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SCHEDULE 15 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ15**.

Lincoln Heath South Precinct Structure Plan

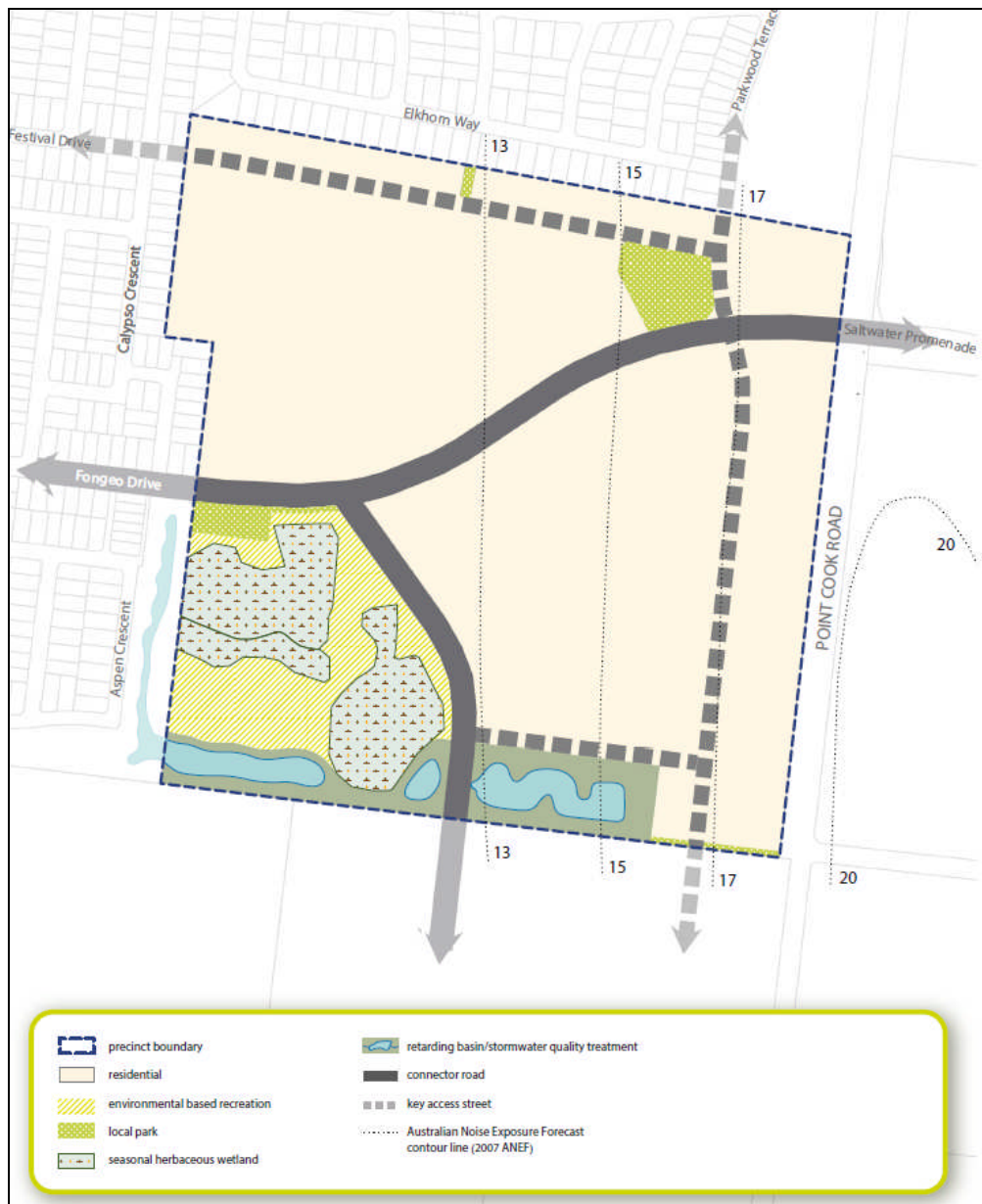
1.0

The plan

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Map 1 shows the future urban structure proposed for the Lincoln Heath South Precinct Structure Plan. It is a reproduction of Plan 2 in the Lincoln Heath South Precinct Structure Plan, *September 2015*.

Map 1 to Schedule 15 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 within the 'precinct boundary' on Map 1 and shown as UGZ15 on the planning scheme maps.

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 zones

Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land	Applied zone provisions
Connector street (any type)	Clause 36.04 – Road Zone Category 2
Seasonal herbaceous wetlands and environmental based recreation	Clause 36.03 – Public Conservation and Resource Zone
All other land	Clause 32.08 – General Residential Zone

2.3 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 General Residential 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

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A permit is not required to use or develop land shown in the *Lincoln Heath South Precinct Structure Plan* as a local park provided the use or development is carried out generally in accordance with the *Lincoln Heath South Precinct Structure Plan* and with the prior written consent of Wyndham City Council.

2.5 Specific Provisions – 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.

2.6 Specific provisions – Vegetation Protection

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A permit is required to remove, destroy or lop any vegetation identified as 'native vegetation to be retained on Plan 3 – Native Vegetation and Open Space plan in the Lincoln Heath South Precinct Structure Plan.

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

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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 1 of the Lincoln Heath South PSP.
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.
- The 13-20 ANEF (Australian Noise Exposure Forecast) contours as shown in the 2007 ANEF Contours RAAF Base Williams Point Cook Plan or any subsequent aircraft noise investigation undertaken in accordance with Australian Standard AS2021-2000 Acoustics – Aircraft noise intrusion – Building siting and construction (or later version).

3.2 Public Infrastructure Plan

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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;
- if any infrastructure is sought is to be provided as "works in lieu" for development contributions to be made in relation to the land under any incorporated Development Contributions Plan applying to the land or any relevant agreement with 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 Native vegetation assessment

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An application to remove or destroy native vegetation must be accompanied by a report prepared by a qualified arborist that includes a detailed description of the location, health, structural quality and expected longevity of all native vegetation on the property.

4.0 Conditions and requirements for permits

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4.1 Conditions for subdivision permits that allow the creation of a lot less than 300 square metres

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Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Wyndham Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

4.2 Design requirements for lots in the 13-20 ANEF

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Any permit for subdivision where land is located within the 13-20 ANEF must include the following condition:

- Prior to the Certification of the Plan of Subdivision, a Memorandum of Common Provisions must be placed on the Plan of Subdivision for all lots within the 13-20 ANEF to the satisfaction of the responsible authority. The restriction must include reference to design guidelines which address:
 - Information to future landowners that the site is located in proximity to the Point Cook RAAF air base and may be affected by associated noise;
 - All external lighting must not be directed above the horizontal plane;
 - All external roof cladding and roof material must be of low reflectance; and
 - All buildings and development must be not more than 15 metres in height above natural ground level.

4.3 Open Space Conditions

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Any permit for subdivision, buildings or works permits where land is required for public open space must contain the following condition:

- Land required for public open space as a local or district park, as set out in the Lincoln Heath South Structure Plan or in any incorporated Development Contributions Plan applying to the land must be transferred to or vested in Council at no cost to Council unless the land is funded by any incorporated Development Contributions Plan applying to the land.

4.4 Biodiversity Conditions

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A permit granted to subdivide land where construction works are required to carry out the subdivision, or a permit to construct a building or carry out works, where the Lincoln Heath South Precinct Structure Plan identifies the land as including a seasonal herbaceous wetlands or a patch of native vegetation must ensure that:

- Before the start of construction or carrying out works in or around a patch of native vegetation, the developer of the land must erect a vegetation protection fence that is:
 - Highly visible;
 - At least two metres in height;
 - Constructed to withstand knocks from construction vehicles;
 - Remains in place for the whole construction period;
 - Located a minimum distance of two metres from the patch of native vegetation being protected;
 - Not be erected if it presents a risk to any vegetation within seasonal herbaceous wetlands
 - Erected under the supervision of a suitable qualified ecologist.

4.5 Public Transport

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Unless otherwise agreed by Public Transport Victoria, prior to the issue of the Statement of Compliance for any subdivision stage which contains any portion of a road nominated as a 'Connector Street (bus capable)' on Plan 4 – Transport and Movement ' on page 14 of the Lincoln Heath South Precinct Structure Plan, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

- In accordance with the Department of Transport Public Transport Guidelines for Land Use and Development;
- Comply with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002; and
- At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

4.6 Road Network

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Any permit for subdivision or building and works must contain the following condition:

- Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in Council at no cost to Council unless funded by any incorporated Development Contributions Plan applying to the land.

4.7 Public Infrastructure Plan (PIP)

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Any permit for subdivision must contain the following condition:

- Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under Section 173 of the *Planning and Environment Act 1987* which provides for:

- The implementation of the Public Infrastructure Plan approved under this permit.
- The equalisation of open space having regard to the areas set aside in a plan of subdivision and the amount specified in the schedule to Clause 52.01.
- The timing of any payments to be made to a person in respect of any infrastructure project having regard to the availability of funds in the DCP or the public open space account, and with any priorities in the DCP.

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Advertising signs

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

5.1

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Land and home sales signs

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;
- the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- the sign is 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.