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C228

SCHEDULE 14 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ14**.

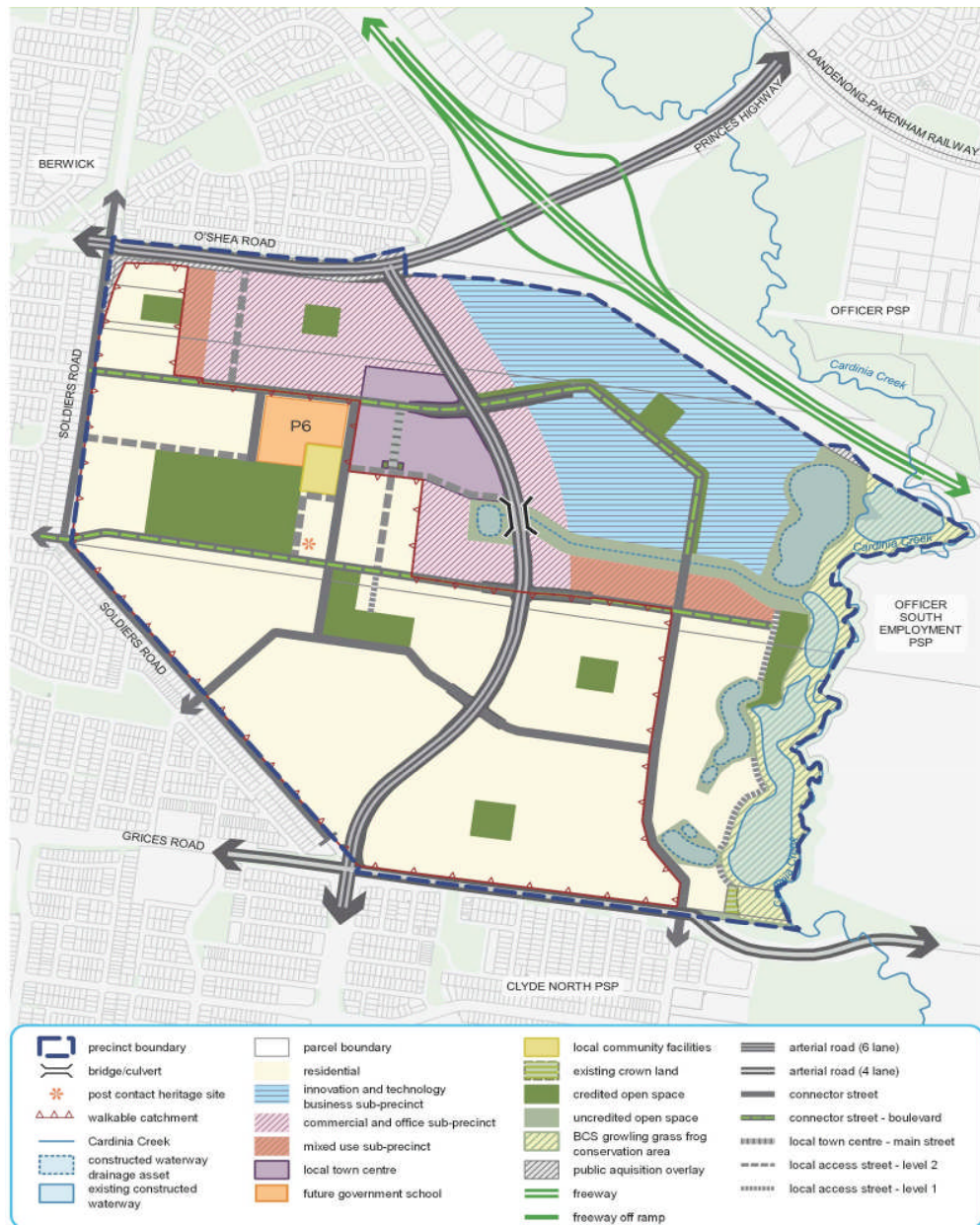
MINTA FARM PRECINCT STRUCTURE PLAN

1.0 The Plan

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Plan 1 shows the Future Urban Structure proposed in the *Minta Farm Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Minta Farm Precinct Structure Plan*.

Plan 1 to Schedule 14 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 the land within the 'precinct boundary' on Plan 1 and shown as UGZ14 on the planning scheme maps. This schedule must be read in conjunction with the *Minta Farm Precinct Structure Plan*.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

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Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated *Minta Farm Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule

Table 1: Applied zone provisions

Mixed Use sub-precinct	Clause 32.04 – Mixed Use Zone
Residential on a lot wholly within a walkable catchment	Clause 32.07 – Residential Growth Zone
Arterial road	Clause 36.04 – Road Zone Category 1
Credited open space located within the Commercial and Office sub-precinct or the Innovation and Technology Business sub-precinct	Clause 36.04 – Public Park and Recreation Zone
Local Town Centre	Clause 34.01 – Commercial 1 Zone
Commercial and Office sub-precinct	Clause 34.02 – Commercial 2 Zone
Innovation and Technology Business sub-precinct	Clause 34.02 – Commercial 2 Zone
All other land	Clause 32.08 – General Residential Zone

2.3 Specific Provision – Use of land

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Section 1 - Permit not required

Use	Condition
Shop (other than Adult sex product shop) where the applied zone is Commercial 1	The combined leasable floor area of all shops must not exceed 13,000 square metres.
Supermarket where the applied zone is Commercial 2 Zone	The leasable floor area must not exceed 500sqm.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any use listed in Section 1 in the Table of uses of the applicable applied zone	

Section 2 - Permit required

Use	Condition
Industry where the applied zoned is Commercial 2 Zone	The use must be located within the Commercial and Office sub-precinct.
Residential aged care facility where the applied zone is Mixed Use Zone	
Restricted retail premises where the applied zone is Commercial 2 Zone.	
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone	

Section 3 – Prohibited

Use
Any use listed in Section 3 in the Table of uses of the applicable applied zone

2.417/01/2019
C228**Specific provisions - Subdivision****Construction of the north-south arterial road**

A planning permit must not be issued for any subdivision that results in a combined total of more than 1,000 residential lots in the incorporated *Minta Farm Precinct Structure Plan* area, until:

- Interim construction of the north-south arterial road is completed between the Beaconsfield interchange (north) and Grices Road (south); and
- All land required for ultimate carriageway of the north-south arterial road within the precinct is vested in the relevant public authority.

Unless an agreement to implement these matters is entered into under Section 173 of the Act with the responsible authority.

2.517/01/2019
C228**Specific provision – Buildings and works****Dwellings on a lot less than 300 square metres**

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the *Small Lot Housing Code*, incorporated into the Casey Planning Scheme.

2.6.17/01/2019
C228**Specific provision - Urban Design Framework**

Except with the consent of the responsible authority and the Victorian Planning Authority, a permit must not be granted to use or subdivide land, or construct a building or construct and carry out works on land identified as 'Urban Design Framework area' Plan 6 in the incorporated *Minta Farm Precinct Structure Plan*, until an urban design framework for the area has been prepared to the satisfaction of the responsible authority and the Victorian Planning Authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land identified as 'Urban Design Framework area' on Plan 6 in the incorporated *Minta Farm Precinct Structure Plan* must be consistent with any urban design framework approved under this schedule.

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 for the relevant area if, in the opinion of the responsible authority, the permit is consistent with the requirements for the

urban design framework and the permit implements the objectives in the *Minta Farm 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 and the Victorian Planning Authority.

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Application requirements

The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Subdivision – Residential development

In addition to any requirement in 56.01-2, a subdivision design response 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 and expected population and dwelling yields;
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the *Minta Farm Precinct Structure Plan* applying to the land;
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories and colours outlined in *Table 2 – Lot Size and Indicative Housing Type* in the *Minta Farm Precinct Structure Plan*;
- A written statement that sets out how the proposal implements the objectives and planning and design requirements and guidelines in accordance with the incorporated *Minta Farm Precinct Structure Plan*.
- 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;
- An assessment, prepared by a suitably qualified professional, of the existing surface and subsurface drainage conditions on the site, including any potential impacts on the proposed development. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage;
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing;
- An arboricultural report identifying all trees on the site and a tree retention plan identifying how the application responds to *Plan 8 – Native Vegetation Retention and Removal* and any tree protection requirements and guidelines in the *Minta Farm Precinct Structure Plan*;
- Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria;
- Subdivision and Housing Design Guidelines, prepared to satisfaction of the responsible authority, which demonstrates how the proposal responds to and achieves the objectives and planning and design requirements and guidelines within the “Image, Character, Housing and Heritage” section of the *Minta Farm Precinct Structure Plan* incorporated into this scheme;
- Where relevant, demonstration of how the subdivision will respond sensitively to the heritage significance of the Myer House (Heritage Overlay - HO209) and its surrounding area.
- A response demonstrating how the subdivision responds to existing topography.

- A Site Management Plan that addresses bushfire risk during, and where necessary, after construction, to the satisfaction of the Country Fire Authority and the Responsible Authority. The plan must specify, amongst other things:
 - The staging of development and the likely bushfire risks at each stage;
 - An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed to enable the development, on completion, to achieve a BAL-12.5 rating under AS3959-2009;
 - The land management measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape to protect residents and property from the threat of grassfire and bushfire; and
 - How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

Subdivision – Innovation and technology business sub-precinct and commercial and office sub-precinct.

An application for subdivision in the innovation and technology business sub-precinct and commercial and office sub-precinct 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 and expected job yield.
- A demonstration of how the property will contribute to the achievement of the employment/job creation yields in the *Minta Farm Precinct Structure Plan* applying to the land.
- A written statement that sets out how the proposal implements the objectives and planning and design requirements and guidelines in accordance with the incorporated *Minta Farm Precinct Structure Plan*.
- 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.

Urban Design Framework

An application to construct a building or construct or carry out works in the urban design framework area, identified in Plan 6 of the *Minta Farm Precinct Structure Plan*, must be accompanied by a design response that provides an assessment against the Urban Design Framework approved under this schedule.

Local Town Centres

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
 - Address the Local Town Centre requirements, the Local Town Centre Guidelines and the relevant Local Town Centre Concept Plan in the *Minta Farm Precinct Structure Plan*;
 - Address any relevant design guidelines prepared by the Victorian Government or Casey City Council;
 - Demonstrate how the proposal relates to existing or approved development in the area;
 - Demonstrate site responsive architecture and urban design;
 - Demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
 - Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies.

- Include environmental sustainability initiatives including integrated water management and energy conservation;
 - Include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
 - Address the provision of advertising signs;
 - Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
 - Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments).
- An overall landscape concept/master plan for the centre including a design of the urban plaza.

Public Infrastructure Plan

An application for subdivision and/or use and development of land 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 road works internal and external to the land consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the infrastructure contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Traffic Impact Assessment

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 and/or concept road safety audit, must be to the satisfaction of VicRoads or Casey City Council, as required.

Subdivide, Use or Develop Land for a Sensitive Use – Environmental Site Assessment

An application to subdivide land or use or develop land for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an Environmental Site Assessment of the land prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority, which takes account of the report titled '*Stage 1 and 2 – Desktop Environmental, Hydrogeological and Geotechnical Assessment (SKM, 17 February 2011)*' and includes the following information:

- Further detailed assessment of potential contaminants on the relevant land;
- Clear 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*;
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and
- Recommended remediation actions for any potentially contaminated land.

Heritage Places

An application to subdivide land or to construct a building or construct and carry out works on land containing an identified heritage place(s) must:

- Address the proposed future use or adaptive reuse of the affected heritage place(s);
- Include a Heritage Conservation Management Plan for the heritage place(s) to the satisfaction of the responsible authority; and
- Include the provision of sufficient space around the heritage building to allow its adaptive reuse to comply with other planning requirements, such as car parking and landscaping.

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Conditions and Requirements for Permits

Condition – Subdivision permits that allow the creation of a lot less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code*, into the Casey Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code* applies to each lot to the satisfaction of the responsible authority.

Requirement– Subdivision and Housing Design Guidelines

The specific built form requirements arising out of the design guidelines prepared as part of the application for subdivision for lots adjacent to the eastern boundary of the precinct must be implemented via a restriction on title or any other alternative deemed satisfactory by the responsible authority.

Conditions – Biodiversity and Threatened Species

Any permit for subdivision must contain the following conditions:

Salvage and translocation

- The Salvage and Translocation Protocol for Melbourne’s Growth Corridors (Department of Environment, Land, Water and Planning, 2017) 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

- Before the commencement of buildings or works within 30 metres of a conservation area shown on Plan 5 of the *Minta Farm Precinct Structure Plan*, the permit holder must erect a vegetation protection fence around any conservation area, patch of native vegetation or scattered tree identified for retention, or vegetation identified for salvage in the incorporated *Minta Farm Precinct Structure Plan*. The fence must be:
 - 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 occurring within the conservation area, patch of native vegetation or scattered tree
 - located at a minimum distance from the identified elements in Table 2:

Table 2

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x Diameter at Breast Height
Patch of native vegetation	2 metres

During the undertaking of buildings or works, all activities must be excluded from occurring within the protection fencing, unless otherwise agreed to by the Secretary to the Department of Environment, Land, Water and Planning.

Construction stockpiles, fill, machinery, vehicle parking, excavation and works or other activities associated with the buildings or works must be designed and constructed to ensure that the conservation area, scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan are protected from adverse impacts during construction.

Conditions – Land Management Co-operative Agreement

- A permit to subdivide land shown in the incorporated *Minta Farm Precinct Structure Plan* as including the conservation area shown on Plan 5 must ensure that, before the issue of a statement of compliance for the last stage of subdivision, the owner of the land:
 - Enters into a Land Management Co-operative 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; 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 clause does not apply to land of any lot or part of a lot within the conservation area shown on Plan 5 of *Minta Farm 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 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 for Environment and Climate Change; or
 - another statutory authority.

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

Condition – Environmental Management Plans

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 30 metres of land shown as a conservation area in the incorporated *Minta Farm Precinct Structure Plan* must include the following condition:

- Prior to the certification of plan of subdivision or the commencement of buildings or works, an Environmental Management Plan for the relevant works or subdivision must be approved to the satisfaction of the Secretary to the Department of Environment, Land Water and Planning and the responsible authority.

Condition – Public transport

- 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 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.

Conditions – Subdivision or buildings and works permits where land is required for community facilities, public open space or road widening

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be borne by the permit holder.
- Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

Condition – Use or Develop Land for a Sensitive Use

- Before a plan of subdivision is certified under the *Subdivision Act 1988*, the recommendations of the Phase 2 Environmental Site Assessment submitted must be carried out to the satisfaction of the responsible authority.
- Upon receipt of the Phase 2 Environmental Site Assessment the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on *Potentially Contaminated Land June 2005 (DSE)*. The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Requirement – Management of bushfire risk during subdivisional works

A permit for subdivision that contains a condition requiring a construction management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

5.0 Exemption from Notice and Review

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None specified.

6.0 Decision Guidelines

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None specified.

7.0 Signs

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

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; and
- The sign is setback a minimum of 750 millimetres 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.

If the sign does not meet all of the requirements listed above, it must comply with the provisions of Clause 52.05.