

11/02/2016
C182

SCHEDULE 2 TO THE URBAN GROWTH ZONE

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

CRANBOURNE EAST PRECINCT STRUCTURE PLAN

1.0

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The Plan

Map 1 shows the future urban structure for the Cranbourne East Precinct. It is a reproduction of Plan 5 in the Cranbourne East Precinct Structure Plan.

Map 1 to Schedule 2 to Clause 37.07



- Precinct Structure Plan Area
- Urban Growth Boundary
- Residential
- Local Town Centre (INAC)
- Local Centre
- Employment
- Community Facilities
- State Primary School (P-6)
- Non-Government Education Facility (subject to permit)
- Unencumbered Active Open Space
- Unencumbered Passive Open Space
- Encumbered Open Space
- Arterial Road
- Connector Street (potential future arterial)
- Connector Street
- Access Street
- Shared Path (within open space)
- Shared Path (within widened road reserve)
- Pedestrian Bridge
- Railway Line & Station
- Future Grade Separated Crossing
- Proposed Future Grade Separated Road Link
- Heritage Site
- Lakes/Waterbodies
- Native Vegetation (to be retained)

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2.1

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Use and development

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land construction of a building, construction and carrying out of works.

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
Employment Land	Commercial 2 Zone
Local town centre and local centre	Commercial 1 Zone
Any lot wholly contained within 200 metres distance from any part of the local town centre abutting Linsell Boulevard, Clyde North	Mixed Use Zone
All other land in the precinct	General Residential Zone

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Special provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Office where the applied zone is Mixed Use Zone	A permit is not required if the office is in the same building as a dwelling.
Shop (other than Adult sex bookshop) where the applied zone is General Residential Zone	A permit may be granted to use land for a shop provided the leasable floor area of the shop does not exceed 100 square metres.
Office where the applied zone is General Residential Zone	A permit may be granted to use land for an office provided the leasable floor area of the office does not exceed 100 square metres.
Shop where the applied zone is Commercial 1 Zone	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds the following areas (square metres) for the relevant centre as described in the Cranbourne East Precinct Structure Plan: <ul style="list-style-type: none"> ▪ 8000 – Selandra Rise local town centre; ▪ 5000 – Morison Road local town centre; ▪ 5000 – Adrian Street local town centre; ▪ 500 – Local centre.
Office where the applied zone is Commercial 1 Zone	A permit is required to use land for an office if the combined leasable floor area of all offices exceeds the following areas (square metres) for the relevant centre as described in the Cranbourne East Precinct Structure Plan: <ul style="list-style-type: none"> ▪ 2000 – Selandra Rise local town centre; ▪ 2000 – Morison Road local town centre; ▪ 2000 – Adrian Street local town centre; ▪ 500 – Local centre.

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Specific provisions – Construction of single dwellings on small lots

A permit is not required to construct one dwelling on a lot of between 250 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 provided that the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

Or

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 pursuant to Clause 81 of the Casey Planning Scheme.

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Specific provisions – Master plan for education centres

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works for an education centre until a master plan has been prepared to the satisfaction of the responsible authority. The master plan must show:

- The location of all buildings, car parking areas, access driveways, playing fields and other works associated with the education centre.
- The staging of development.

The master plan may be amended to the satisfaction of the responsible authority.

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Specific provisions – Resolution of doubt

If any doubt arises as to whether a provision specified in this schedule applies to land, a permit may be granted for any use or development if the responsible authority is satisfied that the use or development is generally in accordance with the Cranbourne East Precinct Structure Plan.

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Specific provisions – Offset plans before subdivision or buildings and works

Where an incorporated Native Vegetation Precinct Plan applying to the land specifies that vegetation is to be removed, destroyed or lopped on the land, a planning permit must not be granted to use or subdivide the land or to construct a building or carry out works until an Offset Plan, in accordance with the Native Vegetation Precinct Plan applying to the land, has been prepared to the satisfaction of the Department of Sustainability and Environment and approved by the responsible authority.

2.7

Specific provisions - Use and development of future public land

A permit is not required to use or develop land shown in the *Cranbourne East Precinct Structure Plan* as local park, local sports reserve or community facilities provided the development is carried out generally in accordance with the *Cranbourne East Precinct Structure Plan* and with the prior written consent of the responsible authority.

3.0

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Application requirements – subdivision

An application for subdivision must be accompanied by a site and context description as detailed in Clause 56.01. In addition to the requirements of Clause 56.01 the site analysis and design response must show or address the following to the satisfaction of the responsible authority:

- Any design response or guidelines adopted for the area by the Casey City Council.

CASEY PLANNING SCHEME

- A hydrogeological assessment of the 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 and the impact of the development on groundwater.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- An 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 roadworks internal and external to the land consistent with any relevant traffic report or assessment;
 - what, if any, infrastructure set out in the Development Contributions Plan applying to the land is sought to be provided as "works in lieu" subject to the consent of Casey City Council; and
 - the provision of public open space and land for any community facilities.

An application which proposes to transfer a heritage building into public ownership must be accompanied by a Structural Engineering Assessment that provides details of the condition of the building and any works required to bring the building to a standard which complies with relevant building regulations to the satisfaction of the responsible authority

If the responsible authority decides that a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

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Application requirements – Neighbourhood activity centres and Employment Centre

If the land is shown as a local town 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 or employment 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 or employment centre set out in the incorporated precinct structure plan applying to the land.

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.

The is requirement does not apply to the local town centre shown in the Cranbourne East Precinct Structure Plan abutting Linsell Boulevard, Clyde North.

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Referral of applications

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of \$500,000) on land in the local town centre abutting Linsell Boulevard (Selandra Rise local town centre) must be referred in accordance with section 55 of the Act to the Growth Areas Authority.

5.011/02/2016
C182**Conditions and requirements for permits****Conditions for construction of single dwellings on small lots**

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.

If an approved building envelope applies to a lot between 250 – 300 square metres under section 2.3 of this schedule a planning permit must contain a condition that requires the approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 that is recorded on the title to the land. The restriction or the agreement must provide for:

- The building envelope to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside of a building envelope only with the consent of the responsible authority.
- 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.

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

Or

If construction of a single dwelling on a lot is to be assessed against the Small Lot Housing Code under section 2.3 of this schedule 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 incorporated pursuant to Clause 81 of the Casey Planning Scheme.
- 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.

Conditions for subdivision or building and works permits where a Native Vegetation Precinct Plan applying to the land has identified the removal, destruction, lopping, retention or offset of native vegetation

Any permit granted for subdivision, buildings or works, on land where a Native Vegetation Precinct Plan has identified the removal, destruction or lopping of native vegetation must contain the following conditions:

- Any native vegetation to be removed must be clearly marked on site.
- Prior to the destruction, removal or lopping of a tree, the tree must be examined by a suitably qualified zoologist for the presence of fauna in hollows or external nests. If native fauna species are located, they must be salvaged and relocated to the nearest suitable habitat in consultation with the Department of Sustainability and Environment.

Any permit granted for subdivision, buildings or works, on land where a Native Vegetation Precinct Plan has identified the retention or offset of native vegetation must contain the following conditions:

- A highly visible vegetation protection fence must be erected at a distance from the trunk of twice the canopy radius for each scattered tree and at least 2 metres patches of native vegetation. A sign must be prominently displayed on the fence identifying it as a vegetation protection fence.

- Any earthworks (including placement of fill and temporary or permanent stockpiling of soil) must be designed to ensure that native vegetation not be detrimentally affected through machinery movements or impacts on soil quality, water run-off and landform changes.

Conditions for subdivision or building and works permits where land is required for community facilities and public open space

Land required for community facilities or public open space (as a local or district park) as set out in the Cranbourne East Precinct Structure Plan or the Cranbourne East Precinct Structure Plan Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Cranbourne East Precinct Structure Plan Development Contributions Plan.

Requirement for subdivision permits

If any part of the land is identified in the incorporated Cranbourne East Precinct Structure Plan as being required for unencumbered public open space that land must be transferred to Council subject to equalisation in accordance with the equalisation provisions in the incorporated Cranbourne East Precinct Structure Plan Development Contributions Plan.

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Advertising signs

Land is in the category specified in the applied zone. If there is no applied zone the land is in Category 3.

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign that promotes the sale of land or dwellings.

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.