

17/03/2016
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SCHEDULE 8 TO THE URBAN GROWTH ZONE

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

PAYNES ROAD PRECINCT STRUCTURE PLAN

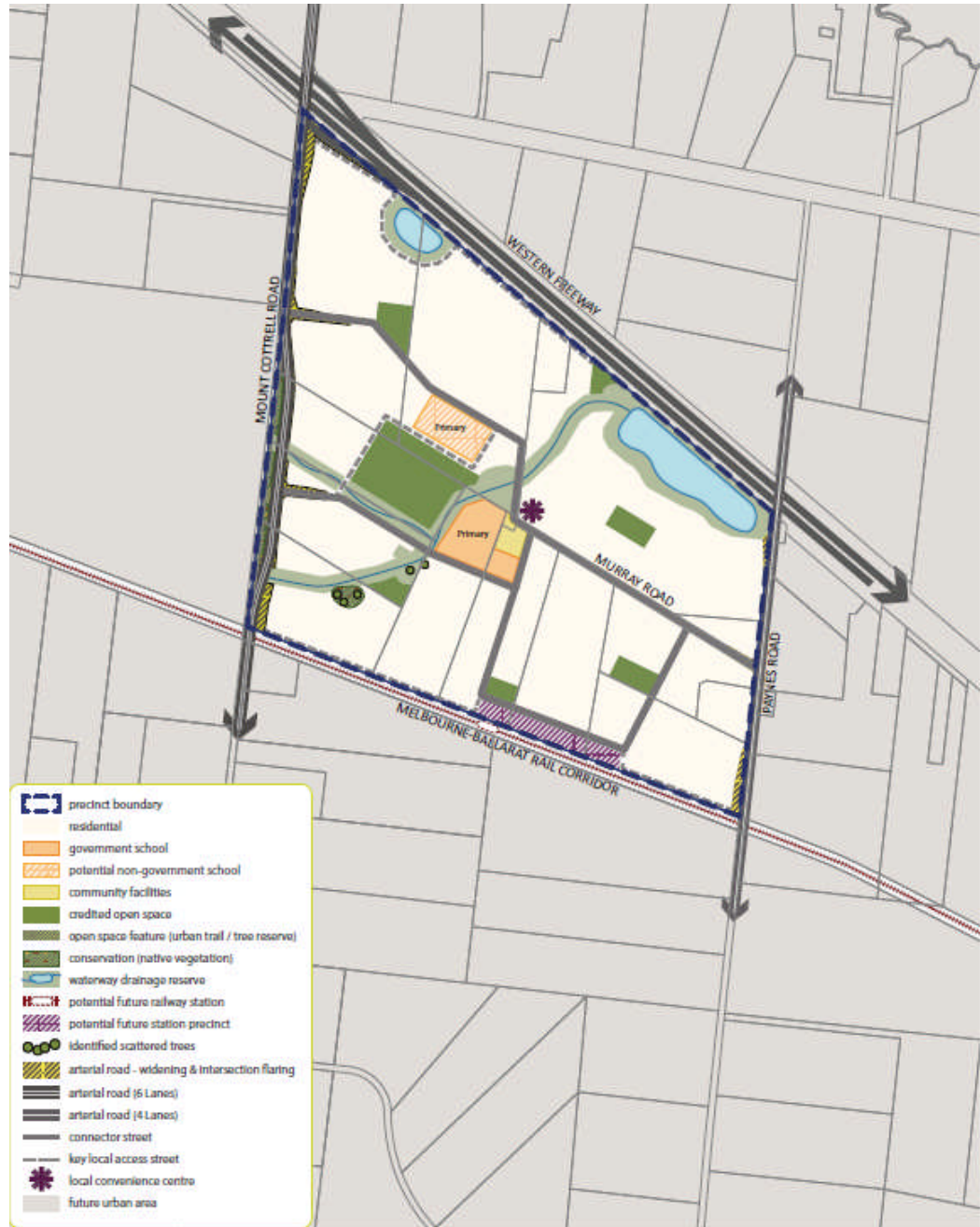
1.0

The plan

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Map 1 below shows the future urban structure for the *Paynes Road Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Paynes 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 within the 'Precinct Boundary' on 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 the land, the construction of a building and construction and 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	Applied zone provisions
Local Convenience Centre	Clause 34.01 - Commercial 1 Zone
Arterial Road (any type)	Clause 36.04 - Road Zone Category 1
Connector Street	Clause 36.04 - Road Zone Category 2
All other land	Clause 32.08 - General Residential Zone 1

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 of land

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The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Shop where the applied zone is Commercial 1 Zone	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"> 1000 square metres for land shown as a Local Convenience Centre in the incorporated Paynes Road Precinct Structure Plan.

Use	Requirement
Primary school	A permit is not required to use land for a Primary school on land shown as Potential Non Government School in the incorporated Paynes Road Precinct Structure Plan.

2.517/03/2016
C161**Specific provisions – Buildings and works for a school**

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 potential non-government school unless exempt under Clauses 62.02-1 and 62.02-2 of this Scheme.

2.617/03/2016
C161**Specific provisions – Dwellings on a lot less than 300 square metres**

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 this Scheme.

3.017/03/2016
C161**Application requirements**

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.

3.117/03/2016
C161**Subdivision - residential development**

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

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

- A written statement that sets out how the subdivision implements the incorporated Paynes Road Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Paynes Road Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

3.217/03/2016
C161**Public Infrastructure Plan**

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- 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;
- 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;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

3.317/03/2016
C161**Traffic Impact Assessment**

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 City of Melton, as required.

3.417/03/2016
C161**Railway noise attenuation**

An application for use or development within the 'railway noise amenity area' on Plan 8 of the *Paynes Road Precinct Structure Plan* must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and Public Transport Victoria.

- The acoustic assessment report must demonstrate compliance with the 'Railway Street Interface' cross-section in the PSP. The acoustic assessment report must also include (as appropriate to the particular use or development):
- An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Melbourne-Ballarat rail line.
- Recommendations for noise attenuation measures designed to ensure internal bedroom noise levels will not exceed 65 dB L_{Amax} and 40 dB L_{Aeq,8h} for the night period from 10pm to 6am.
- Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.
- A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.

4.017/03/2016
C161**Conditions and requirements for permits****4.1**17/03/2016
C161**Conditions for subdivision permits that allows the creation of a lot less than 300 square metres**

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 this 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 Conditions for subdivision or buildings and works permits where land is required for public open space

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Land required for public open space as a local park as set out in the *Paynes Road Precinct Structure Plan* or the 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 the development contributions plan applying to the land.

4.3 Management of bushfire risk during subdivisional works

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A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

4.4 Conditions for public transport

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Unless otherwise agreed to by Public Transport Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder as follows:

- Generally in the location identified by Public Transport Victoria
- In accordance with the Public Transport Victoria Guidelines for Land Use and Development with a concrete hard stand area, and in activity centres a shelter must also be constructed
- Be compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002; and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

4.5 Railway noise attenuation area

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Any permit for the use or development of land, within the ‘railway noise amenity area’ on Plan 8 of the *Paynes Road Precinct Structure Plan* must implement any recommendations of the acoustic assessment and include any conditions necessary, in the opinion of the responsible authority and Public Transport Victoria, to implement railway noise attenuation measures.

All to the satisfaction of the responsible authority and Public Transport Victoria.

4.6 Conditions for subdivision or buildings and works permits where land is required for road widening

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Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed local road must be transferred to or vested

in Council at no cost to the acquiring agency unless funded by the development contributions plan applying to the land.

4.7 Conditions –kangaroo management

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A permit granted for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

4.8 Conditions – salvage and translocation

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Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning

4.9 Conditions –subdivision and associated works applications (Golden Sun Moth) on land identified as Properties 2573 – 2675 Western Highway, Rockbank

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Any permit granted for subdivision of land and associated works must contain the following conditions:

- Prior to the commencement of works a targeted survey for the Golden Sun Moth must be prepared to the satisfaction of the Department of Environment, Land, Water and Planning.
- Prior to the issue of a Statement of Compliance in respect of any plan of subdivision within which Golden Sun Moth native habitat has been identified:
 - Offsets for removal of Golden Sun Moth native habitat within the area of that plan of subdivision must be provided or agreed to the satisfaction of the Department of Environment, Land, Water and Planning.

5.0 Advertising signs

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Land is in the category specified in the applied zone.

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.; 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.

5.2 Education / community promotion signs

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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 greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Map 1 to this schedule.

6.0 Exemption from notice and review not to apply to certain applications

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An application to use land for a use listed in Section 2 of the General Residential Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone 1 is not 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 review rights of section 82(1) of the Act.