

Design & Development Overlay

FACTSHEET

What is a Design and Development Overlay?

The Design and Development Overlay is a planning control that is applied to land which requires a specific design treatment. The purpose of the overlay is to give direction to the specific design and built form requirements.

What does it mean for my property?

If your property is proposed within the Design and Development Overlay, you may need a planning permit to undertake any development at the property.

This includes, but is not limited to:

- Construct a new building or structure
- Extend a new building or structure
- Construct or carry out works (i.e. change ground levels through excavation)
- An outdoor swimming pool
- A fence
- Any development involving ground excavation

Council's Town Planning Department can provide advice on whether a planning permit is required for any particular proposal. Council also offers a free pre-application service where, in conjunction with advice from Viva Energy Australia, we can provide advice on whether your proposed development is likely to be approved.

Where is the overlay being applied?

The Design and Development Overlay applies to various precincts in Wyndham which require specific design guidance.

A new Design and Development Overlay is being applied to the residential zoned properties along the north side of Princes Highway, between Derrimut Road and the Hoppers Crossing Train Station which are in the vicinity of the Shell Oil Pipeline easement.

Why is the overlay being applied?

Council has recently adopted its Housing and Neighbourhood Character Strategy which reviewed all residential neighbourhoods within Wyndham and made recommendations regarding its development potential and neighbourhood characteristics.

The Princes Highway Precinct was identified as an ideal location for new development and housing growth given its excellent access to public transport (Werribee and Hoppers Crossing train stations and local buses), access to the Freeway, services and employment (Werribee City Centre and the future East Werribee Employment Precinct). The Strategy recommended a Residential Growth Zone which would support higher density development.

During the preparation of the Strategy, Viva Energy (responsible for management of the oil pipeline) made submissions to Council that the pipeline needed to be considered as part of the planning process.

The Strategy, which was adopted in August 2015, subsequently recommended further consultation with Viva Energy Australia to determine specific preferred outcomes in the area. It has been agreed to rezone the precinct to Residential Growth Zone with the support of a Design and Development Overlay to guide built form outcomes.

Many of the requirements in the Overlay already exist, and are often not made known to developers until late in the process. The development of this overlay will make the current design requirements more obvious and transparent to land owners and developers as they will be included in the Wyndham Planning Scheme.

The overlay has been developed in collaboration with Viva Energy.

What are the design requirements for this precinct?

The overlay seeks to manage design of new development so that it is:

- Sited appropriately to the pipeline to avoid safety hazards
- Designed so as not to prevent access to and maintenance of the pipeline
- Managed in accordance with the relevant Australian Standards and legislation

It does this by requiring new development to meet some of the following:

- Nominating access widths for Emergency Services vehicles (9 metres) and maintenance vehicles (12 metres)
- Requiring a Safety Management Study and Risk Assessment to be undertaken for all new development
- Implementing the findings through construction management such as separation barriers or works/upgrades/relocation of the pipeline infrastructure (if necessary)
- Ensuring that any form of development or even landscaping does not damage or obstruct the pipeline infrastructure particular consideration to depth and location of footings

Any planning permit applications will be discussed with the relevant pipeline operator and their requirements will be considered when deciding on an application.

How are proposals in the Design and Development Overlay assessed?

If a planning permit is required for the proposed development or works, Council is required to consider the provisions of the Wyndham Planning Scheme including:

- Purpose and decision guidelines of the Design and Development Overlay (Clause 43.02 of the Wyndham Planning Scheme)
- The design objectives, site and design requirements and the decision guidelines of schedule to the overlay (Draft Schedule 12)
- The views of the pipeline operator (Viva Energy)

What is the pipeline?

The White Oil Pipeline that runs through the rear of properties in the Princes Highway Precinct is identified and protected by an easement on all Certificates of Title. The pipelines have existed for many decades.

These pipelines are a critical part of the pipeline infrastructure that supplies 55% of Victoria's fuel needs. All works associated with licensed pipelines are governed by the Pipelines Act and Australian Standards.

It is important to ensure that new development and activities that occur on and near the existing pipeline infrastructure does not cause any damage to the pipeline or impede Viva Energy from maintaining it.

Who is Viva Energy?

Viva Energy Australia Pty Ltd (Viva Energy) owns and/or operates around 260km of licensed pipelines in Victoria which are used to transport oil products in and around greater Melbourne area.

It is important that Viva Energy is engaged early in the planning process to ensure that proposed development activity is managed in a way that does not impact on the pipeline infrastructure. They will require approvals before works commence.

If you would like further advice on a specific development proposal, please contact Viva Energy on telephone (03) 9392 1214.

Where can I get more information?

The Design and Development Overlay is being considered as part of a larger process for the implementation of Wyndham's Housing and Neighbourhood Character Strategy, which includes rezoning many residential properties in Wyndham.

Feedback is being sought on the draft planning controls until **17 March 2017**.

For further information visit www.wyndham.vic.gov.au/housing or attend an Information Session (dates and times available online).

How do I make a submission?

Council is seeking community comments on the draft controls until **17 March 2017**.

Making a submission is easy and can be done:

- Online at www.wyndham.vic.gov.au/housing
- Email to housing@wyndham.vic.gov.au
- Post to **Housing Strategy** PO Box 197, Werribee, Vic 3030

Please remember to include your name, postal address, contact details as well as the address of the property being rezoned (if relevant).

Contact us

If you still require further information regarding the above, please contact Council on telephone (03) 8734 5493 or email housing@wyndham.vic.gov.au.

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