

27/02/2014
C246

SCHEDULE 6 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ6**.

LARA WEST PRECINCT STRUCTURE PLAN (2013)

1.0

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The Plan

Plan 1 shows the future urban structure proposed in the incorporated *Lara West Precinct Structure Plan, Revision J, 25 September 2013 (Lara West Precinct Structure Plan)*.

Plan 1 to Schedule 6 to Clause 37.07

Lara West Precinct Structure Plan



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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 Lara West Precinct (Plan 1) 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 of this schedule.

Table 1: Applied zone provisions

Land shown on plan 1 of this schedule	Applied zone provisions
Residential conventional	Clause 32.08 - General Residential Zone
Residential medium density	Clause 32.08 - General Residential 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
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 36.02 - Public Park and Recreation Zone
Lara West watercourse and floodway	Clause 36.02 - Public Park and Recreation Zone
Retarding Basins	Clause 36.02 - Public Park and Recreation Zone
Employment Precinct	Clause 34.02 - Commercial 2 Zone
Private school	Clause 32.01 - General Residential Zone

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Specific provisions - Use of land

The use of land must be generally in accordance with the *Lara West Precinct Structure Plan*.

The following provisions apply to the use of land.

Table 2: Use

Use	Condition
Display home on land shown as residential 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.
Shop on land shown as Employment Precinct in Plan 1 of this schedule	Must provide for convenience services in conjunction with other Employment Precinct uses and must not include a supermarket.
Child care centre on land shown as Activity Centre - Neighbourhood Activity	Must have written approval of the Minister administering the <i>Pipelines Act 2005</i> .
Education centre on land shown as Activity Centre - Neighbourhood Activity	Must have written approval of the Minister administering the <i>Pipelines Act 2005</i> .

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Specific provisions – Subdivision

None specified.

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Specific provisions - West Gateway Area

A permit must not be granted to use or subdivide land or construct a building and carry out works within the West Gateway Area in the *Lara West Precinct Structure Plan*, until a Masterplan of the West Gateway Area has been prepared to the satisfaction of the responsible authority.

The Masterplan shall guide the future subdivision, use and development of land within the West Gateway Area.

The objective of this provision is to ensure development occurs generally in accordance with the *Lara West Precinct Structure Plan*, and to require a range of detailed planning issues to be resolved prior to the commencement of development of the Area.

The Masterplan must show or address the following:

- General accordance with the *Lara West Precinct Structure Plan*.
- The staging of the development.

- Delivery of infrastructure including stormwater management.
- Environmental issues including native vegetation.
- Integration with adjoining land including road layout.
- The location of public open space areas.
- The provision of a potential bus route as advised by Public Transport Victoria.
- Treatment of the Bacchus Marsh Road/West Gateway intersection as advised by VicRoads.
- A Detailed Land Use Budget by Property.

A permit may be granted before a Masterplan has been prepared to the satisfaction of the responsible authority for the following:

- Construction of one dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot.
- Agriculture and any buildings and works associated with the use of the land for agricultural purposes.
- Extensions, additions or modifications to any existing use or development.

Except with the consent of the responsible authority, a permit must be consistent with any Masterplan of the West Gateway Area which has been prepared to the satisfaction of the responsible authority under this provision.

This provision does not apply to land required as part of the integrated stormwater management for the Lara West Precinct.

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Specific provisions - Patullos Road Area

A permit must not be granted to use or subdivide land or construct a building and carry out works within the Patullos Road Area in the *Lara West Precinct Structure Plan*, until a Masterplan of the Patullos Road Area has been prepared to the satisfaction of the responsible authority.

The Masterplan shall guide the future subdivision, use and development of land within the Patullos Road Area.

The objective of this provision is to ensure development occurs generally in accordance with the *Lara West Precinct Structure Plan*, and to require a range of detailed planning issues to be resolved prior to the commencement of development of the Area.

The Masterplan must show or address the following:

- General accordance with the *Lara West Precinct Structure Plan*.
- The staging of the development.
- Delivery of infrastructure including stormwater management.
- Environmental issues including native vegetation.
- Integration with adjoining land including road layout.
- The location of public open space areas.
- Treatment of the high-pressure gas pipeline following consultation with the Minister administering the *Pipelines Act 2005*.
- A Detailed Land Use Budget by Property.

A permit may be granted before a Masterplan has been prepared to the satisfaction of the responsible authority for the following:

- Construction of one dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot.

- Agriculture and any buildings and works associated with the use of the land for agricultural purposes.
- Extensions, additions or modifications to any existing use or development.

Except with the consent of the responsible authority, a permit must be consistent with any Masterplan of the Patullos Road Area which has been prepared to the satisfaction of the responsible authority under this provision.

This provision does not apply to land required as part of the upgrade to the Patullos/Elcho/O'Hallorans Road intersection.

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Specific provisions - Neighbourhood Activity Centre

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 *Lara West 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 include all of the land in the Neighbourhood Activity Centre and must address and respond to Section 4.5 of the incorporated *Lara West Precinct Structure Plan* and any other relevant part of the incorporated *Lara West Precinct Structure Plan* as appropriate.

The urban design framework may be amended to the satisfaction of the responsible authority.

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Specific provisions - Employment Area

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 Employment Precinct in the incorporated *Lara West Precinct Structure Plan* until an urban design framework for the Employment Precinct has been prepared to the satisfaction of the responsible authority.

Unless the responsible authority agrees, the urban design framework must include all of the land in the Employment Precinct and must address and respond to Section 4.5 of the incorporated *Lara West Precinct Structure Plan* and any other relevant part of the incorporated *Lara West Precinct Structure Plan* as appropriate.

The urban design framework may be amended to the satisfaction of the responsible authority.

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Specific provisions - Buildings and works

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.

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Specific provisions - Resolution of doubt

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 *Lara West Precinct Structure Plan*.

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Application requirements

3.1

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Environmental Assessment

An application for a permit must be accompanied by site assessment of the land by a suitably qualified environmental professional including:

- detail of the nature of the previous and existing land use/activities on the land;
- an assessment of the potential level and nature of contamination on the land; and

- advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE as amended from time to time.

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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.

- 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 *Lara West Precinct Structure Plan*.
- 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 environmental assessment is to be undertaken prior to development of any areas identified as being of potential environmental interest.

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.

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Referral

Native Vegetation

Any permit application for land containing native vegetation identified to be retained in the Lara West Native Vegetation Precinct Plan, or land that is identified within the Native Vegetation Precinct Plan as an offset site must be referred to the Department of Environment and Primary Industries.

High Pressure Gas Pipeline

Any permit application for the use, development or subdivision of land within the high pressure gas pipeline measurement length (as defined in AS2885) as shown in the incorporated *Lara West Precinct Structure Plan* must be referred to the Minister administering the *Pipelines Act 2005*.

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 19 (Flood Boundary for Existing Conditions Q100) in the incorporated *Lara West Precinct Structure Plan* must be referred to the relevant Catchment Management Authority.

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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 *Lara West Precinct Structure Plan*.

4.107/12/2020
C396ggee**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 *Lara West Precinct Structure Plan* and specified on Plan 5 - Future Urban Structure, and in Table 1 - Summary Land Use Budget in the incorporated *Lara West Precinct Structure Plan*, or in any approved Masterplan as required under clause 2.5 and 2.6 of this schedule, 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 5 - Future Urban Structure and Table 1 - Summary Land Use Budget in the incorporated *Lara West Precinct Structure Plan*, or in any approved Masterplan as required under clause 2.5 and 2.6 of this schedule, prior to 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 5 - Future Urban Structure and Table 1 - Summary Land Use Budget in the incorporated *Lara West Precinct Structure Plan*, or in any approved Masterplan as required under clause 2.5 and 2.6 of this schedule, must be transferred to or vested in Council at no cost to Council and is not subject to compensation.

Road widening

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 19 of the incorporated *Lara West Precinct Structure Plan*.

Requirements for Native Vegetation

Prior to issuing statement of compliance, or before the vegetation removal starts for Very High Conservation Significance Vegetation, the applicant must prepare and submit a Vegetation Offset Management Plan to the satisfaction of the Department of Environment and Primary Industries for approval by the responsible authority. When approved, the plan will form part of this permit.

4.227/02/2014
C246**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:

- The Small Lot Building Code forming part of the Lara West Precinct Structure Plan applies to the subdivision of land under this permit and the application of the Small Lot Building Code must be shown on any endorsed plans which are part of this planning permit.
- Before a plan is certified for a subdivision (or the relevant stage of a subdivision) where a building envelope is proposed, the plans endorsed under this permit must show a building envelope for each lot with an area less than 300 square metres that is in accordance with the Small Lot Building Code forming part of the Armstrong Creek West Precinct Structure Plan to the satisfaction of the Responsible Authority.

Where a building envelope plan is proposed and/or required, any permit for subdivision must contain the following conditions:

- The building envelopes must be applied as a restriction on the Plan of Subdivision or through an agreement under section 173 of the Act that is registered on the title to the land. The restriction or agreement must provide for:
 - The building envelope plan to apply to each relevant lot;
 - All buildings being constructed in accordance with the building envelope on the relevant lot;
 - The construction of a building outside the building envelope only with the written consent of the Responsible Authority;
 - A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a Certificate of Occupancy for the whole of a dwelling and any garage or carport on the land.

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Conditions and requirements for all permits

Environmental Audit

If the environmental site assessment recommends an environmental audit of all or part of the land, or if required by the responsible authority, then prior to the commencement of any use, for a sensitive purpose or prior to any buildings or works or the certification of a subdivision, whichever is earlier, the following must be provided to the responsible authority:

either:

- A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the *Environmental Protection Act 1970*,

or

- A statement by an environmental auditor appointed under the *Environment Protection Act 1970*, in accordance with Part 1XD of that Act that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site);

If a statement by an environmental auditor is provided rather than a certificate of environmental audit and the statement indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987* before any development commences on the relevant land to provide for:

- ongoing compliance with all conditions in the Statement by the Environmental Auditor; and
- the responsible authority's reasonable legal costs and expenses of drafting / reviewing and registering the agreement to be borne by the owner of the relevant land.

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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 *Lara Structure Plan*, City of Greater Geelong, 2011.
- Whether the application is consistent with the incorporated *Lara West Native Vegetation Precinct Plan*, September 2013.

- Whether the application is consistent with the incorporated *Lara West Precinct Development Contributions Plan*, September 2013.
- Whether the application is consistent with the incorporated *Lara West Precinct Structure Plan*, September 2013 including any approved Urban Design Frameworks.
- For any application within the gas pipeline easement and its pipeline measurement length (as defined in AS2885), as shown on Plan 1: any risks associated with the operation of the high pressure gas pipeline.

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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

Lara West Precinct Structure Plan, Revision J, 25 September 2013

Lara Lakes Heritage Due Dilligence Study and Implications for Development (October, 2011) prepared by Andrew Long and Associates Pty Ltd

Lara West Flora and Fauna Assesment (April, 2012) prepared by Brett Lane and Associated Pty Ltd

Lara West Growth Area, Lara, Native Vegetation Precinct Plan (September 2013) prepared by Brett Lane and Associated Pty Ltd

Lara West Surface Water Management Strategy (June, 2012) prepared by Neil M Craigie Pty Ltd

Phase 1 Environmental Site Assessment (July, 2011) prepared by SMEC Pty Ltd

Lara West Infrastructure Services Report (September, 2012) prepared by SMEC Urban Pty Ltd

Small Lot Housing Code Standards, GAA, August 2011