

**SCHEDULE 5 TO CLAUSE 37.07 URBAN GROWTH ZONE**

Shown on the planning scheme map as **UGZ5**.

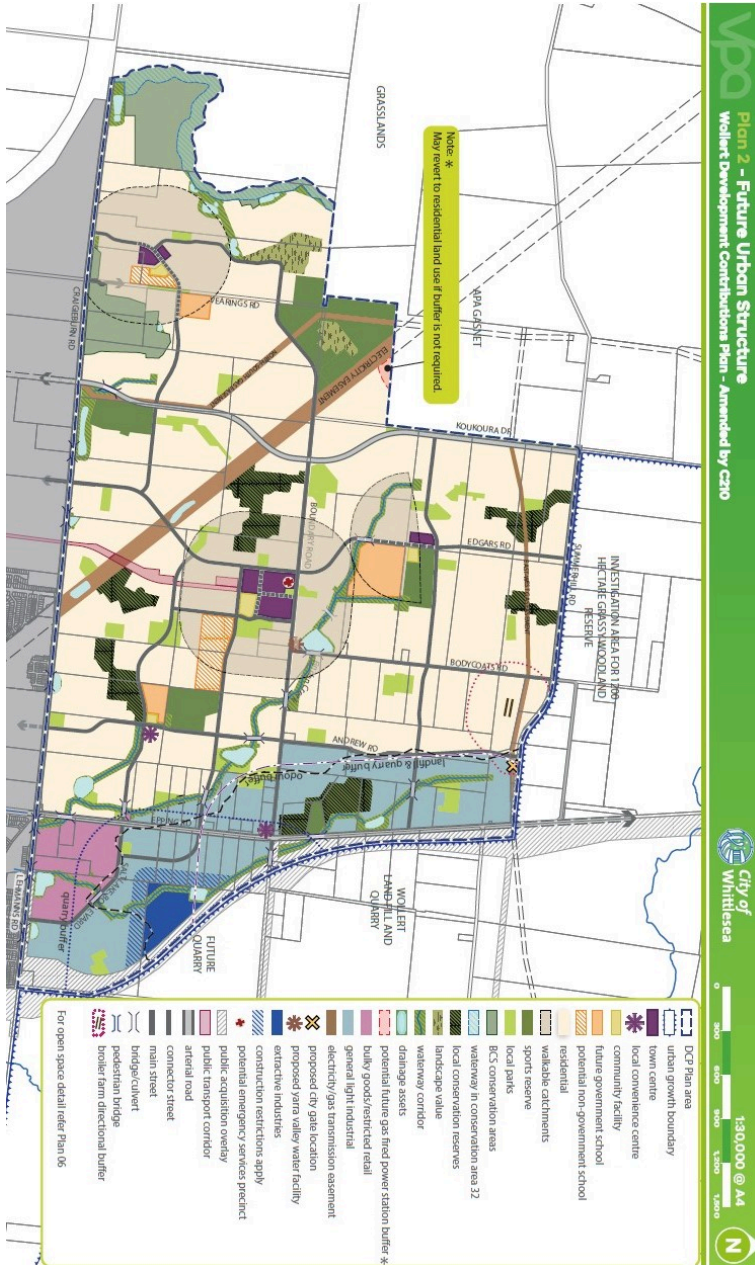
**Wollert Precinct Structure Plan**

(Note: Refer also to the Wollert Precinct Structure Plan, June 2017 in Clause 72.04)

**The plan**

Plan 1 below shows the future urban structure proposed in the *Wollert Precinct Structure Plan*, June 2017. It is a reproduction of Plan 2 in the *Wollert Precinct Structure Plan*, June 2017.

**Plan 1 to the Schedule to Clause 37.07**



**2.0**Historic  
27/05/2019  
C239wsea**Use and development****2.1**Historic  
27/05/2019  
C239wsea**The land**

The use and development provisions specified in this schedule apply to the land within the ‘precinct area’ on Plan 1 of this schedule and shown as UGZ5 on the planning scheme maps.

*Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.*

**2.2**Historic  
20/01/2022  
VC205**Applied zone provisions**

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

**Table 1: Applied zone provisions**

Land use or development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land.	Applied zone provisions
Arterial road	Clause 36.04 – Transport Zone 2
Bulky goods/ restricted retail	Clause 34.02 – Commercial 2 Zone
General light industrial	Clause 33.01 – Industrial 1 Zone
Local convenience centre Town centre Community facility adjacent to town centre on Boundary road	Clause 34.01 – Commercial 1 Zone
Residential on a lot wholly within a walkable catchment	Clause 32.07 – Residential Growth Zone
All other land	Clause 32.08 – General Residential Zone

**2.3**Historic  
20/01/2022  
VC205**Reference to a planning scheme zone is a reference to an applied zone**

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

*Note: e.g. The General Residential Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3 or an applied Transport Zone 2 or Transport Zone 3 in the Urban Growth Zone schedule applying to the land’.*

**2.4**Historic  
12/10/2017  
C210**Specific provisions – Use of land**

The following provisions apply to the use of the land.

**Table 2: Use**

Use	Requirement
Aged care facility	A permit is required to use land for an aged care facility for land shown within the east-west and north-south gas pipeline buffer on Plan 5 of the Wollert Precinct Structure Plan, June 2017 .
Child care centre where the applied zone is Industrial 1 Zone	Prohibited

**WHITTLESEA PLANNING SCHEME**

Use	Requirement
<b>Primary school</b>	<p>A permit is not required to use land for a Primary school on land shown as Potential Non-Government School.</p> <p>A permit is not required to use land for a Primary school on land shown as Potential Non-Government P-12 School.</p>
<b>Secondary school</b>	<p>A permit is not required to use land for a Secondary school on land shown as Potential Non-Government School.</p> <p>A permit is not required to use land for a Secondary school on land shown as Potential Non-Government P-12 School.</p>
<b>Office where the applied zone is Industrial 1 Zone</b>	<p>A permit is required to use land for an office if the floor area exceeds 100 square metres.</p>
<b>Shop where the applied zone is Commercial 1 Zone</b>	<p>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:</p> <ul style="list-style-type: none"> <li>▪ 25,000 square metres for land shown as Major Town Centre in the incorporated <i>Wollert Precinct Structure Plan, June 2017</i> .</li> <li>▪ 5,000 square metres for land shown as South-West Local Town Centre in the incorporated <i>Wollert Precinct Structure Plan, June 2017</i> .</li> <li>▪ 2,200 square metres for land shown as North Local Town Centre in the incorporated <i>Wollert Precinct Structure Plan, June 2017</i> .</li> <li>▪ 500 square metres for land shown as Convenience Centre in the incorporated <i>Wollert Precinct Structure Plan, June 2017</i> .</li> </ul>
<b>Shop where the applied zone is Commercial 2 Zone</b>	<p>A permit is required to use land for a restricted retail premises if the combined leasable floor area of all restricted retail premises exceeds:</p> <ul style="list-style-type: none"> <li>▪ 30,000 square metres for land shown as Bulky goods/Restricted retail in the incorporated <i>Wollert Precinct Structure Plan, June 2017</i> .</li> </ul> <p>A permit is required to use land for a supermarket with a leasable floor area exceeding 500 square metres.</p>
<b>Shop where the applied zone is Residential Growth Zone</b>	<p>The leasable floor area must not exceed 100 square metres</p>
<b>Accommodation, Aged care facility, Child care centre, Education centre, Place of assembly, Retail premises, Cinema based entertainment facility or Hospital where the applied zone is General residential zone and land is within the potential future gas fired power station buffer area</b>	<p>A permit is required to use land.</p>

**2.5**Historic  
12/10/2017  
C210**Specific provision – Use and development of future local parks and community facilities**

A permit is not required to use or develop land shown in the incorporated *Wollert Precinct Structure Plan, June 2017* as local park or community facilities provided the use or development is carried out generally in accordance with the incorporated *Wollert Precinct Structure Plan, June 2017* and with the prior written consent of the City of Whittlesea.

**2.6**Historic  
28/11/2024  
GC206**Specific provision – Dwellings on a lot less than 300 square metres**

A permit is not required to construct or extend one dwelling on a lot of less than 300 square metres, if either of the following apply:

- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) applies and the development complies with the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) incorporated into this planning scheme.
- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies and the development complies with the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) incorporated into this planning scheme.

**2.7**Historic  
27/05/2019  
C239wsea**Specific provision – Land adjacent to Broiler farm at 160 Bodycoats Road, Wollert – Odour Environmental Risk Assessment**

While the broiler farm at 160 Bodycoats Road, Wollert continues to operate, an application to develop land for a sensitive use (including accommodation, child care centre, kindergarten, primary school or public open space) located within the 250 metre ‘directional buffer’ surrounding the broiler farm shown on Plan 1 of this Schedule and Plan 2 – Future Urban Structure in the incorporated *Wollert Precinct Structure Plan, June 2017* must be accompanied by an Odour Environmental Risk Assessment prepared by a suitably experienced and qualified person to the satisfaction of the responsible authority, in consultation with the Environment Protection Authority. The Odour Environmental Risk Assessment must be prepared in accordance with the *State Environment Protection Policy (Air Quality Management)* and acknowledge the existing broiler farm operations and assess the potential adverse amenity impacts of the broiler farm on the future proposed sensitive use of the land.

If the responsible authority, after consulting the Environment Protection Authority, determines that there are likely to be odour levels arising from the broiler farm which would have a detrimental impact on the amenity of the sensitive use, the land must not be developed for sensitive uses.

**2.8**Historic  
27/05/2019  
C239wsea**Specific provision – Referral of applications near the Quarry at 90 Bridge Inn Road, Wollert**

An application to subdivide land, construct a building and/or construct or carry out works on land identified as ‘construction restrictions apply’ on Plan 1 of this Schedule must be referred in accordance with Section 55 of the *Planning and Environment Act 1987* to the Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*.

**2.9**Historic  
23/10/2025  
C249wsea**Specific provision – Applications for land within the Wollert Landfill and Quarry Buffer**

Any application to subdivide, use or develop land within the Wollert Landfill and Quarry Buffer and the Odour Buffer as shown on Plan 1 of this Schedule, must demonstrate compliance with the *Assessing planning proposals within the buffer of a landfill* (Publication 1642, Environment Protection Authority, October 2017), to the satisfaction of the responsible authority, in consultation with the Environment Protection Authority.

**2.10**Historic  
12/10/2017  
C210**Specific provision – Wollert Major Town Centre Urban Design Framework**

A permit must not be granted to use or develop land, including subdivision, on land shown as the Wollert Major Town Centre in Figure 4 of the incorporated *Wollert Precinct Structure Plan, June 2017* until an urban design framework for the centre has been prepared to the satisfaction of the responsible authority and the Victorian Planning Authority.

An urban design framework approved under this schedule must be generally in accordance with the incorporated *Wollert Precinct Structure Plan, June 2017* applying to the land.

An application to use or develop land, including subdivision, within the Wollert Major Town Centre in Figure 4 of the incorporated *Wollert Precinct Structure Plan, June 2017* must be consistent with any urban design framework approved under this schedule.

A permit may be granted to use or develop land, including subdivision, prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit would be generally in accordance with the requirements and guidelines for the urban design framework in Part 3.3 of the incorporated *Wollert Precinct Structure Plan, June 2017* and the permit implements the objectives for the Major Town Centre as set out in Part 2.0 of the incorporated *Wollert Precinct Structure Plan, June 2017*.

The responsible authority may allow an urban design framework to be prepared in stages.

The urban design framework may be amended to the satisfaction of the responsible authority and the Victorian Planning Authority.

**2.11**

Historic  
23/02/2017  
C187

**Specific provision – Referral of applications – Wollert Major Town Centre**

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of \$500,000) on land in the Wollert Major Town Centre must be referred in accordance with Section 55 of the *Planning and Environment Act 1987* to the Victorian Planning Authority.

**2.12**

Historic  
23/02/2017  
C187

**Specific provision – Referral of applications – Local Town Centre**

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of \$500,000) on land in a Local Town Centre must be referred in accordance with section 55 of the *Planning and Environment Act 1987* to the Victorian Planning Authority.

**2.13**

Historic  
23/02/2017  
C187

**Specific provision – buildings and works for a school**

A permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a Potential Non-Government School unless exempt under Clauses 62.02-1 and 62.02-2.

**2.14**

Historic  
14/05/2021  
VC198

**Specific provision – notice of applications – Public Transport corridor**

Any application for subdivision and/ or buildings and works, within 200 metres either side of the proposed Public Transport Corridor shown on Plan 2 of incorporated *Wollert Precinct Structure Plan, June 2017* must be notified to the Head, Transport for Victoria under Section 52 of the *Planning and Environment Act 1987*.

**3.0**

Historic  
27/05/2019  
C239wsea

**Application requirements**

The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

If in the opinion of the responsible authority an application requirement listed at 3.1 or 3.2 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**3.1**

Historic  
12/10/2017  
C210

**Subdivision – Residential development**

In addition to the requirements of Clause 56.01-2, a subdivision design response for a residential subdivision must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and indicative population, dwelling and employment yields;
- A written statement that sets out how the proposal implements the objectives and planning and design requirements and guidelines in accordance with the incorporated *Wollert Precinct Structure Plan, June 2017* ;
- A plan that demonstrates how the proposed local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels;

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- An arboricultural report identifying all trees on the site and a tree retention plan identifying how the application responds to Plan 4 – Image and Character and any tree protection requirements and guidelines within the incorporated *Wollert Precinct Structure Plan, June 2017* ;
- A plan identifying how the proposed subdivision will provide for a diversity of housing as intended by Tables 3, 4 and 5 and Plan 5 of the incorporated *Wollert Precinct Structure Plan, June 2017* ;
- Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria;
- A response to all Requirements and Guidelines within the incorporated *Wollert Precinct Structure Plan, June 2017* relating to dry stone walls;
- A Stormwater Management Strategy that assesses the existing surface and subsurface drainage conditions on the site, addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of the responsible authority and Melbourne Water where appropriate;
- Indicative lot layouts for land identified as future medium and high density and/or integrated housing which details the following to the satisfaction of the responsible authority:
  - Location of conservation areas.
  - Indicative dwelling yield.
  - Indicative building envelopes.
  - Safe and effective vehicle ingress and egress.
  - Proposed means and location for waste collection.
  - Servicing arrangements.
  - Landscaping treatments.
  - Show how the site will be able to facilitate active interfaces to adjacent streets, open spaces and waterways.

Where land identified as future medium and high density and/or integrated housing is located adjacent to a waterway, the above must be to the satisfaction of the responsible authority and Melbourne Water.

### 3.2

Historic  
12/10/2017  
C210

#### Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of stormwater drainage 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;
- What, if any, infrastructure set out in the incorporated *Wollert Development Contributions Plan, June 2017* is sought to be provided as "works in lieu" or "works in kind", subject to the consent of the Collecting Agency;
- The provision, staging and timing of public open space and land for any community facilities;
- Details of any proposal for provision of early or interim provision of community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

### 3.3

Historic  
27/05/2019  
C239wsea

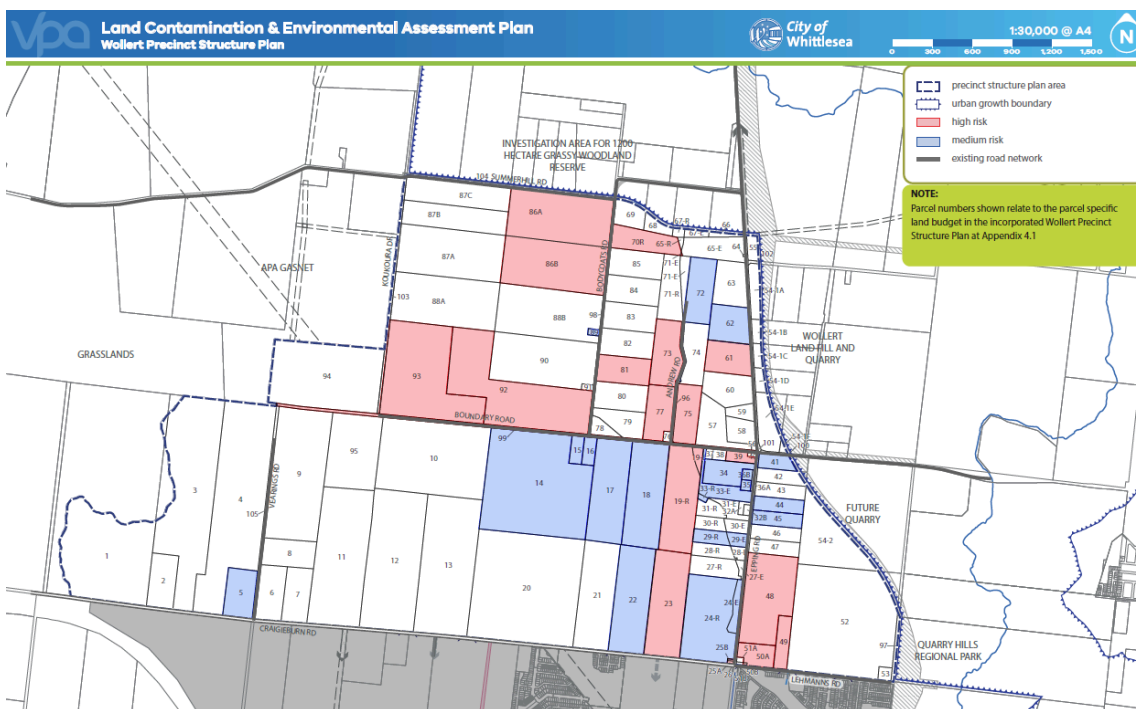
#### Use or develop land for a sensitive purpose – Environmental Site Assessment

An application to use or develop land identified as High Risk and Medium Risk on Plan 3 of this schedule for a sensitive use (including accommodation, child care centre, kindergarten, primary school or public open space) must be accompanied by a detailed site investigation (Phase 2 assessment) of the Environmental Assessment Areas ranked as 'High Potential for Contamination' and 'Medium Potential for Contamination' in the Phase 1 Environmental Site Assessment for the incorporated *Wollert Precinct Structure Plan, June 2017* area by Cardno LanePiper, July 2012. The Phase 2 assessment must provide for the following information:

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- Further detailed assessment of potential contaminants on the relevant land;
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and
- An unequivocal recommendation on whether the environmental condition of the land is suitable for the proposed use/s or whether an environmental audit in accordance with Part IXD of the *Environment Protection Act 1970* for all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

### Plan 3 to the Schedule to Clause 37.07



### 3.4

Historic  
23/02/2017  
C187

#### Kangaroo management

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:

- Strategies to avoid land locking kangaroos, including staging of subdivision; and
- Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect of the land to which the application applies, the application must be accompanied by:

- A copy of the approved Kangaroo Management Plan; and
- A 'design/management response' statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

### 3.5

Historic  
23/02/2017  
C187

#### Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR must include functional layout plans and a feasibility/concept road safety audit and must be to the satisfaction of VicRoads and/or the City of Whittlesea, as appropriate.

**3.6**Historic  
23/10/2025  
C249wsea**Heritage Conservation Management Plans and Heritage Assessments**

Prior to the commencement of any works, a Heritage Conservation Management Plan must be undertaken for places identified in the Heritage Overlay or listed on the Victorian Heritage Inventory. The Heritage Conservation Management Plan must include a statement of significance/cultural value, appropriate site boundaries where subdivision is proposed, required restoration works, a schedule identifying essential urgent restoration works and potential future restoration works, an interpretive reuse plan and interpretive signage, all to the satisfaction of the responsible authority.

An owner of land which is the subject of an approved Heritage Conservation Management Plan must enter into a legally effective mechanism such as an agreement pursuant to section 173 of the *Planning and Environment Act 1987* to secure compliance with the approved Heritage Conservation Management Plan to the satisfaction of the responsible authority.

Where a site is identified as “European Historic Site” on Plan 4 – Image and Character in the incorporated *Wollert Precinct Structure Plan, June 2017* but not included on the Heritage Overlay or Heritage Inventory, a heritage assessment identifying a statement of significance/cultural value to the satisfaction of the responsible authority is required to be submitted with an application for a permit.

**Bushfire Management Plan**

A Bushfire Site Management Plan that addresses bushfire risk during, and where necessary, after construction which is approved by the Responsible Authority. The plan must specify, amongst other things:

- The staging of development and the likely bushfire risks at each stage;
  - An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed;
- The land management measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape to protect residents and property from the threat of grassfire and bushfire;
- Provision of adequate access and egress for early subdivisions to minimise grass and bushfire risks to new residents prior to the full completion of the PSP.

**4.0**Historic  
23/10/2025  
C249wsea**Conditions and requirements for permits****Requirement – Tree Protection**

The conditions set out in Appendix 4.4 of the incorporated *Wollert Precinct Structure Plan, June 2017* will apply to planning permits on land where indigenous trees are present in the permit area.

**Condition - A permit to subdivide land to create a lot less than 300 square metres**

A permit issued before 31 December 2026 which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following condition:

- Before the plan of subdivision is certified under the *Subdivision Act 1988*, a plan must be approved and endorsed by the responsible authority, that identifies the lots to which:
  - type A or type B of the *Small Lot Housing Code* (Victorian Planning Authority, 2019) applies; or
  - type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies.

to the satisfaction of the responsible authority.

A permit issued on or after 31 December 2026, other than an amendment of a permit issued before 31 December 2026 under section 72 of the Act, which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following condition:

- Before the plan of subdivision is certified under the *Subdivision Act 1988*, a plan that identifies the lots to which type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies, must be approved and endorsed by the responsible authority.

**Condition - Land required for community facilities**

Land required for community facilities, as set out in the incorporated *Wollert Precinct Structure Plan, June 2017* or the incorporated *Wollert Development Contributions Plan, June 2017* , must be transferred to or vested in Council at no cost to Council unless the land is funded by the incorporated *Wollert Development Contributions Plan, June 2017* .

**Condition - Open space**

Land required for public open space as a local or district park as set out in the incorporated *Wollert Precinct Structure Plan, June 2017* must be transferred to or vested in Council at no cost to Council unless the land is funded by the incorporated *Wollert Development Contributions Plan, June 2017* .

**Condition - Natural systems**

Land required for a local conservation reserve, as set out in the incorporated *Wollert Precinct Structure Plan, June 2017* must be transferred to or vested in Council at no cost to Council.

**Condition – Local Conservation Reserves – Conservation Management Plans**

Any permit for subdivision of land identified as a Local Conservation Reserve on Plan 2 – Future Urban Structure within the incorporated *Wollert Precinct Structure Plan, June 2017* must contain the following conditions:

Prior to certification of any plan of subdivision for any parcel of land containing a Local Conservation Reserve on Plan 2 – Future Urban Structure within the incorporated *Wollert Precinct Structure Plan, June 2017* , the owner must enter into an agreement with the responsible authority pursuant to section 173 of the *Planning and Environment Act 1987* which requires the owner to prepare and implement a Conservation Management Plan for the land, unless otherwise agreed by the responsible authority.

The Conservation Management Plan must be prepared prior to the approval of any construction plans (engineering plans) for any part of the land and be consistent with the *Local Conservation Reserve Treatment and Management Guidelines* in the incorporated *Wollert Precinct Structure Plan, June 2017* to the satisfaction of the Responsible Authority. Specifically, the Conservation Management Plan must provide for:

- early securing and fencing of the conservation reserve and establishment of interpretive signage prior to the commencement of subdivision construction activity on any part of the land, and
- a 10-year action plan providing for the protection of all areas proposed for conservation rehabilitation, biodiversity improvement works and actions focussing on improvement to Grassy Eucalypt Woodland of the Victorian Volcanic Plain and other matters of national environmental significance, re-vegetation and landscaping, pest plant and animal control, soil stabilisation, and on-going maintenance and monitoring.

Where applicable, the Plan shall quantify the extent of offset gain to be achieved commensurate with the Permitted Clearing of Native Vegetation – Biodiversity Assessment Guidelines and defined by the Bush Broker Landowner Agreement and Quality Assurance Process.

The costs for preparation and execution of the Agreement shall be borne by the owner.

**Conditions – Biodiversity and threatened species**

Any permit for subdivision must contain the following conditions:

**Kangaroo Management Plan**

Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

**Condition - Security of conservation land**

A permit to subdivide land containing a ‘conservation area’ as shown in the *Wollert Precinct Structure Plan* must include the following condition:

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The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction of the Secretary to the Department of Environment, Land, Water and Planning as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

### Condition - Fencing of Biodiversity Conservation Strategy conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Wollert Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and approved by the Secretary to the Department of Environment, Land, Water, and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

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- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be brought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

### **Condition - Correct alignment of protective fencing**

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

### **Condition - Land Management plan for conservation area**

A permit to subdivide land containing a conservation area as shown in the *Wollert Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and approved by the Secretary to the Department of Environment, Land, Water, and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed, and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

### **Condition - Construction environmental management plan**

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Wollert Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

### **Condition - Public transport**

Any permit for subdivision must contain the following condition:

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Unless otherwise agreed by Public Transport Victoria, prior to the issue of Statement of Compliance for any plan of subdivision, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

- In accordance with the *Public Transport Guidelines for Land Use and Development* ; and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002;
- At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

### **Condition – Road network**

#### **Any permit for subdivision must contain the following condition:**

Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless funded by the incorporated *Wollert Development Contributions Plan, June 2017* .

### **Condition - Precinct Infrastructure Plan**

Any permit for subdivision must contain the following condition:

Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the *Planning and Environment Act 1987* which provides for:

- The implementation of the Public Infrastructure Plan approved under this permit.
- The purchase and/or reimbursement by the responsible authority of any provision of public open space in excess of the amount specified in the schedule to Clause 53.01.
- The timing of any open space payments to be made to the owner having regard to the availability of funds in the open space account.
- The timing and quantum of any payment to be made to a person in respect of any infrastructure project having regard to the availability of funds in the Development Contribution Plan (DCP).

### **Condition – Use or develop land for a sensitive purpose – Environmental Site Assessment**

Any permit for subdivision or for the construction of any buildings or works in relation to land identified as High Risk or Medium Risk on Plan 3 of this Schedule must contain the following condition:

Before a plan of subdivision is certified under the *Subdivision Act 1988* or before the commencement of any buildings or works, as appropriate, the recommendations of the:

- Phase 2 Environmental Site Assessment; or
- The environmental audit

as relevant, must be carried out.

### **Condition – Construction management plan required in gas transmission pipeline protection area**

Prior to the commencement of any works, including demolition, on land shown within the 35 metre East-West or North-South gas pipeline easement shown on Plan 11 – Utilities in the incorporated *Wollert Precinct Structure Plan, June 2017* , 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 unless otherwise agreed by the operator of the gas transmission pipeline.

## WHITTLESEA PLANNING SCHEME

- Be endorsed by the operator of the gas transmission pipeline where the works are within or crossing the relevant gas transmission easement.
- Include any other relevant matter to the satisfaction of the responsible authority.

The responsible authority must be satisfied that the gas transmission pipeline licensee has reviewed and approved the Construction Management Plan.

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.

### Condition - Dry Stone Walls

Any permit for buildings and works, including subdivision, on land which contains a dry stone wall must contain the following condition:

Prior to the commencement of works, a Dry Stone Wall Management Plan must be prepared which responds to the relevant objectives, requirements and guidelines contained within the incorporated *Wollert Precinct Structure Plan, June 2017* and outlines the ongoing management of dry stone walls.

The Dry Stone Wall Management Plan must include details of the methods of deconstruction and construction of dry stone walls. The Dry Stone Wall Management Plan must be to the satisfaction of the responsible authority.

### 5.0

Historic  
27/05/2019  
C239wsea

### Exemption from notice and review

### 5.1

Historic  
27/05/2019  
C239wsea

### Notice to gas transmission pipeline owner and operator

Notice must be given to the person or body listed in the Schedule to Clause 66.06 of an application on land shown within the gas pipeline buffer as shown on Plan 5 in the incorporated *Wollert Precinct Structure Plan, June 2017* for any of the following:

- Accommodation (other than a dwelling on a lot or a Dependent person's unit)
- Dwelling where density will equal or exceed 30 dwellings per net developable hectare
- Child care centre
- Education centre
- Place of Assembly
- Retail premises
- Cinema based entertainment facility
- Hospital
- Aged Care Facility.

### 5.2

Historic  
27/05/2019  
C239wsea

### Referral to gas fired power station owner and operator

An application must be referred to the person or body listed in the Schedule to Clause 66.04 where the application is to use land shown within the future gas fired power station buffer on Plan 2 - Future Urban Structure in the incorporated *Wollert Precinct Structure Plan, June 2017* for the following:

- Accommodation
- Aged Care Facility
- Child Care centre
- Education Centre
- Place of Assembly
- Retail premises
- Cinema based entertainment facility
- Hospital.

**6.0**

Historic  
27/05/2019  
C239wsea

**Decision guidelines**

None specified.

**7.0**

Historic  
27/05/2019  
C239wsea

**Signs**

The sign category for this land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

**7.1**

Historic  
27/05/2019  
C239wsea

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is set back a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres