD PRECINCT STRUCTURE PLAN**

**1.0 The Plan**

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Map 1 to Schedule 8 to Clause 37.07 shows the Future Urban Structure for Ballan Road. It is a reproduction of Plan 2 in the Ballan Road Precinct Structure Plan.

**MAP 1 TO SCHEDULE 8 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 UGZ8 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**

<b>Land use or development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land</b>	<b>Applied zone provisions</b>
<b>Local town centre</b>	Clause 34.01 – Commercial 1 Zone
<b>Local convenience centre</b>	
<b>Mixed use employment/commercial</b>	Clause 32.04s1 – Mixed Use Zone 1
<b>Ballan Road widening</b>	Clause 36.04 – Road Zone Category 1
<b>Connector street</b>	Clause 36.04 – Road Zone Category 2
<b>Waterway (Encumbered) – where waterway is Werribee River and its tributaries</b>	Clause 36.03 – Public Conservation and Resource Zone
<b>Proposed Werribee Township Regional Park – Drainage (encumbered)</b>	
<b>Proposed Werribee Township Regional Park – (unencumbered)</b>	
<b>All other land</b>	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 public land**

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A permit is not required to use or develop land shown in the *Ballan Road Precinct Structure Plan* as a local park, sports fields or community facilities provided the use or development is carried out generally in accordance with the *Ballan Road 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
<b>Shop where the applied zone is Commercial 1 Zone</b>	<p>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:</p> <ul style="list-style-type: none"> <li>▪ 5,000 square metres for land shown as a local town centre in the incorporated Ballan Road Precinct Structure Plan.</li> <li>▪ 500 square metres for land shown as a local convenience centre in the incorporated Ballan Road Precinct Structure Plan.</li> </ul>

**2.7 Specific provision – Construction of one dwelling on a lot less than 300 square metres in area**

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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.

**2.8 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.

**3.0 Application requirements**

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If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**3.1 All subdivision applications – stormwater and kangaroo management**

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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 Ballan Road or Hobbs/Armstrong Road 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 (in the case of Ballan Road) or Wyndham City Council (in the case of Hobbs/Armstrong Road).

## **3.2**

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### **Residential subdivision**

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 in Table 2.

An application for subdivision 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 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 or develop land must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of 'Stage 1 and 2 – Desktop Environmental, Hydrogeological and Geotechnical Assessment: REPORT ON PSP AREA 40 – BALLAN ROAD' (SKM, March 2013) and provides information including:

- Further 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

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

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

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#### **Conditions and requirements for permits**

Refer to the precinct structure plan applying to the land.

### 5.0

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#### **Advertising signs**

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.