

03/10/2013
C134

SCHEDULE 2 TO THE URBAN GROWTH ZONE

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

MELTON NORTH PRECINCT STRUCTURE PLAN

1.0

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The Plan

Map 1 shows the future urban structure in the Melton North Precinct Structure Plan.

Map 1 to Schedule 2 to Clause 37.07



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 all land shown as UGZ2 in the planning scheme maps.

2.2 Applied zone provisions

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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 by reference to Map 1 of this Schedule.

Table 1: Applied zone provisions

Land as shown on map 1 of this schedule	Applied zone provisions
Business (retail/commercial)	Clause 34.01 – Commercial 1 Zone
All other land	Clause 32.08 – General Residential Zone

The precise boundary of the Commercial 1 Zone will be determined by the Urban Design Framework Plan approved under Clause 3.0 of this schedule.

2.3 Specific provisions – Use of land

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The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Office where the applied zone is General Residential Zone	A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.

Table 3: Shop use where the applied zone is Commercial 1 Zone

Use	Requirement
Shop	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 5000 square metres.

2.4 Specific provisions - Buildings and works

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A permit is not required to construct one dwelling on a lot of between 250 square metres and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is not required to construct a front fence within 3 metres of a street on a lot of between 250 and 300 square metres if:

- The fence is associated with one dwelling on the lot
- The fence meets the height requirements of Clause 54.06-2.

3.012/08/2010
C83**Application requirements****Town centre urban design framework**

If land to the east of Coburns Road is shown as, or in the immediate vicinity of, a neighbourhood activity centre on Map 1, 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 for the activity centre has been prepared to the satisfaction of the responsible authority.

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 will not prejudice the achievement of the objectives and planning and design guidelines for the activity centre set out in the incorporated precinct structure plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the responsible authority.

Subdivision

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

- the provision, staging and timing of stormwater drainage works
- what land may be affected or required for the provision of infrastructure 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
- the provision of public open space and land for any community facilities
- what, if any, infrastructure set out in the Melton North Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the Housing Plan in the incorporated Melton North Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Melton North Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.

If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive the above requirements.

The Subdivision and Housing Design Guidelines may be amended by the responsible authority and the requirements waived with written consent of the responsible authority.

4.003/10/2013
C134**Conditions and requirements for permits****General**

A planning permit must include a condition, or conditions, which ensures that any requirements or conditions set out in the Melton North Precinct Structure Plan are implemented as part of the planning permit or the plans endorsed under the permit.

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must enter into an agreement or agreements under Section 173 of the Act which specifies the infrastructure required to be provided as a part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

Land required for community facilities, public open space or public roads must be shown on a certified plan as a reserve in favour of Melton City Council.

Before the issue of a certificate of compliance for the subdivision (or a stage of the subdivision) a building envelope plan for each lot between 250 square metres and 300 square metres to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

The approved building envelopes must be applied as a restriction on the plan of subdivision or 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 to conform to 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
- 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 on the land.

Biodiversity

A permit to subdivide land, construct and/or carry buildings and works on any land must include the following condition, as appropriate:

- If individual Striped Legless Lizards occur on the land a fully costed Striped Legless Lizard translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and must be submitted to and approved by the responsible authority.
- A targeted survey for Golden Sun Moth to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority and, where Golden Sun Moth is found on a parcel of land, an offset Plan for the removal of Golden Sun Moth habitat to the satisfaction of the Department of Sustainability and Environment. These offsets are to be directed to the Western Grassland Reserves, or as otherwise agreed to by the Department of Sustainability and Environment.

Where a permit to subdivide land, construct and/or carry buildings and works on 413-439 or 601-625 Minns Road, Kurunjang allows a disturbance to land along a drainage line:

- Prior to the commencement of works, a targeted survey for Small Scurf Pea must be conducted along the drainage line. If any Small Scurf Pea occurs on the land, a Conservation Management Plan must be prepared to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority.

In the event that there is an application to subdivide land, construct and/or carry out buildings and works (proposed actions) and:

- the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) ('the EPBC Act') has not made a decision as to whether or not the proposed action is a controlled action under the EPBC Act, and
- the proposed action falls within a class of actions approved pursuant section 146B(1) of the EPBC Act.

a permit may contain a condition or conditions, as appropriate, requiring the implementation of any relevant conditions imposed in relation to the approval of the class of actions under section 146B(2) of the EPBC Act.

5.0 Advertising signs

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The following advertising sign categories in this scheme apply by reference to Map 1 of this Schedule.

Table 3: Advertising signs

Land as shown on map 1 of this schedule	Advertising sign category
Business (retail/commercial)	Category 1
All other land	Category 3

A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone provided:

- The application for a permit is lodged concurrently with an application for buildings and works for an office on the same land.
- The sign is not illuminated
- No fittings or wiring are visible from adjacent streets or properties.

5.1 Land and home sales signs

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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.