

Government Land Standing Advisory Committee

Tranche 22 Report

1 Tower Road, Werribee

10 September 2018

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List of Abbreviations

ACZ1	Activity Centre Zone Schedule 1
DELWP	Department of Environment, Land, Water and Planning
EAO	Environmental Audit Overlay
GLSAC	Government Land Standing Advisory Committee
HO100	Heritage Overlay Schedule 100
NRZ1	Neighbourhood Residential Zone – Schedule 1
PPN60	Planning Practice Note 60 Height and Setback Controls in Activity Centres
RZ1	Road Zone Category 1
SRW	Southern Rural Water Corporation

About this report

On 7 April 2018, the Minister for Planning referred 1 Tower Road, Werribee to the Government Land Standing Advisory Committee as Tranche 22.

This is the report under Section 151 of the *Planning and Environment Act 1987* of the Government Land Standing Advisory Committee for 1 Tower Road, Werribee.



Mandy Elliott, Chair



Lynn Sweeney, Member

10 September 2018

1 Summary and recommendation

1.1 The site

Figure 1: Site location



1 Tower Road, Werribee (the site) has a total area of approximately 1.2 hectares, with frontages to Tower Road and the Princes Highway. It has previously been used for water supply for Southern Rural Water (SRW) however since the 1950s the site has been used as an administrative and operations base for SRW. The site is located between commercial areas to the north and west and residential to the south and east.

The site contains SRW office buildings and a disused water tower which are considered historically significant. There are also several smaller structures, however much of the site has been cleared. A row of Peppercorn trees screens the site from the Princes Highway.

The 1.2 hectare site at 1 Tower Road is owned by Southern Rural Water Corporation.

The site is a pentagon shape with a 72 metre frontage to Tower Road and an 86 metre frontage to the Princes Highway.

1.2 Issues raised in submissions

The Committee considered all written submissions as well as submissions presented to it during the Hearing. In addressing the issues raised in those submissions, the Committee has been assisted by the information provided to it as well as its observations from inspections of the site.

Nine submissions were received. Issues raised in the submissions related to the appropriateness of the Activity Centre Zone, built form (heights) and heritage (tree controls).

1.3 Committee conclusion

The site owner proposes to rezone the subject land from Public Use Zone (PUZ) – Schedule 1 to Activity Centre Zone (ACZ) – Schedule 1. The Committee agrees that this is an appropriate zone if the land is to be sold.

The proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the *Ministerial Direction on The Form and Content of Planning Schemes*.

Table 1: Existing and proposed controls

Current planning scheme controls	Exhibited planning scheme controls	Advisory Recommendation	Committee
Public Use Zone - Schedule 1	Activity Centre Zone – Schedule 1	Activity Centre Zone – Schedule 1 (amended)	
Parking Overlay	Retain	Retain	
Heritage Overlay - Schedule 100	Reduce the extent and remove tree controls	Reduced Heritage Overlay to align with the amended proposed Lot 1 of Plan of subdivision	
	Environmental Audit Overlay	Environmental Audit Overlay	

1.4 Recommendation

The Committee recommends that:

- A planning scheme amendment be prepared and approved for 1 Tower Road, Werribee to:**
 - Amend the Activity Centre Zone Schedule 1 as shown in Appendix D.
 - Rezone the site to the Activity Centre Zone Schedule 1.
 - Reduce the extent of the Heritage Overlay Schedule 100 to coincide with the proposed Lot 1 Plan of subdivision PS821101R (as amended on 17 July 2018).
 - Introduce the Environmental Audit Overlay as exhibited.

2 Process issues for this site

2.1 Process summary

The following tables set out the details of the process for this matter.

Table 2: Proposal summary

Proposal summary	
Tranche	22
Site address	1 Tower Road, Werribee
Previous use	Former water reserve and operations centre
Site owner	Southern Rural Water (SRW)
Council	City of Wyndham
Exhibition	21 May – 25 June 2018
Submissions	9 submissions

Table 3: Exhibited planning scheme changes

Existing controls	Exhibited changes
Public Use Zone - Schedule 1	Activity Centre Zone – Schedule 1
Parking Overlay	Retain
Heritage Overlay	Reduce the extent and remove tree controls
	Environmental Audit Overlay

Table 4: Committee process

Committee process	
Members	Mandy Elliott (Chair) and Lynn Sweeney
Information session	6 June 2018, Wyndham City Council Chambers
Hearing	26 and 27 July 2018 at Eagle Stadium, 25 Ballan Road, Werribee
Site inspections	26 July 2018 (unaccompanied)

Committee process

Appearances	Ms Teresa Bisucci, Best Hooper for Southern Rural Water with evidence from: <ul style="list-style-type: none">- Mr John Glossop, planning- Mr Peter Barrett, heritage Mr Mark Marsden, for Wyndham City Council with evidence from: <ul style="list-style-type: none">- Mr Jim Holdsworth, urban design- Mr Nigel Lewis, heritage Ms Emily Keogh Mr Peter Bitans
Date of this Report	10 September 2018

2.2 Process issues

(i) Council position

Council submitted that it had reconsidered its original position on the Amendment following negotiations with the site owner. In its written submission, Council suggested that an 11 metre height limit be applied to the site and the existing extent of the Heritage Overlay be retained. Council's revised position presented at the Hearing was a 13.5 metre height limit and the removal of the Heritage Overlay extent from the two mature trees within the site.

(ii) Council and site owner preferred Amendment wording

Following the evidence and submissions, Council and the site owner indicated that they had agreed on the preferred building height (13.5 metres), extent of Heritage Overlay Schedule 100 and wording to protect the Peppercorn trees on the Princes Highway boundary of the site. The Committee directed Council and the site owner submit agreed preferred wording for the Amendment to the Committee and parties to the Hearing by 3 August 2018.

The preferred wording provided to the Committee by the site owner, is as follows:

SRW consents to an overall height for a new precinct set at 13.5m discretionary (preferred) on the basis that:

- *The extent of the heritage overlay coincides with proposed Lot 1 (as amended on 17 July 2018);*
- *That the prominence of the water tower is dealt with as a precinct guideline;*
- *Consideration of the existing peppercorn trees at the site's northern boundary is dealt with as a preferred setback requirement without any reference to a numerical setback; and*
- *Mr Glossop's recommendations in respect of additional amenity considerations are included for consideration.*

3 Site constraints and opportunities

3.1 Planning context

Figures 2 and 3 show the current and proposed zonings.

Figure 2: Current zoning

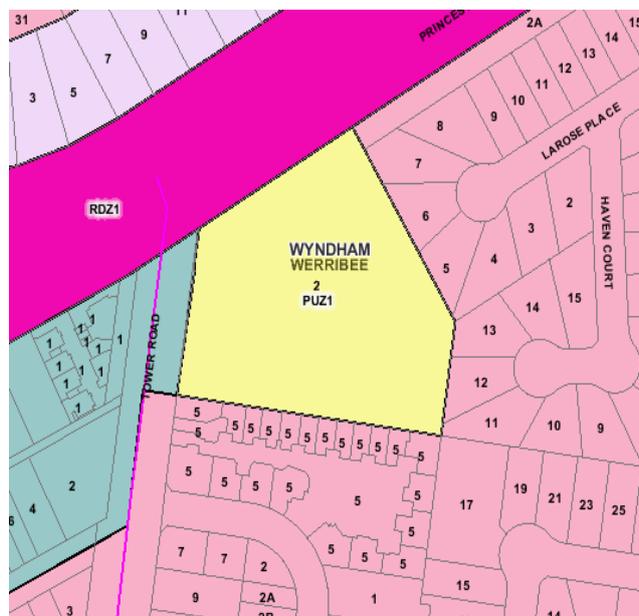


Figure 3: Proposed zoning



3.2 Physical constraints

(i) History of the site

Established in 1913, the site was used to provide water to Werribee township and irrigators at Werribee South as well as provide an office for SRW and its predecessors. The site was also used by SRW for various other purposes, including as a hydraulic testing station, and previously had a large storage dam in the centre of the site which has since been filled. As water supply and irrigation infrastructure developed, the site was no longer required for these purposes, and the water tower was decommissioned approximately 50 years ago.

(ii) Heritage

A Heritage Overlay Schedule 100 (HO100) applies to the site. A heritage assessment by Lovell Chen in 2017 concluded that the only structures of significance were the office building and the water tower. The Lovell Chen report considered that the large Peppercorn trees on the site are not of heritage significance, being typical utilitarian plantings that do not contribute to the historical context of the office building or water tower.

(iii) Current site conditions

The site contains the following structures:

- office buildings
- a disused water tower

- large storage shed/workshop
- two smaller sheds
- several car parks
- a vehicle wash area.

Aside from these structures, much of the site has been cleared and is vacant or used for casual storage. The site contains 32 trees, with the Peppercorn Tree being the most common, and one tree which is indigenous to the area (*Acacia melanoxylon*). There is a row of Peppercorn trees which shield the property from the Princes Highway along the northern boundary of the site.

(iv) Interface with surrounds

The site is located between commercial areas to the north and west and residential to the south and east. The immediate surrounds for the site are:

- To the north is the Princes Highway, beyond which are a mixture of medical centres and offices in former dwellings.
- To the east are single storey dwellings on land that was formerly part of the SRW complex but sold off in the 1990s.
- To the south are two storey townhouses on land that was formerly part of the SRW complex but sold off in the 1980s.
- To the west is Tower Road, beyond which are a series of commercial enterprises including a real estate agent and funeral home.

(v) Access

All direct access to the site is via Tower Road. There is no access to or from the Princes Highway.

(vi) Environmental conditions

While an assessment of the site shows that it is largely free of any contamination and is suitable to be rezoned for commercial or residential use, this cannot be conclusively stated without removal of current structures on the site. For this reason, an Environmental Audit Overlay (EAO) is being proposed.

3.3 Strategic context

The site is included in the Werribee Centre Structure Plan 2013 (the Structure Plan) and is within the Activity Centre Boundary. It is nominated as containing a landmark building (the water tower and original administrative building) and a potential key development site. The site is designated as being within Precinct 4B of the Structure Plan and identified for 'increased intensity mixed use'.

The Precinct objectives include:

- To develop Synnot Street/Princes Highway as the principal commercial boulevard within the Werribee City Centre.
- To strengthen connections to the Central Precinct and the Werribee Employment Precinct.

- To encourage further intensification and diversification of the retail, commercial and residential mix along Synnot Street.
- To encourage the further development of the specialist services sector and other commercial and residential uses in the streets south of Synnot Street, as a transition to adjoining residential land.

The Structure Plan is a reference document to the Activity Centre Zone Schedule 1 (ACZ1) of the Wyndham Planning Scheme.

4 Issues with the proposed changes

4.1 What zone is suitable

The site owner is proposing to rezone the site to the ACZ.

(i) Evidence and submissions

In his planning evidence, Mr Glossop noted that 1 Tower Road (the site) is strategically important to the significant future development expected in Werribee. Mr Glossop noted that the Activity Centre Zone Schedule 1 (ACZ1) and proposed 8 to 18.5 metre preferred heights are strategically justified and supported by the Structure Plan and Scheme.

Mr Glossop stated that the ACZ1 is the most appropriate zone for the site because:

- it has been consistently and clearly identified as within the Activity Centre
- the size and location of the site on a major road
- the ACZ1 will accommodate a range of commercial and residential uses.

The site owner, submitted that the site has been appropriately identified within the Activity Centre Boundary and the only reason that it has not been previously included in the ACZ1 is the fact that it was reserved for public use.

Council supported the ACZ1 for the site but did not support the 18.5 metre preferred height limit due to reconsideration of the future zoning of the surrounding residential area. Council advised that it had resolved to not pursue the rezoning of the adjacent General Residential zoned land to Residential Growth Zone. Council advised that it is in the process of updating the Neighbourhood Character Strategy which reflects this position.

In his Urban Design evidence for Council, Mr Holdsworth recommended that the height limit for the site should be mandatory rather than 'preferred'. Responding to questioning from the site owner, Mr Holdsworth conceded that the site and proposal did not meet the criteria to justify a mandatory height limit.

Mr Glossop stated that the proposal for mandatory heights on the site would neither meet the objectives for the Activity Centre nor *Planning Practice Note 60 (PPN60) Height and Setback Controls for Activity Centres*. He noted that mandatory controls would only be appropriate in exceptional circumstances where other controls are demonstrated to be inadequate to protect unique heritage values and that the significance of the heritage and landmark features of the site would not be sufficient to justify them. Mr Glossop concluded that the proposed controls for 1 Tower Road provided adequate protection for the heritage features of the site.

Ms Keogh submitted that the ACZ1 would detract from the amenity of the adjacent residential properties. She submitted that a residential zone would be a better fit with the adjoining residential land. Of considerable concern was the ACZ1 removal of third party rights and Ms Keogh submitted that the proposed controls did not provide sufficient detail on the uses or built form for the site.

Mr Glossop provided an explanation of the operation of the ACZ1 noting that in Clause 7.0 the notice and review provisions would be 'turned back on' if a proposal does not meet the

precinct requirements. Mr Glossop recommended the inclusion of additional design and amenity objectives in the precinct requirements, which are discussed in section 5 of this report.

Mr Bitans and other submitters also opposed the ACZ1 submitting that the site should be made available for a park to retain the history of the site and protect the existing trees.

(ii) Discussion

While some submitters opposed the rezoning to ACZ1, Council supported the ACZ1 on the basis of the sound strategic planning for the future of the site. Evidence and submissions noted that, while the site is a large and strategic development parcel, the ultimate use is not determined and it would be inappropriate to limit its potential by applying a residential zone. The Committee is satisfied that the site was intended to be included in the ACZ1 when it was no longer needed for public use and is satisfied that this intention has been clear in the Structure Plan and Scheme for some time.

The Committee agrees that it is not appropriate for the height limit to be mandatory on this site and is satisfied any proposal to exceed the 'preferred height' will be subject to notice and review requirements.

The preferred height and additional requirements and guidelines for the schedule are discussed in section 5 of this report.

Further, the Committee notes that additional amendments will need to occur to the ACZ1 to reflect the zoning and site changes, including the precinct map on page 14 of the ACZ1 that will need to highlight the new precinct (4D).

(iii) Recommendation

The Committee recommends that:

- 1. A planning scheme amendment be prepared and approved to rezone 1 Tower Road, Werribee to the Activity Centre Zone Schedule 1.**

5 Form of the Schedule to the ACZ

(i) Evidence and submissions

Residential interface

In order to provide certainty and manage the sensitive residential interface Mr Glossop's evidence recommended additional objectives be included in the Precinct Requirements, namely:

- 55.04-1 Side and rear setbacks objective
- 55.04-2 Walls on boundaries objective
- 55.04-3 Daylight to existing windows objective
- 55.04-4 North-facing windows objective
- 55.04-5 Overshadowing open space objective
- 55.04-6 Overlooking objective
- 55.04-8 Noise impacts objective.

Neither Council nor any of the other expert witnesses or submitters opposed the inclusion of the additional requirements put forward by Mr Glossop.

Ms Keogh submitted that the form of the ACZ1 schedule was not suitable as it would remove third party rights from neighbours. Mr Glossop advised that the inclusion of the additional Clause 55 Requirements provides neighbours with equivalent protection to that provided by a residential zone. Further, he noted that Clause 7.0 of ACZ1 schedule 'turns on' third party review rights if a proposal does not meet the requirements.

Building height

Council's written submission proposed an 11 metre height control instead of the exhibited 8-18.5 metre height control for the site. In its opening submission, Council informed the Committee of its revised position of a 13.5 metre height control for the site based upon the need to treat residential interface areas with the site. Council stated that the reduced height control still meets Council's objective for housing diversity.

In his urban design evidence, Mr Holdsworth stated that the building height requirement for the site should be reduced to 13.5 metres. He recommended 13.5 metres due to the:

- relatively isolated nature of the site
- location at the periphery of the Activity Centre
- need to respect the heritage features on the site by allowing views of the water tower against a background of the sky.

Mr Glossop concluded that the exhibited 8 – 18.5 metre height for the site would be satisfactory if the additional Clause 55 requirements were included to protect the adjoining residential neighbours. Mr Glossop also stated that the ACZ1 schedule has been tested through an amendment and previous panel process.

In closing, Ms Bisucci submitted that the site owner and Council had come to an agreement to support an 8 – 13.5 metre preferred building height for the site.

Tree protection

Mr Holdsworth recommended a 12 metre setback to the Princes Highway to protect the Peppercorn trees. The site owner submitted that the application of a setback was arbitrary at this stage and that a more general guideline to allow the protection of the Peppercorn trees would be more appropriate.

Ms Keogh submitted that the Peppercorn trees should be protected in accordance with the Wyndham City Forest and Habitat Strategy 2017.

Both Council and the site owner submitted that it is appropriate to include provisions to protect the Peppercorn trees on the Princes Highway frontage even though they may not be of heritage significance. The parties provided the agreed wording of:

Development at 1 Tower Road should be setback to protect the existing Peppercorn trees at the site's northern boundary with Princes Highway.

The Committee accepts the agreed position of Council and the site owner that development be setback to protect the existing Peppercorn trees at the site's northern boundary with Princes Highway and that these words be provided within ACZ clause 5.4-3 Precinct requirements. The Committee also agrees with the site owner that it may be premature to define the setback required until an arboricultural assessment has been undertaken and it is known what the setback requirements for the Peppercorn trees are in order to protect their health. It is noted by the Committee that this is a matter to be addressed appropriately at the permit stage.

(i) Conclusion

The Committee concludes that the additional Clause 55 requirements, 13.5 metre preferred building height and tree protection clause should be included in the schedule to the ACZ as shown in Appendix D to this report.

(ii) Recommendation

The Committee recommends that:

- 2. Amend the Activity Centre Zone Schedule 1 as shown in Appendix D.**

6 What overlays are suitable

The site owner is proposing to reduce the extent of the Heritage Overlay Schedule 100 (HO100) and introduce an Environmental Audit Overlay (EAO).

6.1 Heritage Overlay

(i) Evidence and submissions

There are two key buildings that are nominated by the site owner as being of heritage significance on the site – the former commission office and the water tower. The former commission office was constructed in 1926 and presents an asymmetrical front façade which faces Tower Road. The water tower was constructed in 1913, is concrete and cylindrical in shape. It is no longer a functioning water tower.

Extent of HO100

The Amendment proposes to reduce the extent of the HO100. The site owner submitted that support for the reduction in the extent of the HO100 is evident on Lovell Chen’s August 2017 report, Mr Barrett’s evidence and Council’s submissions.

Mr Barrett’s evidence was that the rear portion of the site, proposed to be alienated from HO100, is of little heritage value as there has been changes over time to this rear section of the site. He stated that *“alienation of the land of this former research facility and the possible removal of its two sheds, will not lessen the heritage value of the water tower or the State Rivers and Water Supply Commission offices”*.

Mr Lewis, in his expert evidence for Council, considered that it is appropriate to retain the full extent of the HO100 on the basis that the redevelopment of the whole site will then take into account the heritage values of the subject site. Mr Lewis considered that the rear of the site and the two large Peppercorn trees within the site do not have heritage value. Mr Barrett stated that the heritage extent should remain as that exhibited as part of the Amendment for the reasons that the commission office building and water tower are included within the reduced area.

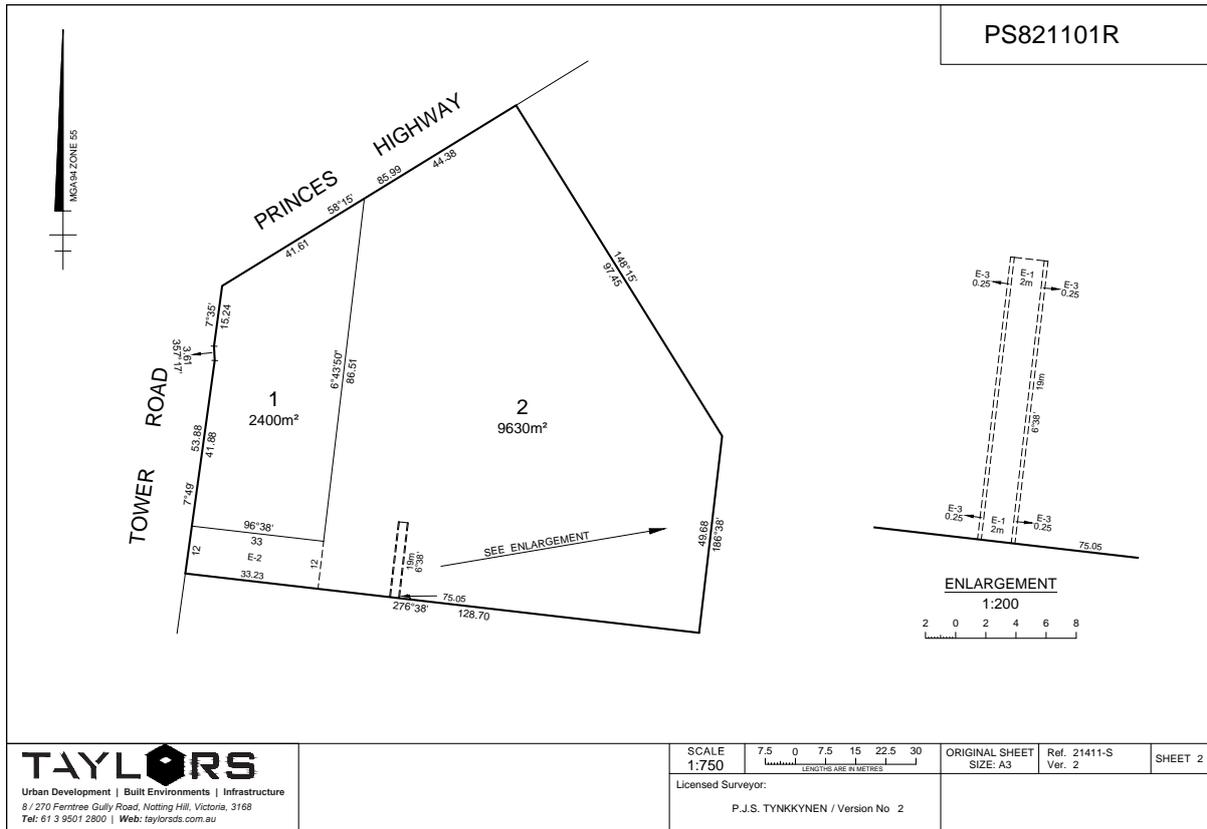
Council submitted that the two remaining issues regarding the HO100 are the significance of the Peppercorn trees along Princes Highway and the extent of the HO100.

The site owner tabled a recent Plan of Subdivision (Document 11) at the Hearing. The site owner explained that Lot 1 of the Plan of Subdivision provides for an additional three metres into the reduced heritage extent of the HO100 exhibited as part of the Amendment.

During the closing submissions of both Council and the site owner, it was stated to the Committee that the parties had reached agreement on the extent of the HO100.

The agreed position put to the Committee is that the boundary of the HO100 be realigned to coincide with the proposed Lot 1 Plan of Subdivision PS821101R (as amended on 17 July 2018), presented in Figure 4 below.

Figure 4 Plan of Subdivision (Document 11)



In addition, Council suggested the following words be included in the Precinct 4 Objectives to provide some form of protection from development around the tower:

To ensure the prominence of the historic water [tower] by a sensitive design response of any future development at the former SRW site in Tower Road.

Mr Barrett agreed with Council’s proposed words. The site owner suggested the wording needs some refinement and be more appropriately placed in the Precinct guidelines, rather than Precinct objectives.

Post Hearing, the site owner and Council agreed with the following words to be placed in ACZ1 clause 5.4-4 Precinct guidelines:

New development at 1 Tower Road is to be sensitively designed to ensure the prominence of the historic water tower.

Peppercorn trees along Princes Highway boundary

In his written evidence, Mr Lewis stated that the Peppercorn trees along the northern boundary “have been established to form part of surviving significant avenue plantings on the old Geelong Road from the interwar period” (p3), and further at p11 “they [Peppercorn trees] had the effect of extending the WW1 Avenue of Honour avenue planting to Tower Road”.

Mr Barrett detailed the evidence as to why the Peppercorn trees along the Princes Highway boundary are not part of an Avenue of Honour. Mr Barrett explained that historically,

Avenues of Honour species were usually Elms or Eucalypts, not Peppercorns. He also noted that the Peppercorn trees on this site are planted outside of the road reservation.

(ii) Discussion

Prior to the Hearing, the outstanding issues regarding heritage were the reduction in the extent of HO100, and whether Peppercorn trees along the northern boundary of the site are of heritage significance.

Extent of HO100

The Committee agrees that the boundary of the HO100 be realigned to coincide with the proposed Lot 1 (as amended on 17 July 2018), presented in Document 11. This extent will provide appropriate heritage protection for the commission office and water tower and is approximately three metres more than the reduced HO100 which was exhibited. The Committee also agrees that there is merit in providing some guidance on sensitive design of any new development in close proximity of the water tower to protect its heritage significance within the landscape. The Committee accepts the agreed position of Council and the site owner and recommends the inclusion of the following proposed words into the Precinct guidelines: *“New development at 1 Tower Road is to be sensitively designed to ensure the prominence of the historic water tower”*.

Peppercorn trees along Princes Highway boundary

During expert evidence and cross examination it became apparent that the two heritage experts agreed that the Peppercorn trees along Princes Highway were not part of any former Avenue of Honour and did not have heritage significance. They also agreed that the Peppercorn trees added amenity value to the site and should be retained and protected. Mr Holdsworth recommended a setback of 12 metres from the site’s northern boundary (Princes Highway) to allow some open space around the Peppercorn trees for *“their health and as a setback to any buildings, enabling them to serve as a visual buffer from the traffic on Princes Highway”*.

The Committee agrees that the Peppercorn trees along the Princes Highway boundary of the site add amenity value to the site and are worthy of retention, although not part of the heritage significance of the site.

(iii) Conclusion

The Committee concludes that it is appropriate to amend the Heritage Overlay Schedule 100 to align with the proposed Lot 1 within the Plan of Subdivision and to include additional wording within both the ACZ1 Precinct requirements and Precinct guidelines. This will provide setback protection for the Peppercorn trees along the northern boundary (Princes Highway) and ensure design of development considers the water tower on site. Further discussion regarding controls is provided in section 5.3.

(iv) Recommendation

The Committee recommends that:

- 3. Reduce the extent of the Heritage Overlay Schedule 100 to coincide with the proposed Lot 1 Plan of subdivision PS821101R (as amended on 17 July 2018).**

6.2 Environmental Audit Overlay

The site owner submitted that the Environmental Audit Overlay (EAO) is proposed for the site as a cautious and prudent approach. Document 12, provided by the site, owner states that the site contamination assessment identified concentrations of contaminants generally below the assessment criteria for residential land use except for some areas such as underground storage tank beneath the temporary office building. Applying the EAO will ensure that appropriate detailed assessments will occur prior to a sensitive use.

No parties opposed the application of this overlay.

(i) Conclusion

The Committee concludes that where there is a level of uncertainty, it is appropriate to apply the Environmental Audit Overlay to the site, especially where it is proposed to be used for a future sensitive use.

(ii) Recommendation

The Committee recommends that:

- 4. Apply the Environmental Audit Overlay, as exhibited, to the site at 1 Tower Road, Werribee.**

Appendix A: About the Government Land Standing Advisory Committee

The Government Land Planning Service is a 2015 initiative to deliver changes to planning provisions or correct planning scheme anomalies for land owned by the Victorian Government. The Government Land Standing Advisory Committee (the Committee) was appointed under Part 7, section 151 of the *Planning and Environment Act 1987* in July 2015.

A revised Terms of Reference for the Committee was approved in April 2018.

The Committee consists of:

- Chair: Lester Townsend
- Deputy Chairs: Trevor McCullough and Mandy Elliott
- Members: Gordon Anderson, Elissa Bell, Alan Chuck, Jenny Fraser, Prue Mansfield, Jane Monk, Rachael O'Neill, John Ostroff, Tania Quick, Cazz Redding and Lynn Sweeney.

The Committee is assisted by Ms Greta Grivas, Senior Project Officer with Planning Panels Victoria.

The Committee's Terms of Reference state that the purpose of the Advisory Committee is to:

- advise the Minister for Planning on the suitability of new changes to planning provisions for land owned, proposed to be acquired or to land required to facilitate the delivery of priority projects by the Victorian Government, and*
- provide a timely, transparent and consultative process to facilitate proposed changes to land owned or proposed to be acquired; or to support delivery of priority projects by the Victorian Government.*

The Advisory Committee must produce a written report for the Minister for Planning providing:

- an assessment of the appropriateness of any changes of planning provisions in the context of the relevant planning scheme and State and Local Planning Policy Frameworks,*
- consideration of whether the proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on The Form and Content of Planning Schemes,*
- an assessment of whether planning scheme amendments could be prepared and adopted for each proposal, including the recommended planning provisions,*
- an assessment of submissions to the Advisory Committee,*
- any other relevant matters raised during the hearing(s),*
- a list of persons who made submissions considered by the Advisory Committee,*
- a list of persons consulted or heard,*
- endorsement by the Chair or the Deputy Chair.*

Appendix B: List of Submitters

No.	Submitter
1	L Pritchard
2	Environmental Protection Authority Victoria
3	Transport for Victoria
4	P Bernhardt
5	P Bitans
6	E Keogh
7	I and K Yeoell
8	D Srbinovski
9	Wyndham City Council

Appendix C: Document list

Documents Presented to Hearing (No.)	Description	Presented By
1	SRW submission	T Bisucci
2	Werribee City Centre Structure Plan 2013	K Van Den Bossche
3	Wyndham Council resolution: Housing and Neighbourhood Character Strategy, 5 December 2017	K Van Den Bossche
4	Water Tower and Office: Statement of Significance	T Bisucci
5	Water Tower image with potential building envelope	T Bisucci
6	VicRoads Princes Highway widening: Historical Assessment	T Bisucci
7	1951 Aerial photo of the site	T Bisucci
8	E Keogh submission	E Keogh
9	Wyndham City Forest and Habitat Strategy	E Keogh
10	VACT 526 Trukeel v Wyndham CC 19 April 2018	E Keogh
11	Amended Proposed Plan of Subdivision PS821101R	T Bisucci
12	Cardno report on site contamination for 1 Tower Road, Werribee	T Bisucci
13	VCAT P782/2017 Headland v Stonnington	T Bisucci
14	Wyndham Council submission	M Marsden
15	Wyndham Council Urban Design Framework Plan for Princes Highway/Geelong Road Corridor	M Marsden
16	Clause 22.05 Heritage Conservation Policy Wyndham Planning Scheme	T Bisucci

Appendix D: ACZ Schedule 1

09/02/2017
 C186

SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ1**.

Werribee Principal Activity Centre

1.0

Werribee City Centre Framework Plan

19/03/2015
 C150(Part 1)



2.0

Land use and development objectives to be achieved

19/03/2015
 C150(Part 1)

- To facilitate the growth of the Werribee City Centre as a key regional commercial, retail, recreational and cultural focal point for Melbourne’s west, and as a location for higher density residential development.
- To integrate the Werribee City Centre with its central river and park environs.
- To integrate the Werribee City Centre with the East Werribee Employment Precinct.
- To achieve the objectives of the *Werribee City Centre Structure Plan (2011)*.

- To intensify land use in the Werribee City Centre and encourage a diverse range of land uses and attractions, including accommodation, office, retail, food and drink, transport, civic and community uses.
- To intensify street level activity by:
 - Encouraging a mixture of land uses that generate high levels of activity to locate at ground level along street frontages,
 - Encouraging residential, commercial and other land uses that generate low levels of pedestrian activity to locate either above ground level or behind street-facing active land uses, and
 - Integrating public and private land uses.

Built Form objectives

- To encourage exemplary architecture and innovative building design.
- To achieve engaging, high quality, accessible and environmentally sustainable development.
- To achieve a built form and urban fabric which features ‘fine-grained’ elements, such as narrow ground level shop-fronts, articulated facades, and regular openings/entrances to the street.
- To create a comfortable, accessible, attractive, human-scale built environment at street level.
- To provide a generous and continuous overhead cover to footpaths along active street frontages.
- To ensure that new development provides passive surveillance from upper levels, and addresses public spaces including the Werribee River and Wyndham Park.
- To encourage tall buildings on key/gateway sites to improve legibility of the urban form, and ensure that new built form on these sites is of a high architectural standard.
- To encourage higher density development.
- To achieve an appropriate built-form transition to any adjoining residential zoned areas through the height, setback, scale, massing and detail of new development.

Movement and Access objectives

- To achieve a high level of accessibility to and within the Werribee City Centre, for people of all abilities, and ensure that all new development complies with access and mobility design standards.
- To provide easy to follow, interconnected and coordinated walking and cycling routes to and within the Werribee City Centre.
- To prioritise pedestrian movement through the street network, and encourage and support it with a continuous path of travel, pedestrian crossings, way-finding signage, directional aids, public seating and public lighting.
- To capitalise upon the Werribee City Centre’s public transport infrastructure and provide facilities which improve access to public transport.
- To create a high quality public transport interchange that integrates with the centre and reinforces Werribee Station as a major multi-modal transport node.
- To provide well located and accessible parking spaces throughout the Werribee City Centre, and consolidate off-street public car parking into large, well located, easily accessible and locatable facilities.
- To protect opportunities for future grade separation of the Cherry Street and Werribee Street railway crossings.

Open Space & Natural Features objectives

- To enhance the Werribee River and Wyndham Park as the green heart of the Werribee City Centre, and improve connections to and increase activity in and around these central features.
- To extend the native vegetation themes of the Werribee River and Wyndham Park throughout the Werribee City Centre.
- To incorporate CPTED (Crime Prevention Through Environmental Design) principles into the design of open spaces.
- To foster activity, events, performances and art within the streets and public spaces.
- To minimise the overshadowing of significant public spaces by adjacent built form.
- Maintain flood conveyance and storage capacity of the Werribee River floodplain.
- Minimise flood risks to life, health and property.

Environmentally Sustainable Design (ESD)

- To achieve best practice environmentally sustainable design (ESD) within new developments.
- To minimise stormwater run-off and its impact upon the Werribee River.

3.0

09/02/2017
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Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Caretaker's house, Corrective institution and Host farm)	Other than in Sub-precinct 4C or 6B, must not be located at ground floor level along street frontages, except for entry foyers.
Art and craft centre	
Art gallery	
Caretaker's house	Other than in Sub-precinct 4C or 6B, must not be located at ground floor level along street frontages, except for entry foyers.
Child Care Centre	Access must not be shared with a dwelling.
Cinema	Must be in Precinct 1, 3 or Sub-precinct 4A. Must not be located at ground floor level along street frontages, except for entry foyers.
Cinema based entertainment facility	Must be in Precinct 1, 3 or Sub-precinct 4A. Cinemas must not be located at ground floor level along street frontages, except for entry foyers.
Dry cleaner	Must not be located in Sub-precinct 4C or 6B.
Education centre	
Food and drink premises (other than Hotel and Tavern)	Must not be located in Sub-precinct 4C or 6B.
Home occupation	
Indoor recreation facility	Must not be located at ground floor level along street frontages, other than in Sub-precinct 4C or 6B.

Use	Condition
Informal outdoor recreation	
Laundromat	Must not be located in Sub-precinct 4C or 6B.
Market	
Minor utility installation	
Office	Must not be located at ground floor level along street frontages, except for entry foyers and customer service areas accessible to the public, other than in Sub-precinct 4C or 6B.
Postal agency	
Railway	
Research and development centre	Must not be located at ground floor level along street frontages, except for entry foyers and customer service areas accessible to the public, other than in Sub-precinct 4C or 6B.
Restricted recreation facility	Must not be located at ground floor level along street frontages other than in Sub-precinct 4C or 6B.
Shop (other than Adult sex book shop)	Must not be located in Sub-precinct 4C or 6B.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 – Permit required

Use	Condition
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, primary school or secondary school.
Amusement parlour	Must not be located in Sub-precinct 4C or 6B.
Animal keeping	
Car park	
Commercial display area	
Gambling premises	Must not be located in Sub-precinct 4C or 6B.
Hotel	Must not be located in Sub-precinct 4C or 6B.
Nightclub	Must not be located in Sub-precinct 4C or 6B. Must not be located at ground floor level along street frontages, except for entry foyers.
Place of assembly (other than Amusement parlour, Art gallery, Carnival, Cinema, Circus, Nightclub and Restricted place of assembly)	
Restricted place of assembly	Must not be located at ground floor level along street frontages, except for entry foyers.
Retail premises (other than Food and drink premises, Gambling premises, Market, Postal agency and Shop)	Must not be located in Sub-precinct 4C or 6B.

Use	Condition
Service Station	The site must adjoin, or have access to, a road in a Road Zone.
Tavern	Must not be located in Sub-precinct 4C or 6B.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Agriculture (other than Apiculture)
Brothel
Camping and caravan park
Cemetery
Corrective institution
Crematorium
Freeway service centre
Host farm
Industry (other than Dry cleaner, Laundromat and Research and development centre)
Major sports and recreation facility
Motor Racing Track
Saleyard
Warehouse (other than Commercial display area)

4.0

19/03/2015
C150(Part 1)

Centre-wide provisions

4.1

Use of land

19/03/2015
C150(Part 1)

A permit is not required to use land for public purposes providing the use is carried out by, or on behalf of, the public land manager.

4.2

19/03/2015
C150(Part 1)

Subdivision

Applications for the subdivision of land that are not associated with a development proposal that supports the objectives promoted by this Schedule are discouraged.

Consolidation of land to facilitate the creation of viable development sites is encouraged.

4.3

19/03/2015
C150(Part 1)

Buildings and works

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
 - The alteration does not include the installation of an external security shutter or screen,
 - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

4.4 Design and development

19/03/2015
C150(Part 1)

Building design

New buildings and works should meet the following design criteria:

- Buildings should be designed to a high architectural standard.
- Buildings should be designed to respond to their solar orientation.
- Buildings should be designed to address street frontages and respond to their urban context.
- Buildings with ground-level frontages to streets, pedestrian areas and/or passive open spaces should contribute to the appearance and function of these areas by providing:
 - At least 60% of the street frontage as transparent entries or display windows.
 - Clear glazing (tinted, or obscured glazing should not be used) with any security screens open in design and located behind glass in windows.
 - Generous and continuous overhead cover to footpaths (extending approximately 2.5 metres from the building façade) unless it is demonstrated that the particular circumstances do not require it.
 - Direct access from the footpath to ground level premises with minimal change of level; (doorways should be automatically opening and not require steps to be traversed).
 - Floor to ceiling heights at ground level of a minimum of 3.5 metres to accommodate changes of use over time.
- Buildings adjacent to the Werribee River and Wyndham Park should be designed to address and overlook these natural features.
- Buildings should incorporate appropriate noise attenuation measures to protect surrounding public and private spaces.
- Provision for external services including electricity, gas, fire, water and telecommunications should be incorporated into the building design, with service connections provided below ground.
- Service equipment including air-conditioning systems, plant rooms, lift overruns and bins, should be screened or visually incorporated into buildings.
- Connections to services including electricity, gas, water and telecommunications should be provided for below ground level.
- Half-basement or ground floor level car parks should be located behind other active uses at street frontages; otherwise car parks should be located above ground level active uses or below ground level.
- Additional crossovers to provide vehicle access to sites are discouraged, particularly where they would reduce the number of existing on-street car parks or length of existing ground level shop frontages.
- Crossovers providing vehicle access to sites should be designed to minimise their impact on ground level street frontages and pedestrian movement.
- New developments should include paving between the frontage and the street kerb to the specifications of the responsible authority where such paving does not already exist.

Environmentally Sustainable Design (ESD)

New development should incorporate best practice environmentally sustainable design (ESD), including initiatives relating to thermal performance, energy efficiency, water efficiency, stormwater management, materials selection and healthy buildings.

Building Height

Multistorey development is encouraged, in line with the objective for growth and intensification of the Werribee City Centre. Preferred building heights for new development are specified for each precinct in Clause 5 of this Schedule. These building heights are measured from ground level and reflect a typical height of 4.5 metres between ground floor level and first floor level, and 3.5 metres between upper floor levels.

Applications exceeding the preferred building height may be considered by the responsible authority where it can be clearly demonstrated that the proposed development achieves the centre wide objectives and provisions of this Schedule as well as the objectives and guidelines for the relevant precinct, as demonstrated in an Urban Context Report and Design Response.

Under-development of sites should be avoided. One storey development is not preferred, particularly for properties 10 metres or more in width.

Building Setbacks

Preferred front and side setbacks for new development are specified for each precinct in Clause 5 of this Schedule.

Building setback guidelines for new development adjacent to residential zoned land in Precincts 5, 6 or 7 are specified in the relevant precinct provisions at Clause 5 of this Schedule.

Overshadowing and overlooking

All buildings and works should be designed to minimise casting shadows on significant public spaces, in particular:

- The Werribee River Reserve,
- Wyndham Park, and
- Kelly Park.

All buildings and works should be designed to minimise casting significant shadows on residential land outside the Activity Centre Boundary.

Overshadowing guidelines for new development adjacent to residential zoned land are specified in the relevant precinct provisions at Clause 5 of this Schedule.

All buildings should be designed to address roads and public spaces for passive surveillance benefits, and minimise overlooking of private spaces.

5.0

19/03/2015
 C150(Part 1)

Precinct provisions

5.1

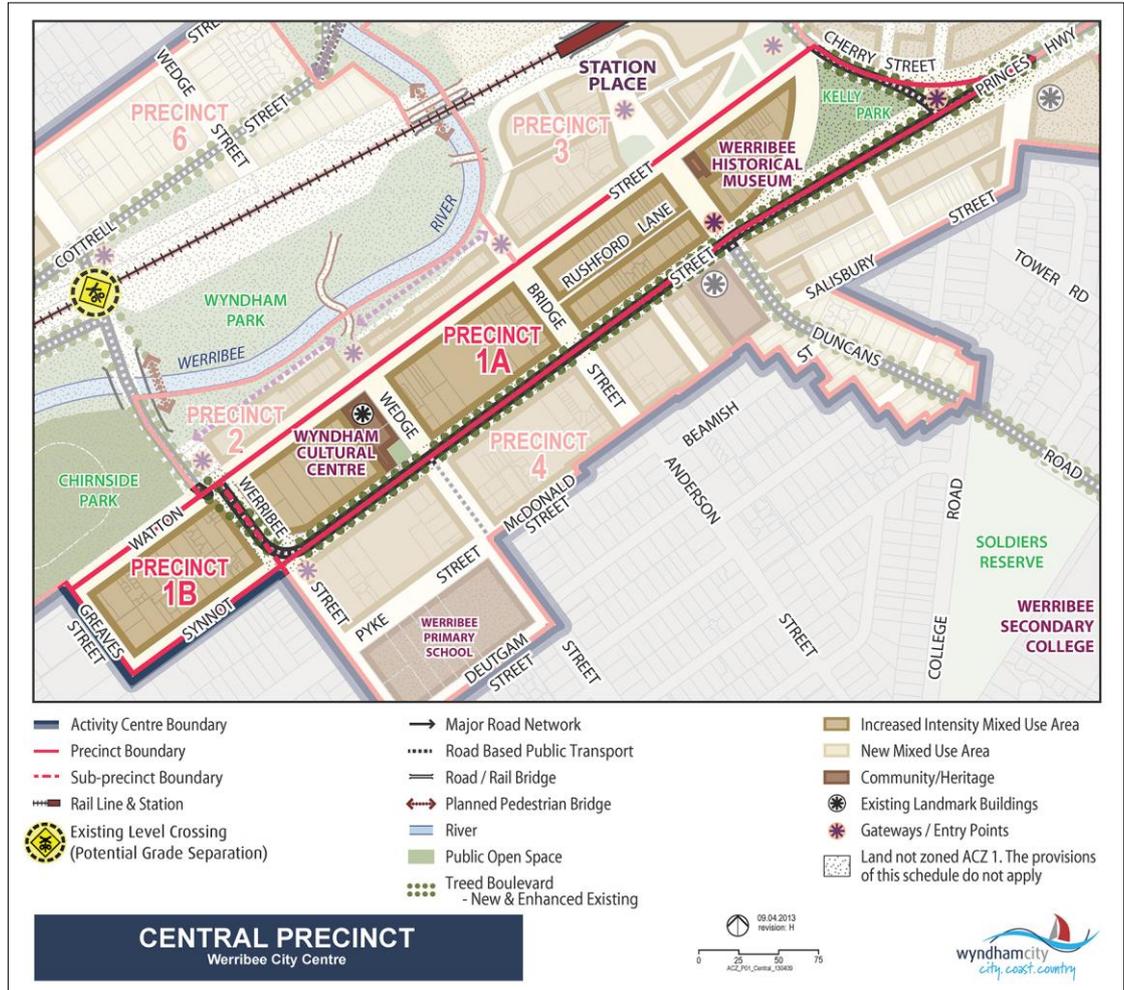
19/03/2015
 C150(Part 1)

Precinct 1 – Central Precinct

5.1-1

19/03/2015
 C150(Part 1)

Precinct Map



5.1-2

19/03/2015
 C150(Part 1)

Precinct Objectives

- To strengthen the Central Precinct as the commercial, retail and residential core of the Werribee City Centre.
- To encourage and facilitate higher density and high activity mixed use development, featuring active shopfronts at ground level along street frontages and a mixture of residences and offices above.
- To enhance Watton Street as a vibrant mainstreet and pedestrian-prioritised thoroughfare.
- To improve pedestrian amenity and the mix of uses along Synnot Street.
- To strengthen pedestrian links and connections between Watton Street and Synnot Street, and to surrounding precincts.
- To activate Rushford Lane as a pedestrian-friendly retail laneway.

5.1-3

19/03/2015
C150(Part 1)

Precinct requirements

Precinct	Preferred Building height	Preferred building setbacks
1A	8 metres to 36 metres	0 metre front and side setbacks to a height of 8 metres at street frontages, excluding Rushford Lane. 1 metre front setback to a height of 8 metres and 0 metre side setback to a height of 8 metres at Rushford Lane frontage.
1B	8 metres to 25.5 metres	0 metre front and side setbacks to a height of 8 metres at street frontages.

5.1-4

19/03/2015
C150(Part 1)

Precinct guidelines

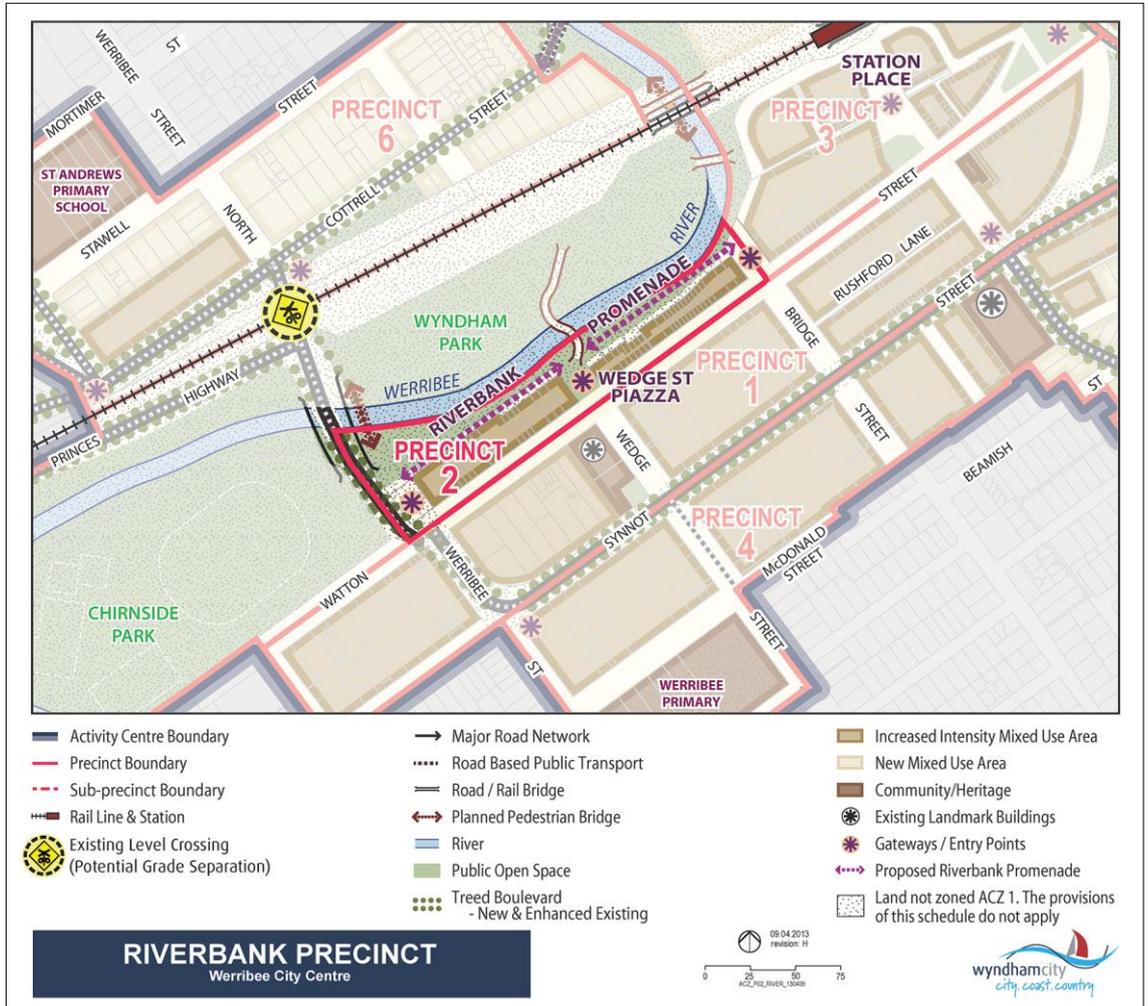
- Car park entries along Watton Street should be avoided where possible.
- Opportunities for pedestrian connections between Watton Street and Synnot Street should be maximised.

5.2 Precinct 2 – Riverbank Precinct

19/03/2015
 C150(Part 1)

5.2-1 Precinct Map

19/03/2015
 C150(Part 1)



5.2-2 Precinct Objectives

19/03/2015
 C150(Part 1)

- To establish the Precinct as an iconic destination.
- To enhance the interface between the Werribee City Centre’s urban core and its River and Park Precinct.
- To create new public spaces connected to adjacent privately-owned buildings, to encourage increased activity and improve connection with the Werribee River and Wyndham Park.
- To generate high levels of activity through a mixture of uses.
- To incorporate commercial and residential uses at upper levels of development overlooking Watton Street, the Werribee River and Wyndham Park.
- To encourage new pedestrian and visual connections between Watton Street, the Werribee River and Wyndham Park.
- To enhance the ground level area beside the river as passive open space and increase its utilisation for recreation.

5.2-3

19/03/2015
C150(Part 1)

Precinct requirements

Precinct	Preferred building height	Preferred Building setbacks
2	8 metres to 18.5 metres	0 metre front and side setbacks to a height of 8 metres at street frontages.

5.2-4

19/03/2015
C150(Part 1)

Precinct guidelines

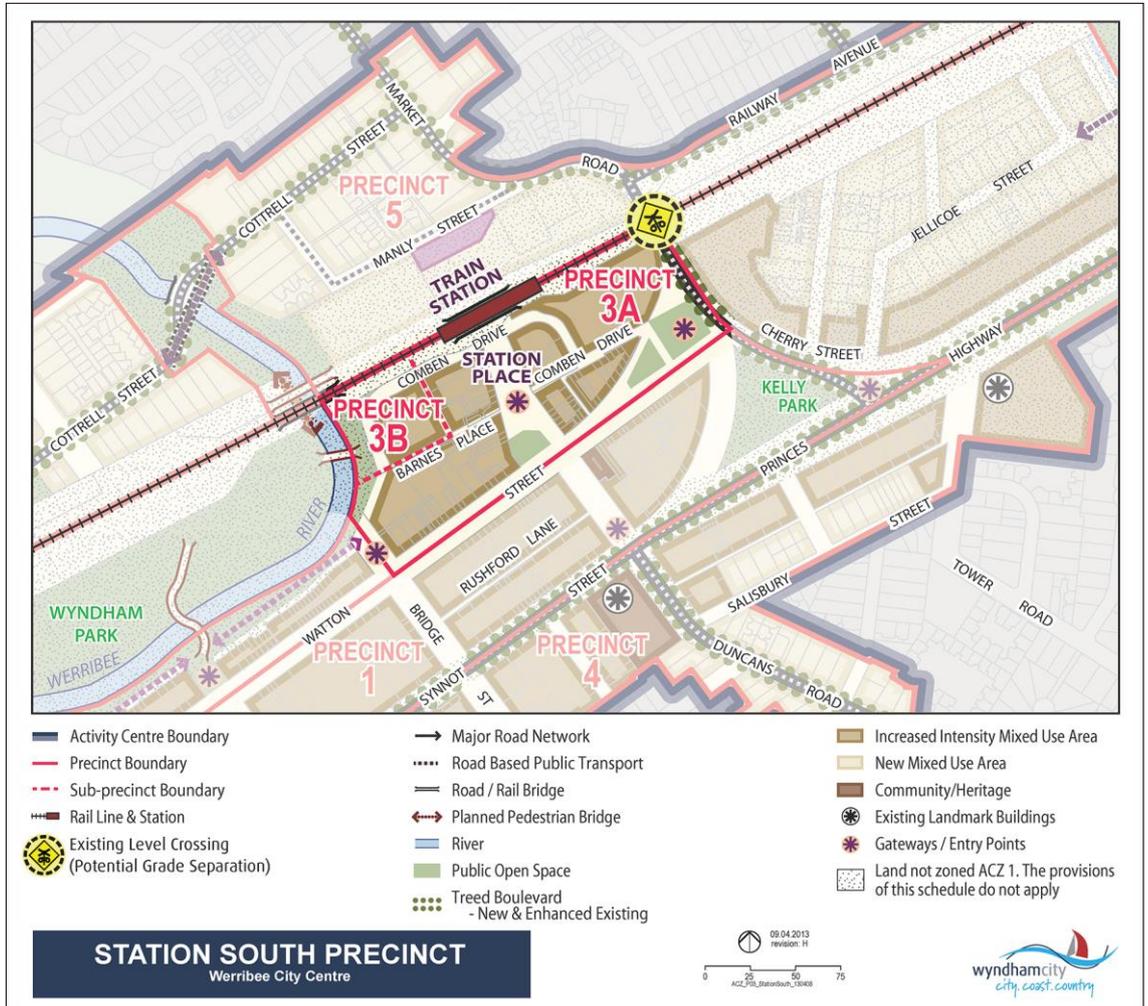
- New development on privately-owned sites should address both Watton Street and the Werribee River.
- Built form at ground floor level should have a transparent quality which provides sight lines from Watton Street through to the Werribee River and Wyndham Park.
- Opportunities for pedestrian connections between Watton Street and the proposed Riverbank Promenade should be maximised.
- Overshadowing of Watton Street should be minimised.
- Light spill into the Werribee River Reserve should be minimised.
- Buildings and works within the Werribee floodplain should be designed to minimise flood risks to life, health and property.

5.3 Precinct 3 – Station South Precinct

19/03/2015
 C150(Part 1)

5.3-1 Precinct Map

19/03/2015
 C150(Part 1)



5.3-2 Precinct Objectives

19/03/2015
 C150(Part 1)

- To enhance the Station South Precinct as the traditional central node of the Werribee City Centre.
- To encourage higher density development and a high level of activity around the Werribee Train Station and overlooking the Werribee River and Wyndham Park.
- To encourage an integrated mix of retail, office and residential uses to make the most of the precinct’s transport and natural assets, and to introduce a night-time population into the precinct.
- To encourage new development addressing and activating the open spaces and natural features within and adjacent to the precinct, including the Werribee River, Troup Park and Station Place.
- To establish Sub-precinct 3B, located on the river bend, as the visual centre-point of the City Centre through large-scale redevelopment of the land.

- To create a vibrant retail laneway network through the middle of the Precinct centred on Barnes Place and Comben Drive, to connect the planned Riverbank Promenade with Station Place, the Werribee Train Station, Watton Street and Cherry Street.

5.3-3 Precinct requirements

19/03/2015
C150(Part 1)

Sub-precinct	Preferred building height	Preferred building setbacks
3A	8 metres to 18.5 metres	0 metre front and side setbacks to a height of 8 metres at street frontages.
3B	8 metres to 71 metres	0 metre front and side setbacks to height of 8 metres at street frontages.

5.3-4 Precinct guidelines

19/03/2015
C150(Part 1)

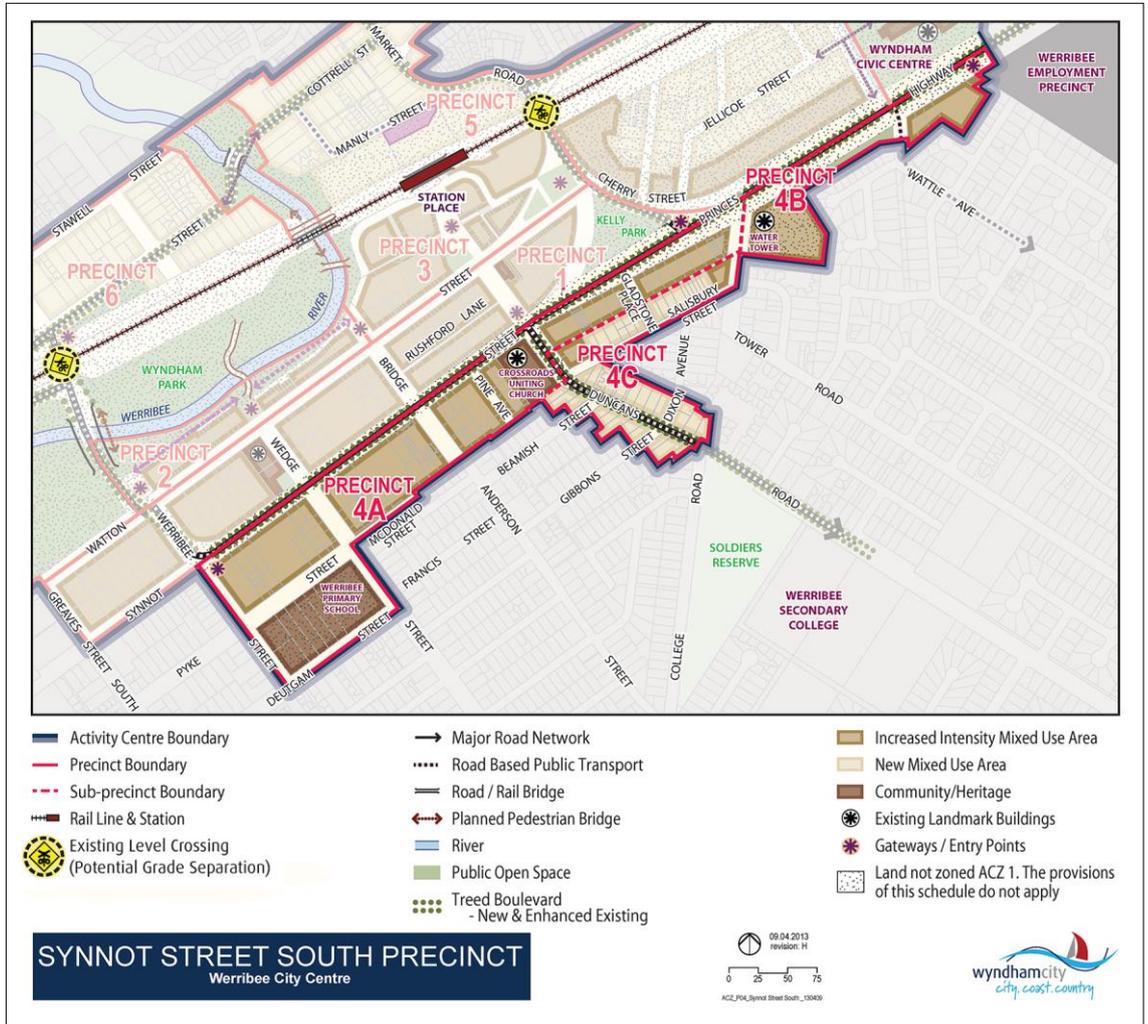
- Redevelopment within Sub-precinct 3B should maximise the potential for river and park views and create a visual centre-point for the Werribee City Centre, by featuring a tall multistorey building.
- Opportunities for new or enhanced pedestrian connections between the Riverbank Promenade, Station Place, the Werribee Train Station, Watton Street and Cherry Street should be maximised.
- Redevelopment of the existing ground level car parks within the precinct is encouraged.
- Car park entries along Watton Street and Station Place should be avoided.
- Light spill into the Werribee River Reserve should be minimised.
- New development should not compromise existing or future rail operations within the railway corridor, including the potential for future grade separation of the Cherry Street railway crossing.

5.4 Precinct 4 – Synnot Street South Precinct

19/03/2015
 C150(Part 1)

5.4-1 Precinct Map

19/03/2015
 C150(Part 1)



5.4-2 Precinct Objectives

19/03/2015
 C150(Part 1)

- To develop Synnot Street/Princes Highway as the principal commercial boulevard within the Werribee City Centre.
- To facilitate the expansion of the Werribee City Centre south of Synnot Street.
- To strengthen connections to the Central Precinct and the East Werribee Employment Precinct.
- To encourage further intensification and diversification of the retail, commercial and residential mix along Synnot Street.
- To improve pedestrian amenity along Synnot Street.
- To strengthen and enhance Duncan’s Road as a boulevard and gateway to the Werribee City Centre from the south.
- To encourage the further development of the specialist professional services sector and other commercial and residential uses in the streets south of Synnot Street, as a transition to adjoining residential land.

5.4-3

19/03/2015
C150(Part 1)

Precinct requirements

Sub-precinct	Preferred building height	Preferred building setbacks
4A	8 metres to 25.5 metres	0 metre front and side setbacks to a height of 8 metres at street frontages.
4B	8 metres to 18.5 metres	0 metre front and side setbacks to a height of 8 metres at street frontages. Where land adjoins residential zoned land, the standards for side and rear setbacks specified in Clause 55.04 – 1 are to be met.
4C	8 metres to 18.5 metres	0 metres front and side setbacks to a height of 8 metres at street frontages. Where land adjoins residential zoned land, the standards for side and rear setbacks specified in Clause 55.04 – 1 are to be met.
4D	8 metres to 13.5 metres for land at 1 Tower Road	0 metre front and side setbacks to a height of 8 metres at street frontages. Where land adjoins residential zoned land, the standards for side and rear setbacks specified in Clause 55.04 – 1 and the standards of Clauses 55.04-2, 55.04-3, 55.04-4, 55.04-5, 55.04-6 and 55.04-8 are to be met. Development at 1 Tower Road should be setback to protect the existing Peppercorn trees at the site's northern boundary with Princes Highway.

5.4-4

19/03/2015
C150(Part 1)

Precinct guidelines

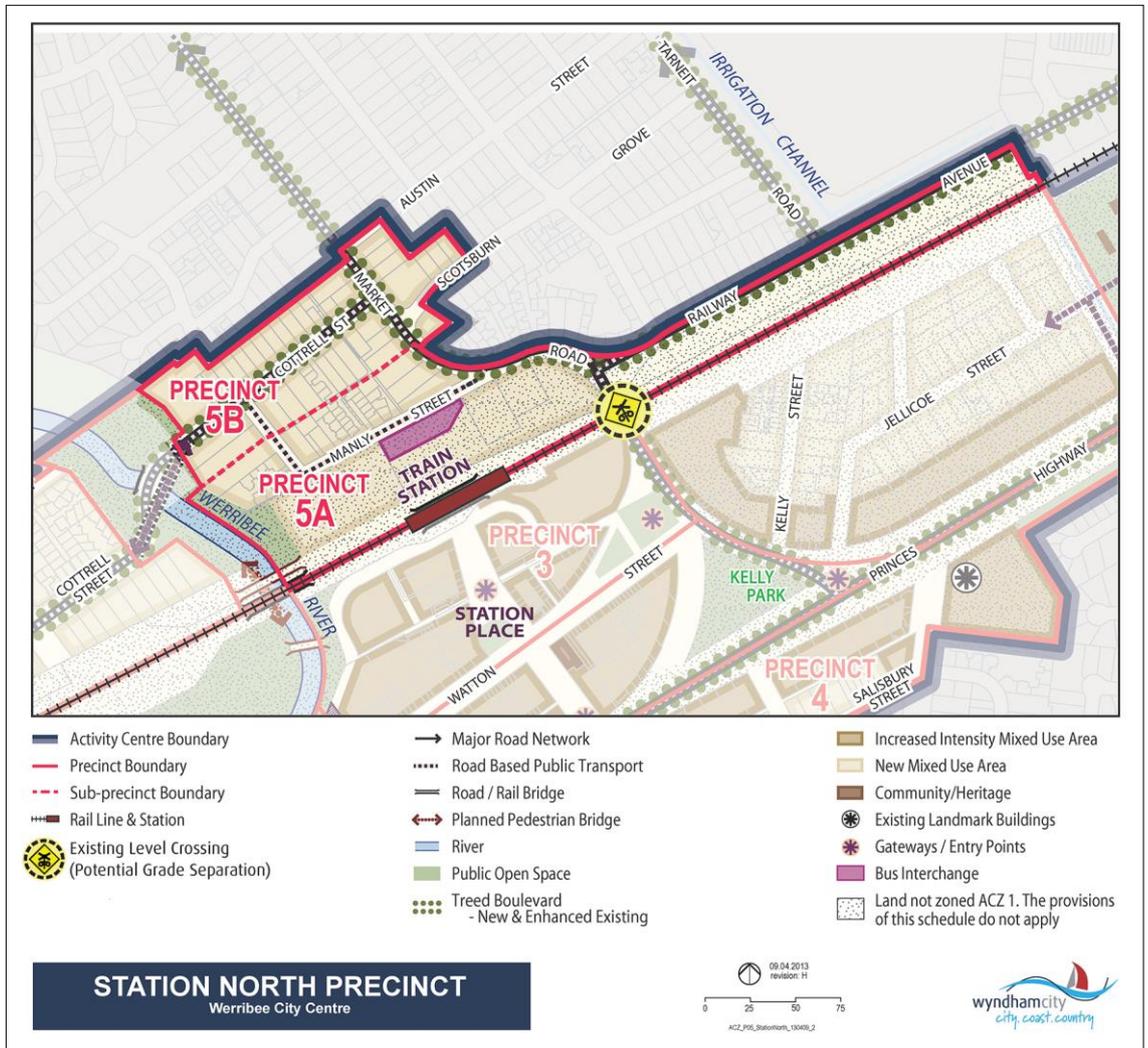
- Ground level active frontages to Synnot Street should be maximised.
- Opportunities for pedestrian and vehicle connections through to Synnot Street from the street south of Synnot Street should be maximised.
- Where possible, car park entries should be from the streets located south of Synnot Street rather than directly from Synnot Street.
- New development within 30 metres of residential zoned land should provide an appropriate built-form transition to adjoining residential zoned areas through the height, setback, scale, massing and detail of new development, as demonstrated by an Urban Context Report and Design Response.
- New development with a boundary adjoining residential zoned land should meet the standards for side and rear setbacks in Clause 55.04 – 1 and the standards for overshadowing in Clause 55.04 – 9.
- [New development at 1 Tower Road is to be sensitively designed to ensure the prominence of the historic water tower.](#)

5.5 Precinct 5 – Station North Precinct

19/03/2015
 C150(Part 1)

5.5-1 Precinct Map

19/03/2015
 C150(Part 1)



5.5-2 Precinct Objectives

19/03/2015
 C150(Part 1)

- To facilitate the expansion of the Werribee City Centre north of the railway line and establish a new higher density mixed use residential, commercial and community service area next to the Werribee Train Station and the Werribee River.
- To increase the number of residential, commercial and community services opportunities located close to the Werribee Train Station.
- To encourage higher density mixed use development and activity within the train station car park site (incorporating commuter car parking) and along Manly Street in Sub-precinct 5A, and along Cottrell Street in Sub-precinct 5B.
- To strengthen links and improve access to the train station, bus interchange and through the precinct for public transport, pedestrians, cyclists and users with limited mobility.
- To improve access and connections across the railway line and river.

5.5-3

19/03/2015
 C150(Part 1)

Precinct requirements

Sub-precinct	Preferred building height	Preferred building setbacks
5A	8 metres to 25.5 metres	0 metre front and side setbacks to a height of 8 metres at street frontages.
5B	8 metres to 18.5 metres	0 metre front and side setbacks to a height of 8 metres at street frontages. Where land adjoins residential zoned land, the standards for side and rear setbacks specified in Clause 55.04 – 1 are to be met.

5.5-4

19/03/2015
 C150(Part 1)

Precinct guidelines

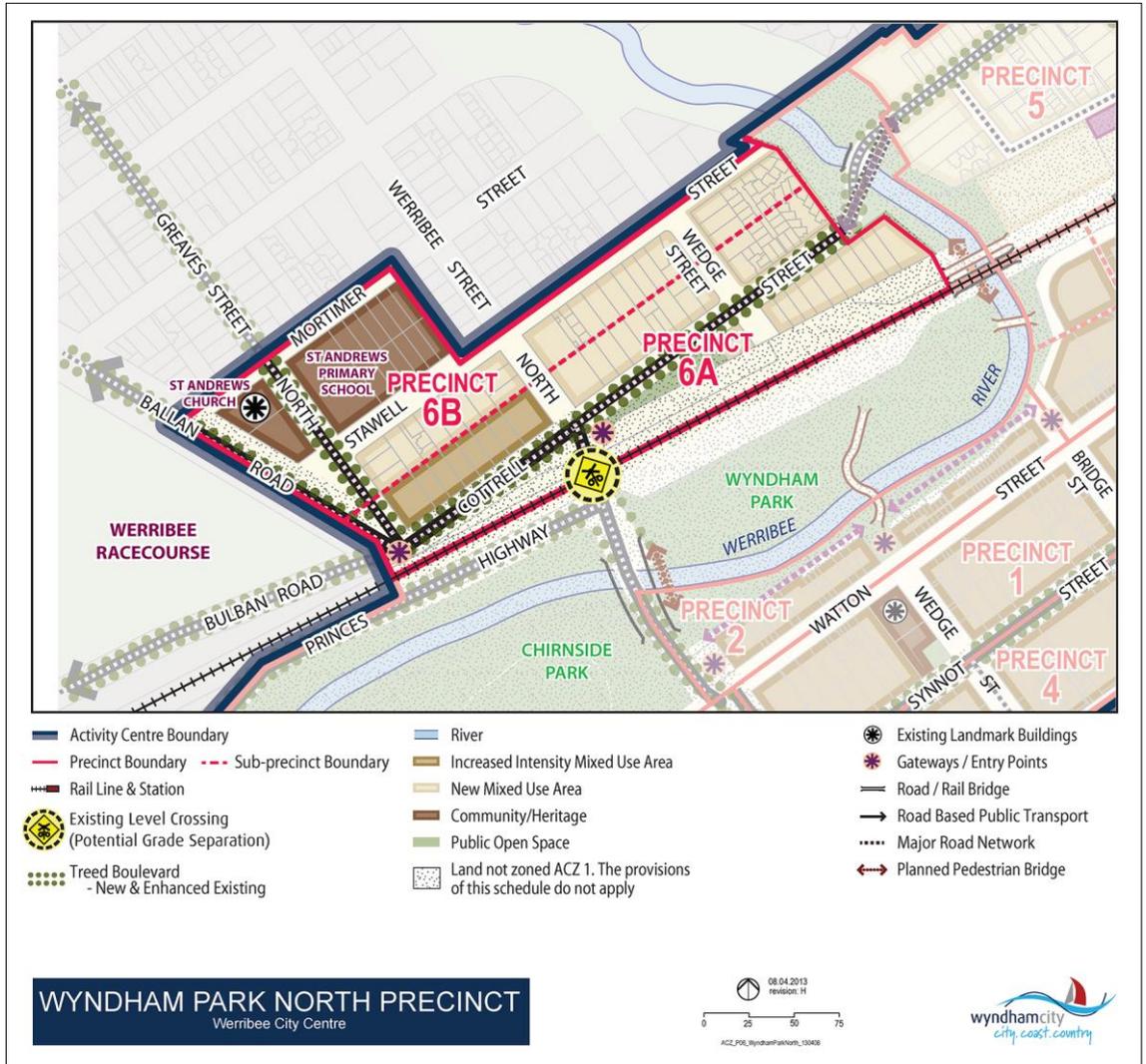
- Opportunities for overlooking of Wyndham Park and the Werribee River from new developments should be maximised.
- Light spill into the Werribee River Reserve should be minimised.
- Buildings and works within the Werribee floodplain should be designed to minimise flood risks to life, health and property.
- Opportunities for pedestrian connections to the train station and river within the precinct should be maximised.
- New development within 30 metres of residential zoned land should provide an appropriate built-form transition to adjoining residential zoned areas through the height, setback, scale, massing and detail of new development, as demonstrated by an Urban Context Report and Design Response.
- New development with a boundary adjoining residential zoned land should meet the standards for side and rear setbacks in Clause 55.04 – 1 and the standards for overshadowing in Clause 55.04 – 9.
- New development should not compromise existing or future rail operations within the railway corridor, including the potential for future grade separation of the Cherry Street railway crossing.

5.6 Precinct 6 – Wyndham Park North Precinct

19/03/2015
 C150(Part 1)

5.6-1 Precinct Map

19/03/2015
 C150(Part 1)



5.6-2 Precinct Objectives

19/03/2015
 C150(Part 1)

- To facilitate the expansion of the Werribee City Centre north of Wyndham Park and the railway line.
- To contribute to the repositioning of Wyndham Park and the Werribee River as the central features of the Werribee City Centre, surrounded and overlooked by buildings.
- To establish a new higher density, high activity mixed use area centred on Cottrell Street, incorporating residential, commercial, recreational and community uses.
- To establish Cottrell Street as a high amenity, higher density, mixed use, tree-lined boulevard.
- To encourage within Sub-precinct 6B a mix of medium density commercial and residential uses as a transition to the residential interface with Stawell Street.

5.6-3

19/03/2015
C150(Part 1)

Precinct requirements

Sub-precinct	Preferred building height	Preferred building setbacks
6A	8 metres to 25.5 metres	0 metre front and side setbacks to a height of 8 metres at street frontages.
6B	8 metres to 18.5 metres	0 metres front and side setbacks to a height of 8 metres at street frontages.

5.6-4

19/03/2015
C150(Part 1)

Precinct guidelines

- The opportunity for overlooking of Wyndham Park and the Werribee River from new developments along Cottrell Street should be maximised.
- New development within 30 metres of residential zoned land should provide an appropriate built-form transition to adjoining residential zoned areas through the height, setback, scale, massing and detail of new development, as demonstrated by an Urban Context Report and Design Response.
- Light spill into the Werribee River Reserve should be minimised.
- Buildings and works within the Werribee floodplain should be designed to minimise flood risks to life, health and property.
- New development should not compromise existing or future rail operations within the railway corridor, including the potential for future grade separation of the Werribee Street railway crossing.

6.0

19/03/2015
C150(Part 1)

Application requirements

In addition to the application requirements set out at Clause 37.08-7 an application to construct a building or carry out works should be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- Illustrations of sight-lines from balcony edges.
- Sections of the proposed building at appropriate intervals.
- A three-dimensional coloured artist's impression showing the proposed development in the context of surrounding development.
- A Waste Management Plan.
- A Construction Management Plan which sets out the principal construction issues and how the anticipated process will be managed. The Construction Management Plan should address local amenity issues and make provision for:
 - Measures to protect the amenity of surrounding areas through the construction period against dust, noise, stormwater control and security lighting.
 - The management of construction worker vehicles.
 - The delivery and storage of materials on the site.
 - A schedule of hours of work during the working week.
 - A procedure to seek out of hours work for special construction requirements.
 - Construction access to the site.
- An Environmentally Sustainable Design Report which outlines the ESD initiatives included within the proposal and addresses the ESD provisions in Clause 4.4.

- An application which exceeds any of the Preferred Building Heights or Preferred Building Setbacks outlined in the relevant precinct requirements must be accompanied by a Design Response and Urban Context Report, and an Environmentally Sustainable Design Report.
- An application for a development in Precincts 4, 5 or 6 within 30 metres of residential zoned land must be accompanied by an Urban Context Report and Design Response which demonstrate an appropriate built-form transition to the adjoining residential zoned land through the height, setback, massing and detail of the development.
- An application for development in Precincts 3, 5 or 6 within 50 metres of Public Use Zone 4 land must be accompanied by an Adverse Amenity Impacts Report, which considers the impacts of airborne noise and vibration emissions from the operation of the railway and station on the amenity of sensitive land uses and specifies the proposed mitigation measures after seeking the views of Public Transport Victoria.
- An application for a permit on public land by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:
 - To the application for permit being made, or
 - To the application for permit being made and to the proposed use or development.

The responsible authority may waive or reduce any of the application requirements detailed above, for works that are minor in nature or of a specific type where the requirements are not considered relevant or appropriate.

7.0 Notice and review

19/03/2015
C150(Part 1)

An application to construct a building or carry out works is not 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 exceeds the preferred building heights or does not meet other precinct requirements contained within Clause 5 of this schedule.

8.0 Decision guidelines

19/03/2015
C150(Part 1)

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08-9, the responsible authority must consider the views of Public Transport Victoria for all applications for use, subdivision and buildings and works within 50 metres of Public Use Zone 4 land.

9.0 Reference documents

19/03/2015
C150(Part 1)

Werribee City Centre Structure Plan 2013 (Wyndham City Council) as amended from time to time.
Werribee City Centre Parking Precinct Plan 2013 (Wyndham City Council) as amended from time to time.