

25/02/2016
C199

SCHEDULE 1 TO THE PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as **PDZ1**.

LAVERTON MAJOR ACTIVITY CENTRE AND EMPLOYMENT NODE INCORPORATED PLAN

The Laverton Employment Node and Major Activity Centre Incorporated Plan, July 2006 (Amended Version B May 2012) (the Laverton Incorporated Plan) is the incorporated plan for the land.

Land

The land comprises approximately 275 hectares and is the site formerly known as the RAAF Williams Laverton Air Base, generally bounded by Forsyth Road, Sayers Road and the Werribee Railway Line.

The precincts referred to in this schedule are shown on Map 1 to this schedule. For the purposes of this schedule, the Residential Precinct includes the Central, Eastern, Southern and Western Neighbourhoods as shown on Map 1.

Objective

- To give effect to the vision, objectives and planning concepts of the Laverton Incorporated Plan.
- To recognise the strategic importance of the site for the establishment of a major activity centre and employment node, including a diverse range of retail, industrial, business, and commercial uses with a focus on achieving the highest practical proportion of non-retail jobs.
- To provide for an active Main Street within the activity centre which creates pedestrian activity and linkages to the passenger railway station.
- To provide for a new transit node including a bus interchange, freeway interchange, passenger railway station and commuter car parking that will form the focus for the major activity centre and employment node.
- To encourage a diverse range of residential development opportunities and densities where consistent with the creation of a major activity centre and employment node on the land.
- To recognise specific sites which contain flora and fauna of National and State significance and to provide for the effective conservation and management of these sites.

1.0

05/06/2014
GC6

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Caretaker's house and Corrective institution)	Must be in accordance with a development plan approved by the responsible authority under this schedule.
Car park	Must not be in the Residential Precinct unless used in conjunction with another use in

Use	Condition
	Section 1 or 2.
Caretaker's house	
Convenience shop	Must be in accordance with a development plan approved by the responsible authority under this schedule.
Education centre (other than a Primary school or a Secondary school)	Must be in accordance with a development plan approved by the responsible authority under this schedule.
Food and drink premises	Must be in accordance with a development plan approved by the responsible authority under this schedule. Must be in the Activity Centre or Mixed Use Precincts.
Industry (other than Abattoir, Materials recycling, Refuse transfer station)	Must not be a purpose listed in the table to Clause 52.10. Must not be for a use or activity which requires a licence under the Dangerous Goods Act 1985. Must be in the Activity Centre or Mixed Use Precincts. Must occupy a building where at least 12% of the floor area is constructed in the form of offices and used for administration, sales, research and development, office or related activities. Must be in accordance with a development plan approved by the responsible authority under this schedule.
Informal outdoor recreation	
Minor utility installation	
Office	Must be in accordance with a development plan approved by the responsible authority under this schedule. Must be in the Activity Centre or Mixed Use Precincts..
Place of assembly	Must be in accordance with a development plan approved by the responsible authority under this schedule. Must be in the Activity Centre or Mixed Use Precincts.
Railway	
Restricted retail premises	Must be in accordance with a development plan approved by the responsible authority under this schedule.
Service station	Must be in accordance with a development plan approved by the responsible authority under this schedule. Must be in the Activity Centre or Mixed Use Precincts.
Shop (other than Adult sex bookshop,	Must be in accordance with a development

Use	Condition
Convenience shop and Restricted retail premises)	plan approved by the responsible authority under this schedule Must be in the Activity Centre Precinct.
Trade supplies (other than Timber yard)	Must be in accordance with a development plan approved by the responsible authority under this schedule. Must be in the Activity Centre or Mixed Use Precincts.
Tramway	
Transport terminal	Must be in accordance with a development plan approved by the responsible authority under this schedule. Must be in the Activity Centre Precinct.
Warehouse	Must be in accordance with a development plan approved by the responsible authority under this schedule. Must be in the Activity Centre or Mixed Use Precincts. Must occupy a building where at least 16% of the floor area is constructed in the form of offices and used for administration, sales, research and development, office or related activities. Must not be a purpose listed in the table to Clause 52.10. Must not be for a use or activity which requires a licence under the Dangerous Goods Act 1985.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Industry (where any Section 1 condition is not met)	Must not be in the Residential Precinct (other than Car Wash). Must not be a purpose listed in Clause 52.10 for which a Threshold Distance of more than 100 metres applies.
Leisure and recreation (other than informal outdoor recreation)	
Utility installation (other than minor utility installation)	
Warehouse (where any Section 1 condition is not met)	Must not be in the Residential Precinct. Must not be for a purpose listed in Clause 52.10 for which a Threshold Distance of more than 100 metres applies.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use

Abattoir

Corrective institution

Extractive industry

Intensive animal husbandry

Transport terminal (where the Section 1 condition is not met)

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Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out;
- The likely effects, if any, on adjoining land, including noise levels, traffic impact, the hours of delivery and dispatch of goods and materials, hours of operation, light spill, and emissions to land or water;
- Details of the estimated employment generated by the use;
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority; and
- The means of maintaining land not required for immediate use.

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.
- The vision, objectives and planning concepts of the Laverton Incorporated Plan and the objectives of this schedule and how these will be given effect by the proposal.
- The mix of land uses and their capacity to optimise employment opportunities on the site especially those of a non-retail nature, having regard to the Laverton Incorporated Plan.
- The provision of buffers from land used for industrial or railway purposes.
- The provisions of any applicable development plan approved under this schedule and any relevant agreements;
- The drainage of the land;
- The availability of and connection to services;
- The effect of traffic to be generated on roads; and

- The interim use and management of those parts of the land not required for the proposed use.

Exemption from notice and review

An application for any Section 2 use under clause 37.06-1 of the scheme 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.

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Subdivision

Decision guidelines

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The objectives of this schedule and the provisions of the Laverton Incorporated Plan and any applicable development plan, approved under this schedule;
- The suitability of the proposed lots for the intended uses;
- The size of the lots and their flexibility to adapt to changes in land use and development over time, particularly in the Activity Centre and Mixed Use Precincts;
- Whether there is a need to impose building envelope controls in order to achieve desirable spatial planning relationships and a suitably high standard of design for future development;
- The degree to which the proposal makes provision for roads and other development and community infrastructure, in accordance with any agreements which have been entered into between the responsible authority and the landowner; and
- The effect of the proposed subdivision on the conservation areas identified in the relevant native vegetation precinct plan.

Exemption from notice and review

An application for subdivision 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 review rights of Section 82(1) of the Act if it is generally in accordance with the Laverton Incorporated Plan and any applicable development plan approved under this schedule.

Conditions for subdivision permits that allow the creation of a lot less than 300 square metres (within the Southern Neighbourhood)

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

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted to the responsible authority for approval. 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 in the Wyndham Planning Scheme at Clause 81), to the satisfaction of the responsible authority; 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.

4.025/02/2016
C199**Buildings and works**

An application to construct a building or construct or carry out works which causes the 'shop' floorspace (excluding restricted retail premises) to exceed 25,000m² should make provision for continuous ground level activation along Main Street between Old Geelong Road and the Williams Landing Station to the satisfaction of the Responsible Authority. The ground floor active uses along Main Street should be delivered prior to the development of any 'shop' floorspace located above ground floor level.

The requirement to activate the street frontage referred to in this clause may be deferred subject to the form and extent of the proposed development, the amount of shop floorspace by which the 25,000m² is exceeded or for other reasons to the satisfaction of the Responsible Authority.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate and/or relevant:

- A plan drawn to scale which shows, as relevant:
 - The boundaries and dimensions of the site;
 - Adjoining roads and any alterations necessary to provide for the proposed development;
 - Relevant ground levels;
 - The layout of existing and proposed buildings, and works;
 - Driveways and vehicle parking and loading areas;
 - Proposed landscape areas; and
 - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works;
- Provision for the on-site management and disposal of storm water drainage;
- Provision of reticulated services (including water supply, sewerage, gas, and electricity);
- Arrangements (if relevant) for the management and use of areas set aside for future development;
- Construction details of all drainage works, driveways and vehicle parking and loading areas;
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area; and
- Any other details required to be provided as part of any applicable development plan approved under this schedule.

Decision guidelines

Before deciding on an application for buildings and works, the responsible authority must consider, as appropriate:

- The objectives of this schedule and the provisions of the Laverton Incorporated Plan and any applicable development plan, approved under this schedule;

- How the proposed buildings and works relate to and comply with or implement the approved development plan for the locality;
- The proper layout of the site and the suitability of the proposed buildings and works for their intended usage;
- The architectural and urban design merit of the proposed buildings and works, their contribution to the scale, form, function and safety of the space they occupy and that of the public realm;
- The provision of ground level activation along Main Street between Old Geelong Road and the railway station;
- Landscape treatment;
- The provision for pedestrian permeability, connections to the road and bicycle networks and public transport services;
- The need to provide for appropriate treatments at the interface between residential and non-residential areas;
- Any natural or cultural values on or near the land;
- Parking and site access;
- Loading and service areas;
- Outdoor storage;
- Lighting;
- Stormwater discharge and the use of water sensitive urban design treatments; and
- The effect of the buildings or works on the conservation areas identified in the relevant native vegetation precinct plan.

Permit exemptions

A permit is not required to construct a building or to construct or carry out works if they:

- Are to construct or extend one dwelling in the Residential Precinct (including outbuildings and other associated and incidental works) on a lot greater than 300 square metres;
- Are to demolish an existing building or works;
- Rearrange, alter or renew plant if the area or height of the plant is not increased;
- Are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970;
- Are used for informal outdoor recreation;
- Are used for a car park associated with public transport in the Activity Centre Precinct.

Specific provisions – Construction of one dwelling on a lot less than 300 square metres in area (within the Southern Neighbourhood)

A permit is not required to construct or extend one dwelling on a lot within 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.

Exemption from notice and review

An application for buildings and works for any Section 1 use under clause 37.06-1 of the scheme 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 review rights of Section 82(1) of the Act if it is generally in accordance with the Laverton Incorporated Plan and any applicable development plan approved under this schedule.

An application for buildings and works for any Section 2 use under clause 37.06-1 of the scheme 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.

5.0

03/03/2011
C140

Development plan

Environmental assessment

Before a development plan can be approved for any part of the land, an environmental auditor appointed under the Environment Protection Act 1970 must make a statement that the environmental conditions of the land are suitable for the uses proposed in the development plan. There may be different statements for different areas of the land and a statement may relate only to the area subject to the development plan or a greater area.

Development plan requirements

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan, to the satisfaction of the responsible authority has been approved for the precinct, part of a precinct or neighbourhood (in the Residential Precinct), within which the land is located.

A permit may be granted for the following before a development plan has been approved:

- Minor extensions, additions or modifications to any existing use or development;
- To subdivide land to create new road reserves or to create a lot as a precinct or a neighbourhood (in the Residential Precinct); or
- For works associated with site preparation or the remediation, investigation or clearing of land.

A development plan must be generally in accordance with the Laverton Incorporated Plan, to the satisfaction of the responsible authority, and must include or be supported by, as appropriate:

- A Subdivision Masterplan that addresses the intended staging of subdivision of the precinct or the neighbourhood within which the land is located;
- An infrastructure provision report detailing development and community infrastructure that is to be provided as part of the subdivision and/or future development of the land;
- The preferred land use mix for that part of the land subject to the development plan;
- A land use and development budget detailing how the development plan compares against the land use, employment and dwelling milestones and objectives described in the Laverton Incorporated Plan;
- The functional layout necessary to achieve an orderly and integrated development of the land including, where relevant:
 - building envelopes;
 - building forms;

- provision for open space;
 - pedestrian and bicycle pathway networks;
 - car parking areas and roadways;
 - provision for bicycle parking spaces and associated shower and change facilities; and
 - areas for external storage of goods and materials where appropriate.
- The provision of appropriate buffers from industrial land and any rail corridor;
 - Where appropriate, a site analysis and design response for the development plan demonstrating a response to the site's opportunities and constraints, with particular regard to the outcomes of any environmental assessment, archaeological survey, the physical constraints of the site, and the interface with adjoining uses and developments;
 - An Environmental Management Plan indicating the measures to be adopted to protect, enhance and manage any identified environmental values;
 - A Construction Management and Environmental Impact Mitigation Plan to control impacts during development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on the site;
 - An Overall Drainage Management Plan for the whole of the site including any external catchments and a Stormwater Management Plan detailing how stormwater will be collected and treated, including the provision of water sensitive design and sustainable storm water practices;
 - A Landscape Concept Plan for the site that has regard to identified flora and fauna/habitat, archaeological, historical and cultural values within the land and addresses how public open space is to be developed and its intended purpose;
 - A Traffic Management Plan that provides for:
 - a detailed analysis of traffic improvements likely to occur (both short term and long term) on the surrounding road network and on local (internal) roads;
 - proposals for the orderly management of vehicular traffic on the land and at the entrances to it from Forsyth Road and Sayers Road;
 - identification of any road and/or traffic control works that may be required on nearby local roads as a particular consequence of the staged development and use of the land. This must include a description of works that are to be undertaken by nominated parties, and the arrangements and timing for their implementation; and
 - Details including the scope, staging and timing of any public transport works and facilities in consultation with the relevant public transport authorities.

A development plan may, with the agreement of the responsible authority, be prepared and implemented in stages. A development plan may be approved with or without conditions to the satisfaction of the responsible authority.

Amendment of the development plan

Any approved development plan may be amended to the satisfaction of the responsible authority.

Decision guidelines

Before approving a development plan or any amendment to a development plan the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.
- The vision, objectives and planning concepts of the Laverton Incorporated Plan and how these will be given effect by the development plan.
- The proposed mix of land uses and their capacity to optimise employment opportunities on the site especially those of a non-retail nature.
- What scope remains within the Activity Centre and Mixed Use Precincts to achieve the employment milestones in the Laverton Incorporated Plan and if necessary, how these milestones may be achieved by encouraging higher density employment generating uses in these precincts.
- The opportunities to optimise residential densities especially in areas close to public transport and the activity centre whilst recognising the need to avoid the potential to create land use conflicts between residential and non-residential employment generating uses.
- The effect that any residential development in the Activity Centre Precinct may have on the achievement of the employment milestones in the Laverton Incorporated Plan.
- The orderly and integrated development of the land including:
 - provision for linkages between areas including potential linkages with the RAAF Base and the existing Laverton community to the east,
 - provision for public open space including neighbourhood parks and sporting fields,
 - access and transport requirements,
 - proximity to public transport, shopping, employment and community activities,
 - and the intended landscape concept for the land.
- The views of Hobsons Bay City Council in relation to the opportunities to integrate the development with the community of Laverton.
- The provision of uses and urban design strategies likely to enhance public safety and activate the area in the vicinity of the railway station during the evening and at night.
- The provision made for public transport works and facilities.
- The provision of buffers from land used for industrial or railway purposes.
- The outcomes of any Environmental Assessment, Infrastructure Provision Report, Environmental Management Plan, Archaeological Survey, Construction Management Plan and Environmental Impact Mitigation Plan, Overall Drainage Management Plan, Landscape Concept Plan and Traffic Management Plan prepared under the provisions of this schedule.
- Any relevant transport plan or strategy.
- Any relevant reference document.

6.0

Native vegetation – Conservation Management Plan

01/03/2007
C82

The Conservation Management Plan is “A Conservation Management Plan for Three Rare Species Reserves RAAF Williams Laverton” (Biosis Research Pty Ltd - May 1998) or any amended Conservation Management Plan approved by the Federal Department of Environment and Heritage that supersedes the May 1998 Conservation Management Plan.

No buildings or works may be constructed on the land and the land must not be subdivided until the owner of the land enters into an agreement with the Secretary to the Department of

Sustainability and Environment for the provision of a Native Vegetation Offset contribution.

A permit is required to remove, destroy or lop native vegetation in Conservation Areas A, B and C as delineated on the Laverton Incorporated Plan if the requirements the Conservation Management Plan are not met.

In considering a permit application, the responsible authority must consider the Conservation Management Plan.

7.0 Car parking

01/03/2007
C82

Car parking must be provided for the following uses, at least in accordance with the following rates:

Office:		3 spaces to each 100sqm of net floor area
Shop:	Supermarket	5 spaces to each 100sqm of leasable floor area
	Discount department store	3.5 spaces to each 100sqm of leasable floor area
	Other	3.5 spaces to each 100sqm of leasable floor area
Restricted retail premises:		2 spaces to 100sqm of leasable floor area
Industry and Warehouse:		3 spaces to each 100sqm of net floor area for any office component, otherwise 1.5 spaces to each 100sqm of net floor area
Dwellings:	Multiple dwellings	1 space to each 1 and 2 bedroom dwelling 1.5 spaces to each 3+ bedroom dwelling 1 space to every five dwellings for visitors
	Single dwellings	2 spaces to each dwelling

Lower rates can be applied to the satisfaction of the responsible authority having regard to the decision guidelines in Clause 52.06-1.

8.0 Legal agreement

01/03/2007
C82

No buildings or works may be constructed on the land and the land must not be subdivided until the owner of the land enters into an agreement with the responsible authority and the Director of Public Transport under Section 173 of the Act.

The agreement must, to the satisfaction of the responsible authority and the relevant public authority as appropriate, make provision for:

- development contributions to be made by the owners towards the provision of State and local infrastructure that provides for:
 - on-site and off-site road, traffic and public transport improvements (including the provision of land and/or payment of financial levies) and:

The agreement must be prepared at the reasonable cost of the land owner.

9.0 Advertising signs

01/03/2007
C82

All land in the Activity Centre Precinct is in Category 1. All land in the Mixed Use Precinct is in Category 2.

10.0 Other provisions of the scheme

01/03/2007
C82

Native Vegetation

The provisions of Clause 52.17 (native vegetation) do not apply to the land.

Car parking

The car parking rates set out in the table at clause 52.06-5 do not apply to the uses specified at clause 7 of this schedule.

All other provisions of clause 52.06 including those provisions of clause 52.06-5 applicable to other uses not specified at clause 7 of this schedule continue to apply.

11.0 Reference documents

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A Conservation Management Plan for Three Rare Species Reserves RAAF Williams Laverton (Biosis Research Pty Ltd - May 1998)

Map 1 to Schedule 1 to Clause 37.06

