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SCHEDULE 2 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ2**.

**CARDINIA ROAD EMPLOYMENT PRECINCT STRUCTURE PLAN
(SEPTEMBER 2010)**

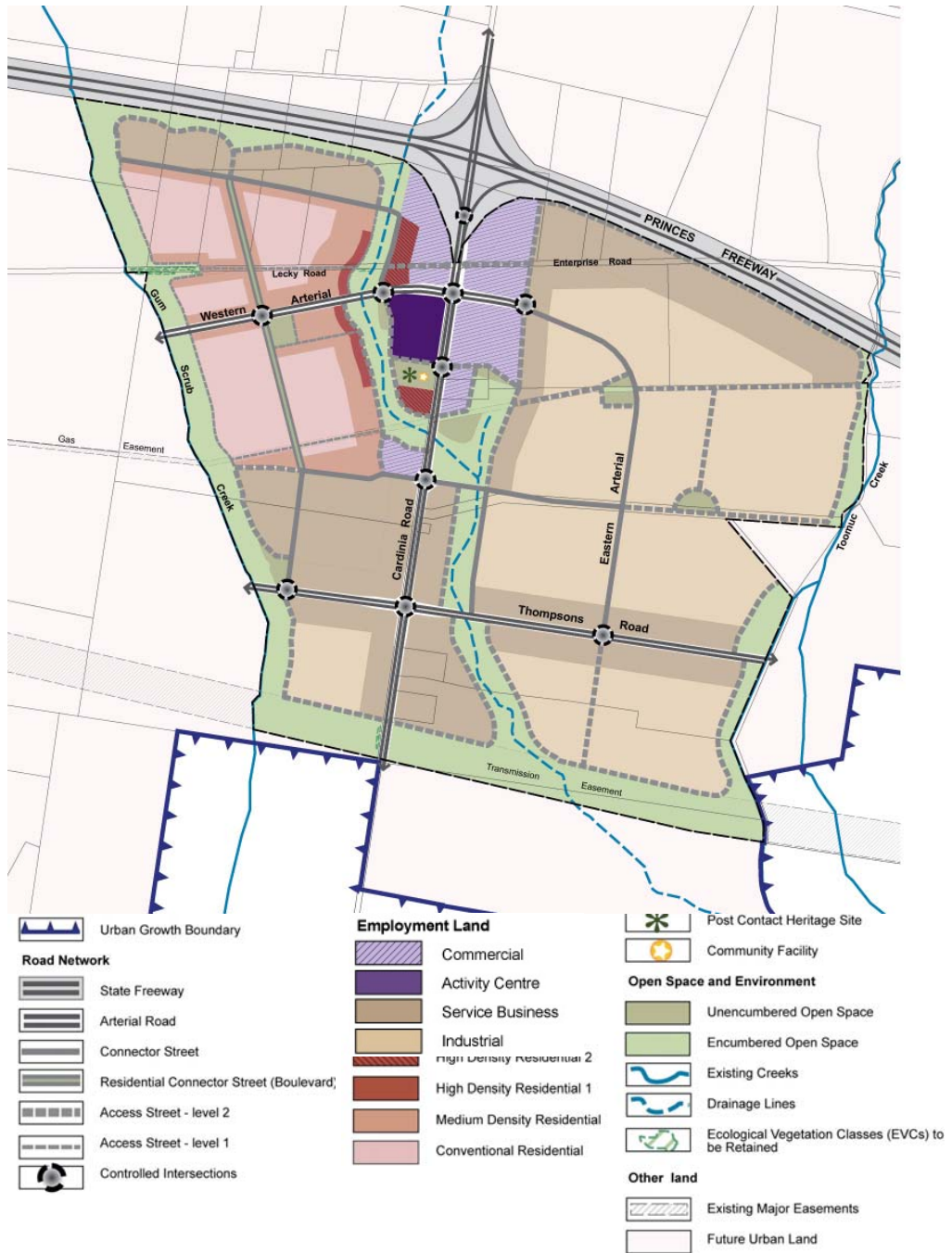
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The Plan

Plan 1 shows the future urban structure proposed in the *Cardinia Road Employment Precinct Structure Plan (September 2010)*.

Plan 1



2.0 Use and development

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2.1 The Land

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The use and development provisions specified in this schedule apply to the land shown in Plan 1 of this schedule and zoned UGZ2.

2.2 Specific provisions – Use of land

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The Table of Uses below sets out the provisions for land where there are no applied zone provisions. Where reference is made to Plan 1, this refers to Plan 1 of this schedule.

Table of uses

Section 1 - Permit not required

USE	CONDITION
Bed and breakfast	<p>Must be located within an area designated as residential land in Plan 1.</p> <p>No more than 6 persons may be accommodated away from their normal place of residence.</p> <p>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</p>
Dwelling (other than Bed and breakfast and Caretaker's house)	<p>Must be located within an area designated as residential land in Plan 1 or the Activity Centre.</p> <p>Dwellings within the Activity Centre must be located on upper storeys and must have dedicated access independent of other uses. Any frontage at ground floor level must not exceed 4 metres.</p>
Food and drink premises (other than Hotel and Tavern)	<p>Must be located within the Activity Centre as shown in Plan 1.</p>
Function centre	<p>Must be located in an area shown as Commercial in Plan 1.</p>
Home occupation	
Industry (other than Materials recycling, Refuse disposal, Refuse transfer station, Research and development centre, Rural industry, and Service industry)	<p>Must be located in an area shown as Service Business or Industrial in Plan 1.</p> <p>Must be located at least the following distances from land (not a road) designated for residential use in Plan 1 or shown as Activity Centre or Commercial:</p> <p>The threshold distance, for a purpose listed in the table to Clause 52.10.</p> <p>30 metres, for a purpose not listed in the table to Clause 52.10.</p> <p>Must not adversely affect the amenity of the</p>

USE	CONDITION
	<p>neighbourhood, including through the:</p> <p>Transport of materials, goods or commodities to or from the land.</p> <p>Appearance of any stored goods or materials.</p> <p>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</p>
Informal outdoor recreation	
Laundromat	Must be located in the Activity Centre as shown in Plan 1 and the gross leasable floor area must not exceed 400 square metres.
Manufacturing sales	Must be located in an area shown as Industrial in Plan 1.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Office	<p>Must be located in an area designated as employment land in Plan 1.</p> <p>Within the Activity Centre, the gross leasable floor area for any tenancy must not exceed 1000 square metres. Any frontage at ground floor level on any street must not exceed 2 metres, unless the office is a bank, real estate agency, travel agency or any other office where the floor space adjoining the frontage is a customer service area accessible to the public.</p> <p>Within the Service Business area and the Industrial area, the office must be in conjunction with another use.</p>
Postal agency	Must be located within the Activity Centre as shown in Plan 1.
Railway station	
Research and development centre	Must be located in an area shown as Industrial in Plan 1.
Research centre	Must be located in an area shown as Industrial in Plan 1.
Road	
Search for stone	Must not be costeaning or bulk sampling.

USE	CONDITION
Shop (other than Adult sex bookshop, Department store, Restricted retail premises)	Must be located within the Activity Centre as shown in Plan 1. The floor area of any shop must not exceed 3500 square metres leasable floor area.
Telecommunications facility	
Tramway	
Warehouse (other than Shipping container storage and Fuel depot)	Must be located in an area shown as Industrial in Plan 1.

Section 2 - Permit required

USE	CONDITION
Amusement parlour	Must be located on an upper storey in the Activity Centre as shown in Plan 1.
Art and Craft Centre	Must be located in the Activity Centre as shown in Plan 1.
Bed and breakfast – if the section 1 condition is not met	Must be located within an area designated as residential land in Plan 1.
Bus terminal	Must be located in an area shown as Industrial in Plan 1.
Car wash	Must be located in an area shown in Plan 1 as: <ul style="list-style-type: none"> ▪ Activity Centre; ▪ Service Business and have frontage to an arterial road; or. ▪ Industrial.
Child care centre	Must be located within the Activity Centre or be in conjunction with a use in the Commercial area, as shown in Plan 1.
Convenience restaurant - if the Section 1 condition is not met	Must be located within an area shown as Service Business or Industrial in Plan 1.
Convenience shop - if the Section 1 condition is not met	Must be in conjunction with a residential hotel or be located within an area shown as Service Business or Industrial in Plan 1.
Display home	Must be located within an area designated as residential land in Plan 1.
Dry cleaner	Must be located in an area shown in Plan 1 as: <ul style="list-style-type: none"> ▪ Activity Centre and the leasable floor area must not exceed 400 square metres; or ▪ Industrial.
Dwelling (other than Bed and breakfast and Caretaker's house) – if the Section 1 condition is not met	Must be located in an area shown as Activity Centre in Plan 1.

USE	CONDITION
Education Centre (except Primary School and Secondary School)	Must be located within or adjacent to an area designated as employment land in Plan 1.
Exhibition centre	Must be located within an area shown as Commercial in Plan 1, or within the Activity Centre adjacent to an arterial road.
Funeral Parlour	Must be located within an area shown as Service Business in Plan 1.
Geothermal energy extraction	Must be located in an area shown as Industrial in Plan 1.
Hospital	Must be located in an area shown as Commercial in Plan 1.
Hotel	Must be located within an area shown as Service Business in Plan 1 and have access to an arterial road.
Indoor recreation facility	Must be located in an area shown in Plan 1 as: Activity Centre, at an upper storey; or Service Business.
Industry (other than Materials recycling, Refuse disposal, Refuse transfer station, Research and development centre, Rural industry, and Service industry) – where the Section 1 condition is not met	Must be located in an area shown as Service Business or Industrial in Plan 1.
Land sales centre	The permit must specify an expiry date of five years from the date the permit is issued.
Motor vehicle, boat and caravan sales	Must be located in an area shown as Service Business or Industrial in Plan 1.
Nightclub	Must be located within the Activity Centre as shown in Plan 1. Any frontage at ground floor level must not exceed 2 metres.
Office - if the Section 1 condition is not met	Must be located within the Activity Centre as shown in Plan 1.
Renewable energy facility	Must be located in an area designated as employment land in Plan 1. When located in an area shown as Activity Centre, Commercial, or Service Business, must be in conjunction with another use.
Research and development centre - if the Section 1 condition is not met	Must be located in an area shown as Commercial or Service Business in Plan 1.
Research centre - if the Section 1 condition is not met	Must be located in an area shown as Commercial or Service Business in Plan 1.

USE	CONDITION
Residential hotel	Must be located in an area shown as Commercial or High Density Residential 2 in Plan 1.
Restaurant - if the Section 1 condition is not met	Must be located in an area shown in Plan 1 as: <ul style="list-style-type: none"> ▪ Commercial when in conjunction with another use; ▪ Service Business; or ▪ Industrial.
Restricted place of assembly	Must be located in an area shown as Commercial in Plan 1 and be in conjunction with an office.
Restricted recreation facility	Must be located within an area shown in Plan 1 as: <ul style="list-style-type: none"> ▪ Activity Centre, at an upper storey; or ▪ Commercial and be in conjunction with an office, residential hotel or education centre.
Restricted retail premises	Must be located in an area shown in Plan 1 as: <ul style="list-style-type: none"> ▪ Activity Centre; ▪ Commercial; or ▪ Service Business and be: <ul style="list-style-type: none"> - automotive parts and accessories; - equestrian supplies; or - swimming pools.
Retail premises (other than Food and drink premises, Market, Motor vehicle, boat and caravan sales, Postal agency, Primary Produce Sales, Trade supplies and Shop)	Must be located in an area shown as Service Business in Plan 1.
Road freight terminal	Must be located in an area shown as Industrial in Plan 1.
Service station	Must be located in the Activity Centre as shown in Plan 1 or be located with frontage to an arterial road in areas shown as Industrial or Service Business.
Shop (other than Adult sex bookshop, Convenience shop, Department store, Restricted retail premises) - if the Section 1 condition is not met	Must be in conjunction with a residential hotel or office and be in an area shown as Commercial on Plan 1.
Takeaway food premises - if the Section 1 condition is not met	Must be located within an area shown as Service Business or Industrial and adjacent to open space.

USE	CONDITION
Tavern	Must be located in the Activity Centre as shown in Plan 1 or be located within an area shown as Service Business in Plan 1 and have frontage to an arterial road.
Trade supplies	Must be located in an area shown as Service Business or Industrial in Plan 1.
Utility installation (other than Minor utility installation and Telecommunications facility)	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is designated for residential use in Plan 1, or shown as Activity Centre or Commercial.
Veterinary Centre	Must be located within an area shown in Plan 1 as: <ul style="list-style-type: none"> ▪ Activity Centre; or ▪ Service Business.
Warehouse (other than shipping container storage and fuel depot) if the Section 1 condition is not met	Must be located within an area shown in Plan 1 as Service Business and be in conjunction with an office.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than Bed & Breakfast, Dwelling, Nurses home, Residential college, Residential hotel)
Adult sex bookshop
Agriculture
Brothel
Caretaker's house
Cemetery
Cinema based entertainment facility
Crematorium
Extractive Industry
Freeway service centre
Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Restricted recreation facility)
Place of assembly (other than Amusement parlour, Exhibition centre, Function centre, Hall, Library, Nightclub, Restricted Place of Assembly)
Pleasure boat facility
Saleyard
Winery
Any use in Section 2 where the condition is not met

The use of land must be generally in accordance with the *Cardinia Road Employment Precinct Structure Plan (September 2010)*.

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

- 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 or an alternative grey water recycling system to the satisfaction of the responsible authority.

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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 less than 350 square metres.

A development must meet the requirements of Clause 54, except:

- In areas shown as Medium Density Residential on Plan 1, the maximum setback for dwellings from the front title boundary is 3 metres.
- In areas shown as High Density Residential 1 and High Density Residential 2 on Plan 1, the maximum setback for dwellings from the front title boundary is 1 metre, and where the lot is a corner lot a maximum of 1 metre set back is to be provided from both frontages.
- A permit is required to construct a front fence that exceeds 1.2 metres in height.

Construction of two or more dwellings on a lot or residential buildings

A permit is required to:

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

A development must meet the requirements of Clause 55, except:

- In areas shown as Medium Density Residential on Plan 1, the maximum setback for dwellings from the front title boundary is 3 metres.
- In areas shown as High Density Residential 1 and High Density Residential 2 on Plan 1, the maximum setback for dwellings from the title is 1 metre, and where the lot is a corner lot a maximum of 1 metre set back is to be provided from both frontages.
- A permit is required to construct a front fence that exceeds 1.2 metres in height.

These provisions do not apply to dwellings of three storeys or more, excluding a basement.

Construction of a dwelling or residential building of three or more storeys

A permit is required for all buildings and works for dwellings and residential buildings of three or more storeys.

Uses other than dwellings on Residential land

A permit is required to construct a building or construct or carry out works for a non-residential use on land shown in Plan 1 as residential and any use listed in Section 2 of this schedule.

Buildings and works for employment land

A permit is required to construct a building or construct or carry out works on land designated for employment in Plan 1.

This does not apply to the following within an area shown as Activity Centre or Commercial in Plan 1:

- 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 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.

Removal of Existing Waterbodies

A permit is required to remove any existing waterbody, including dams and wetlands.

Buildings and Works on Encumbered Open Space

A permit is required for buildings and works on land shown as Encumbered Open Space in Plan 1.

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Specific provisions – Subdivision

An application to subdivide in the Activity Centre must be consistent with any urban design framework approved under this schedule.

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Requirements before a permit is granted

Urban design frameworks

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works until an urban design framework has been prepared to the satisfaction of the responsible authority for the following areas as shown on Plan 1:

- The area shown as ‘Service Business’ that abuts Princes Freeway, comprising two sub-areas:
 - west of Cardinia Road, north of the residential area; and
 - east of Cardinia Road, for the area generally north of Enterprise Road, extending to Toomuc Creek in a band that is approximately 200 metres wide.
- The area defined as the ‘Commercial Core’ including the Activity Centre, which encompasses:
 - all land between Cardinia Road and the Cardinia Road Open Space Corridor; and
 - all land east of Cardinia Road shown as Commercial.

The urban design framework must be generally in accordance with the *Cardinia Road Employment Precinct Structure Plan (September 2010)* (refer section 4.2.4). The urban design framework may be amended to the satisfaction of the responsible authority.

The responsible authority may grant a permit to subdivide land or to construct a building or construct and carry out works prior to the preparation of an urban design framework if it is satisfied that the subdivision, buildings or works give effect to the urban design outcomes as set out in the *Cardinia Road Employment Precinct Structure Plan (September 2010)*.

The responsible authority may allow the preparation of the urban design framework for areas shown as 'Service Business' in Plan 1 to be staged or split, reflecting the area two areas either side of Cardinia Road.

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Application requirements

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Subdivision

General

All applications for subdivision must be accompanied by the following information to the satisfaction of the responsible authority:

- Details of the proposed use and development of each part of the land.
- A table setting out:
 - the amount of land allocated for the proposed uses; and
 - the mix of lot sizes.
- An indication of staging of subdivision and timing.
- Details of how the proposed development complements the overarching precinct structure (roads, parks etc) with a finer-grained circulation network that facilitates the development of a higher degree of permeability and walkability.
- Details of how the road connections, open space, pedestrian and bicycle linkages and drainage networks of the proposed development integrates with and responds to existing and planned developments on adjacent sites.
- Details of how the land use pattern and urban structure provides appropriate buffers between sensitive land uses, in terms of open space, road reserves and landscape treatments.
- Include a Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).
- The proposed road and street network, including pedestrian and cycling routes, intersection treatments, proposed bus routes and the interface treatment with arterial roads.
- A plan showing access arrangements for properties adjacent to arterial roads.
- The staging of road network development within the subject land, enabling early delivery of roads shown in Plan 1.
- A plan showing proposed encumbered and unencumbered open space areas including land designated as 'waterways – drainage corridors' in Plan 11 of the *Cardinia Road Employment Precinct Structure Plan (September 2010)*, and a description of role and purpose to the satisfaction of Melbourne Water and the responsible authority.
- An overall landscape concept for the development. This should be consistent with best practice Water Sensitive Urban Design techniques.
- An assessment of how the lot and building design responds to sensitive interfaces.
- 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 land by a suitably qualified environmental professional including:
 - detail of the nature of the previous and existing land use/activities on the land;
 - an assessment of the potential level and nature of contamination on the land; and
 - advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is

recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

Residential subdivision

In addition to the above application requirements and the requirements of Clause 56 (where relevant), an application that includes subdivision of land shown as residential on Plan 1 must be accompanied by the following information to the satisfaction of the responsible authority:

- An overall residential subdivision plan for all land in contiguous ownership of the landowner demonstrating the lot yield, diversity and distribution across the subject area, consistent with the principles outlined in the *Cardinia Road Employment Precinct Structure Plan (September 2010)*.
- Subdivision and Housing Design Guidelines prepared to the satisfaction of the responsible authority in accordance with the *Cardinia Road Employment Precinct Structure Plan (September 2010)*.
- A building envelope plan for land shown as Conventional Residential in Plan 1 that provides sufficient space to contain a dwelling, garage and canopy tree as outlined in the *Cardinia Road Employment Precinct Structure Plan (September 2010)*.

Demonstration of Clause 56 standards

An application to subdivide residential land (as shown in Plan 1 of this schedule), other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must demonstrate how the proposed subdivision layout is generally in accordance with the *Cardinia Road Employment Precinct Structure Plan (September 2010)*, and:

- should meet all of the objectives and standards in the clauses specified in Table 2; and
- meet the requirements of Clause 56 (except where exempted in Table 3).

Table 2

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.

Table 3: Specific conditions for subdivision of residential land

Density Type	Exemptions (to Clause 56)
High Density Residential 2	56.04-2, 56.05-2, 56.06-8
High Density Residential 1	56.04-2, 56.05-2, 56.06-8
Medium Density Residential	56.04-2, 56.05-2, 56.06-8
Conventional Residential	56.05-2, 56.06-8

3.2

Buildings and works for residential land

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One dwelling on a lot

An application to construct a building or construct or carry out works on a lot less than 350 square metres must provide all information required under Clause 54, unless otherwise exempt in this Schedule.

Two or more dwellings on a lot or residential buildings

An application to construct a building or construct or carry out works for two or more dwellings on a lot or residential buildings must provide all information required under Clause 55, unless otherwise exempt in this Schedule. This does not apply to dwellings of three storeys or more excluding a basement.

Dwelling or residential building of three or more storeys

For applications relating to residential development of three or more storeys, an urban context report addressing the matters set out in Clause 52.35 is required.

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Buildings and works for employment land

All applications for buildings and works on land shown as employment land on Plan 1 must be accompanied by the following information to the satisfaction of the responsible authority:

- 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 landscaped area.
- A design response report that demonstrates the following:
 - The layout and design of buildings contributes towards an attractive and safe public realm environment and complements adjacent uses, addressing active frontages, site servicing, car parking, lighting, landscaping and signage.
 - How the design of buildings, including heights, massing and articulation, contributes to an attractive and cohesive built form environment, a diverse, interesting and complementary architectural form and responds to surrounding land uses.
 - Location and height of existing and proposed buildings on the site and surrounding properties.
 - The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
 - Traffic and pedestrian circulation through and around the site.
 - Surrounding land uses.

If in the opinion of the responsible authority a requirement of the design response report is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Site Context Reports

Applications for buildings and works must be accompanied by a Site Context Report to the satisfaction of the responsible authority for the following sites:

- Cardinia Road between the Cardinia Road Open Space Corridor and Thompsons Road;
- the corners of Cardinia and Thompsons Roads, extending along Thompsons Road to the first connecting street;
- Thompsons Road adjoining Gum Scrub Creek; and
- Thompsons Road adjoining Toomuc Creek.

The site context report must be generally in accordance with the *Cardinia Road Employment Precinct Structure Plan (September 2010)* (specified in section 4.2.5).

Sustainability Statement Requirements

An application to use or subdivide land, or to construct a building or construct and carry out works must be accompanied by a Sustainability Statement that demonstrates how the development meets the sustainability objectives and planning and design guidelines. The sustainability statement must be in accordance with the *Cardinia Road Employment Precinct Structure Plan (September 2010)* (refer section 4.7.5).

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

Specific Requirements – Lot 1 TP542938 (PSP Property Number 22)

Any application to remove Dam 38 on Lot 1 TP542938 (270 Cardinia Road, Officer South) must include written advice from the Department of Sustainability and Environment that it is satisfied there has been successful colonisation and breeding of GGFs (defined by the presence of metamorphs) at a minimum of one waterbody shown in Plan 13 of the *Cardinia Road Employment Precinct Structure Plan (September 2010)*.

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Conditions and requirements for permits

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General

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Cardinia Road Employment Precinct Structure Plan (September 2010) are implemented as part of the planning permit or the plans endorsed under the permit.

Any permit granted for subdivision, or the construction of a building or the carrying out of works in respect of land where a Native Vegetation Precinct Plan has identified any native vegetation to be retained must contain the conditions set out in the Cardinia Road Employment Precinct Native Vegetation Precinct Plan.

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Environmental assessment of potentially contaminated land

If an application for a permit includes a site assessment recommending an environmental audit of all or part of the land, then the permit must contain conditions that for that part of the land recommended for the audit;

1. Either:

- A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the Environmental Protection Act 1970, or
- A statement by an environmental auditor appointed under the Environment Protection Act 1970, in accordance with Part 1XD of that Act that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site);

must be provided to the responsible authority before any building on the relevant land is occupied; and

2. If a statement by an environmental auditor is provided rather than a certificate of environmental audit and the statement indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 before any building on the relevant land is occupied to provide for;

- ongoing compliance with all conditions in the Statement by the Environmental Auditor;
- the responsible authority's reasonable legal costs and expenses of drafting/reviewing and registering the agreement to be borne by the owner of the relevant land.

4.3 Construction Environmental Management Plan requirements

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A permit to use or subdivide land, or to construct a building or construct and carry out works must contain a condition that prior to the commencement of any buildings or works, Construction Environmental Management Plan (CEMP) is to be prepared.

The CEMP must specifically address significant flora and fauna, where the buildings or works are within:

- 50 metres of any native vegetation to be retained in the Cardinia Road Employment Precinct Native Vegetation Precinct Plan; and/or
- 200 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the Cardinia Road Employment Precinct Conservation Management Plan for Growling Grass Frog (GGF).

The CEMP must address all requirements specified in section 4.5.6 of the *Cardinia Road Employment Precinct Structure Plan (September 2010)* and be to the satisfaction of the Department of Sustainability and Environment and the responsible authority.

4.4 Conservation Management Plan - Growling Grass Frog

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Where a Conservation Management Plan (CMP) for GGF has been approved by the Secretary to the Department of Sustainability and Environment and it applies to the land, any permit granted for subdivision or the construction of a building or the carrying out of works that directly or indirectly results in the destruction of habitat for the Growling Grass Frog must include the following conditions as appropriate:

- Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the waterbody.
- No dumping of soil or materials is to occur within 30 metres of any waterbody.
- No vehicle access is permitted within 30 metres of any waterbody.
- No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
- Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
- The actions which identify the responsible agent as the “landowner” in Table A2.1 of the CMP for the GGF must be implemented to the satisfaction of the Department of Sustainability and Environment.
- Water run-off from construction sites must be managed to maintain water quality of dams.
- A salvage and translocation plan must be prepared and implemented to the satisfaction of DSE and the responsible authority, in accordance with section 3.4.3 of the CMP, where:
 - construction of a building or carrying out of works is within 200 metres of an existing waterbody; or
 - an existing waterbody is being removed, as approved under the CMP.

4.5 Subdivision

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Any permit granted for subdivision must contain the following conditions as appropriate:

- Infrastructure is to be provided in accordance with Chapter 6 of the *Cardinia Road Employment Precinct Structure Plan (September 2010)*.
- Where an infrastructure funding agreement under Section 173 of the *Planning and Environment Act (1987)* for the Cardinia Road Employment Precinct has been executed for the land, in accordance with its requirements, development contributions must be paid to Cardinia Shire Council.

- At the time of subdivision, or other time as agreed with Melbourne Water, land shown as ‘waterways – drainage corridor’ in Plan 6 of the *Cardinia Road Employment Precinct Structure Plan (September 2010)* must be vested in Melbourne Water.
- At the time of subdivision, or other time as agreed with Cardinia Shire Council, land identified as ‘Project Land’ in the infrastructure funding agreement under Section 173 of the *Planning and Environment Act (1987)* for the Cardinia Road Employment Precinct must be vested in Cardinia Shire Council.
- Before the Statement of Compliance is issued under the Subdivision Act 1988, the applicant or owner must make a financial contribution to Melbourne Water to fund the management and maintenance of waterways to fulfil the requirements of the CMP for GGF.
- Bus stop facilities are to be located, designed and constructed to the satisfaction of the Director of Public Transport.

4.6 Buildings and works

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Any permit granted for buildings and works must contain the following conditions as appropriate:

- Where an infrastructure funding agreement under Section 173 of the *Planning and Environment Act (1987)* for the Cardinia Road Employment Precinct has been executed for the land and no subdivision of the parent title has occurred (prior to applications for buildings and works):
 - Development contributions must be paid to Cardinia Shire Council in accordance with the requirements of the infrastructure funding agreement under Section 173 of the *Planning and Environment Act (1987)* for the Cardinia Road Employment Precinct; and
 - Land identified as ‘Project Land’ in the infrastructure funding agreement under Section 173 of the *Planning and Environment Act (1987)* for the Cardinia Road Employment Precinct must be vested in Cardinia Shire Council.

This does not apply where the buildings and works are associated with an existing non-urban use (as determined by the responsible authority).

4.7 Creation of lots shown as Conventional Residential on Plan 1

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Before the issue of the Statement of Compliance for the subdivision (or a stage of the subdivision), a building envelope plan for each lot must be submitted to and approved by the responsible authority.

The approved building envelopes must form either a restriction on the certified plan of subdivision or be applied through an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987* that is registered on the title to the land. The restriction or agreement must provide for:

- The building envelope to apply to each relevant lot;
- All buildings to conform to the building envelope on the relevant lot;
- The construction of a building outside of a building envelope, only with the consent of the responsible authority;
- Creation of a private open space area of at least 36m² and provision of a canopy tree.

Where a building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the *Planning and Environment Act (1987)*, the building envelope plan may be approved after the plan of subdivision has been certified.

5.0 Advertising signs

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The following advertising sign controls apply:

LAND (shown in Plan 1)	ADVERTISING SIGN REQUIREMENTS
Land shown as Residential	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 Activity Centre	Category 1 – except that a permit is required: <ul style="list-style-type: none"> - for a pole sign; - where the land is adjacent to a residential use; - where a sign is over 0.2 sq m for a Bed and breakfast sign or Home occupation sign
Land shown as Commercial	Category 2 – except that a permit is required for a pole sign
Land shown as Service Business	Category 2 – where land is not adjacent to land shown as Residential or Commercial in Plan 1, except that a permit is required for a pole sign Category 3 – where land is adjacent to land shown as Residential or Commercial in Plan 1
Land shown as Industrial	Category 2 – where land is not adjacent to land shown as Commercial in Plan 1 Category 3 – where land is adjacent to land shown as Commercial in Plan 1
Land shown as Open Space, community facilities or other public use	Category 3

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Land and home sales signs

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

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

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