SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE

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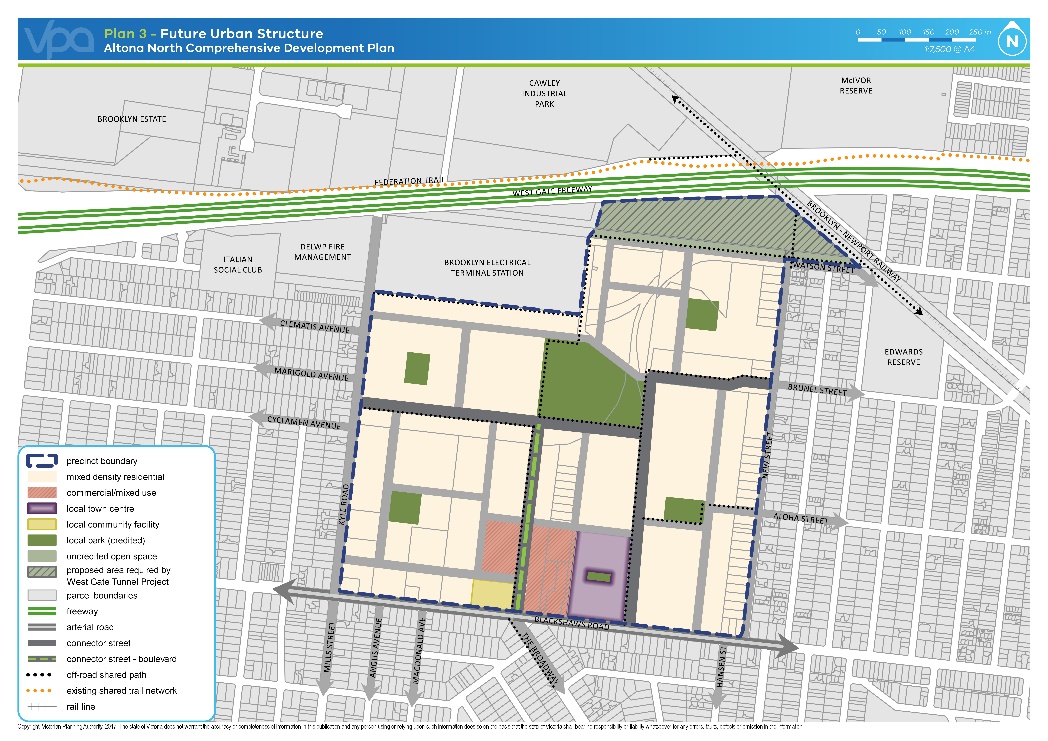
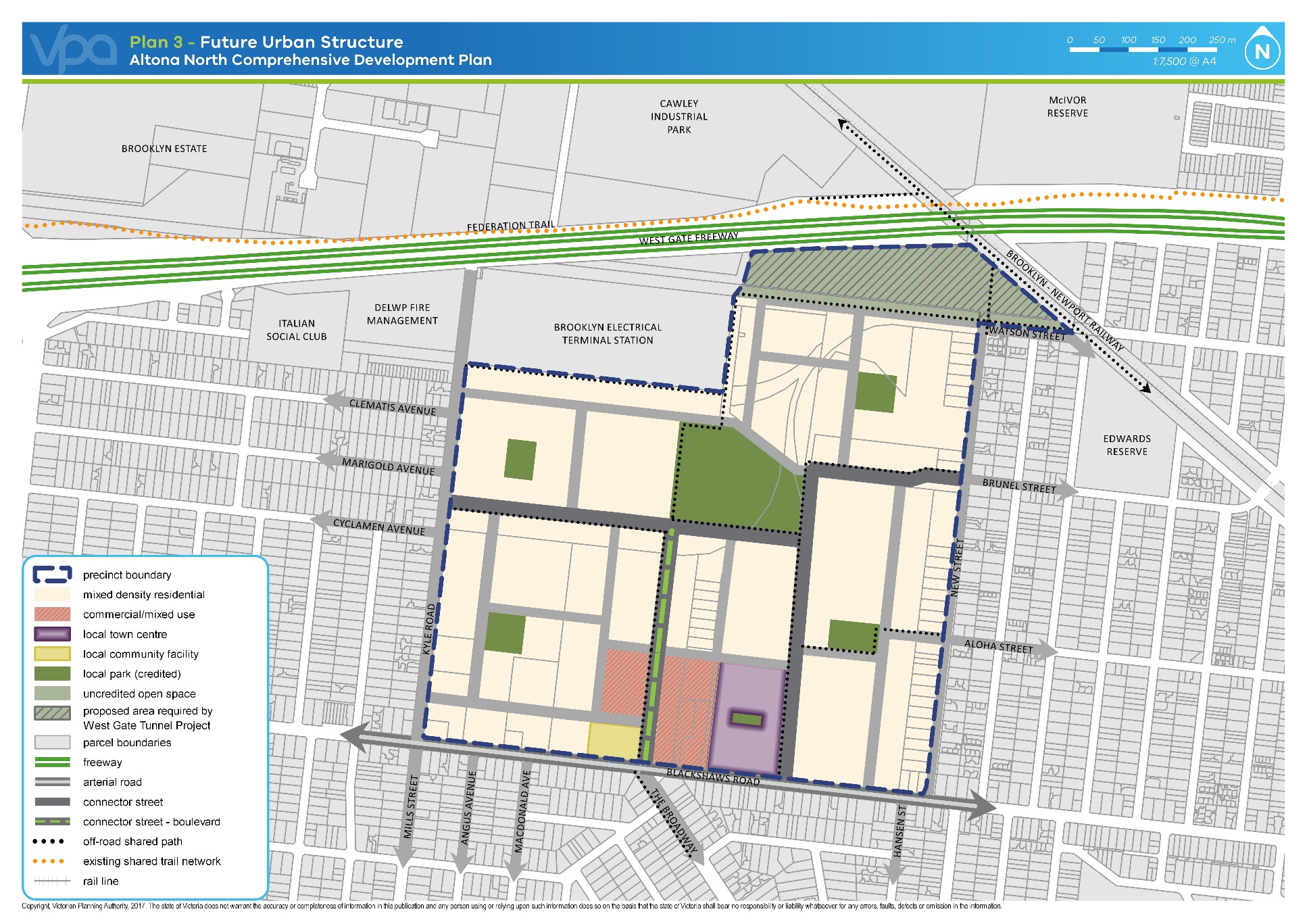
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Shown on the planning scheme map as CDZ2.

ALTONA NORTH COMPREHENSIVE DEVELOPMENT PLAN (‘the CDP’)

Land

The land is marked CDZ2 on the planning scheme maps. The land is generally bounded by Kyle Road, Blackshaws Road, New Street and the West Gate Freeway in Altona North and South Kingsville.

Map 1 to Schedule 2 to Clause 37.02

This plan is a reproduction of ‘Plan 3 - Future Urban Structure’ in the incorporated *Altona North Comprehensive Development Plan*.

Purpose

To facilitate transition from an industrial precinct to a mixed use precinct.

To facilitate the orderly integration of residential, business and local town centre land uses.

To ensure that new sensitive uses do not unreasonably impact on the ongoing operations of industrial uses.

1.0 Table of uses

--/--/2017

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Section 1 - Permit not required

| Use | Condition |
| --- | --- |
| Accommodation (other than Corrective institution, Camping and caravan park and Residential aged care facility) | Must be located in the residential area; or  Must be at least 7.2 metres above natural ground level at the primary street frontage excepting building entries in the local town centre or business area.  Must be no more than 3,000 dwellings in the CDP area. |
| Animal keeping (other than Animal boarding) | Must be no more than five animals. |
| Child care centre  Cinema  Education centre  Exhibition centre | Must be located in the local town centre or business area. |
| Home occupation |  |
| Indoor recreation facility | Must be located in an existing building in the local town centre or business area.  The gross floor area of all buildings must not exceed 500 square metres. |
| Informal outdoor recreation  Minor utility installation |  |
| Office | Must be located in the local town centre or business area. |
| Place of worship | Must be located in an existing building in the local town centre or business area.  The gross floor area of all buildings must not exceed 250 square metres. |
| Residential aged care facility | Must be located more than 200 metres from the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline. |
| Restricted recreation facility | Must be located in an existing building in the local town centre or business area.  The gross floor area of all buildings must not exceed 500 square metres. |
| Retail premises (other than Adult sex bookshop, Department store, Gambling premises and Supermarket) | Must be located in the local town centre area. |
| Service industry | Must be located in an existing building in the local town centre or business area.  The gross floor area of all buildings must not exceed 500 square metres. |
| Tramway |  |
| Veterinary centre | Must be located in an existing building in the local town centre or business area.  The gross floor area of all buildings must not exceed 250 square metres. |
| Any use listed in Clause 62.01 | Must meet the requirements of Clause 62.01. |

Section 2 - Permit required

| Use | Condition |
| --- | --- |
| Emergency services facility | Must be located in the local town centre or business area.  The site must either adjoin, or have access to, a road in a Road Zone. |
| Gambling premises (other than Gaming premises)  Hospital  Hotel | Must be located in the local town centre or business area. |
| Industry | Must be located in the local town centre or business area.  Must not be a purpose listed in the table to Clause 52.10. |
| Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)  Place of assembly (other than Amusement Parlour, Carnival, Cinema, Circus, Nightclub and Place of worship) |  |
| Research centre | Must be located in the local town centre or business area. |
| Retail premises (other than Adult sex bookshop, Department store Gaming premises and Supermarket) — where the section 1 condition is not met | Must be located in the business area. |
| Service station | The site must either adjoin, or have access to, a road in a Road Zone.  The site must not exceed 3000 square metres. |
| Supermarket | Must be located in the town centre. |
| Tavern | Must be located in the local town centre or business area. |
| Warehouse | Must be located in the local town centre or business area.  Must not be a purpose listed in the table to Clause 52.10. |
| Any other use not in section 1 or 3 |  |

Section 3 - Prohibited

| Use |
| --- |
| Adult sex bookshop  Brothel  Camping and caravan park  Cemetery  Corrective institution  Crematorium  Department store  Freeway service centre  Gaming premises  Helicopter landing site  Major sport and recreation facility  Motor racing track  Nightclub  Pleasure boat facility  Saleyard  Transport terminal  Winery |

2.0 Use of land

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All requirements in the CDP must be met.

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 building, works or materials.
  + Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

* + 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, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
  + The means of maintaining land not required for immediate use.
  + If an industry or warehouse:
* The type and quantity of goods to be stored, processed or produced.
* Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
* Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
* The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

In addition to the relevant application requirements above, where an application to use land for dwellings would result in there being more than 3,000 in the precinct:

* + An Integrated Network Transport Study that describes:
* the likely effects of the additional dwellings on the local and regional traffic network; and
* The works, services or facilities required to cater for those effects so that the efficiency and safety of the traffic network is maintained; and
* The proposed method of funding the required works, services or facilities.
  + A Utility Services Report that describes:
* The availability and capacity of the power, drainage, sewer, water and digital networks; and
* Any necessary upgrades to those networks; and
* The proposed method of funding the upgrade works.
  + A Social Impact Assessment prepared in accordance with *Preparing Social Impact Assessments: Applicant Guidelines* as adopted by Hobsons Bay City Council.

An application for the use of land 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.

This does not apply to an application:

* + to use land for a dwelling; or
  + to use land within 200 metres of the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline for a:
* Residential aged care facility
* Child care centre
* Education centre
* Minor sports and recreation facility
* Place of assembly.

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

* + The CDP for Altona North.
  + The effect that existing uses may have on the proposed use.
  + If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects.
  + The effect of the use on the amenity of the area and the means of addressing any unresaonable impacts.
  + In addition to the relevant decision guidelines above, for an application to use land for a dwelling the responsible authority must consider the capacity of the local and regional traffic networks, local utilities and community facilties to support the proposed number of dwellings.

3.0 Subdivision

**--/--/2017**

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All requirements in the CDP must be met.

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

* + Prior to the commencement of any works related to a subdivision, including demolition, on land within 60 metres of South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline a construction management plan must be submitted to and approved by the responsible authority. The plan must:
* Prohibit the use of rippers or horizontal directional drills.
* Set out measures to ensure the protection of the pipelines during construction.
* Be endorsed by the operator of the gas or fuel transmission pipeline.
* Include any other relevant matter to the satisfaction of the responsible authority.
  + The construction management plan must be implemented to the satisfaction of the responsible authority.
  + The construction management plan may be amended to the satisfaction of the responsible authority.An application to subdivide land for an accomodation use, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must be accompanied by:
* A land use budget setting out the proposed land use areas or the number of premises e.g. dwellings in the plan, including details about how the development is contributing to the overall target of 3,000 dwellings.
* A plan showing the proposed subdivision in the context of *Plan 3: Future Urban Structure* and any other relevant plan in the CDP.
* An acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority. The acoustic assessment must:
  + - Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the West Gate Freeway, the West Gate Tunnel and the national freight rail line adjoining the northeast corner of the precinct.
    - Include recommendations for noise attenuation measures designed to achieve the internal bedroom noise limits specified in the requirements in this schedule.
    - An application to subdivide land must also be accompanied by a design response that addresses the recommendations of the acoustic assessment and minimises the number of buildings requiring architectural noise attenuation treatments.
    - An application for subdivision that includes provision to construct or carry out works for an acoustic wall or other acoustic structure that is not part of a building must also be accompanied by a plan, elevations and other suitable material prepared to the satisfaction of the responsible authority showing:
* A visually engaging design avoiding the use of a sheer wall on either side of the structure.
  + Landscaping along the interface area of the structure to soften its visual impact.

An application for the subdivision of land 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.

This does not apply to an application that proposes to locate a street, public open space or trail shown on the subject lot in the CDP to another lot not in the same ownership.

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

* The CDP for Altona North.
* Whether the subdivision provides for public roads.
* How proposed public roads integrate with the existing and proposed surrounding road network.

4.0 Buildings and works

--/--/2017

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No permit is required to construct a building or construct or carry out works for the following:

* + One dwelling on a lot more than 300 square metres in area.This does not apply where the dwelling exceeds any of the maximum or preferred heights or setbacks in ‘Table 1 – Sub Precincts: Preferred land use and built form outcomes’ in the CDP.
  + A front fence unless the front fence is within 3 metres of a street and:
* The fence is associated with one dwelling on:
* A lot of less than 300 square metres.
* A lot more than 300 square metres in area on land described as 'local road frontages' or Blackshaws Road frontage' on *Plan 4: SubPrecincts Plan* in the CDP.
  + The fence exceeds the maximum height specified in Clause 54.06-2.
  + Construct or carry out works normal to a dwelling.
  + Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
  + Construct one dependent person’s unit on a lot.

The following requirements apply to construct a building or construct or carry out works:

* + All requirements in the CDP must be met.
  + A development of one dwelling on a lot must meet the requirements of Clause 54.
  + A development of more than one dwelling on a lot must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
  + A development of five or more storeys, excluding a basement, must meet the objectives of the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004)
  + The height of a residential building or multi-dwelling building within 60 metres of the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline must not exceed 10.4 metres.
  + Prior to the commencement of any building or works, including demolition, on land within 60 metres of South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline a construction management plan must be submitted to and approved by the responsible authority. The plan must:
* Prohibit the use of rippers or horizontal directional drills.
* Set out measures to ensure the protection of the pipelines during construction.
* Be endorsed by the operator of the gas or fuel transmission pipeline.
* Include any other relevant matter to the satisfaction of the responsible authority.
  + The construction management plan must be implemented to the satisfaction of the responsible authority.
  + The construction management plan may be amended to the satisfaction of the responsible authority.
  + A permit to construct a building or carry out works must require a construction management plan to, in addition to any other relevant matter, protect and implement the following matters as relevant:
* The disused fuel transmission pipeline under Blackshaws Road.
* The mobile telecommunications tower near the northern boundary of 278 Blackshaws Road and the southern boundary of 40-68 Kyle Road.
* The elimination, containment and management of weeds on the site.
* Protection of, and maintenance of access to, the Brooklyn Main Trunk Sewer.

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority::

* + A plan drawn to scale which shows:
* The boundaries and dimensions of the site.
* Adjoining roads.
* The location, height and purpose of buildings and works on adjoining land.
* Relevant ground levels.
* The layout of existing and proposed buildings and works.
* All driveway, car parking and loading areas.
* Proposed landscape areas.
* All external storage and waste treatment areas.
* Areas not required for immediate use.
  + Elevation drawings to scale showing the design, colour and materials of all buildings and works.
  + Construction details of all drainage works, driveways, vehicle parking and loading areas.
  + A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct a building, carry out works for an accomodation use must be accompanied by an acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority. The acoustic assessment must:

* + Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the West Gate Freeway, the West Gate Tunnel Project and the rail line.
  + Include recommendations for noise attenuation measures designed to achieve the internal bedroom noise limits specified in the requirements in this schedule.

An application to construct, or carry out works for, an acoustic wall or other acoustic structure that is not part of a building must also be accompanied by a plan, elevations and other suitable material prepared to the satisfaction of the responsible authority showing:

* + A visually engaging design avoiding the use of a sheer wall on either side of the structure.
  + Landscaping along the interface area of the structure to soften its visual impact.

An application to construct a building must be accompanied by a sustainability management plan prepared by a suitably qualified professional or other suitably skilled person that demonstrates to the satisfaction of the responsible authority:

* + The adoption of best practice environmental management during construction including:
* Provision for the minimisation, re-use and recycling of materials and waste
  + That the building will be designed to provide the opportunity for reduced energy and resource use by occupants including:
* Maximise access to natural ventilation of interior spaces
* Maximise direct daylight access and views to outdoor spaces
* Minimise hard surfaces and maximise vegetated areas in spaces ancillary to the building
* Thermally broken facades
* Passive design features to reduce heat gain in summer and maximise heat gain in winter
* Energy efficient building services
* Providing for on-site energy production
* Provide high quality, attractive cycling facilities
* Provision for 7 star NatHERS average for all apartments with a minimum 5 star for individual apartments
* Potable water consumption targets of less than 125 litres per person per day
* Use of the Green Star Multi-Unit Residential tool for design and construction of residential buildings.

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

* + The CDP for Altona North.
  + In local town centre and business areas:
* Whether the building or works is likely to encourage pedestrian activity on adjoining streets.
* The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
* The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.

For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.

For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

5.0 Advertising signs

--/--/2017

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Advertising sign requirements are at Clause 52.05. All land located within Local Town centre is in Category 1 and Business is in Category 2. All other land is in Category 3