

05/06/2014
GC6**SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as **CDZ2**

WATERFORD GREEN ESTATE MIXED USE AREA

The Riverside Physical Framework Plan No 2 (1992) is the comprehensive plan for the land.

Land

This schedule applies to mixed use development in part of the area covered by the Riverside Physical Framework Plan No. 2, north of Wests Road and adjacent to the Maribyrnong River.

Purpose

To encourage redevelopment of land located in Wests Road, City of Maribyrnong for a mixture of commercial, office, light industrial, entertainment, community, residential and ancillary uses.

To encourage employment opportunities.

To provide for limited retail activities to meet the requirements of the population of the local neighbourhood.

To ensure that the combination of uses, their density and the scale and character of any redevelopment are compatible with:

- The amenity of the surrounding area and the existing and future residential density.
- The capacity of the existing road system and any proposed modifications to accommodate an increase in vehicle traffic.
- The capacity of existing essential services and any proposed modification.

To encourage the adaptation and re-use of existing buildings especially in the areas marked Potential Building Re-Use on the Riverside Physical Framework Plan No 2.

To encourage high quality development that enhances the character of the locality.

To ensure that land is developed in an orderly manner.

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GC6**Table of uses****Section 1 - Permit not required**

Use	Condition
Bank	
Dwelling	Any frontage at ground level must not exceed 2 metres.
Education centre	
Electoral office	
Food and drink premises	Must be shown on an approved development plan.
Function centre	

Use	Condition
Home occupation	
Industry (other than Materials recycling, Refuse disposal, Transfer station, Rural industry)	<p>Must not be a purpose listed under clause 52.10</p> <p>Must not adversely affect the amenity of the neighbourhood, including through:</p> <ul style="list-style-type: none"> ▪ The transport of materials or goods to or from the land. ▪ The appearance of any stored materials or goods. ▪ Traffic generated by the use. ▪ Emissions from the land.
Informal outdoor recreation	
Medical centre	
Office (other than Bank, Electoral office, Medical centre, Real estate agency, Travel agency).	
Railway	
Real estate agency	
Research centre	
Residential hotel	The use must be shown on an approved development plan.
Shop (other than Adult sex bookshop and Restricted retail premises)	
Take away food premises	
Tramway	
Tavern	The use must be shown on an approved development plan.
Warehouse (other than Fuel depot, Milk depot)	<p>Must not include a purpose listed in the table to Clause 52.10</p> <p>Must not adversely affect the amenity of the neighbourhood, including through:</p> <ul style="list-style-type: none"> ▪ The transport of materials or goods to or from the land. ▪ The appearance of any stored materials or goods. ▪ Traffic generated by the use. ▪ Emissions from the land.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Residential hotel, Corrective institution and Dwelling)	
Car park	Must be in conjunction with another use in Section 1 or 2.

Use	Condition
Industry (other than Materials recycling, Refuse disposal, Transfer station, Rural industry, Car wash, Panel beating) if the Section 1 condition is not met	Must not be a purpose listed under Clause 52.10
Minor sports and recreation facility	
Minor utility installation	
Office (other than Bank, Electoral office, Medical centre, Real estate agency, Travel agency) if the Section 1 condition is not met.	
Place of assembly (other than Function centre)	
Retail premises (other than Adult sex bookshop, Motor vehicle boat or caravan sales, Restricted retail premises or Shop)	
Restricted retail premises	
Service station	
Shop if the Section 1 condition is not met	
Any use not in Sections 1 and 3	

Section 3 - Prohibited

Use
Adult sex bookshop
Animal Husbandry
Brothel
Cemetery
Corrective institution
Crematorium
Fuel depot
Hospital
Leisure and recreation (other than informal outdoor recreation and minor sports and recreation facility)
Milk depot
Motor vehicle, boat or caravan sales
Panel beating
Refuse disposal
Road freight terminal
Rural industry
Timber yard
Transfer station
Utility installation (other than Minor utility installation)

2.0 Use of land

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Exemption from notice and appeal

An application to use land, which is generally consistent with a development plan to the satisfaction of the responsible authority, is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

3.0 Subdivision

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Exemption from notice and appeal

An application to subdivide land, which is generally consistent with a development plan to the satisfaction of the responsible authority, is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

4.0 Buildings and works

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A permit is not required to construct a building or to carry out works provided the construction or works is generally consistent with a development plan to the satisfaction of the responsible authority.

A permit is not required to demolish existing structures and associated site preparation works and decontamination and rehabilitation works including construction of fences, accessways and earthworks.

5.0 Traffic Agreement

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Prior to the commencement of any development or any stage of development the owner of the land in the zone may (or must, if the responsible authority so requires) enter into an agreement or agreements with the responsible authority and the relevant road authority under Section 173 of the Planning and Environment Act, 1987.

The agreement may (or must, if the responsible authority so requires) include the following:

- Details of traffic management, traffic control works and road works considered necessary in the zone when the development or any stage is completed, including the vehicular, bicycle and pedestrian requirements necessary to the use of buildings and works in the zone.
- Details of traffic management, traffic control works and road works considered necessary in adjoining and nearby roads when the development or any stage is completed, including intersection treatment and signalisation of declared roads in conjunction with the relevant roads authority, and traffic management procedures and strategies to discourage non-local traffic from passing into or through the local street network.
- The scope, staging and timing of works.
- The standard of construction of works.
- The contribution by the owner and any other parties or relevant authorities to the cost of works made necessary by the development.

- The additional contribution by the owner and any other parties or relevant authorities to the cost of works and other traffic management or control measures in the road network, having regard to the overall development of the site and other major development in the area.
- The timing, method and security for payment of any contribution.

This requirement does not apply to any land added to the Physical Framework Plan No. 1 after 1 January 1997.

6.0

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Primary development plan

No buildings or works may be constructed and land must not be subdivided until a primary development plan of the overall development of the whole of the land comprised in the Riverside Physical Framework Plan No 2 has been prepared to the satisfaction of the responsible authority.

Except with a permit the primary development plan must be generally in accordance with the Riverside Physical Framework Plan No 2 and must show:

- The subdivision of the land into primary lots.
- The location of all vehicle and pedestrian ways.
- The provision of open space areas generally in accordance with the Riverside Physical Framework Plan No 2.
- The maximum total floor area of each such use within the area comprised by the plan.
- The provision for major physical infrastructure to accommodate the subdivision including provision of water, sewerage, drainage, electricity, gas and telecommunications services.
- Necessary traffic management, traffic control and road works in the neighbourhood to the satisfaction of the relevant road authority.
- The provision of flood mitigation works to the satisfaction of Melbourne Water.

7.0

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Further development plan

In respect of any primary lot or part of the land no buildings or works may be constructed until a further development plan of the overall use and development of the land or relevant stages thereof is prepared to the satisfaction of the responsible authority.

Except with a permit any further development plan must be generally in accordance with the Riverside Physical Framework Plan No 2 and any relevant primary development plan and must show:

- The subdivision of the land.
- Each lot proposed to be used for more than one dwelling.
- Proposed building envelope for each lot indicating:
 - height of the building envelope; and
 - setbacks from front and side boundaries.
- The location of all vehicle and pedestrian ways.
- The location of car parking areas.
- The location of all open space, including areas available to the public.

- Proposed landscaping and a Management Plan for controlling and maintaining open space including water bodies available to the public.
- The provision for major physical infrastructure to accommodate the subdivision including provision of water, sewerage, drainage, electricity, gas and telecommunications services.
- Necessary traffic management, traffic control and road works in the neighbourhood to the satisfaction of the relevant road authority.
- The provision of flood mitigation works to the satisfaction of Melbourne Water.
- Details of fill, its placement and compaction on the flood plain.
- The stages, if any, in which the land is to be developed.

All buildings and works, open space and landscaping and use of land must be in accordance with the primary development plan and any further development plan.

8.0

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Consideration of Development Plans

The responsible authority may consider a development plan for any stage of the proposed subdivision or development.

At the request or with the consent of the owner, the primary development plan or any further development plan may be amended to the satisfaction of the responsible authority.

The responsible authority must not decide that a relevant development plan is satisfactory, or can be amended, until it is satisfied such plan is consistent with any relevant agreement under Section 173 of the Planning and Environment Act 1987.

9.0

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Display of Plans

Before deciding to approve a primary development plan the responsible authority must display the plan for public comment. The plan must be displayed:

- within 28 days after the plan is received by the responsible authority; and
- for at least 14 days but no longer than 28 days.

The responsible authority may request further information before deciding to display the plan.

The responsible authority must have regard to any public comments received in response to this procedure.

The responsible authority must make a decision on the plan within 21 days after the completion of the display.

10.0

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Height

Except with a permit a building or works must not exceed 3 storeys above ground level.

11.0

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Plot ratio

Except with a permit a building must not be constructed to exceed a plot ratio of 1.5.

12.0 Decision guidelines

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Before deciding whether a permit should be granted and when deciding whether the development plan is satisfactory, or can be amended, the responsible authority must consider:

- The purpose of this schedule.
- The Riverside Physical Framework Plan No 2.
- Any approved development plan.
- In respect to residential subdivision, Clause 56.
- In respect to single dwellings, Clause 54 and in respect to multi-dwellings, Clause 55.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works in the neighbourhood.
- The impact of the proposed development when viewed from the Maribyrnong River and its immediate environs.
- The design of the proposed buildings, their relationship to the streetscape and surrounding development and uses.
- If the site is used for a flat or residential building, the provision of adequate daylight and privacy for each habitable room and sufficient open area for the amenity and recreation needs of the occupants.
- The provision for vehicular and pedestrian access to the land.
- The views of the relevant road authority on the impact of the proposal on the surrounding declared roads.
- The terms of any agreement pursuant to Section 173 of the Planning and Environment Act 1987 affecting the land the subject of approval.
- Any public comments received in response to the display of plans.

13.0 Advertising signs

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Advertising sign requirements are at Clause 52.05. This zone is in Category 1.