

23/07/2015  
C141

**SCHEDULE 13 TO THE URBAN GROWTH ZONE**

Shown on the planning scheme map as **UGZ13**.

**TARNEIT NORTH PRECINCT STRUCTURE PLAN**

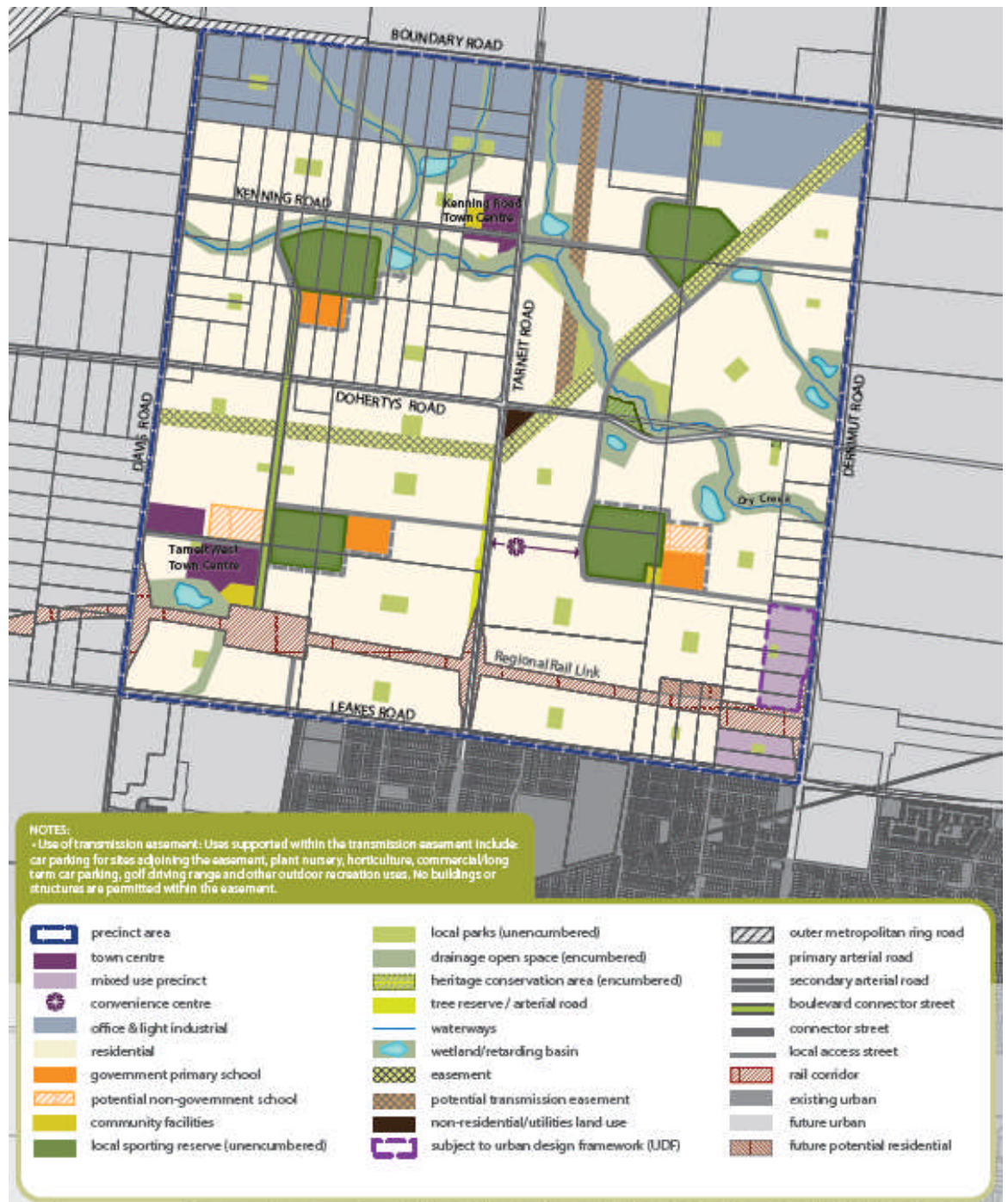
**1.0**

**The Plan**

13/11/2014  
C188

Map 1 shows the future urban structure proposed in the *Tarneit North Precinct Structure Plan*. It is a reproduction of Plan 2 in the *Tarneit North Precinct Structure Plan*.

**Map 1 to Schedule 13 to Clause 37.07**



**2.0 Use and development**

23/07/2015  
C141

**2.1 The land**

13/11/2014  
C188

The use and development provisions specified in this schedule apply to the land within the ‘precinct area’ on Map 1 and shown as UGZ13 on the planning scheme maps.

Note: Some land shown in Plan 1 is not zoned UGZ and the provisions of this schedule do not apply.

**2.2 Applied zone provisions**

23/07/2015  
C141

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/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (refer map 1)	Applied zone provisions
Town Centre	Clause 34.01 – Commercial 1 Zone
Convenience Centre	
Office & Light Industrial	Clause 33.03 – Industrial 3 Zone
Land, or any lot wholly contained within, 100 metres distance from a town centre	Clause 32.04 – Mixed Use Zone
Mixed Use Precinct	Clause 32.04 – Mixed Use Zone
Arterial road (any type)	Clause 36.04 – Road Zone – Category 1
Connector street (any type)	Clause 36.04 – Road Zone – Category 2
Waterway corridor as described on Plan 8 of the incorporated Tarneit North Precinct Structure Plan	Clause 36.03 – Public Conservation and Resource Zone
All other land	Clause 32.07 – Residential Growth Zone 1

**2.3 Reference to a planning scheme zone is a reference to an applied zone**

13/11/2014  
C188

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’.*

**2.4 Specific provisions – Use and development of future public land**

13/11/2014  
C188

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

**2.5**

13/11/2014  
C188

**Specific provisions – Use of land**

**Table 2: Use**

<b>Use</b>	<b>Requirement</b>
<b>Shop where the applied zone is Commercial 1 Zone</b>	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"> <li>▪ 6,000 square metres for land shown as Kenning local town centre in the incorporated Tarneit North Precinct Structure Plan.</li> <li>▪ 10,000 square metres for land shown as Tarneit West local town centre in the incorporated Tarneit North Precinct Structure Plan.</li> <li>▪ 1,500 square meters for land shown as a convenience centre in the Tarneit North Precinct Structure Plan.</li> </ul>
<b>Shop where the applied zone is Mixed Use Zone</b>	A permit must not be granted to use land for a shop where the leasable floor area of an individual shop premises is greater than 600 square metres.
<b>Office where the applied zone is Industrial 3 Zone</b>	Office is a Section 1 use.
<b>Primary or Secondary School</b>	A permit is not required to use land for a Primary or Secondary school on land shown as Potential Non-Government School.

**2.6**

13/11/2014  
C188

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

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.

**2.7**

13/11/2014  
C188

**Specific provisions – Urban Design Framework – 605-635 Derrimut Road**

Except with the consent of the responsible authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land at 605-635 Derrimut Road, Tarneit until an urban design framework for the area has been prepared to the satisfaction of the responsible authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land shown as ‘subject to urban design framework (UDF)’ on Plan 2 of the incorporated Tarneit North Precinct Structure Plan must be consistent with any urban design framework approved under this schedule.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives in the Tarneit North Precinct Structure Plan.

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

The Urban Design Framework may be amended to the satisfaction of the responsible authority.

## **2.8 Specific provisions – Buildings and works for a school**

13/11/2014  
C188

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**

13/11/2014  
C188

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 Subdivision - residential development**

13/11/2014  
C188

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 1 & 2 of the Tarneit North PSP.
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

## **3.2 Public Infrastructure Plan**

13/11/2014  
C188

An application 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 Wyndham North Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of Wyndham City Council;
- 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.

## **3.3 Traffic Impact Assessment**

13/11/2014  
C188

An application that proposes to create or change access to a primary or secondary arterial 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 or Wyndham City Council, as required.

**3.4**13/11/2014  
C188**Environmental Site Assessment**

An application to subdivide land, use or develop land for a sensitive use (residential use, child care centre, pre-school centre or primary school) 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 'Wyndham North Precinct Structure Plan – Environmental, Hydrological & Geotechnical Assessment Precinct Structure Plan Area 1089 – Growth Areas Authority' (Meinhardt, May 2012) 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.

**3.5**13/11/2014  
C188**Dry Creek**

An application on land containing or abutting the Dry Creek Corridor, 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
- Storm water facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation; and
- A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways

**3.6**13/11/2014  
C188**Kangaroo Management Plan**

Any application for subdivision must be accompanied by a Kangaroo Management Plan 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.

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

13/11/2014  
C188

Refer to the precinct structure plan applying to the land.

#### **5.0 Advertising signs**

13/11/2014  
C188

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**

13/11/2014  
C188

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; and
- 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.

#### **6.0 Decision guidelines**

13/11/2014  
C188

Before deciding on an application to use land for a shop in a town centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area; and
- The effect on existing and future major town centres within Wyndham North.