

11/06/2009  
C128

**SCHEDULE 1 TO THE URBAN GROWTH ZONE**

Shown on the planning scheme map as **UGZ1**.

**Cardinia Road Precinct Structure Plan (September 2008)**

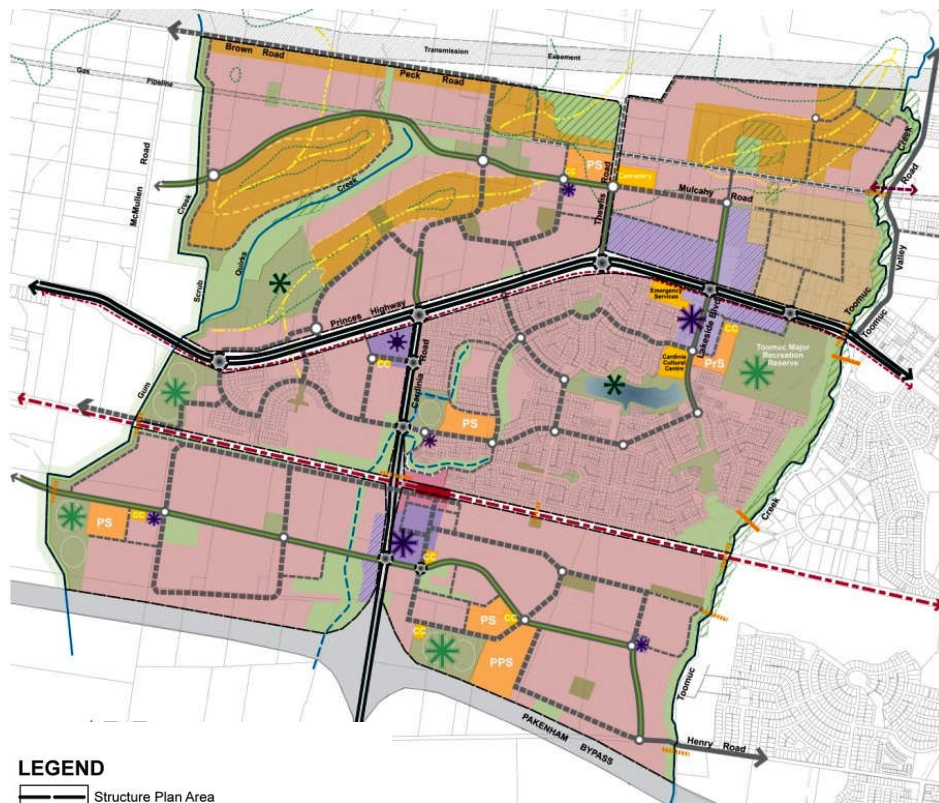
**1.0**

**The Plan**

20/11/2008  
C92

Plan 1 shows the future urban structure proposed in the Cardinia Road Precinct Structure Plan (September 2008).

**PLAN 1**



**LEGEND**

	Structure Plan Area		Community facilities and public uses (CC = Community Centre)
	Primary Arterial Road (VicRoads)		Educational facilities (PS = Primary School, PPS = Post Primary School, PVS = Private School)
	Local Arterial Road (divided)		Public open space (unencumbered)
	Local Arterial Road (non - divided)		Public open space (encumbered)
	Collector Road		District sports reserves (8ha+)
	Local Streets		District Parks
	Signalised intersections		Existing pedestrian crossings
	Other traffic control devices		Proposed pedestrian crossings
	Cardinia Road under rail		Existing creeks
	Railway Line, Proposed Station and Car Parking		Drainage Lines
	PPTN - Principal Public Transport Network		Lakes/waterbodies
	Residential Land		Ecological Vegetation Classes (EVC's)
	Low density residential land (1000 - 2000sqm lots)		Areas requiring sensitive design
	Industrial land		Ridgelines
	Core Business		60m contour (landscape significance)
	Large Neighbourhood Activity Centre (NAC)		Potential future road link
	Small Neighbourhood Activity Centre (NAC)		Existing Major Easements
	Neighbourhood Convenience Centre (NCC)		
	Peripheral Commercial		

## 2.0 Use and Development

20/11/2008  
C92

### 2.1 The Land

20/11/2008  
C92

The provisions specified in this schedule apply to all land zoned UGZ and shown in Plan 1.

Note: Some land shown in Plan 1 is not zoned UGZ and the provisions of this schedule do not apply.

### 2.2 Applied zone provisions

20/11/2008  
C92

None

### 2.3 Specific provisions – Use of Land

11/06/2009  
C128

#### Table of uses

#### Section 1 - Permit not required

USE	CONDITION
Apiculture	Must meet the requirements of Apiary Code of Practice, May 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence.  At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Food and drink premises (other than Hotel and Tavern)	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Home occupation	
Informal outdoor recreation	
Medical centre	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).

USE	CONDITION
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Office (other than Medical centre)	The site must be within a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008), or the office must be a temporary land sales office for land being sold as part of the subdivision of land.
Open sports ground	
Postal agency	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Railway	
Railway Station	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Shop	The site must generally form part of a core business area as shown in the Cardinia Road Precinct Structure Plan (September 2008).  The combined leasable floor area must not exceed the amount specified for the activity centre in the Cardinia Road Precinct Structure Plan (September 2008).
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Tramway	
Veterinary centre	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).

**Section 2 - Permit required**

USE	CONDITION
Accommodation (other than Corrective institution, Dependent person's unit, and Dwelling)	

USE	CONDITION
Agriculture (other than Animal keeping, Animal training, Apiculture and Intensive animal husbandry)	
Amusement parlour	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Animal keeping (other than Animal boarding)	Must be no more than four animals.
Art and craft centre	
Child care centre	
Cinema based entertainment facility	The site must generally form part of a core business area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Convenience shop	
Display Home	
Education Centre	
Funeral parlour	
Hotel	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Leisure and recreation (other than Informal outdoor recreation, Motor racing track and Open sports ground)	
Mineral, stone or soil extraction (other than Extractive Industry, Mineral exploration, Mining and Search for stone)	
Motor vehicle, boat or caravan sales	The site must generally form part of a peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Nightclub	The site must be within a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Place of assembly (other than Amusement parlour, Carnival, Circus, Drive-in-theatre, and Nightclub)	
Place of worship	
Retail premises (other than Food and drink premises, Motor vehicle, boat or caravan sales, Postal agency, and Shop)	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).

USE	CONDITION
Service industry (other than Panel beating)	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Service station	<p>The site must adjoin or have access to a road in a road zone.</p> <p>The site must not exceed either:</p> <ul style="list-style-type: none"> <li>- 3,000 square metres, or</li> <li>- 3,600 square metres if it adjoins on two boundaries a road in a Road Zone.</li> </ul>
Shop – if the section 1 condition is not met.	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Store	If in a residential area as shown in the Cardinia Road Precinct Structure Plan (September 2008), the store must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Tavern	The site must generally form part of a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008).
Transport terminal (other than Railway station and Road freight terminal)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not specified in Section 1 or 3	

**Section 3 - Prohibited**

USE
Adult sex bookshop
Animal boarding
Animal training
Brothel
Corrective institution
Drive-in-theatre
Extractive industry
Industry (other than Service industry)
Intensive animal husbandry
Motor racing track

USE
Office (other than Medical centre) – if the Section 1 condition is not met
Panel beating
Road freight terminal
Saleyard
Warehouse (other than Store)

### Use of land

The use of land must be generally in accordance with the Cardinia Road Precinct Structure Plan (September 2008).

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials or goods to or from the land.
- Traffic generated by the use.
- Appearance of any buildings, works or materials.
- Emissions from the use.

### Use of land for a dwelling

A dwelling must be connected to a reticulated recycled water supply system for toilet flushing and garden watering where available to the lot. Where a reticulated recycled water supply system is not available to the lot, a dwelling must be connected to a rainwater tank with a minimum capacity of 2,500 litres for toilet flushing and garden watering purposes or an alternative grey water recycling system to the satisfaction of the responsible authority.

## 2.4

11/06/2009  
C128

### Specific provisions – Subdivision

An application to subdivide residential land (as shown in Plan 1 to this schedule), other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

CLASS OF SUBDIVISION	OBJECTIVES AND STANDARDS TO BE MET
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

**2.5**11/06/2009  
C128**Specific provisions – Buildings and works****Construction and extension of one dwelling on a lot**

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres.

A development must meet the requirements of Clause 54.

A permit is required to construct a fence within 3 metres of a street if the fence exceeds the maximum front fence height specified in Table A2 of Clause 54.06-2.

**Decision guidelines**

Before deciding on an application the responsible authority must consider the objectives, standards and decision guidelines of Clause 54.

**Construction and extension of two or more dwellings on a lot, dwellings on common property or residential buildings**

A permit is required to:

- Construct a dwelling if there is at least one dwelling on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a residential building.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

A permit is not required to construct one dependant persons unit on a lot.

A permit is required to construct a fence within 3 metres of a street if the fence exceeds the maximum front fence height specified in Table A2 of Clause 55.06-2.

**Buildings and works for non-residential uses**

A permit is required to construct a building or construct or carry out works for a non-residential use.

This does not apply to the following in a core business or peripheral commercial area (as shown in Plan 1 to this schedule):

- 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 roller shutter.
  - At least 80 per cent of the building facade 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.

**3.0**11/06/2009  
C128**Urban Design Framework - Core Business and Peripheral Commercial Areas**

An application must be accompanied by the following information. If in the opinion of the responsible authority an application requirement of this clause is not relevant to the assessment of the application, it may waive or reduce the requirement.

**Urban Design Framework**

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works within a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008) until an urban design framework for the activity centre has been prepared to the satisfaction of the responsible authority.

The urban design framework may be amended to the satisfaction of the responsible authority.

The responsible authority may grant a permit to subdivide land prior to the preparation of an urban design framework if it is satisfied that the subdivision will not affect the urban design outcomes for the activity centre as set out in the Cardinia Road Precinct Structure Plan (September 2008).

The urban design framework must:

- Be generally in accordance with the Cardinia Road Precinct Structure Plan (September 2008).
- Address the Activity Centre Design Guidelines (DSE 2005) and Safer Design Guidelines for Victoria (DSE 2005).
- Set out the role and function of the activity centre including the proposed use and development of each part of the activity centre.
- Show the relationship to existing and proposed development surrounding the activity centre.
- Set out building design guidelines including the interface with streets and other public spaces, heights, materials, and articulation to create a strong urban character.
- Set out the design of streets including street design and widths, pedestrian access and areas, car parking, paving materials and street furniture.
- Set out arrangements for access to the activity centre from adjoining arterial roads.
- Set out the location of public spaces within the activity centre including a town park / square.
- Include an overall landscape concept for the activity centre.
- Set out guidelines to improvement environmental sustainability including integrated water management and energy conservation.
- Set out provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the activity centre.
- Set out how public transport will be integrated with the activity centre.
- Set out design guidelines for the provision of advertising signs.
- Set out arrangements for the provision of service areas for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the activity centre and adjoining neighbourhoods.



- Show how opportunities for housing and future commercial expansion can be incorporated into the activity centre.

### **Use of Land - non-residential uses**

An application to use land for a non-residential use must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- How land which is not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land or water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

### **Subdivision**

In addition to the requirements of Clause 56, an application for subdivision must be accompanied by the following information for all of the land in the contiguous ownership of the landowner forming part of the development:

- The proposed use and development of each part of the land.
- A table setting out the amount of land allocated for the proposed uses.
- The staging of the development.
- The relationship of the land to existing or proposed development on adjoining land including road connections, open space, pedestrian and bicycle linkages, and drainage networks.
- Population and dwelling targets.
- The proposed range of lot sizes and housing types.
- The proposed road and street network including intersection treatments, proposed bus routes and the interface treatment with arterial roads.
- Proposed open space areas including the role and purpose of the open space.
- An overall landscape concept for the development and a detailed local open space landscape design plan as specified in the Cardinia Road Precinct Structure Plan (September 2008).
- A topographical assessment plan as specified in the Cardinia Road Precinct Structure Plan (September 2008).
- Lot and building design guidelines for any areas identified as requiring sensitive design.
- An Aboriginal cultural heritage management plan.
- A flora and fauna assessment and vegetation management and biodiversity enhancement plan as specified in the Cardinia Road Precinct Structure Plan (September 2008).
- A hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development.
- A site assessment of the potential for contaminated land as a result of previous land uses.

- An acoustic assessment of the level of traffic noise from the Princes Freeway (Pakenham Bypass) and any measures required to reduce traffic noise levels to an acceptable level.

### **Buildings and works**

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

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colours and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout for the site, and where appropriate adjoining roads and public spaces, which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

#### **4.0**

20/11/2008  
C92

### **Conditions and requirements for permits**

None specified.

#### **5.0**

11/06/2009  
C128

### **Decision guidelines**

#### **Non-residential land uses**

Before deciding on an application to use land for a non-residential purpose the responsible authority must consider, as appropriate:

- Any approved urban design framework approved under this schedule.
- The effect that existing or designated uses on adjoining or nearby land may have on the proposed use.
- The effect that the proposed use may have on the amenity of the neighbourhood.
- 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.

#### **Subdivision or one or more dwellings on a lot**

Before deciding on an application to subdivide or to construct one or more dwellings on a lot, the responsible authority must consider the objectives, standards and decision guidelines of Clause 54, 55 or 56, as relevant.

### Other buildings and works

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

- The movement of pedestrians and cyclists, and vehicles, including vehicles involved with deliveries, waste removal, emergency services and public transport.
- The provision of car parking.
- The interface with adjoining areas, especially the relationship with residential areas.
- The streetscape, including the design of verandahs, access from the street front, providing active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or the immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- The design of buildings to provide for solar access.

If in the opinion of the responsible authority a requirement of this clause is not relevant to the assessment of the application, it may waive or reduce the requirement.

### 6.0

11/06/2009  
C128

### Advertising Signs

The following advertising sign controls apply.

LAND	ADVERTISING SIGN REQUIREMENTS
Land shown as residential in Plan 1 to this schedule	Category 3 - except that a permit may be granted to display an advertising sign that promotes the sale of land or dwellings. The permit must specify an expiry date of 5 years from the date the permit is issued
Land shown as core business or peripheral commercial in Plan 1 to this schedule	Category 1
Land shown as low density residential, public open space, community facilities, public uses and education facilities in Plan 1 to this schedule	Category 4