

09/03/2017
C301

SCHEDULE 2 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ2**.

ARMSTRONG CREEK EAST PRECINCT STRUCTURE PLAN (MAY 2010, AMENDED NOVEMBER 2011) AND ARMSTRONG CREEK SOUTH PRECINCT STRUCTURE PLAN (FEBRUARY 2016)

1.0

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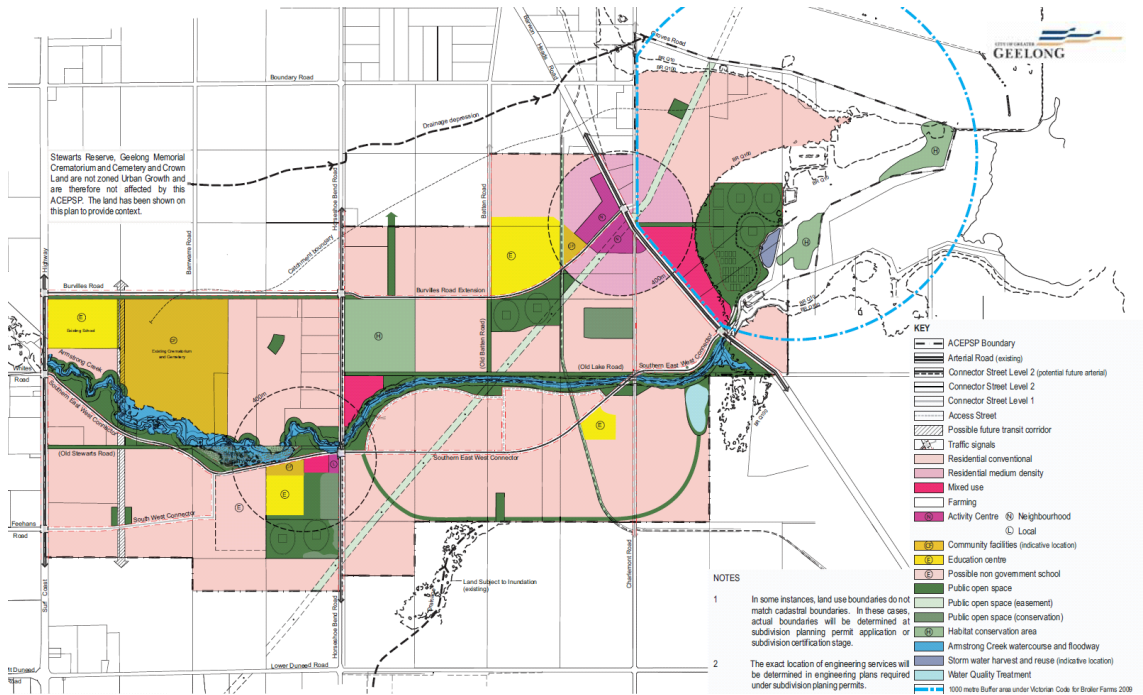
The Plan

Plans 1 and 2 show the future urban structure proposed in the incorporated *Armstrong Creek East Precinct Structure Plan* (May 2010, Amended November 2011) and the incorporated *Armstrong Creek South Precinct Structure Plan* (February 2016).

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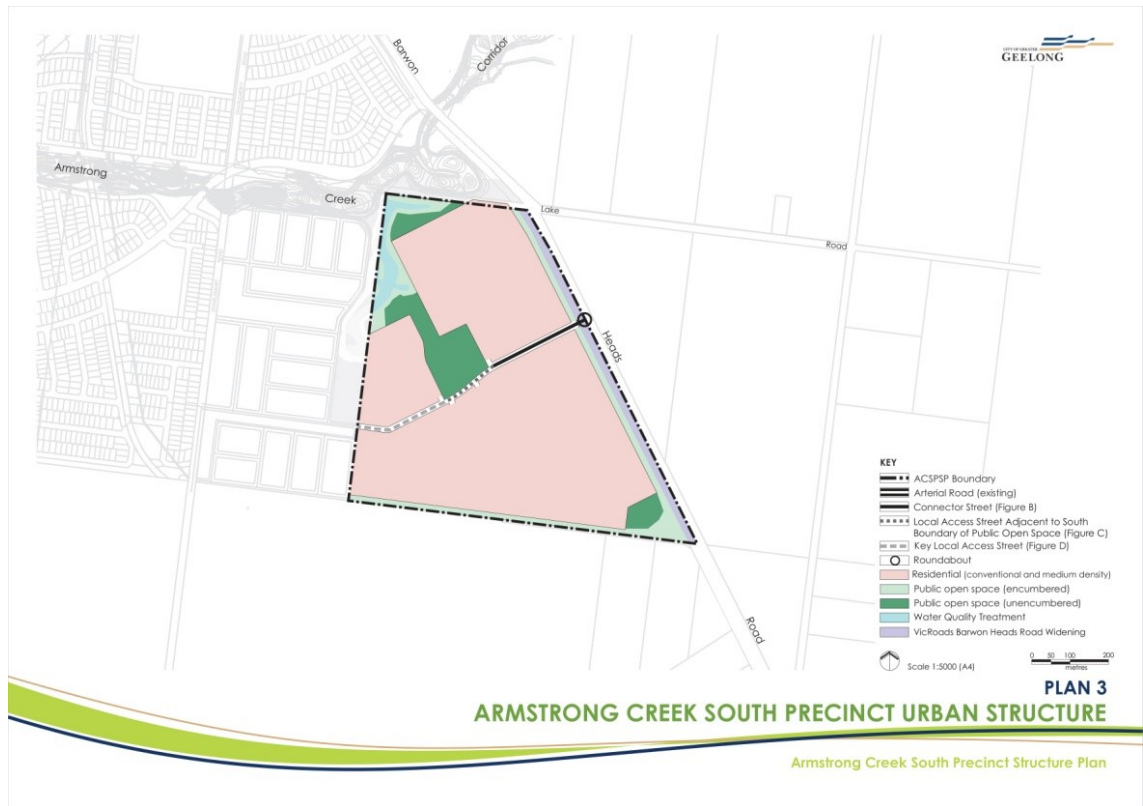
Plan 1 to Schedule 2 to Clause 37.07

Armstrong Creek East Precinct Urban Structure Plan (November 2011)



Plan 2 to Schedule 2 to Clause 37.07

Armstrong Creek South Precinct Urban Structure Plan (February 2016)



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Use and development

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The Land

The provisions specified in this schedule only apply to land in the Armstrong Creek East Precinct (Plan 1) and the Armstrong Creek South Precinct (Plan 2) that is zoned UGZ.

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Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building and construction and carrying out of works, by reference to Plan 1 and Plan 2 of this schedule.

Table 1: Applied zone provisions

Land Shown On Plans 1 and 2 Of This Schedule	Applied Zone Provisions
Residential conventional	Clause 32.08 - General Residential Zone (Schedule 1)
Residential medium density	Clause 32.08- General Residential Zone (Schedule 1)
Mixed use	Clause 32.04 - Mixed Use Zone
Activity Centre - Neighbourhood Activity	Clause 34.01 - Commercial 1 Zone
Activity Centre - Local Activity	Clause 34.01 - Commercial 1 Zone
Community facilities	Clause 32.04 - Mixed Use Zone
Education centre	Clause 32.08 - General Residential Zone (Schedule 1)
Public open space - Unencumbered	Clause 36.02 - Public Park and Recreation Zone
Public open space - encumbered	Clause 36.02 - Public Park and Recreation Zone
Habitat conservation area	Clause 35.06 - Rural Conservation Zone
Armstrong Creek watercourse and floodway	Clause 36.02 - Public Park and Recreation Zone
Storm water harvest and reuse	Clause 36.02 - Public Park and Recreation Zone
Farming	Clause 35.07 - Farming Zone
Retarding Basin	Clause 36.02 - Public Park and Recreation Zone

The precise boundary of the Commercial 1 Zone, the Mixed Use Zone, the General Residential Zone, the Rural Conservation Zone or the Farming Zone will be determined by the designation of land in a relevant plan of subdivision to the satisfaction of the Responsible Authority.

The precise boundary of the Public Park and Recreation Zone will be determined by the Landscape Masterplan, approved as a condition of permit for subdivision.

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Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

Use	Condition
Display home on land shown as residential or mixed use in Plan 1 of this schedule	Despite any requirement under Clause 52.06, car parking must be provided to the satisfaction of the Responsible Authority.

Use	Condition
Dwelling (other than a Dwelling used in conjunction with Agriculture)	Must not be located within the broiler farm buffer area as shown on Plan 3 of the incorporated Armstrong Creek East Precinct Structure Plan while the land at 76-88 Groves Road continues to be used as a broiler farm.
Dwelling (used in conjunction with Agriculture)	If located within the broiler farm buffer area as shown on Plan 3 of the incorporated Armstrong Creek East Precinct Structure Plan a permit is required.

2.4 Specific provisions – Subdivision

None specified.

2.5 Specific provisions - Buildings and works

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A permit is not required for the construction or carrying out of buildings and works associated with a display home on a lot over 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.

2.6 Specific provisions - Resolution of doubt

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If any doubt arises as to whether a provision specified in this schedule applies to land, a permit may be granted for any use or development if the Responsible Authority is satisfied that the use or development is in accordance with the incorporated *Armstrong Creek East Precinct Structure Plan* or the incorporated *Armstrong Creek South Precinct Structure Plan*.

2.7 Specific provisions – Provision of reticulated recycled water

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All newly created lots and buildings must be connected to a reticulated recycled water supply system for toilet flushing and garden watering. Where a reticulated recycled water supply system is not available to the building, a building must be connected to a rain water tank with a minimum capacity of 2500 litres for toilet flushing and garden watering or an alternative grey water recycling system to the satisfaction of the Responsible Authority.

3.0 Application requirements

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An application for use, buildings and works, or subdivision must be accompanied by a site assessment of the potential for contaminated land as a result of the previous land uses in areas proposed for a sensitive use (residential use, child care centre, pre-school centre or primary school). If the Responsible Authority is satisfied that this requirement is not relevant to the assessment of the application, it may waive or reduce the requirement.

Activity Centres

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works within the land identified as the neighbourhood activity centre in the incorporated *Armstrong Creek East Precinct Structure Plan* until an urban design framework for the neighbourhood activity centre has been prepared to the satisfaction of the Responsible Authority.

Unless the Responsible Authority agrees, the urban design framework must address all of the land in the neighbourhood activity centre and be generally in accordance with the incorporated *Armstrong Creek East Precinct Structure Plan* and must address and respond to Section 4.5 of the incorporated *Armstrong Creek East Precinct Structure Plan* and any other relevant part of the incorporated *Armstrong Creek East Precinct Structure Plan* as appropriate.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to approval of an urban design framework if, in the opinion of the Responsible Authority, the grant of the permit will assist in achieving the objectives and the planning and design guidelines for the activity centre set out in the incorporated precinct structure plan.

The urban design framework may be amended to the satisfaction of the Responsible Authority.

Mixed Use Area East of Barwon Heads Road

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works within the land identified as the mixed use area east of Barwon Heads Road in the incorporated *Armstrong Creek East Precinct Structure Plan* until an urban design framework for the mixed use area east of Barwon Heads Road has been prepared to the satisfaction of the Responsible Authority.

Unless the Responsible Authority agrees, the urban design framework must address all of the land in the mixed use area east of Barwon Heads Road and be generally in accordance with the incorporated *Armstrong Creek East Precinct Structure Plan* and must address and respond to Section 4.5 of the incorporated *Armstrong Creek East Precinct Structure Plan* and any other relevant part of the incorporated *Armstrong Creek East Precinct Structure Plan* as appropriate.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to approval of an urban design framework if, in the opinion of the Responsible Authority, the grant of the permit will assist in achieving the objectives and the planning and design guidelines for the mixed use area east of Barwon Heads Road set out in the incorporated precinct structure plan.

The urban design framework may be amended to the satisfaction of the Responsible Authority.

Subdivision

An application for subdivision must be accompanied by a site analysis and design response as detailed in Clause 56.01. In addition, the site analysis and design response must show or address the following to the satisfaction of the Responsible Authority.

- Integration with the existing or proposed subdivision of adjoining properties including through alignment and configuration of the street network and landscape character.
- The staging of the development.
- Where appropriate, the location of proposed planned community infrastructure, public open space areas and their recreation function.
- An assessment of the existing surface and subsurface drainage conditions on the site by a suitably qualified professional and the potential impacts on the proposed development, including any measures required to mitigate the impacts of springs on the development and the impact of the development on drainage.
- An application for a residential subdivision of 10 lots or more must be accompanied by:
 - a written statement that explains how the subdivision meets the objectives and planning and design guidelines for the Image and Character and Subdivision and Housing elements of the incorporated *Armstrong Creek East Precinct Structure Plan* or the incorporated *Armstrong Creek South Precinct Structure Plan*.
 - subdivision and housing guidelines.

If the Responsible Authority is satisfied that an application requirement is not relevant to the assessment of an application, the Responsible Authority may waive any of the above requirements.

An application for subdivision within the incorporated *Armstrong Creek South Precinct Structure Plan* must be accompanied by a Precinct Infrastructure Plan which addresses the following:

- the provision, staging and timing of stormwater drainage works.
- 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.
- the landscaping of any land.
- the provision of public open space and land for any community facilities.
- what, if any, infrastructure set out in the *Armstrong Creek South Precinct Structure Plan* is sought to be provided as ‘works in kind’ subject to the consent of the collecting agency.
- any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

Drainage and Floodplain Management

Any application for use or subdivide land, construct a building or construct or carry out works must demonstrate how the proposal affects, or is affected by the requirements of the Armstrong Creek South Precinct Stormwater Management Strategy (ACSSWMS).

The design response must address or provide the following to the satisfaction of the Responsible Authority:

- Stormwater Environmental Management Plans which identify the following:
 - Potential waterway stability/environmental/drainage/flooding problems and constraints arising from their development proposals (including upstream or downstream impacts on existing receiving environments, waterways, land uses and assets/works) and quantify and recommend what is required to ensure compliance with best practice water management objectives.
 - Explicit details on control over stormwater sediment loads and monitoring of same during estate construction works, and demonstrate how the works comply with best practice whilst addressing high construction-era sediment loads, potential acid sulphate soils and dispersive soils management issues.
 - Identification and appraisal of potential acid sulphate and dispersive soils. This assessment is to be peer reviewed by a suitably qualified environmental professional approved by Council.

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Conditions and requirements for permits

Any permit must contain conditions and requirements as appropriate which give effect to any relevant part of the incorporated *Armstrong Creek East Precinct Structure Plan* or the incorporated *Armstrong Creek South Precinct Structure Plan*.

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Conditions for subdivision or building and works permits where land is required for community facilities, public open space, road widening and drainage.

Public open space and community facilities

Land identified as public open space or community facilities in the incorporated *Armstrong Creek East Precinct Structure Plan* and specified on Plan 3 - Urban Structure Plan and in Table 1 - Land Use Budget in the incorporated *Armstrong Creek East Precinct Structure Plan* and in the incorporated *Armstrong Creek South Precinct Structure Plan* and specified on Plan 3 - Urban

Structure Plan and in Table 1 – Summary Land Use Budget in the incorporated *Armstrong Creek South Precinct Structure Plan* or any applicable Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless funded by the applicable Development Contributions Plan.

Public open space must be provided in accordance with Plan 3 - Urban Structure Plan and Appendix 1 - Detailed Land Use Budget by Property in the incorporated *Armstrong Creek East Precinct Structure Plan* and Plan 3 - Urban Structure Plan and Table 1 – Summary Land Use Budget in the incorporated *Armstrong Creek South Precinct Structure Plan*, before the issue of a Statement of Compliance (or as otherwise agreed with the Responsible Authority). These contributions are subject to an equalisation for unencumbered open space.

Any public open space provided at the applicants request in addition to that reflected in Plan 3 - Urban Structure Plan and Appendix 1 - Detailed Land Use Budget by Property in the incorporated *Armstrong Creek East Precinct Structure Plan* and Plan 3 - Urban Structure Plan and Table 1 - Summary Land Use Budget in the incorporated *Armstrong Creek South Precinct Structure Plan*, must be transferred to or vested in Council at no cost to Council and is not subject to compensation.

Road widening

Apart from land affected by a Public Acquisition Overlay, land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by an applicable Development Contributions Plan.

Drainage

Individual stages of development must demonstrate compliance with the staged delivery of ultimate drainage infrastructure in accordance with Plan 26 of the incorporated *Armstrong Creek East Precinct Structure Plan* or Plan 16 of the incorporated *Armstrong Creek South Precinct Structure Plan*.

Prior to the issue of a statement of compliance for any plan of subdivision creating any additional lot in the Armstrong Creek South Precinct, the diversion channel linking the terminal wetland in the Armstrong Creek East Precinct to the Sparrovale Wetlands (as described at paragraph 4.7.1 of the Armstrong Creek South Precinct Structure Plan) must be constructed to receive stormwater and the Sparrovale wetlands must be commissioned to receive stormwater via the diversion channel, unless otherwise agreed by the Responsible Authority.

Flood Mitigation

Any permit application for land that is shown to be subject to flooding in a 1 in 100 year event as detailed on Plan 18 (Flood boundary for existing conditions Q100) in the incorporated *Armstrong Creek East Precinct Structure Plan* or Plan 16 in the incorporated *Armstrong Creek South Precinct Structure Plan* must be referred to the relevant Catchment Management Authority.

Requirements for Native Vegetation

Armstrong Creek East Precinct

Prior to the removal, destruction or lopping of any native vegetation including dead native vegetation an Offset Plan concerning the land must be prepared in accordance with Tables 5 and 6 of the incorporated *Armstrong Creek East Native Vegetation Precinct Plan* (NVPP) to the satisfaction of the Department of Environment and Primary Industries and the Responsible Authority.

Any permit application for land containing native vegetation identified by the NVPP, or land that is identified within the NVPP as an offset site must be referred to the Department of Environment and Primary Industries.

Armstrong Creek South Precinct

The requirements of Clause 52.17 apply to the Armstrong Creek South Precinct.

The removal of any vegetation must be generally in accordance with Plan 7 in the incorporated *Armstrong Creek South Precinct Structure Plan*.

Prior to the removal, destruction or lopping of any native vegetation, including dead native vegetation, an Offset Plan concerning the land must be prepared to the satisfaction of the Department of Environment, Land Water and Planning and the Responsible Authority.

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Conditions for subdivision permits that allow for the creation of a lot of 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, which identifies the lots that will include a restriction which reads “The construction or extension of a dwelling on lots identified on this plan must be assessed for compliance against the Small Lot Housing Code”. This restriction must also be shown on the plan of subdivision submitted for certification to the satisfaction of the Responsible Authority.

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Exemption from notice and review

None specified.

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Decision guidelines

The following decision guidelines apply to an application for a permit to subdivide, use and/or develop land under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the application is consistent with the Armstrong Creek Urban Growth Plan, City of Greater Geelong, 2008, Updated June 2015.
- Whether the application is consistent with the incorporated Armstrong Creek East Native Vegetation Precinct Plan, May 2010.
- Whether the application is consistent with the incorporated Armstrong Creek East Precinct Structure Plan, May 2010, Amended November 2011 including any approved Urban Design Frameworks.
- Whether the application is consistent with the incorporated Armstrong Creek East Precinct Development Contributions Plan, Version 4.1 Alternate Version November 2011.
- Whether the application is consistent with the incorporated Armstrong Creek South Precinct Structure Plan, February 2016, including any approved Urban Design Frameworks.

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Signs

The sign category is the category which is applicable for the relevant applied zone.

Despite the provisions of Clause 52.05, a permit may be granted to display a sign that promotes the sale of land or dwellings, whether or not the sign is located on the land for sale.

8.0

Background documents

Detailed Ecological Assessment Armstrong Creek East Precinct, SMEC, 18 October 2009

Armstrong Creek Eastern Precinct Traffic Impact Assessment, Cardno Grogan Richards, 14 October 2009

Stormwater Management Strategy for the Armstrong Creek East Precinct: Analysis of Integrated Stormwater Management Strategies Final Report, Bonacci Water, October 2009

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Armstrong Creek, East Precinct Neighbourhood Activity Centre, Pitney Bowes, September 2009

Armstrong Creek East Precinct Heritage Background Study and Implications for Development, Andrew Long + Associates, 22 September 2009

Armstrong Creek East Precinct Infrastructure Servicing Report, SMEC Urban, October 2009

Biodiversity Assessment, 892-990 Barwon Heads Road, Armstrong Creek, Ecology and Heritage Partners, May 2015

892-990 Barwon Heads Road, Armstrong Creek, Traffic Impact Assessment, SMEC Urban, July 2015

Armstrong Creek South Precinct (ACSP) Stormwater Management Strategy (SWMS), Neil M. Craigie, 24 July 2015 (V4)

Infrastructure Servicing Report, 892-990 Barwon Heads Road, Armstrong Creek, SMEC Urban, May 2015

Warralily Desktop Contamination Assessment, Coffey, 29 April 2015