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SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ2.

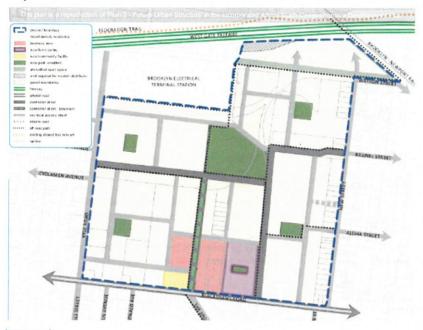
ALTONA NORTH COMPREHENSIVE DEVELOPMENT PLAN ('the CDP')

Altona North Comprehensive Development Plan February 2017 (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



Purpose

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

To ensure that if number of dwellings proposed in the area exceeds 3,000 there is sufficent Error! Hyperlink reference not valid.eapacity in surrounding traffic, community service and utility networks.

To maintain the safety and efficiency of the local and regional traffic network.

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.

To manage the interaction between use and development and the South Melbourne to Brooklyn and Altona to Somerton hydrocarbon transmission pipelines.

To ensure accommodation near the West Gate Freeway, the Western Distributor, the national freight rail line adjoining the northeast corner of the precinct and existing industries is sited and constructed to appropriately abate noise, air and vibration emissions.

Comment [AH1]: See Explanatory Note 1.

To ensure developments incorporate best practice sustainability measures.

1.0 Table of uses

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Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution, Camping and caravan park, Dwelling and Residential aged care facility)	Must be located in the residential area_as described in the CDP; 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 as described in the CDP.
	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	Must be located in the local town centre or business area <u>as described in the CDP</u> .
Cinema	Must be located in the local town centre or business area as described in the CDP.
Dwelling	Must be no more than 3,000 dwellings in the CDP area.
	Must be:
	 Located in the residential area as described in the CDP; or
	 At least 7.2 metres above natural ground level in the local town centre or business area as described in the CDP.
Cinema Education centre Exhibition centre	Must be located in the local town centre or business area, as described in the CDP.
Home occupation	
Indoor recreation facility	Must be located in an existing building in the local town centre or business area.—as described in the CDP.
	Must meet the operation and management plan requirement at sub-clause 2.0-1 of this schedule.
Informal outdoor recreation Minor utility installation	
Office	Must be located in the local town centre or business area, as described in the CDP.

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Use	Condition
Place of worship	Must be located in an existing building in the local town centre or business area. —a described in the CDP.
	Must meet the operation and managemer plan requirement at sub-clause 2.0-1 of thi schedule.
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. —adescribed in the CDP.
	Must meet the operation and management plan requirement at sub-clause 2.0-1 of this schedule.
Retail premises (other than <u>Adult sex</u> <u>bookshop</u> , Department store <u>and</u> , Gambling premises <u>and Shop</u>)	Must be located in the local town centre area_ as described in the CDP.
Service industry	Must be located in an existing building in the local town centre or business area.—a described in the CDP.
	Must meet the operation and management plan requirement at sub-clause 2.0-1 of this schedule.
Shop (other than Adult sex-bookshop and Supermarket)	Must be located in the local town centre area as described in the CDP.
	The total leasable shop floor area must no exceed 4,500 square metres inclusive of an leasable supermarket floor area.
Supermarket	Must be located in the local town centre area as described in the CDP.
	The total leasable supermarket floor area must not exceed 3,200 square metres.
Tramway	
Veterinary centre	Must be located in an existing building in the local town centre or business area.—at described in the CDP.
	Must meet the operation and managemen plan requirement at sub-clause 2.0-1 of this schedule.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Section 2 - Permit required	
Use	Condition

Comment [AH2]: See Explanatory Note 2.

Emergency services facility Gambling premises (other than Gaming premises) Hospital Hotel Industry	Must be located in the local town centre of business area_as described in the CDP. The site must either adjoin, or have access to, a road in a Road Zone. Must be located in the local town centre of business area_as described in the CDP.
premises) lospital lotel	Must be located in the local town centre or
premises) lospital lotel	
ndustry	
Industry	Must be located in the local town centre of business area, as described in the CDP.
	Must not be a purpose listed in the table to Clause 52.10.
MinorLeisuresports and recreation facility (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 <u>local</u> town_centre or business area_as described in the CDP.
Retail premises (other than Department store, Shop and Supermarket) — where the section 1 condition is not met	Must be located in the business area. —ac described in the CDP.
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.
Shop (other than Adult sex bookshop and Supermarket) — where the section 1 condition is not met	Must be located in the local town centre o business area, as described in the CDP.
Supermarket	Must be located in the local town centre area_ as described in the CDP.
Tavern	Must be located in the local town centre o business area, as described in the CDP.
Warehouse	Must be located in the local town centre o business area, as described in the CDP.
	Must not be a purpose listed in the table to Clause 52.10.
Any other use not in section 1 or 3	

Use

Adult sex bookshop

Brothel

Camping and caravan park

Cemetery

Corrective institution

Crematorium

Corrective institution

Camping and caravan park

Cemetery

Department store

Freeway service centre

Gaming premises

Helicopter landing site

Major sport and recreation facility

Motor racing track

Pleasure boat facility

Saleyard

Transport terminal

Winery

2.0 Use of land

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The use of the land must be generally in accordance with the CDP.

2.0-1 Requirements

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Allny requirements in the CDP should must be met.

 $A\underline{\ \ }$ new use must not detrimentally affect the amenity of the $\underline{\ \ }$ area 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.
- Operation and management plan
- Before the commencement of the following uses in the local town centre centre or business area an operations and management plan must be submitted to and approved by the responsible authority:
- Indoor recreation facility
- · Restricted recreation facility
- Place of worship
- Service industry
- Veterinary centre.
- The plan must describe:
- The location and extent of the land use
- Operating hours
- Patron and staff numbers
- · Waste management
- Deliveries

Comment [AH3]: See Explanatory Note 3.

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- Management of noise and air emissions likely to be produced by the use
- The availability of a suitable amount of conveniently located car, loading, unloading and bievele spaces to serve the use*
- to the satisfaction of the responsible authority.
- * For the purposes of Clause 52.06 this provision is a car parking requirement.
- An operations and management plan may be amended to the satisfaction of the responsible authority.
- The use must be carried out in accordance with the operations and management plan to the satisfaction of the responsible authority.

2.0-2 Application requirements

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Dwelling – where grant of a permit would result in excess of 3,000 dwellings in the precinct

- 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

In addition to the any relevant application requirements above below, 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.
- Other application requirements
- 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.

2.0-3 Exemption from notice and review

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An application to use land generally in accordance with the CDP 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 consistent with the CDP.

For the avoidance of doubt, Tthis does not apply to an application for the following uses:

- to use land for a dwelling
- Residential aged care facility
- Child care centre
- Education centre
- Minor sports and recreation facility
- Place of assembly.; 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:

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Residential aged care facility

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- Education centre
- Minor sports and recreation facility
- Place of assembly.

2.0-4 Decision guidelines

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Dwelling – where grant of a permit would result in excess of 3,000 dwellings in the precinct

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

- Thehe incorporated Altona North Comprehensive Development Plan CDP for Altona North.
- .
- The effect on the vitality and function of the local town centre area of permitting retailing outside the local town centre area.
- The effect that existing uses may have on the proposed use.
- The effect of the use on the amenity of the area and the means of addressing any unreasonable impacts.

.

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.

- If an n-addition to the decision guidelines below, for an application proposes to use the land for a dwelling:
 - the capacity of local utility networks; and
 - the capacity of local community facilities;
 - to support the proposed number of dwellings.
 - the capacity of the local and regional traffic networks; and
- . the capacity of local utility networks; and
- the capacity of local community facilities;
- to support the proposed number of dwellings.

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Other decision guidelines

The incorporated Altona North Comprehensive Development Plan:

The effect on the vitality and function of the local town centre area of permitting retailing outside the local town centre area.

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.

3.0 Subdivision

3.0-1 Requirements

-/--/2017

Allny requirements in the CDP should must be met.

Management of subdivisional works near pipelines

A permit for subdivision of land within 60 metres of South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline must contain the following condition:

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.

3.0-2 Application requirements

An application to subdivide land for an accommodation 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 application to subdivide land for an accommodation use, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, 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 Western Distributor 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.

Note: refer also to the requirements at Clause 56.

3.0-3 Exemption from notice and review

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An application to subdivide land generally in accordance with the CDP 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 consistent with the CDP.

For the avoidance of doubt, this does not apply to an application that proposes to locate a street, public open space or trail on the subject lot as described in the CDP on another lot not in the same ownership.

3.0-4 Decision guidelines

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

 The incorporated Altona North Comprehensive Development Plan CDP for Altona North.-

Whether the subdivision provides for public roads.

 How proposed public roads integrate with the existing and proposed surrounding road network.

The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

The effect of the subdivision on the redevelopment potential of the area in the long term.

 Improved Housing Choices for Residents on Low Incomes (Affordable Housing) Policy Statement, April 2016, as amended from time to time and adopted by Hobsons Bay City Council.

4.0 Buildings and works

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4.0-1 Permit requirements

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A permit is required to contruct a building or to contruct or carry out works.

A permit is not required to construct or extend one dwelling on: a lot unless the lot is:

- · A lot of moreless than 300 square metres.
- A lot of less—more than 300 square metres in area if and the dwelling complies with exceeds any of the maximum or preferred heights andor setbacks in 'Table 1 Sub Precincts: Preferred land use and built form outcomes' in the CDP.
- Note: A 13.6 metre building height notionally equates to 4 storeys including allowance for a 4 metre high non-residential ground floor and 3.2 metre high residential storeys above.

A permit is not required to construct or extend 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.

A permit is not required to:

- 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.

4.0-2 Requirements

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Allny requirements in the CDP should must be met.

A development of one dwelling on a lot should must meet the requirements of Clause 54.

A development of more than one dwelling on a lot <u>should</u> 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 <u>shouldmust</u> meet the requirements of the *Better Apartments Design Standards: New apartment design standards for Victoria, December 2016* (State of Victoria, Department of Environment, Land, Water and Planning).

Maximium building height near pipelines

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.

Management of construction and works near pipelines

A permit for buildings and 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 must contain the following conditions:

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.

Specific matters to be addressed in construction management plans

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.

4.0-3 Application requirements

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Note: For a residential development of four storeys or less, refer to Clause 54 and Clause 55 as relevant.

Note: For residential development of five or more storeys refer to Clause 52.35.

For a residential development, the location, distance and noise levels generated by significant nearby noise sources including industrial operations, the West Gate Freeway, The Western Distributor and the national freight line adjoining the northeast corner of the precinct.

An application to construct a building or construct or carry out works, other than accommodation residential development, must be accompanied by the following information, as appropriate:

- 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.

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- 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.
- Acoustic assessment for accommodation—buildings and works

An application to construct a building, carry out works for <u>an</u> accomodation <u>use</u> 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 Western Distributor 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.

Sustainability management plan

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.

Comment [AH4]: See Explantory Note 4.

4.0-4 Decision guidelines

--/--/2017 Proposed C88 The <u>CDP for Altona North.</u> incorporated *Altona North Comprehensive Development Plan*. In the local town centre centre and businesseommercial 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.

For a development of five or more storeys, excluding a basement, the *Design Guidelines* for *Higher Density Residential Development* (Department of Sustainability and Environment 2004).

5.0 Advertising signs

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Advertising sign requirements are at Clause 52.05, Table 1 indicates which category applies to each area within the CDP.

Table 1 Advertising sign categories

Area in the CDP	Advertising sign category
Local <u>T</u> town centre	1
Business	2

Amendment C88 to the Hobsons Bay Planning Scheme - CDZ Schedule Changes

Explanatory Notes

- 1. Objectives should relate to the overarching vision of the CDP. The majority of the objectives that have been included are not needed.
- Retail caps were removed from planning schemes through VC100. It is state policy for schedules not to include retail caps. If needed, the CDP can direct that the need to limit floor space by area.
- 3. The VPPs do not allow for operation and management plans to be submitted for Section 1 uses as no planning permit is required. If council intends on these uses providing operation and management plans, then these uses should be section 2 uses. DELWP considers that a simpler measure would be to not require planning permits for some uses and limit elements by condition.
- 4. Council will need to clearly justify the need for this site specific application requirement. It is considered that some requirements are unclear e.g. "Thermally broken facades" and is conflicting with state building requirements.