

27/05/2019  
C239wsea

**SCHEDULE 2 TO CLAUSE 37.07 URBAN GROWTH ZONE**

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

**LOCKERBIE NORTH PRECINCT STRUCTURE PLAN**

*(Note: Refer also to the Lockerbie North Precinct Structure Plan, March 2012 in Clause 72.04)*

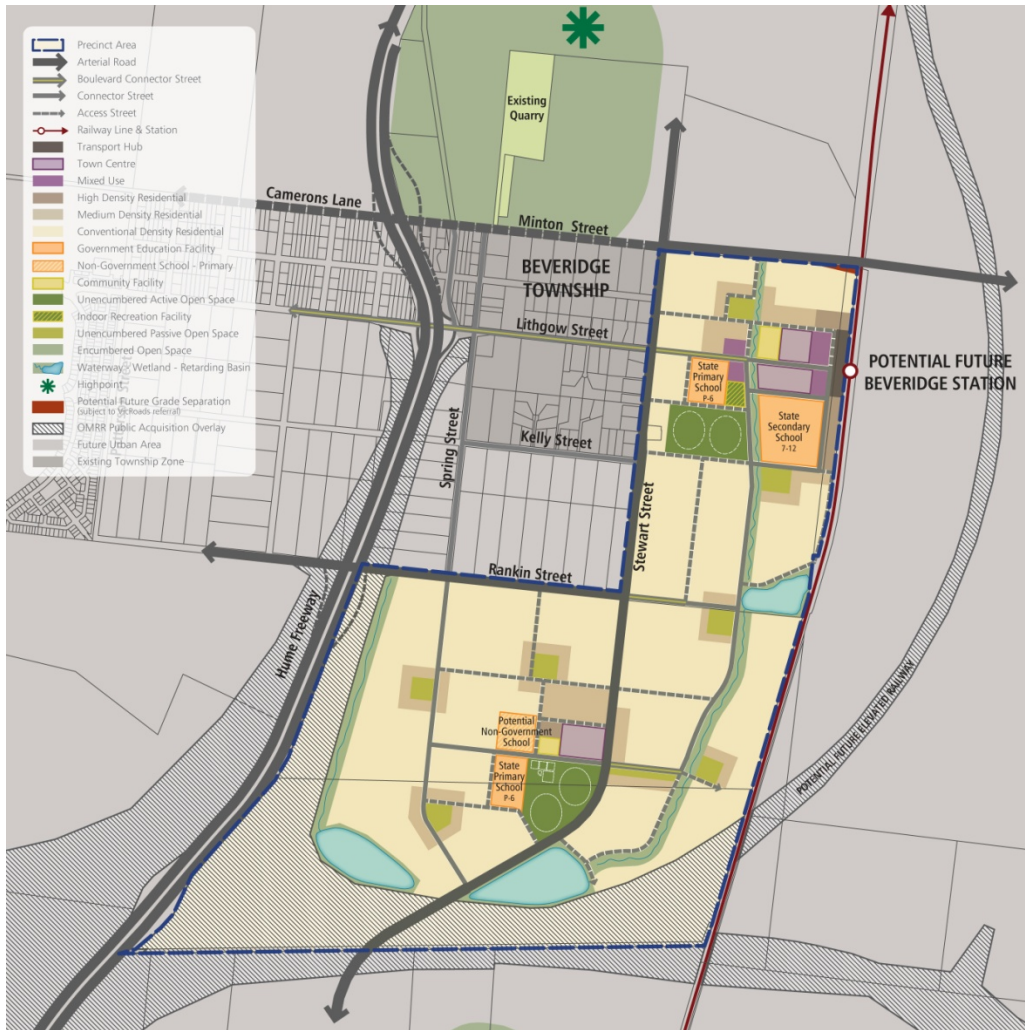
**1.0**

28/06/2012  
C162

**The Plan**

Plan 1 below shows the future urban structure proposed for the *Lockerbie North Precinct Structure Plan* (PSP) area. It is a reproduction of Plan 2 in the *Lockerbie North PSP*.

**Plan 1 to the Schedule to Clause 37.07**



**2.0**

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**Use and development**

**2.1**

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**The Land**

The use and development provisions specified in this schedule apply to the land shown within the 'Precinct Area on Plan 1 of this schedule and shown as UGZ2 on the planning scheme maps.

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

**2.2**01/08/2013  
C178**Applied zone provisions**

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works 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	Applied zone provisions
All land	Clause 32.08 – General Residential Zone

**2.3**01/08/2013  
C178**Specific provisions – Use of land**

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.

**2.4**24/06/2020  
GC150**Specific Provisions - 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 (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Whittlesea Planning Scheme.

**3.0**27/05/2019  
C239wsea**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:

If in the opinion of the Responsible Authority an application requirement listed at 3.1 or 3.2 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.

**3.1**28/06/2012  
C162**Subdivision – residential development**

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

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 incorporated Lockerbie North PSP
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated Lockerbie North PSP
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields

- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared in consultation with the Department of Transport
- An assessment of the existing surface and subsurface drainage conditions on the site including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage.

### 3.2

28/06/2012  
C162

#### 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 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 Lockerbie North Development Contributions Plan 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

any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

### 3.3

28/06/2012  
C162

#### Subdivision of land – VicRoads referral

Once the subdivision on land within the precinct reaches a total of 1100 lots, any permit application for subdivision must be referred to VicRoads in accordance with Section 55 of the Planning and Environment Act 1987. VicRoads must consider whether a permit can be issued prior to the construction of a new interchange at Rankin Street.

### 3.4

28/06/2012  
C162

#### Public transport referral requirements

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the Lockerbie North Precinct Structure Plan where the following requirements are met:

- A road nominated on Plan 9– Road Network in the Lockerbie North Precinct Structure Plan as a potential bus route is constructed in accordance with its corresponding cross section in the Lockerbie North Precinct Structure Plan; and
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Lockerbie North Precinct Structure Plan 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 as agreed with the Department of Transport, 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.

#### 4.0 Conditions and requirements for permits

24/07/2014  
C176

##### 4.1 General requirements

28/06/2012  
C162

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Lockerbie North Precinct Structure Plan and the Lockerbie North Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the permit.

##### 4.2 Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening

28/06/2012  
C162

Land required for community facilities, as set out in the Lockerbie North Precinct Structure Plan or the Lockerbie North Development Contributions Plan (DCP) must be transferred to or vested in Council at no cost to Council unless the land is funded by the Lockerbie North DCP.

Land required for public open space as a local park as set out in the Lockerbie North PSP or the Lockerbie North DCP must be transferred to or vested in Council at no cost to Council unless funded by the Lockerbie North DCP.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Lockerbie North DCP.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of City of Whittlesea or the relevant agency.

##### 4.3 Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

24/06/2020  
GC150

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 (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Whittlesea Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code (Victorian Planning Authority, November 2019)* applies to each lot to the satisfaction of the Responsible Authority.

##### 4.4 Biodiversity

28/06/2012  
C162

###### Eastern Grey Kangaroo

Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and actions to respond to their containment in an area with no reasonable likelihood of their safe existence.

The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:

- Proceeding in the order of stages as shown on the plan; and
- Implementing the management solutions and actions of the plan;

all to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

#### **Growling Grass Frog**

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Biodiversity Plan in the Lockerbie North PSP as Growling Grass Frog Category 2 habitat must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Growling Grass Frog Category 2 habitat on the land must be provided or agreed to the satisfaction of the Secretary of the Department of Sustainability and Environment.
- Prior to the commencement of any buildings or works, a fully costed Growling Grass Frog translocation / salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and be submitted to and approved by the responsible authority. The approved Growling Grass Frog translocation/ salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

#### **Golden Sun Moth**

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Biodiversity Plan in the Lockerbie North PSP as Golden Sun Moth habitat must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Golden Sun Moth habitat on the land must be provided to the satisfaction of the Department of Sustainability and Environment.

#### **Striped Legless Lizard**

Any permit which would allow subdivision, buildings or works that will impact on an area of land identified as potential habitat for Striped Legless Lizard on the Biodiversity Plan in the Lockerbie North PSP must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Striped Legless Lizard habitat on the land must be provided to the satisfaction of the Department of Sustainability and Environment.
- The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011) and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented to the satisfaction of the Secretary of the Department of Sustainability and Environment before during and after the carrying out of any buildings or works or native vegetation removal and all specifications and requirements of the approved plan must be complied with.

#### **Threatened flora salvage and translocation**

Any permit which would allow subdivision, buildings or works that will impact on an area of land where Matted Flax Lily on the Biodiversity Plan in the Lockerbie North PSP must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:



- Prior to the commencement of any works, a fully costed Matted Flax Lily translocation and/or propagation and ex situ conservation plan must be prepared to the satisfaction of the Department of Sustainability and Environment. When approved, the plan will be endorsed and will then form part of the permit;
- The approved Matted Flax Lily translocation/propagation plan must be implemented to the satisfaction of the Department of Sustainability and Environment.

## **5.0 Exemption from notice and review**

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An application to use land for a convenience shop or office, on land where the applied zone is General Residential Zone, is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## **6.0 Decision guidelines**

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None specified.

## **7.0 Signs**

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Land is in the category specified in the applied zone.

## **7.1 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 display 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.

## **7.2 Education/community promotion signs**

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Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an sign greater than 2 square metres in area that promotes a community facility or education centre on land identified as education, community and district sports reserve on Plan 1 to this schedule.