

**SCHEDULE 4 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as CDZ4.

**SALEYARDS PRECINCT PLAN**

**Land**

This schedule applies to land as defined by the Saleyards Comprehensive Development Plan, May 2022 (the incorporated CDP) incorporated in this scheme.

The land referred to in this schedule is shown on the planning scheme maps as CDZ4.

**Plan 1 to Schedule 4 to Clause 37.02**



*Note: This plan is a reproduction of Plan 1 - Future Urban Structure as contained within the Saleyards Comprehensive Development Plan, May 2022*

**Purpose**

To provide for the integrated planning, development and subdivision of the land primarily for higher density housing.

To create a high amenity, walkable residential environment through the provision of high quality public spaces, community facilities and a limited range of commercial uses.

To ensure a diversity of housing types and built form is achieved throughout the precinct, including social and affordable housing.

To encourage best practice environmentally sustainable design, stormwater management and water quality treatment.

To manage the interface between future residential and adjoining non-residential uses.

**1.0**

**Table of uses**

**Section 1 - Permit not required**

Use	Condition
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence.

## GREATER GEELONG PLANNING SCHEME

Use	Condition
	At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Crop raising (other than Timber production)	Must be located in public or communal open space areas or road reserves as shown on Plan 1.
Dwelling (other than Bed and breakfast)	Within the Mixed use area shown on Plan 1 any frontage at ground floor level must not exceed 2 metres.
Food and drink premises (other than Hotel)	The leasable floor area must not exceed 150 square metres.  Must be located at ground floor or first floor level within the Mixed use area generally as shown on Plan 1.  Must not include a drive-through facility.
Home based business Informal outdoor recreation	
Office	The leasable floor area must not exceed 250 square metres.  Within the Mixed use area shown on Plan 1 any frontage at ground floor level must not exceed 2 metres.
Residential building (other than Residential hotel and Motel)	Within the Mixed use area shown on Plan 1 any frontage at ground floor level must not exceed 2 metres.
Rooming house	Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop, Department store and Restricted Retail premises)	The leasable floor area must not exceed 150 square metres.  Must be located at ground floor or first floor level within the Mixed use area generally as shown on Plan 1.  The combined leasable floor area of all shops must not exceed 1800 square metres.
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01

### Section 2 - Permit required

Use	Condition
Accommodation (other than Camping and caravan park, Community care accommodation, Corrective institution, Dwelling, Host farm, Residential building and Rooming house)	

## GREATER GEELONG PLANNING SCHEME

Use	Condition
Agriculture (other than Animal husbandry, Apiculture, Crop raising and Timber production)	
Art gallery	
Child care centre	
Education centre (other than Child care centre, Kindergarten and Employment training centre)	The leasable floor area must not exceed 250 square metres.  Within the Mixed use area shown on Plan 1 any frontage at ground floor level must not exceed 2 metres.
Employment training centre	
Kindergarten	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Museum	
Place of assembly (other than Carnival, Cinema-based entertainment facility, Circus, Drive-in theatre, Exhibition centre and Function centre).	
Plant nursery	Must be located in public open space areas as shown on Plan 1.
<b>Any other use not in Section 1 or 3</b>	

### Section 3 - Prohibited

Use
Adult sex product shop
Animal husbandry (other than Apiculture)
Aquaculture
Brothel
Camping and caravan park
Car park
Cemetery
Crematorium
Cinema-based entertainment facility
Corrective institution
Crop raising (if Section 1 condition not met)
Department store

Use
Drive-in theatre
Energy generation facility
Exhibition centre (other than Art gallery and Museum)
Freeway service centre
Function centre
Hospital
Host farm
Hotel
Industry
Major sports and recreation facility
Motor racing track
Plant nursery - if the Section 2 condition is not met
Restricted retail premises
Recreational boat facility
Research centre
Retail premises (other than Food and drink premises, Market, Plant nursery, Postal agency and Shop)
Saleyard
Service station
Timber production
Transport terminal
Utility installation (other than Minor utility installation and Telecommunications facility)
Warehouse
Winery

**2.0**

---  
Proposed C434ggee

**Use of land**

**Requirements**

A permit to use land must be generally in accordance with the Saleyards Comprehensive Development Plan, May 2022, noting that all requirements must be met.

**Environmental Audit**

A permit to use land for a sensitive use (residential use, child care centre, pre-school centre, primary school, secondary school or children's playground) must not be granted until one of the following requirements is met:

- A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use.
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* stating that the land is suitable for the use.

The preliminary risk screen assessment and environmental audit statement must address potential microbial contamination risk, including Q Fever, of the former Geelong Saleyards land (Lot 2 LP 206464 and CA 73K).

Any recommendations in an environmental audit statement required under this provision must:

- Be complied with to ensure the land is suitable for the purposes specified in the statement.
- For the use of land, be complied with to ensure the land is suitable for the purposes specified before the use commences.
- Be included as a permit condition, which may include the management of contamination before, during and after the use commences.

### **Application Requirements**

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

- The purpose of the use and the type of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If for Accommodation:
  - The likely effects on the local and regional traffic network;
  - The works, services or facilities required to cater for those effects so that the efficiency and safety of the traffic network is maintained; and
  - The proposed method of funding the required works, services or facilities.
- If an application for a shop will exceed the combined leasable floor area of all shops in the 'land use table' at section 1.0 of this schedule, an economic impact assessment.

### **Exemption from Notice and Review**

An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the with the Saleyards Comprehensive Development Plan, May 2022.

### **Decision Guidelines**

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

- Whether the proposal is generally consistent with the incorporated Saleyards Comprehensive Development Plan, May 2022.
- The interface with adjoining zones, especially the relationship with non-residential areas.
- The effect that existing uses may have on the proposed use.
- Whether the use generally serves local community needs.

- Whether an Accommodation or Office use at the ground floor within the Mixed use area shown on Plan 1 will compromise the objectives sought by the incorporated Saleyards Comprehensive Development Plan, May 2022.
- Whether an increase in shop floorspace that exceeds the leasable or combined leasable floor area in the 'land use table' at section 1.0 of this schedule will have a significant impact on a nearby centre.
- Whether the use will prejudice the future development of the precinct.
- The proposed hours of operation, noise and any other likely off-site amenity impacts.
- The scale and intensity of the use.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- The effect of the findings of an environmental audit.

### 3.0

---  
Proposed C434ggee

#### **Subdivision**

##### **Requirements**

A permit to subdivide land must be generally in accordance with the Saleyards Comprehensive Development Plan, May 2022, noting that all requirements must be met.

A permit must contain conditions or requirements which give effect to the requirements of the Shared Infrastructure Funding Plan as appropriate.

##### **Environmental Audit**

A permit to subdivide land in association with a sensitive use (residential use, child care centre, pre-school centre, primary school, secondary school or children's playground) must not be granted until one of the following requirement is met:

- A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use.
- An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 stating that the land is suitable for the use or proposed use.

The preliminary risk screen assessment and environmental audit statement must address potential microbial contamination risk, including Q Fever, of the former Geelong Saleyards land (Lot 2 LP 206464 and CA 73K).

Any recommendations in an environmental audit statement required under this provision must:

- Be complied with to ensure the land is suitable for the purposes specified in the statement.
- For the subdivision of land, be complied with to ensure the land is suitable for the purposes specified before the issue of a statement of compliance.
- Be included as a permit condition, which may include the management of contamination before, during and after the statement of compliance is issued.

##### **Application requirements**

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

- A response to the vision, objectives, requirements and guidelines outlined in the Saleyards Comprehensive Development Plan, May 2022.

## GREATER GEELONG PLANNING SCHEME

- A plan showing the location of public reserves or other land proposed to be provided to or vested in a Minister, municipal council or public authority.
- A plan showing the proposed subdivision in the context of Plan 1 of the incorporated Saleyards Comprehensive Development Plan, May 2022.
- An affordable housing delivery strategy to the satisfaction of the responsible authority, which sets out:
  - How affordable housing is to be achieved in accordance with the Saleyards Comprehensive Development Plan, May 2022, including the identification of intended partners, timeframes, built form and response to each of the matters set out by the Minister pursuant to section 3AA(2) of the *Planning and Environment Act 1987*.
  - The method of implementing the strategy, such as by an agreement under Section 173 of the *Planning and Environment Act 1987*.
  - Locations for the social and affordable housing to be delivered.
  - A summary of the range of housing types, densities and sizes.
  - Staging requirements and ensuring that social and affordable housing are provided in a timely manner as development occurs.
- A Drainage Strategy that addresses the Saleyards Comprehensive Development Plan (May 2022), Shared Infrastructure Funding Plan and objectives of the Geelong Saleyards Precinct Surface Water Management Strategy (BMT, April 2021).
- A Stormwater Management Plan that demonstrates the development can be drained in accordance with the objectives of the Geelong Saleyards Precinct Surface Water Management Strategy (BMT, April 2021).
- A Public Infrastructure Plan that addresses the following:
  - What land may be affected by or required for the provision of infrastructure works;
  - The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
  - What, if any, infrastructure set out in the development contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
  - The provision of public open space; and
  - Any other matter relevant to the provision of public infrastructure required by the responsible authority.
- A site and context description and design response as required in Clause 56.
- A detailed Erosion and Sediment Control Plan to manage impacts during the construction phase.

### Exemption from Notice and Review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1) (a) (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the Saleyards Comprehensive Development Plan, May 2022.

### Decision Guidelines

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

- Whether the proposal is generally consistent with the incorporated Saleyards Comprehensive Development Plan, May 2022.
- The effect of the proposed subdivision on:
  - The spacing of buildings.
  - Delivery of diverse housing types.
  - Delivery of dwelling density targets.
- Whether the proposal includes a satisfactory amount of affordable housing.
- How social and affordable housing is dispersed across development and in relation to the Saleyards Comprehensive Development Plan, May 2022
- The effect the subdivision will have on the potential of the precinct to accommodate future uses and redevelopment of the precinct.
- The appropriateness of the location and function of public reserves, road reserves and other public spaces.
- How any proposed public roads integrate with the surrounding road network.
- The effect of the findings of an environmental audit, including whether the staging of development appropriately reflects the ability of the land to be used for the intended purpose.

#### 4.0

Proposed C434ggee

#### Buildings and works

A permit is required to construct a dependent person's unit.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

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

- Structural changes to a single dwelling on a lot, provided the size of the dwelling is not increased and the number of dwellings is not increased.
- Construct or extend an out-building (other than a garage or carport) for a single dwelling on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- For land shown in a Mixed use area in the Saleyards Comprehensive Development Plan, May 2022, :
  - Alter an existing building facade provided:
    - The extent of entries or windows with clear glazing at ground level is not reduced.
    - The alteration does not include the installation of an external roller shutter.
  - Install an automatic teller machine.
  - Construct an awning that projects over a road if it is authorised by the relevant public land manager.

#### Requirements

A permit to construct a building or to construct or carry out works must be generally in accordance with the Saleyards Comprehensive Development Plan, May 2022, noting that all requirements must be met.

A permit must contain conditions or requirements which give effect to the requirements of the Shared Infrastructure Funding Plan as appropriate.

### Environmental Audit

A permit to construct a building or construct or carry out works, in association with a sensitive use (residential use, child care centre, pre-school centre, primary school, secondary school or children's playground), must not be granted until one of the following requirements is met:

- A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use, or
- An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 stating that the land is suitable for the use or proposed use.

The preliminary risk screen assessment and environmental audit statement must address potential microbial contamination risk, including Q Fever, of the former Geelong Saleyards land (Lot 2 LP 206464 and CA 73K).

Any recommendations in an environmental audit statement required under this provision must:

- Be complied with to ensure the land is suitable for the purposes specified in the statement.
- For the construction of a building or construction or carrying out of works, be complied with to ensure the land is suitable for the purposes specified before the completion or occupation of the building or works (whichever is earlier).
- Be included as a permit condition, which may include the management of contamination before, during and after the construction of the development.

### Application requirements

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

- A response to the vision, objectives, requirements and guidelines outlined in the Saleyards Comprehensive Development Plan, May 2022.
- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For other development:
  - A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - Adjacent buildings and uses.
  - The siting, layout and use of proposed buildings and works.
  - The building form, height and scale.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

- An affordable housing delivery strategy to the satisfaction of the responsible authority, which sets out:
  - How affordable housing is to be achieved in accordance with the Saleyards Comprehensive Development Plan, May 2022, including the identification of intended partners, timeframes, built form and response to each of the matters set out by the Minister pursuant to section 3AA(2) of the *Planning and Environment Act 1987*.
  - The method of implementing the strategy, such as by an agreement under Section 173 of the *Planning and Environment Act 1987*.
  - Locations for the social and affordable housing to be delivered.
  - A summary of the range of housing types, densities and sizes.
  - Staging requirements and ensuring that social and affordable housing are provided in a timely manner as development occurs.
- A Drainage Strategy that addresses the Saleyards Comprehensive Development Plan (May 2022), Shared Infrastructure Funding Plan and objectives of the Geelong Saleyards Precinct Surface Water Management Strategy (BMT, April 2021).
- A Stormwater Management Plan that demonstrates the development can be drained in accordance with the objectives of the Geelong Saleyards Precinct Surface Water Management Strategy (BMT, April 2021).
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

### **Exemption from Notice and Review**

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the Saleyards Comprehensive Development Plan, May 2022.

### **Decision Guidelines**

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

- Whether the proposal is generally consistent with the incorporated Saleyards Comprehensive Development Plan, May 2022.
- Whether an application for development of less than five storeys, excluding a basement, meets the requirements of Clause 54 or Clause 55.
- Whether a proposal for one or more dwellings or other accommodation:
  - Supports a variety of housing typologies that provide for a variety of life stages and needs.
  - Includes universal design and access.
  - Includes social and affordable housing.
- Whether the proposal includes a satisfactory amount of affordable housing.
- How social and affordable housing is dispersed across development and in relation to the Saleyards Comprehensive Development Plan, May 2022.
- Whether a proposal that does not achieve the preferred minimum dwelling density is an underdevelopment.
- The effect of the findings of an environmental audit, including whether the staging of development appropriately reflects the ability of the land to be used for the intended purpose.

- The effect of traffic to be generated by the development on the capacity of the local and regional traffic network.
- How the design of ground level building facades contribute to a pedestrian friendly, visually interesting streetscape.
- The streetscape, including the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The location of storage for rubbish and materials for recycling.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- Whether landscaping includes adequate canopy coverage to reduce urban heat island impacts.

**5.0**

**Signs**

---/---  
Proposed C434ggee

None specified.