

25/08/2016
C198

SCHEDULE 8 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ8.

Craigieburn North Employment Area Precinct Structure Plan

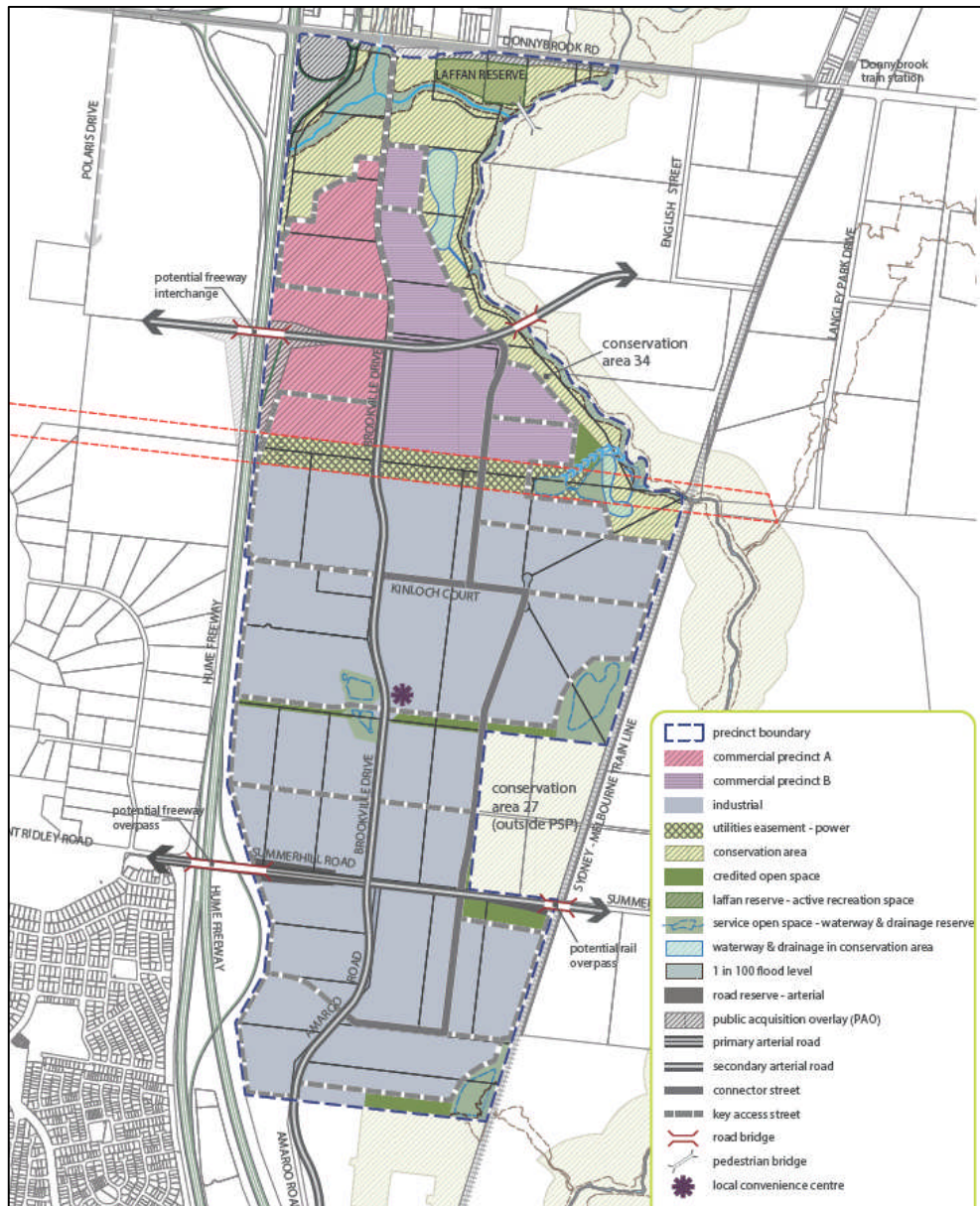
1.0

The Plan

25/08/2016
C198

Map 1 shows the future urban structure proposed in the *Craigieburn North Employment Area Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Craigieburn North Employment Area Precinct Structure Plan*.

Map 1 to Schedule 8 to Clause 37.07



2.0 Use and Development

25/08/2016
C198

2.1 The land

25/08/2016
C198

The use and development provisions specified in this schedule apply to the land within the ‘precinct area’ on Map 1 and shown as UGZ8 on the planning scheme maps.

Note: If land shown in Map 1 is not zoned UGZ and the provisions of this zone do not apply.

2.2 Applied zone provisions

25/08/2016
C198

The use, subdivision, construction of a building, and construction or carrying out of works provisions of the following zones in this scheme apply as set out in Table 1.

Table 1: Applied zone provisions

Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (REFER MAP 1)	Applied zone provisions
Commercial precinct A & B	Clause 34.02 – Commercial 2 Zone
Industrial	Clause 33.01 – Industrial 1 Zone
Local convenience centre	
Secondary Arterial Road	Clause 36.04 – Road Zone – Category 1
Connector Street	Clause 36.04 – Road Zone – Category 2

2.3 Reference to a planning scheme zone is a reference to an applied zone

25/08/2016
C198

A reference to a planning scheme zone in an applied zone provision is also a reference to an applied zone under this schedule.

Note: e.g. The Commercial 2 Zone includes a condition opposite the Section 1 use ‘Industry (other than Materials recycling and Transfer station)’ that includes the text:

- *‘The land must be at least the following distances from land (not a road) which is in a residential zone...’*

In this instance the condition must be read as:

- *‘The land must be at least the following distances from land (not a road) which is in a residential zone or from land (not a road) to which the Urban Growth Zone applies a residential zone...’*

2.4

25/08/2016
C198

Specific provisions - Use and development of land

Table 2: Use

Use	Requirement
On land where the applied zone is Commercial 2 Zone: Cinema Cinema based entertainment facility Shop (other than Restricted Retail Premises)	A permit is required to use the land.
On land where the applied zone is Commercial 2 Zone: Industry Warehouse	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10. The land must be at least the following distances from land (not a road) which is in a residential zone or from land (not a road) to which the Urban Growth Zone applies a residential zone: <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 52.10. ▪ 30 metres, for a purpose not listed in the table to Clause 52.10.
Restricted Retail Premises Trade supplies	On land shown as <i>Commercial precinct A</i> in the incorporated <i>Craigieburn North Employment Area Precinct Structure Plan</i> , a permit is required if the combined leasable floor area of all restricted retail premises and trade supplies in <i>Commercial precinct A</i> exceeds 25,000 square metres. On any other land, a permit is required to use the land.
Shop	A permit may be granted on land shown as <i>Local convenience centre</i> in the <i>Craigieburn North Employment Area PSP</i> .

2.5

25/08/2016
C198

Specific provision – Use and development of future public land

A permit is not required to use or develop land shown in the *Craigieburn North Employment Area Precinct Structure Plan* as local parks provided the use or development is carried out generally in accordance with the *Craigieburn North Employment Area Precinct Structure Plan* and with the prior written consent of Hume City Council.

2.6

25/08/2016
C198

Specific provision – Environmental Audit or Environmental Site Assessment required on specified land before certain use or development commences

On the following land in Craigieburn:

- 810 Summerhill Road (Lot 5 LP 143296))
- 30 Amaroo Road (Lot 2 PS 518232)
- 185 Brookville Drive (Lot 6 LP 205834)
- 295 Brookville Drive (Lot 22 PS 616391)

before the use or development of land commences for a nursing home, child care centre, primary school, caretaker's house or residential hotel, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use;

Or

before the use or development (this requirement does not apply to bore holes and excavation associated with an environmental site assessment) of land commences for any other use, an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides the following information:

- 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.

On the following land in Craigieburn:

- 85 Amaroo Road (Lot 1 LP 119619)
- 50 Amaroo Road (Lot 3 LS 518232)
- 225 Brookville Drive (Lot 5 LP 205834)
- 245 Brookville Drive (Lot 24 PS 616391)
- 275 Brookville Drive (Lot 23 PS 616391)
- 220 Brookville Drive (Lot 8 LP 205834)
- 720 Donnybrook Road (Lot 1 TP 411428)
- 920A Hume Highway (Lot 2 PS 518231)
- 20 Kinloch Court (Lot 12 LP 205835)
- 60 Kinloch Court (Lot 16 LP 205835)
- 835 Summerhill Road (Lot 1 PS 518232)
- 770 Summerhill Road (Lot 3 LP 143296)
- 790 Summerhill Road (Lot 4 LP 143296)
- 840 Summerhill Road (Lot 6 LP 143296)

before the use or development of land (this requirement does not apply to bore holes and excavation associated with an environmental site assessment) commences for a nursing home, child care centre, primary school, caretaker's house or residential hotel an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides the following information:

- 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.

Reference document: Precinct Structure Plan Area 25 Growth Areas Authority: Desktop Environmental, Hydrological and Geotechnical Study, Aurecon (September 2012)

3.0 Application requirements

25/08/2016
C198

3.1 Subdivision

25/08/2016
C198

Any application for subdivision must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses.
- Subdivision and Design Guidelines, prepared to the satisfaction of the responsible authority, which demonstrate how the proposal responds to and achieves the objectives, planning and design requirements, guidelines shown within the *Craigieburn North Employment Area Precinct Structure Plan* incorporated in this scheme
- A mobility plan that demonstrates how the local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels.
- A Stormwater Management Strategy that addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water and Hume City Council.

3.2 Public Infrastructure Plan

25/08/2016
C198

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what if any infrastructure set out in the *Craigieburn North Employment Area Development Contributions Plan* is sought to be provided as "works in lieu" subject to the written consent of Hume City Council;
- the provision of public open space and land for any community facilities;
- any other matter relevant to the provision of public infrastructure required by the responsible authority

3.3 Traffic Impact Assessment

25/08/2016
C198

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or Hume City Council, as required.

3.4

25/08/2016
C198

Development applications on land containing or abutting the Merri Creek its tributaries and environs

An application on land containing or abutting the Merri Creek Corridor, its tributaries and environs must be accompanied by a plan that shows:

- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance; and
- Recreation facilities to be provided within public open space; and
- Storm water facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation.

3.5

25/08/2016
C198

Retail Impact Assessment

An application to use land for restricted retail premises must be accompanied by a Retail Impact Assessment Report (RIAR) including:

- An assessment of the impact of the proposal on the surrounding activity centre hierarchy which considers:
 - Catchment analysis;
 - Analysis of current and forecast demand, visitor levels and drivers of demand;
 - Analysis of existing and planned centres that are likely to compete with the subject site;

and

- An analysis of potential impacts expected to flow from the use, including:
 - economic benefits;
 - trading impacts or implications for existing and planned facilities and their possible consequences.

4.0

25/08/2016
C198

Conditions and requirements for permits

4.1

25/08/2016
C198

Open Space – Condition

Any permit for subdivision must contain the following condition:

- Land required for public open space as a local park, as set out in the Craigieburn North Employment Precinct Structure Plan must be transferred to or vested in the responsible authority at no cost to that authority.

4.2

25/08/2016
C198

Biodiversity and Threatened Species

Any permit for subdivision must contain the following conditions:

Kangaroo Management Plan

- Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and

Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority

Salvage and Translocation

- The Salvage and Translocation Protocol for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2014) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Protection of conservation areas and native vegetation during construction

Where a precinct structure plan applying to the land shows any part of the land as a conservation area or any type of native vegetation a permit allowing any type of buildings or works on that land must ensure that:

- Before the start of construction or carrying out of works the developer of the land must erect a fence that is:
 - highly visible
 - at least 2 metres in height
 - sturdy and strong enough to withstand knocks from construction vehicles
 - in place for the whole period of construction
 - located the following minimum distance from the element to be protected:

Element	Minimum distance from element
Conservation area	2 metres
Patch of native vegetation	
Scattered native tree	Twice the distance between the trunk and the edge of the tree canopy

- During construction or works, construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
 - be located not less than 15 metres from a waterway;
 - be located outside the vegetation protection fence;
 - be constructed and designed to ensure that the conservation area or native vegetation is protected from adverse impacts during construction;
 - not be undertaken if it presents a risk to any vegetation within a conservation area; and
 - be carried out under the supervision of a suitable qualified ecologist or arborist.

Land Management Co-operative Agreement

A permit to subdivide land shown in the incorporated Craigieburn North Employment Area Precinct Structure Plan as including a conservation area must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the *Conservation, Forests and Lands Act 1987*, which:

- Must provide for the conservation and management of that part of the land shown as a conservation area in the Craigieburn North Employment Area Precinct Structure Plan; and
- May include any matter that such an agreement may contain under the *Conservation, Forests and Lands Act 1987*.
- Makes application to the Registrar of Titles to register the agreement on the title to the land.
- Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this condition does not apply to land or any lot or part of a lot within a conservation area identified in the Precinct Structure Plan that:

- is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment, Land, Water and Planning for conservation purposes; or
- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
 - the Secretary to the Department of Environment, Land, Water and Planning;
 - the Minister administering the *Conservation, Forests and Lands Act, 1987*; or
 - another statutory authority.

to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

4.3 Public Transport – Condition

25/08/2016
C198

Any permit for subdivision must contain the following condition:

Unless otherwise agreed by Public Transport Victoria, prior to the issue of Statement of Compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

- In accordance with the Public Transport Guidelines for Land Use and Development and be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002*.
- At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

4.4 Road Network – Condition

25/08/2016
C198

Any permit for subdivision or building and works must contain the following condition:

Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or

vested in council at no cost to the acquiring agency unless funded by the *Craigieburn North Employment Area Development Contributions Plan*.

4.5 Public Infrastructure Plan – Condition

25/08/2016
C198

Any permit for subdivision must contain the following condition:

Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the *Planning and Environment Act 1987* which provides for:

- The implementation of the Public Infrastructure Plan approved under this permit.
- The purchase and/or reimbursement by the responsible authority for any provision of public open space in excess of the amount specified in the schedule to Clause 52.01.
- The timing of any payments to be made to the owner having regard to the availability of funds in the open space account.

5.0 Advertising signs

25/08/2016
C198

The advertising sign category for the land is the category specified in the applied zone to the land at Clause 2.2 of this schedule.

5.1 Land sales signs

25/08/2016
C198

Despite the provisions of Clause 52.05, signs promoting the sale of the land, or 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; and
- 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 the land, or adjoining land in the same ownership, with an area greater than 10 square metres.