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**SCHEDULE 4 TO THE URBAN GROWTH ZONE**

Shown on the planning scheme map as **UGZ4**.

**OFFICER PRECINCT STRUCTURE PLAN (SEPTEMBER 2011) – OFFICER TOWN CENTRE**

**1.0 The Plan**

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Map 1 shows the future urban structure proposed in the Officer Precinct Structure Plan (September 2011).

**Map 1 of Schedule 4 to Clause 37.07**



**LEGEND**

- Urban Growth Zone 3 Area
- Urban Growth Boundary

**Movement Network**

- Arterial Road (VicRoads)
- Potential Future Arterial Road (VicRoads)
- Local Arterial / Connector Street (Boulevard)
- Connector Street
- Main Street
- Access Street - Level 2
- Access Place / Street - Level 1 (important connection)
- Access Street - Level 1 with Landscape trail
- Signalised intersections (arterial roads only)
- Grade Separated Crossing
- Railway Line, Station & Potential Bus Interchange
- PPTN - Principal Public Transport Network (Bus)

**Residential Land**

- Residential Land
- Large Lot Residential
- Environmental Residential

**Employment Land**

- Major Activity Centre (MAC)
- MAC Core Business
- MAC Peripheral Commercial

**Neighbourhood Centres**

- Neighbourhood Activity Centre (NAC)
- Neighbourhood Convenience Centre (NCC)
- Core Business
- Peripheral Commercial

**Community and Schools**

- Community facilities and public uses (CC = Community Centre)
- Education facilities (PS = Primary School, PPS = Post Primary School, PrS = Private School, SS = Special School)

**Open Space and Environment**

- Public open space (unencumbered)
- Public open space (encumbered)
- Regional Open Space
- District sports reserves (8ha+)
- District Parks
- Proposed pedestrian crossings
- Existing creeks
- Major Drainage Lines
- Ecological Vegetation Classes (EVC's) to be retained

**Other Land**

- Existing Major Easements
- Conservation Living Area
- Future Development Area (subject to EPBC approval)

**2.0 Use and development**

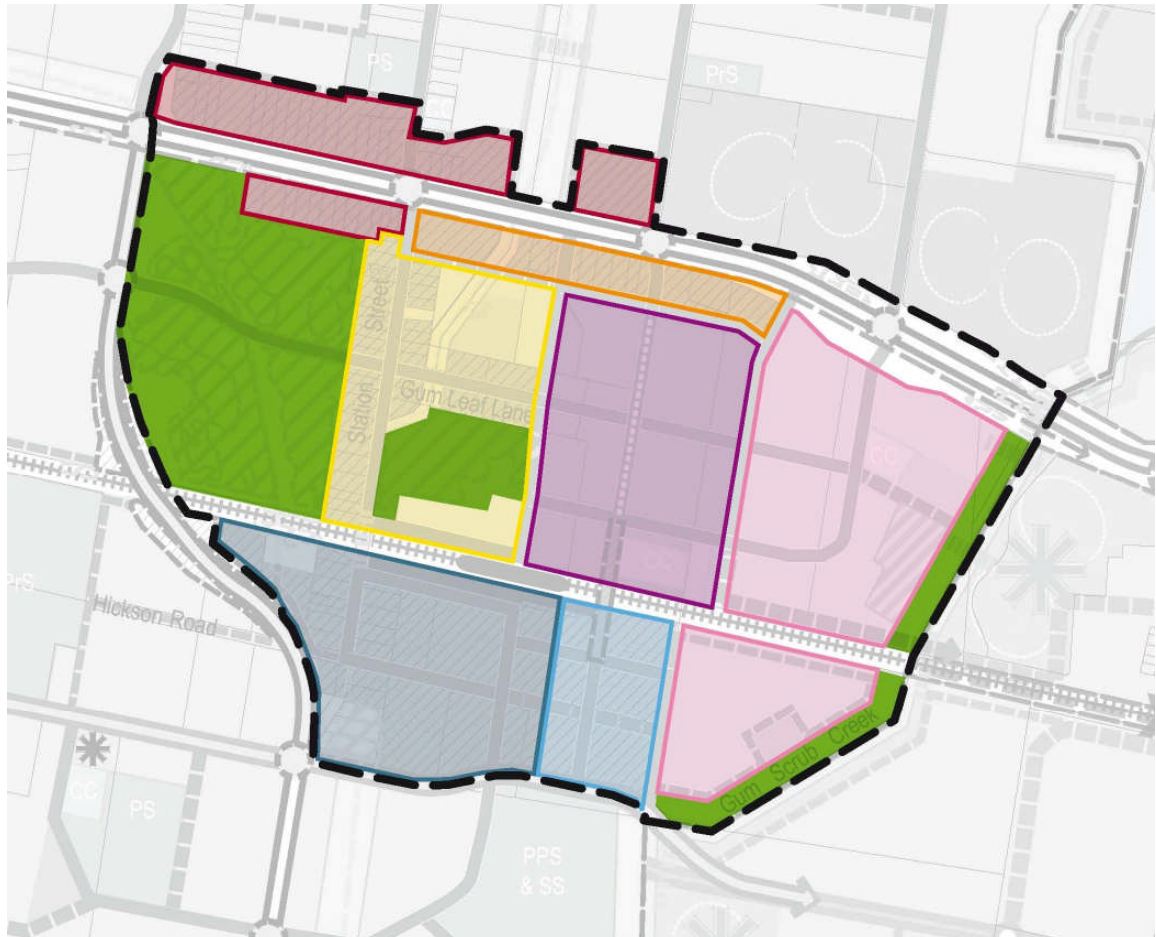
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**2.1 The Land**


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The use and development provisions specified in this schedule apply to the land shown in Map 2 of this schedule and shown as UGZ4 on the planning scheme maps.

**Map 2**



 Urban Growth Zone 4 boundary

 Conservation Land

**TOWN CENTRE PRECINCTS**

 Core


 Gateway

 Highway Business

 Mixed Use

 Residential

 Transition

 Urban Village

**2.2****Applied zone provisions**12/01/2012  
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The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

**Table 1: Applied zone provisions**

Land shown on Map 2 of this Schedule	Applied Zone Provisions
Conservation land	Clause 36.03 – Public Conservation and Resource Zone

Where a public land zone is applied in Table 1 and the land is in private ownership the bodies specified below are the public land manager for the purposes of the applied zone.

Applied Zone	Public Land Manager
Public Conservation and Resource Zone (adjacent to Gum Scrub Creek)	Melbourne Water or Cardinia Shire Council as appropriate
Public Conservation and Resource Zone (all other land)	Cardinia Shire Council

**2.3****Specific provisions – Use of land**12/01/2012  
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The following provisions apply to the use of land.

**TABLE OF USES****Section 1 – Permit not required**

Use	Condition
<b>Bed and Breakfast</b>	Must be located in the area shown as Mixed Use, Residential or Urban Village in Map 2. 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.
<b>Cinema Department store</b>	Must be located in the area shown as Core in Map 2.
<b>Dwelling (other than Bed and breakfast and Caretakers house)</b>	Must be located in an area shown as Mixed Use, Residential or Urban Village in Map 2.
<b>Food and drink premises (other than Hotel and Tavern)</b>	Must be located in an area shown as Core, Highway Business or Urban Village in Map 2.
<b>Function centre</b>	Must be located in the area shown as Highway Business in Map 2.
<b>Home occupation Informal outdoor recreation</b>	
<b>Laundromat</b>	Must be located in an area shown as Core or Urban Village in Map 2. The gross leasable floor area must not exceed 400 square metres.
<b>Market</b>	Must be located in an area shown as Core or Urban Village in Map 2.

<b>Use</b>	<b>Condition</b>
<b>Minor utility installation</b>	
<b>Office</b>	<p>Must be located in an area shown as Core, Gateway, Mixed Use or Urban Village in Map 2.</p> <p>When located in the area shown as Core, any frontage at ground floor level on any street must not exceed 4 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>When located in the area shown as Mixed Use or Urban Village, must have dedicated access independent of a dwelling.</p>
<b>Postal agency</b>	Must be located in the area shown as Core in Map 2.
<b>Railway</b>	
<b>Residential building (other than Boarding house or Residential hotel)</b>	Must be located in an area shown as Residential in Map 2.
<b>Residential hotel</b>	Must be located in the area shown as Gateway in Map 2.
<b>Restricted recreation facility</b>	Must be located in an area shown as Core, Gateway or Urban Village in Map 2.
<b>Restricted retail premises</b>	Must be located in the area shown as Highway Business in Map 2. The leasable floor area of any individual tenancy must be more than 1000 square metres.
<b>Shop (other than Adult sex book shop, Department Store and Restricted retail premises)</b>	<p>Must be located in an area shown as Core, Gateway or Urban Village in Map 2.</p> <p>When located in the area shown as Gateway, the leasable floor area of any individual shop must not exceed 1500 square metres and must be in conjunction with another use.</p> <p>When located in the area shown as Urban Village, the leasable floor area of any individual shop must not exceed 1200 square metres.</p>
<b>Tramway</b>	
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01

**Section 2 – Permit required**

<b>Use</b>	<b>Condition</b>
<b>Accommodation (other than Caravan and camping park, Corrective institution, Dwelling, Host farm and Residential building)</b>	Must be located in an area shown as Residential in Map 2.
<b>Amusement parlour</b>	Must be located in an area shown as Core or Urban Village in Map 2.
<b>Betting agency</b>	Must be located in the area shown as Core in Map 2.
<b>Bus Terminal</b>	Must be located in the area shown as Transition in Map 2.

<b>Use</b>	<b>Condition</b>
<b>Car wash</b>	Must be located in an area shown as Core, Residential or Transition in Map 2. When located in the area shown as Core, must be located in or adjacent to a carpark.
<b>Carpark</b>	
<b>Child care centre</b>	Must be located in an area shown as Core, Mixed Use, Residential or Urban Village in Map 2. When located in an area shown as Core or Mixed Use, must be located at an upper storey.
<b>Convenience shop – if the section 1 condition is not met</b>	
<b>Display home</b>	
<b>Dwelling – if the Section 1 condition is not met</b>	Must be located in an area shown as Core in Map 2.
<b>Education centre</b>	Must be in located an area shown as Core, Mixed Use, Transition or Urban Village in Map 2. Any frontage at ground floor level on any street must not exceed 4 metres, unless the floor space adjoining the frontage is a customer service area accessible to the public. When located in the area shown as Transition, must not be a Primary school or Secondary school. When located in the area shown as Mixed Use, must be located at an upper storey.
<b>Food and drink premises (other than Hotel and Tavern) – if the section 1 condition is not met</b>	Must be located in an area shown as Gateway or Mixed Use in Map 2. When located in the area shown as Mixed Use, must not be located adjacent to Station Street.
<b>Function centre – if the section 1 condition is not met</b>	Must be located in an area shown as Core, Gateway, Transition or Urban Village in Map 2.
<b>Funeral parlour</b>	Must be located in an area shown as Residential or Transition in Map 2.
<b>Hospital</b>	Must be located in an area shown as Gateway, Highway Business, Residential or Urban Village in Map 2.
<b>Hotel</b>	Must be located in an area shown as Core, Gateway or Highway Business in Map 2. Must be in conjunction with another use.
<b>Industry (other than Research and development centre or Service industry)</b>	Must be located in the area shown as Transition in Map 2. Must not be a use specified in Clause 52.10. The permit must specify an expiry date of ten years from the date the permit is issued.
<b>Land sales centre</b>	The permit must specify an expiry date of five years from the date the permit is issued.
<b>Landscape gardening supplies</b>	Must be located in the area shown as Transition in Map 2. The permit must specify an expiry date of ten years from the date the permit is issued.

<b>Use</b>	<b>Condition</b>
<b>Minor sports and recreation facility (other than Informal outdoor recreation and Outdoor recreation facility)</b>	Must be located in an area shown as Mixed Use or Transition in Map 2.
<b>Motor vehicle, boat or caravan sales</b>	Must be located in the area shown as Gateway, Highway Business or Transition in Map 2.
<b>Nightclub</b>	Must be located in the area shown as Core in Map 2. Any frontage at ground floor level on any street must not exceed 2 metres.
<b>Office – if the section 1 condition is not met</b>	Must be located in the area shown as Core, Highway Business, Mixed Use, Transition or Urban Village in Map 2.
<b>Place of assembly (other than Amusement parlour, Carnival, Cinema, Circus, Function Centre, Nightclub Place of worship and Restricted place of assembly)</b>	
<b>Place of worship</b>	Must be located in an area shown as Core, Residential, Transition or Urban Village in Map 2.
<b>Renewable energy facility</b>	
<b>Research and development centre</b>	Must be located in an area shown as Core or Urban Village in Map 2.
<b>Residential building (other than Residential hotel)</b>	Must be located in an area shown as Core, Mixed Use or Urban Village in Map 2.
<b>Residential hotel</b>	Must be located in an area shown as Core, Highway Business, Mixed Use or Urban Village in Map 2.
<b>Restricted place of assembly</b>	
<b>Restricted recreation facility – if the section 1 condition is not met</b>	Must be located in an area shown as Mixed Use or Transition in Map 2.
<b>Restricted retail premises</b>	Must be located in an area shown as Core, Gateway or Transition in Map 2. When located in the area shown as Core, must be in conjunction with another use.
<b>Retail premises (other than Food and drink premises, Gambling premises, Landscape gardening supplies, Market, Motor vehicle, boat or caravan sales, Postal agency, Shop and Trade supplies)</b>	Must be located in an area shown as Gateway, Highway Business, Transition or Urban Village in Map 2.
<b>Service industry (other Carwash and Laundromat)</b>	Must be located in an area shown as Transition in Map 2.
<b>Service station</b>	Must be located in an area shown as Highway Business or Transition in Map 2.

Use	Condition
<b>Shop</b>	<p>Must be located in an area shown as Highway Business or Mixed Use in Map 2.</p> <p>When located in an area shown as Mixed Use, the leasable floor area of any individual shop must not exceed 150 square metres.</p> <p>When located in an area shown as Highway Business, the leasable floor area of any individual shop must not exceed 500 square metres.</p>
<b>Tavern</b>	Must be located in an area shown as Core, Gateway or Highway Business in Map 2.
<b>Trade supplies</b>	<p>Must be located in the area shown as Transition in Map 2.</p> <p>The permit must specify an expiry date of ten years from the date the permit is issued.</p>
<b>Any use listed in Clause 62.01</b>	
<b>Any other use not in Section 1 or Section 3</b>	

**Section 3 – Prohibited**

Use
<b>Agriculture</b>
<b>Cemetery</b>
<b>Extractive industry</b>
<b>Freeway service centre</b>
<b>Motor racing track</b>
<b>Pleasure boat facility</b>
<b>Saleyard</b>
<b>Transport terminal (other than Railway station or Bus terminal)</b>
<b>Warehouse (other than Commercial display area)</b>

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**Use of land**

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.

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**Specific provisions – Subdivision**

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

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**Specific provisions - Construction of one dwelling on a lot**

In the area shown as Residential in Map 2, a permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where an approved building envelope as defined in Part 4 of the Building Regulations 2006 applies to the lot.

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**Specific provisions - Buildings and works**

A permit is required to construct a building or construct or carry out works. This does not apply to the following:

- 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.

A development for two or more dwellings on a lot must meet the requirements of Clause 55, except where otherwise specified in the Officer Precinct Structure Plan (September 2011).

## **2.8 Specific provisions – Modification or removal of Existing Turkeys Nest Dams**

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A permit is required to modify or remove any existing waterbody on Lot 1 TP134961.

## **2.9 Specific provisions – Buildings and works on Encumbered Open Space**

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A permit is required for buildings and works on land shown as Encumbered Open Space in Map 1 except works carried out by or on behalf of the public land manager.

## **2.10 Specific provisions - Requirements before a permit is granted**

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### **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 until an urban design framework has been prepared to the satisfaction of the responsible authority.

The urban design framework must be generally in accordance with the Officer Precinct Structure Plan (September 2011). The urban design framework may be amended to the satisfaction of the responsible authority.

## **2.11 Public transport referral requirements**

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For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the Officer Precinct Structure Plan (September 2011) where the following requirements are met:

- A road nominated on *Plan 17 – Public Transport* in the *Officer Precinct Structure Plan* as a potential bus route is constructed in accordance with its corresponding cross section in the *Officer Precinct Structure Plan (September 2011)*; and
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the *Officer Precinct Structure Plan (September 2011)* include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport; and
- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of the bus stops shown on *Plan 16 – Public Transport* in the *Officer Precinct Structure Plan (September 2011)*, including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002) at no cost to the Director of Public Transport, all to the satisfaction of the Director of Public Transport.



A responsible authority may address any of the above matters through planning permit conditions.

### 3.0 Application requirements

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If the responsible authority is satisfied that a requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement unless otherwise indicated below.

### 3.1 General subdivision

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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 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 all existing and future arterial roads.
- A Public Infrastructure Plan which addresses:
  - The extent of any stormwater drainage works and road works proposed or required under this permit.
  - The land which is required to be set aside for infrastructure identified in the *Officer Development Contributions Plan (September 2011)* or the *Officer Precinct Structure Plan (September 2011)* including land required for public open space and community facilities and any proposed reconciliation payment in respect of the land having regard to its value set out in the *Officer Development Contributions Plan (September 2011)*.
  - An estimate of the extent of equalization which is required in respect of public open space to be provided having regard to the *Officer Precinct Structure Plan (September 2011)* and the *Officer Development Contributions Plan (September 2011)*.
  - Subject to the consent of the Collecting Agency, any infrastructure works set out in the *Officer Development Contributions Plan (September 2011)* which can be provided “in lieu” of development contributions in accordance with the *Officer Development Contributions Plan (September 2011)*.
  - The effects of the provision of infrastructure on the land or any other land.
  - Any other relevant matter related to the provision of infrastructure reasonably required by the responsible authority.
- An overall landscape concept for the development. This should be consistent with best practice Water Sensitive Urban Design techniques.

- 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.
- An approved Cultural Heritage Management Plan that is endorsed by the future public land manager/s of any reserve to be created as part of the development or advice from a suitably qualified cultural heritage professional that confirms that a Cultural Heritage Management Plan is not required. This requirement may not be waived.
- 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.
  - 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, as amended from time to time.

### 3.2 Residential subdivision

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In addition to the general subdivision requirements, an application that includes subdivision of land shown as Residential on Map 2 must:

- include an overall masterplan 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 *Officer Precinct Structure Plan (September 2011)*.
- demonstrate how the proposed subdivision layout meets the requirements of Clause 56 (other than an application to subdivide land into lots each containing an existing dwelling or car parking space).

to the satisfaction of the responsible authority.

### 3.3 Buildings and works

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

- A Transport Impact Assessment Report to the satisfaction of the relevant roads authority.
- An overall landscape concept, including location of private open space of surrounding properties and the location of trees, fences and other landscape elements.

All applications for buildings and works (other than dwellings and residential buildings) must be accompanied by a design response report that demonstrates the following:

- how 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.
- traffic and pedestrian circulation through and around the site.
- surrounding land uses.

If the responsible authority is satisfied that a requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

### 3.4 Two or more dwellings on a lot or residential buildings

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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.

### **3.5 Sustainability statement requirements**

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An application for subdivision of 60 or more lots, or to construct a building in the areas shown as Peripheral Commercial or Core Business must be accompanied by a Sustainability Statement as set out in the Officer Precinct Structure Plan (September 2011).

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

### **3.6 Specific requirements – Lot 1 TP134961 (PSP Property Number 217)**

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Any application to remove and/or modify the existing turkey nest dams on Lot 1 TP134961 (Princes Highway, Officer) shown as 'Existing Turkeys Nest Dams (Growling Grass Frog Habitat)' on Plan 13 of the Officer Precinct Structure Plan (September 2011) must include written approval from the Commonwealth Department of Sustainability Environment Water Population and Communities.

### **4.0 Conditions and requirements for permits – general**

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#### **Urban Design Framework**

A permit must be generally in accordance with any approved urban design framework.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the grant of the permit is consistent with the requirements for the Urban Design Framework as set out in the Officer Precinct Structure Plan (September 2011).

### **4.1 Native Vegetation Precinct Plan Implementation**

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Any:

- Works carried out in respect of any subdivision;
- Construction of buildings and associated works; and
- Removal, lopping or destruction of native vegetation on the land as authorised by the Native Vegetation Precinct Plan (NVPP) applying to the land -

must be carried out in accordance with all of the requirements set out in the incorporated NVPP applying to the land to the satisfaction of the responsible authority.

Only the native vegetation which is identified for removal in the incorporated NVPP applying to the land may be removed, lopped or destroyed without a permit.

Before the removal, destruction or lopping of any native vegetation within any property (identified by the PSP Property Number in Map 1 of the Officer NVPP) the owner of the land from which the native vegetation is being removed must provide offsets consistent with the incorporated NVPP by either:

- providing an allocated credit extract issued by the Department of Sustainability and Environment; or
- preparing and submitting an Offset Plan to the satisfaction of the Department of Sustainability and Environment and have the Offset Plan approved by responsible authority.

Where an Offset Plan is approved:

- before the removal, destruction or lopping of any native vegetation, the owner of the land from which the native vegetation is being removed must provide on-title security for the Offset Site to the satisfaction of Department of Sustainability and Environment

that provides for the implementation of the Offset Plan and pay the reasonable costs of the preparation, execution and registration of any on-title agreement; and

- offsets must be initiated within 12 months of approval of the Offset Plan or before the removal of Very High Conservation Significance vegetation, whichever is earlier, and be implemented according to the schedule of works in the Offset Plan to the satisfaction of the responsible authority.

## 4.2 Environmental Assessment of Potentially Contaminated Land

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Before the development associated with the subdivision starts, (this requirement does not apply to bore holes and excavation associated with an environmental site assessment), an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides information including:

- 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.
- 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, as amended from time to time.

If an environmental site assessment recommends an environmental audit of all or part of the land, then:

- prior to the commencement of any use for a sensitive purpose; or
- prior to any buildings or works; or
- prior to the certification of a plan of subdivision

whichever is the earlier of or in respect of all or that part of the land as the case may, the following must be provided to the responsible authority, 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);

If a Statement of Environmental Audit is provided rather than a Certificate of Environmental Audit and the Statement of Environmental Audit 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 the issue of a Statement of Compliance or before the construction of any building on the relevant land, whichever is the earlier;

- implementation of and on-going compliance with all conditions in the Statement of Environmental Audit; and
- 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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Prior to the commencement of any buildings or works a Construction Environmental Management Plan (CEMP) is to be prepared, where appropriate

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 *Officer Precinct Native Vegetation Precinct Plan (September 2011)*; and/or

- 100 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (September 2011)*.

The CEMP must address all requirements specified in the Officer Native Vegetation Precinct Plan (September 2011) and the relevant Conservation Management Plan and be to the satisfaction of the responsible authority.

#### 4.4 Conservation Management Plan

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Where the Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (Ecology Partners, 15 September 2011) or the Officer Precinct Structure Plan Cardinia Creek Conservation Management Plan (Ecology Australia, 8 September 2011) has been approved by the Secretary to the Department of Sustainability and Environment and it applies to the land (refer Plan 13 of the Officer Precinct Structure Plan (September 2011)), any permit granted for subdivision or the construction of a building or the carrying out of works must include the following conditions:

- The actions which identify the responsible agent as the “landowner” or “developer” in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.

and the following conditions, where 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 water body.
- 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.
- A salvage and translocation plan must be prepared and implemented to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority.

Where the land is identified to have suitable habitat approved to be removed in Appendix 8 of the Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011), any permit granted for subdivision or development must contain the following condition:

- Prior to the issue of a Statement of Compliance under the Subdivision Act, the landowner must enter into a legally binding agreement (or an alternative agreement approved by DSE) for the payment to implement the *Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011)* in accordance with Section 2.3.1 Management Responsibilities and Funding and Appendix 8 to the satisfaction of the Department of Sustainability and Environment. The landowner must pay the reasonable costs of the preparation, execution, and registration of the agreement.

#### 4.5 Subdivision permits

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

- The setback from the rail reserve and interface between the rail line and the proposed subdivision is to be to the satisfaction of the Department of Transport and the approval of the responsible authority.
- If any part of the land is shown in the incorporated *Officer Precinct Structure Plan (September 2011)* as unencumbered passive public open space that land must be transferred to Council subject to equalisation in accordance with the equalisation provisions in the incorporated *Officer Precinct Structure Plan (September 2011)*. This requirement does not apply if the responsible authority advises the owner that it does not require the land.

- Land required for road widening must be transferred to or vested in the relevant roads authority at no cost to the relevant road authority unless the land is funded by the *Officer Development Contributions Plan (September 2011)*.

#### 4.6

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#### Small lot housing code

Any permit for subdivision of land in the area shown as Residential in Map 2 must contain the following conditions:

- The Small Lot Housing Code forming part of the *Officer Precinct Structure Plan (September 2011)* applies to the subdivision of the land under this permit and the application of the Small Lot Housing Code must be shown on any endorsed plans which are part of this planning permit.
- Before a plan is certified for a subdivision (or the relevant stage of a subdivision) where a building envelope is proposed, the plans endorsed under this planning permit must show a building envelope for each lot with an area less than 300 square metres that is in accordance with the Small Lot Housing Code forming part of the *Officer Precinct Structure Plan (September 2011)* to the satisfaction of the Responsible Authority.
- The building envelopes must be applied as a restriction on the plan of subdivision or through an agreement under section 173 of the Act that is registered on the title to the land. The restriction or the agreement must provide for:
  - the building envelope plan to apply to each relevant lot;
  - all buildings being constructed in accordance with the building envelope on the relevant lot;
  - the construction of a building outside the building envelope only with the written consent of the Responsible Authority; and
  - a building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a Certificate of Occupancy for the whole of a dwelling and any garage or carport on the land.

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

#### 5.0

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#### Advertising signs

The following advertising sign controls apply:

Land (shown in Map 2)	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 Core, Mixed Use or Urban Village	Category 1
Land where the applied zone is Public Conservation and Recreation Zone	Category 4
All other land	Category 2 – except that a permit is required: <ul style="list-style-type: none"> <li>▪ for a pole sign;</li> <li>▪ where the land is adjacent to a residential use.</li> </ul>

#### 5.1

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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.