02 MUNICIPAL PLANNING STRATEGY

23/01/2020

02.01 CONTEXT

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The Cardinia Shire is located on the south east fringe of Melbourne and is one of eight 'interface councils' that form the perimeter of metropolitan Melbourne, providing a transition between urban and rural areas. The municipality has an area of approximately 1,280 square kilometres, comprising a variety of landforms and landscapes.

The Shire is on the traditional lands of the Bunurong and the Wurundjeri people. The Cardinia Shire understands, values and incorporates the contributions of these Traditional Owners, past and present.

The northern part of the Shire is set in the foothills of the Dandenong Ranges, and includes the Bunyip State Park and the Cardinia Reservoir. The red volcanic soils around Gembrook are historically significant for agriculture. The area is located within two water catchments being the Yarra Valley and Westernport catchments.

The Koo Wee Rup swamp and Western Port form the significant features of the southern part of the Shire and includes high quality agricultural land of State significance. The land is generally flat alluvial plains that have been substantially cleared of native vegetation. The exception to this is the Heath Hill area, an area that is recognised as being of landscape significance by the National Trust.

The population within the ~~Cardinia growth area~~municipality is expected to grow ~~79~~ 56 per cent from the estimated current population of around ~~112,000~~130,383 people (~~October 2019~~ABS, 2024) to approximately ~~200,000~~203,880 people in ~~2041~~2051.

The Shire has a strong agricultural and tourism sector within its green wedge areas.

The Officer-Pakenham State Significant Industrial Precinct and Officer-Pakenham Business Corridor, supports an emerging industrial manufacturing and commercial sector that is expected to grow and support local jobs and employment opportunities.

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02.02 VISION

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The Shire's vision for the municipality is:

Cardinia Shire will be developed in a planned manner that delivers infrastructure and services alongside development and growth to support a healthy and socially connected community, while protecting the valued landscapes, biodiversity, agricultural land and industry.

~~*Cardinia Shire will be developed in a planned manner to enable present and future generations to live healthy and productive lives and to enjoy the richness of the diverse and distinctive characteristics of the Shire.*~~

Planning will sustain the wellbeing of the community and the environment by seeking to balance the competing needs of the environment, economic development and the community and in particular by:

- Developing vibrant places that balance growth with the preservation of Cardinia's unique character and landscapes.
- Caring for the natural environment, protect biodiversity, enhance our natural assets and diverse ecosystems and build~~ing~~ resilience to the impacts of climate change.
- Recognising and protecting cultural values in the municipality
- Recognising and protecting areas and places of post contact heritage significance
- Supporting long-term investment, attracting new industries, agriculture and encouraging innovation, circular ~~and~~economy and jobs growth.
- ~~Developing a strong economic base.~~
- ~~Recognising and protecting the diverse and significant environmental and cultural heritage values in the municipality.~~
- Providing a cohesive and safe built environment and accessible places and open spaces for people to live, work and visit.

02.03 STRATEGIC DIRECTIONS

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02.03-1 Settlement

Settlement

Most of the Shire's population is located within the urban areas of Beaconsfield, Officer and Pakenham. These areas, along with Cardinia Shire's newest suburb currently referred to as Pakenham East, are part of the Casey-Cardinia South-east Growth Corridor of metropolitan Melbourne. This corridor will accommodate most of the future residential and commercial growth. The remainder of the population is located within Cardinia's townships and rural residential areas.

Settlement is primarily focused in ten precincts within the Shire's urban areas, as well as the rural townships listed in Table 1. In the urban area there are two precincts in the 'Urban Established Areas', being Beaconsfield and Pakenham identified in the plan at Clause 02.04-2, and eight precincts in the 'Urban Growth Areas' identified in the plan at Clause 02.04-3, which cover Officer, Officer South, Pakenham East and part of Pakenham South.

Table 1 – Rural townships

[insert table]

The capacity for sustainable growth of townships varies depending on the environmental and infrastructure capacities of each town.

Subdivision restructure has occurred in several areas in the municipality which were subdivided into urban size lots prior to the introduction of planning controls. These areas often had no services available, were on topography not suited to urban development and are in areas which were heavily vegetated. The development of housing on these lots at the density of the original subdivision is not sustainable and would lead to significant environmental degradation.

Council's strategic directions for settlement are to:

1. Direct residential development to:
    - The Urban Established Area in Beaconsfield.
    - The Urban Established Area generally north of the Princes Freeway in Pakenham.
    - The Urban Growth Area north of the Princes Freeway (Pakenham Bypass).
2. Protect land in the Urban Established Areas from development that limits the future orderly and efficient development of the land for urban purposes.
3. Support Emerald and Koo Wee Rup as a focus for higher order commercial and community facilities and services.
4. Limit residential development, including rural residential subdivision, in the hills towns (Emerald, Gembrook, Cockatoo, Upper Beaconsfield, Clematis, Avonsleigh, and Maryknoll) unless provided for by the township strategies or the development results in significant environmental or community benefits.
5. Develop Gembrook township as a major tourism destination based on a heritage theme and the scenic qualities of the area.
6. Consolidate and activate Koo Wee Rup's commercial and civic town centre.
7. Provide for the restructuring of inappropriate subdivisions.

8. Provide a distinct character and identity for urban areas through retention of existing vegetation, respect for topography, appropriate streetscaping and provision of adequate open space.

Green Wedges

Rural areas makes up over three quarters of the Shire, containing a mix of important environmental, ~~and~~ landscape and cultural features and supporting agricultural, recreation, infrastructure, extractive quarries and tourism activities. The Shire includes part of three distinct green wedges: The Western Port Green Wedge, the Southern Ranges Green Wedge and the Yarra Valley and Dandenong Ranges Green Wedge.

Western Port Green Wedge

The Western Port Green Wedge encompasses the southern rural areas of Cardinia Shire and the City of Casey. It covers a land area of approximately 746 square kilometres across both municipalities and will be a permanent edge to Melbourne's southeast. Approximately 615 square kilometres is located within Cardinia Shire.

A large proportion of Cardinia's Western Port Green Wedge has some of the best agricultural soil in Melbourne. Important natural resources exist within this green wedge, with existing sand extraction industry in operation around Lang Lang and potential for future extractive industry to occur in the north. It also has important biodiversity values, particularly the internationally significant Ramsar wetlands and habitat for endangered species including the southern brown bandicoot and the growling grass frog.

There are a number of rural townships and localities that provide opportunities for non-urban township living as well as providing a focus for local provision of services, schools and employment. This green wedge also has important recreation assets such as the Pakenham Racing Club's racecourse in Tynong and a potential future third airport.

Council's strategic directions for the green wedge are to:

1. Protect and facilitate the sustainable use of agricultural land, particularly land with soil that is of a high quality within the Western Port Green Wedge.
2. Maintain and enhance the Western Port Green Wedge biodiversity, landscape and environmental values.
3. Protect green wedge land by preventing further encroachment of urban development into the Cardinia Western Port Green Wedge.
4. Allow limited growth of Cardinia Western Port Green Wedge settlements where it is supported by an adopted township strategy.
5. To give effect to Council's vision for the Cardinia Western Port Green Wedge.

Activity centres

The Shire contains a network of activity centres (shown in Table 2 below), which play an important role in providing a range of services, accommodation, retail, commercial activities, entertainment, and employment opportunities to meet community needs.

~~Officer and Pakenham are designated Major Activity Centres. Beaconsfield, Lakeside Boulevard and Lakeside Square are designated as a large Neighbourhood Activity Centre within the urban growth boundary. Emerald in the north and Koo Wee Rup in the south of the municipality are larger township Neighbourhood Activity Centres and there are smaller Neighbourhood Activity Centres dispersed throughout the municipality.~~

Table 2 – Cardinia Shire Activity Centre Hierarchy

Designation	Activity Centres

Activity Centre – Housing Choice and Stations	Officer Pakenham
Large Neighbourhood Activity Centres	Beaconsfield Lakeside Boulevard Lakeside Square / Cardinia Road
Neighbourhood Activity Centres	Arena Cardinia Lakes Heritage Springs Pakenham East Kaduna Park Whiteside Road

Council's strategic directions for the activity centres are to:

1. Encouraging development that reinforces the hierarchy of activity centres in the urban area.
2. Ensure the orderly expansion of the Pakenham Major Activity Centre.

02.03-2 Environmental and landscape values

The diverse landscapes within the Shire are one of the municipality's strongest attributes. Five areas within the Shire are recognised as significant landscapes by the National Trust. These are the Western Port Coast, Heath Hill, Cockatoo Creek, Puffing Billy Railway Corridor and Menzies Creek Valley.

The Shire contains a diverse environment with a wide range of native flora and fauna habitats and is known to contain State and Nationally significant rare and threatened species including the Southern Brown Bandicoot, Growling Grass Frog, Swamp Skink, Masked Owl, Helmeted Honeyeater, Powerful Owl, Dwarf Galaxias, Australian Grayling, Emerald Star Bush, Matted Flax-Lily and indigenous grasslands.

Most of the Shire is contained in the Western Port water catchment, which contains a Ramsar wetland, with a small northern section of the Shire in the Yarra water catchment.

There is pressure to develop land in locations of high scenic value.

The decline and fragmentation of habitats resulting in the loss of biodiversity is a key issue. Over 75 per cent of the native vegetation in the Shire has been cleared leaving those areas of remnant vegetation of particular significance and value in terms of maintaining biodiversity.

Council's strategic directions for environmental and landscape values are to:

1. Protect environmentally significant areas including the northern hills and the Western Port coast.
2. Protect the natural environment and character of rural townships including remnant vegetation in the hills townships.
3. Protect the Koo Wee Rup swamp area that contains important groundwater reserves and horticultural soils in the Western Port basin.
4. Maintain and re-establish wildlife corridors.
5. Maintain biodiversity especially in areas of significance.

6. Protect the environmental qualities that contribute to the rural character of Maryknoll.
7. Minimise the fragmentation of land and removal of vegetation in areas of high landscape value.
8. Protect the scenic corridor of the Puffing Billy ~~Tourist~~ Railway from extensive native vegetation removal and development that is inconsistent with the landscape values of the existing corridor.
9. Protect significant landscapes recognised by the National Trust including the Western Port Coast, Heath Hill, Cockatoo Creek and Menzies Creek Valley from development that is inconsistent with the landscape values and built form of the surrounds.
10. Protect landscapes that are an important element in the development of tourism.

02.03-3 Environmental risks and amenity

~~Areas within the Shire, particularly north of the Princes Highway, are prone to bushfires due to the topography and vegetation. During the 1983 Ash Wednesday fires, there was a significant loss of life and property in the Upper Beaconsfield and Cockatoo areas.~~

Bushfire risk across the municipality varies based on ~~is the product of several factors including fuel levels~~vegetation type, ~~slope~~topography, climatic conditions, population and the degree of preparation of individual property owners to cope with a fire. Other factors such as the accessibility of land to fire fighting vehicles and the availability of water will affect the risk levels for individual properties. Areas within the Shire~~, particularly~~ north of the Princes Highway, are particularly prone to bushfires due to the topography and vegetation. During the 1983 Ash Wednesday fires, there was a significant loss of life and property in the Upper Beaconsfield and Cockatoo areas.~~-~~

The municipality has wide areas that are liable to riverine and overland flooding, including the Koo Wee Rup Flood Protection District. ~~Climate change will increase the risk from bushfires and flooding.~~

Climate change is expected ~~in~~to result in reduced rainfall and more extreme flooding, bushfire and heatwave events. Rising sea levels will increase the risk of coastal erosion and inundation along Western Port.

The Shire's other environmental risks include water catchment management, stormwater, salinity and soil erosion.

Water catchments are an integrated environmental system, and any development or actions undertaken in one part of a catchment may have an effect on other parts of the catchment. ~~[21.02.1 KI 1]~~ Stormwater quality in both urban and rural areas need to be managed to minimise the impact of development on the environment.

There are areas within the municipality with a shallow groundwater table that increases the potential for salinity and its impacts on infrastructure and the environment.

Soil erosion occurs on steep land where there are dispersible soils and in areas prone to landslips as a result of native vegetation removal.

Council's strategic directions for environmental risks are to:

1. Build community resilience and mitigate and adapt to the impacts of climate change, including hotter and drier conditions and severe weather events.

~~1.~~2. Minimise the potential risk to life, property and the environment from the effects of bushfire and flooding and inundation.

~~2.~~3. Mitigate the detrimental impacts of development on the operation and health of waterway systems and on stormwater quality.

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~~3.~~4. Discourage development that will be at risk from salinity or soil erosion or that will potentially increase the risk or extent of impacts from salinity or soil erosion.

02.03-4 Natural resource management

Agriculture

Agricultural production from the Port Phillip and Western Port Region is estimated at around 15 per cent of Victoria's annual gross value of agricultural production, has the highest average gross production value per hectare of any catchment management region in Victoria and is around four times greater than the State average.

The Koo Wee Rup Swamp area, with its peaty clay soil, is recognised for its high quality agricultural land of State significance. This area grows 90 per cent of Australia's asparagus, of which 50 per cent is exported annually. There have been some inappropriate subdivisions of agricultural land in the Koo Wee Rup Flood Protection District.

The high quality red volcanic soils of the Gembrook area have an important potato producing history. The area has been affected by dieldrin contamination (detected in 1987) and the Potato Cyst Nematode (detected in 1992) which resulted in restrictions on cattle grazing and potato production. Despite these restrictions, various forms of viable agriculture can be maintained.

Given the importance of agricultural land to the economic viability of the area and the State, Council's strategic directions for agriculture are to:

1. Protect agricultural land, particularly areas of high quality soils, from the intrusion of urban uses, incompatible development and fragmentation that would lead to a reduction in agricultural viability, the erosion of the right of farmers to farm land, and ultimately the loss of land from agricultural production.
2. Provide for the establishment of intensive agricultural activities (e.g.: poultry farms and green houses) in a location and manner that minimises the impact on nearby residents and the environment
3. Support the restructure of inappropriate subdivisions in agricultural areas, including the Koo Wee Rup Flood Protection District, to reduce the impact of old and inappropriate subdivisions on the agricultural viability.

Extractive industries

Cardinia Shire is one of the top five strategic extractive resource locations in Victoria and is the second-highest sand-producing local government area within the state.

In the Shire, there are identified Extractive Industry Interest Areas (EIIA) primarily north of the Princes Highway. These areas contain significant hard rock stone resources and~~, which~~ significantly overlap with areas of high environmental and landscape values.

~~There are significant stone resources, being hard rock which is extracted primarily from the hills north of the Princes Highway.~~

The Lang Lang to Grantville region contains significant sand and gravel resources ~~which are expected to become a major source of sand for the Melbourne supply area over the next 10 to 20 years~~. The Lang Lang Strategic Extractive Resource Area (SERA) in the south of the Shire is an area of approximately 33 square kilometres that contains sand resources of strategic importance and supply for the next 10-20 years.

The extraction of these ~~sand~~ resources will have significant economic, social and environmental effects on the area.

There are potential amenity impacts from extractive industry operations including noise, dust, transport and blast vibration.

Council's strategic directions for extractive industries are to:

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1. Protect sand and stone resources and existing extractive industry operations from development that may impact on their viability.

02.03-5 Built environment and heritage

Urban design

The long-term benefits of good design are a more attractive, functional and sustainable built environment. Good design is based on the principle of being site responsive, designing to consider the character and constraints of a site and wider area. Responsive design is important to ensuring that our places remain vibrant and balance growth with the preservation of the Shire's unique character and natural landscapes.

Conserving, reducing and effectively managing the resources we use are essential to achieving ecological sustainable development. The use of fossil fuels, particularly in electricity generation and transport has been the major source of greenhouse gas emissions resulting in climate change. Three key areas for reducing the impact on the environment within the municipality are air, water and general waste.

Council's strategic directions for ~~heritage~~ urban design are to:

1. Support building design that engages with the public realm and assists in increasing safety and the perception of safety for the community.
2. Encourage the use of environmentally sustainable design and construction materials.
3. Protect exotic vegetation if it is of heritage, cultural or economic value, or contributes to the character of an area.

Heritage

The Shire contains Aboriginal heritage sites and places of cultural significance, some of which have been identified and formally recorded but many ~~which~~ have not. Council seeks to ensure heritage sites and places are preserved for current and future generations.

The rich and diverse post contact cultural heritage of the Shire illustrates the historic use, development and occupation of the land. This history is demonstrated by a wide range of heritage places that include buildings and structures, railway lines, monuments, trees, landscapes and archaeological sites. These places give Cardinia a sense of historic continuity as well as demonstrating the economic, social and political circumstances of the time.

Council's strategic directions for heritage are to:

1. Identify and protect sites of significant Aboriginal heritage.
2. Protect places of post contact heritage significance including war memorials and avenues of honour.
3. Protect trees with heritage significance.

02.03-6 Housing

Housing within the Shire is currently dominated by detached dwellings in both urban and rural areas. The urban area includes the Urban Established Area and the Urban Growth Area, while the rural area comprises Townships and rural-residential development.

The urban area in the Shire will continue to attract predominantly young families into the foreseeable future. However, as the housing market progressively matures and the needs of households change there will be increasing demand for more diverse forms of housing.

Accommodation for older people in townships is important, particularly where the unavailability of such accommodation would lead to people being forced to leave a community with which they have a strong association.

The indiscriminate development of land for small lot rural and rural residential purposes may result in extensive land and water degradation, loss of high quality agricultural land and unnecessarily high development and maintenance costs. This type of development requires careful management, including:

- Rural residential development, defined as single dwellings on lots of between 0.4 hectare and 2.0 hectares.
- Rural living, defined as residential development on lots between 2 hectares and 16 hectares.

Council's strategic directions for housing are to:

1. Provide for diversity of housing types and densities, including increased housing density around activity centres.
2. Provide opportunities for development of 'affordable housing'.
3. Integrate rural residential and rural living developments with an urban area or township.
4. Facilitate diversity of housing choices in rural townships while ensuring consistency with the character of the township.
5. Minimise the impacts of rural residential and rural living developments on the environmental characteristics and constraints of the area.
6. Minimise the encroachment of rural residential and rural living developments on agricultural land.

02.03-7 Economic development

There is currently a high level of commuting by residents to areas outside the municipality for employment. As the Shire's population grows, there is a need to ensure that diverse commercial, retail, ~~and~~ industrial and agricultural opportunities provide for job generation within the municipality.

The Officer-Pakenham State-Significant Industrial Precinct and Officer-Pakenham Business corridor ~~and employment corridor~~ comprises approximately 2,500 hectares largely to the south of the Princes Freeway and a small land area to the north of the Princes Freeway. It ~~and~~ includes the Officer South ~~(~~Employment~~)~~ Precinct Structure Plan, ~~and~~ Cardinia Road Employment Precinct Structure Plan~~s~~, Pakenham South Employment Precinct Structure Plan, Pakenham West Employment Precinct Structure Plan, the South East Industrial Business Park and land along Bald Hill Road. These Precincts are~~is~~ identified in Plan for Victoria as one of Victoria's economic strengths and will be the key location for economic development and local and regional employment opportunities to support existing and emerging industries, commercial opportunities ~~-~~as well as innovation. When fully developed, the corridor will employ more than 38,000 people. There is a need to ensure that the opportunity to deliver this

~~Local employment for the growing resident population is largely serviced by activity centres and the 'Officer-Pakenham State-Significant Industrial Precinct' identified in *Plan Melbourne 2017-2050 (2017)*. There is currently a high level of commuting by residents to areas outside the municipality for employment. The employment corridor comprises approximately 2,500 hectares to the south of the Princes Freeway. When fully developed, this employment corridor will be a major business and employment provider for residents of the Shire and Melbourne's south-east region~~employing more than 38,000 people.

The Shire's activity centres, ~~the South East Industrial Business Park in Pakenham~~ and ~~Smaller~~ other local industrial precincts ~~are located~~ in Pakenham, Emerald, Maryknoll,

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Beaconsfield, Officer, Bunyip, Koo Wee Rup and Lang Lang also provide for economic development and job opportunity. A number of existing industries add value to the process of local and regional agricultural production.

~~The South East Industrial Business Park located at the intersection of Bald Hill Road and Koo Wee Rup Road, Pakenham, provides 167 hectares of industrial land.~~

Agriculture and ~~Tourism~~ tourism also play~~s~~ an important role within the wider business community, with opportunities for visitors to experience the area's boutique farm produce, arts and crafts, cultural and historic locations, and the natural environment. The Puffing Billy Railway is a significant tourist attraction that promotes conservation and education of rail heritage.

The ~~Cardinia Western Port Green Wedge also has~~Shire's green wedges have scope to build a successful tourism industry based on its produce. There needs to be a balanced approach between supporting new and growing businesses and protecting the green wedge environment and rural assets upon which the business is based.

Council's strategic directions for economic development are to:

1. Develop diverse local employment opportunities to meet the needs of a growing residential population.
2. Maintain agriculture as a strong and sustainable economic activity within the municipality.
3. Direct commercial activities along arterial roads to within strategic nodes.
4. Encourage the establishment of tourism land uses in rural townships.
5. Support the development of the ~~State-significant~~ Pakenham-Officer State-significant Industrial Precincts and Officer-Pakenham Business Corridor as a major provider of employment and innovation for south-east Melbourne.
6. Support tourist attractions of regional or State significance including:
   - The Pakenham Racecourse and associated facilities.
   - The Puffing Billy ~~Tourist~~ Railway and associated facilities.
   - Gumbuya World.
7. Provide additional industrial land to the south of the Koo Wee Rup town centre to facilitate the development of an additional industry and service industry precinct within the township and encourage local employment opportunities.

02.03-8 Transport

~~Pedestrian and cycling paths are important to support active lifestyles.~~

The sparse nature of settlement in the municipality affects the viability of providing public transport to all residents. The limited public transport services currently available is an issue of concern raised consistently by the community.

The Princes Highway and the Princes Freeway corridor runs east-west through the centre of the Shire and provides a demarcation between the hills in the north and the alluvial plains to the south. The corridor is a key road and rail link between Melbourne, the Latrobe Valley and Gippsland. The South Gippsland Highway is a key link to South Gippsland and a tourist route to Phillip Island.

The freeways and highways that cross the Shire pass through both urban and rural areas and carry a large volume of traffic, including freight and tourist traffic. Development along these arterial roads needs to be carefully managed to ensure that the efficient and safe movement of traffic and visual amenity is maintained and enhanced.

Future development in the Urban Growth Area will increase the demand for local roads infrastructure. There is also a present need to provide adequate roads and streets in the townships and to upgrade the existing local road network to support economic development and maintain environmental values.

With continuous major population growth, Cardinia Shire and surrounding areas would benefit from improved tourism and trade connections from the development of a new airport. The employment benefit to the region would also be significant.

Council has identified potential locations for a third airport between Koo Wee Rup and Lang Lang.

Council's strategic directions for transport are to:

~~1. Support and provide for the establishment of the Great Southern Rail Trail.~~

~~2. Support the creation of a regional open space network along Cardinia Creek and a multi-use trail linking the network to the Upper Beaconsfield township.~~

~~3.~~1. Facilitate the completion of the Lang Lang bypass to keep the heavy vehicles associated with the sand extraction industry out of the Town Centre.

~~4.~~2. Support the upgrading of both the Pakenham and Officer railway stations as a key element of these major activity centres.

~~5.~~3. Support new railway stations and upgrades of existing railway stations.

~~6.~~4. Provide east-west connections within the southern parts of the urban growth area.

~~7.~~5. Provide for the extension at Thompsons Road from ~~Cranbourne~~ Clyde North through to Koo Wee Rup Road.

~~8.~~6. Provide for the extension of Grices Road from Berwick South to Cardinia Road to an arterial road standard.

~~9.~~7. Encourage the integration of public transport linkages to improve access to higher education facilities outside of the municipality including Federation University and Chisholm TAFE.

~~10.~~8. Provide for greater connectivity and infrastructure that encourages physical activity (including walking, cycling and recreational horse riding).

Active transport

The provision of pedestrian and cycling infrastructure is important to support active lifestyles and improve liveability. Council has an aspiration to increase access to and connectivity of public transport, cycling routes and footpaths through a collaborative approach between Council, developers, State Government and the local community. This will be achieved through the development of strategic path connections in the existing active transport network, increasing pedestrian amenity in high pedestrian areas and upgrading railway stations to include infrastructure that supports active transport.

Council's strategic directions in relation to active transport are:

1. Increase the proportion of the population with in 300 metres of a high-quality cycling facility suitable for all ages and abilities.
2. Support the Victorian Government target for 25 per cent of all trips to be made by walking or riding by 2030.
3. Double the proportion of journeys to work by walking or cycling by supporting the provision of dedicated and shared infrastructure in new development and growth areas.
4. Supporting the provision of active transport infrastructure such as bike lockers and bike parking in railway stations.

02.03-9 Infrastructure

Infrastructure provision is one of the major issues facing the Cardinia Shire over the coming decades. The timely provision of physical and social infrastructure is necessary to foster economic development, ensure the wellbeing of the community and protect the environment. The provision of local recreational and community facilities assists in bringing people together and developing a cohesive community.

The population in the Shire is primarily focused on the activity centres and townships, with a growing emphasis on the urban growth corridor. It is important that all residents have a reasonable level of access to a range of services consistent with community needs, including rural townships.

There is a diversity of age groups within the Shire and it is important to provide services to meet the needs of particular age groups such as children, youth and the aged.

Cardinia Shire has a significant amount of regional open space, including Aura Vale Lake Park at Cardinia Reservoir, Gembrook Regional Park, Bunyip State Park and Emerald Lake Park. In addition, further regional parklands are proposed along the Cardinia Creek to both protect the environmental values of the corridor and provide a regional passive recreation resource, in recognition of the projected population growth in the Casey-Cardinia Growth Area.

There are also other significant waterways and streams throughout the Municipality that provide passive open space linkages.

Council's strategic directions for infrastructure are to:

1. Plan for the timely delivery of infrastructure to support new and growing communities.

~~1.~~2. Facilitate the delivery of arts and cultural facilities.

~~2.~~3. Improve provision and access to higher education and skills development for residents and support the establishment of a higher education facility within Pakenham.

~~3.~~4. Develop open space linkages.

~~4.~~5. Support the ongoing development of recreation reserves in the rural townships.

~~5.~~6. Provide active, passive and environmental open space, including varied play spaces, within the Urban Established Areas, the Urban Growth Area, and in townships.

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02.04 Strategic framework plan

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The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

05/04/2023

SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as **FZ1.**

1.0 Subdivision and other requirements

05/04/2023

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	40 ha
Minimum area for which no permit is required to use land for a dwelling (hectares)	None specified	None specified
Maximum area for which no permit is required to use land for timber production (hectares)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: - The Head, Transport for Victoria is the acquiring authority; and - The purpose of the acquisition is for a road.	100 m

	Land	Area/Dimensions/Distance
	A Transport Zone 3 or land in a Public Acquisition Overlay if: - The Head, Transport for Victoria is not the acquiring authority; and - The purpose of the acquisition is for a road	40 m
	Any other road	20 m
Minimum setback from a boundary (metres).	Any other boundary	5 m
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 m
Minimum setback from a waterway, wetlands or designated flood plain (metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

05/04/2023

SCHEDULE 2 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as **FZ2.**

1.0 Subdivision and other requirements

05/04/2023

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	15 ha
Minimum area for which no permit is required to use land for a dwelling (hectares)	~~None specified~~All land	15 ha
Maximum area for which no permit is required to use land for timber production (hectares)	~~None specified~~All land	40 ha
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: - The Head, Transport for Victoria is the acquiring authority; and - The purpose of the acquisition is for a road.	100 m

	Land	Area/Dimensions/Distance
	A Transport Zone 3 or land in a Public Acquisition Overlay if: - The Head, Transport for Victoria is not the acquiring authority; and - The purpose of the acquisition is for a road	40 m
	Any other road	20 m
Minimum setback from a boundary (metres).	Any other boundary	5 m
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 m
Minimum setback from a waterway, wetlands or designated flood plain (metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

10/06/2021
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SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

1.0 Permit exemptions and conditions

10/06/2021
C254card

Public land	Use or development	Conditions
Any land leased or licensed from Melbourne Water Corporation to ~~Melbourne Parks and Waterways~~Parks Victoria.	Any use or development associated with ~~Melbourne Parks and Waterways~~Parks Victoria' operation or management of the land as a public park.	Must be undertaken by or on behalf of Melbourne Parks and Waterways under the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.
Any land owned by, vested in, or under the control of the Emerald Tourist Railway Board	Any use or development associated with normal operation of the Emerald (Puffing Billy) Tourist Railway.	Normal operations includes: rail infrastructure (tracks, signals, communications, station buildings, platforms, rail storage yards, workshops and storage buildings for rolling stock and equipment); café / kiosk within the station precinct; gift / souvenir shop within or as part of a station building; and a car park for Puffing Billy patrons, volunteers and staff. Normal operations exclude: tourist accommodation; a convention centre; a café, restaurant or licensed premises other than a café / kiosk specified in the condition above; a shop other than a gift / souvenir shop specified in the condition above; and a carpark associated with an activity outside normal operations.

2.0 Sign requirements

10/06/2021
C254card

Land	Sign Category
All land	Category 3

- Whether the use, building, works or subdivision will be detrimental to the horticultural significance of the area.
- Whether the dwelling is reasonably required for the operation of the rural activity being conducted on the land.
- Whether the use utilises the high quality soils for horticultural or agricultural pursuits.
- The impact of the use, building, works or subdivision on the character and appearance of the area.
- Whether the site is suitable for the use, building, works or subdivision and the compatibility of the proposal with adjoining and nearby farming and other land uses.

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SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ1.**

HORTICULTURAL PRESERVATION

Purpose

To preserve land of high agricultural quality for horticulture and other farming activities.

To discourage non-agricultural and non-soil based uses establishing on soil of high agricultural value.

To protect the area from the encroachment of urban and rural residential type development.

To minimise the potential for conflict between residents and normal farming practices that are related to the conduct of agricultural activities.

To encourage sustainable farming activities based on whole farm and catchment planning principles on an individual and community basis.

1.0
06/08/2026
C283card

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Crop raising (other than Timber production)	
Grazing animal production	
Home based business	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Search for stone	Must not be costeaning or bulk sampling.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

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Section 2 - Permit required

Use	Condition
Agriculture (other than Animal husbandry and Crop raising)	
Animal husbandry (other than Domestic animal boarding, Apiculture, Grazing animal production, Intensive animal production, Pig farm, Poultry farm and Poultry hatchery)	The gross floor area of all buildings associated with the use must not exceed 500 square metres.
Caretaker's house	Must be the only caretaker's house on the lot. Must meet the requirements of Clause 2 of this schedule.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 2 of this schedule.
Dwelling (other than Bed and breakfast and Caretaker's house)	Must be the only dwelling on the lot. The lot must be at least 10 hectares. This does not apply to lots which were created under the provisions of a planning scheme. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling Must meet the requirements of Clause 2 of this schedule.
Group accommodation	
Host farm	
Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Place of assembly (other than Carnival and Circus)	
Plant nursery	
Primary produce sales	The gross floor area of all buildings associated with the use must not exceed 500 square metres.
Research centre **Restaurant**	
Rural industry (other than Abattoir and Sawmill)	The gross floor area of all buildings associated with the use must not exceed 500 square metres.
Store (other than Boat and caravan storage)	

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Use	Condition
Timber production	Must meet the requirements of Clause 53.11.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Abattoir
Accommodation (other than Dependent person's unit, Dwelling, Group accommodation, and Host farm)
Boat and caravan storage
Cemetery
Child care centre
Cinema based entertainment facility
Crematorium
Display home
Domestic animal boarding
Freeway service centre
Funeral parlour
Hospital
Industry (other than Automated collection point and Rural industry)
Intensive animal production
Leisure and recreation (other than Informal outdoor recreation)
Office
Pig farm
Poultry farm
Poultry hatchery
Recreational boat facility
Retail premises (other than Plant nursery, Primary produce sales, and Restaurant)
Saleyard
Sawmill
Service station
Veterinary centre
Warehouse (other than Store)

2.0
10/06/2021
C254card

Use of land

A lot may be used for one dwelling (excluding a caretaker's house and dependent person's unit) provided the following requirements are met:

- Access must be provided via an all-weather road to the satisfaction of the responsible authority.

- The dwelling must be connected to reticulated sewerage or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970* .
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the responsible authority.

If the use is a caretaker's house or dependent person's unit, an agreement must be entered into under Section 173 of the Act requiring the house or unit to be removed or demolished if the use ceases.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

A report which explains how the proposal:

- Complies with the purposes of the zone.
- Responds to the decision guidelines for the zone.

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the land is liable to flooding.
- Whether the use will be detrimental to the horticultural significance of the area.
- Whether the dwelling is reasonably required for the operation of the rural activity being conducted on the land.
- Whether the use utilises the high quality soils for horticultural or agricultural pursuits.
- The impact of the use on the character and appearance of the area.
- Whether the site is suitable for the use and the compatibility of the proposal with adjoining and nearby farming and other land uses.

3.0
10/06/2021
C254card

Subdivision

Each lot must be at least 25 hectares.

A permit may be granted to create smaller lots if the subdivision is the re-subdivision of existing lots provided:

- No additional lots are created.
- The potential to create new lots is not increased.
- The potential for the number of dwellings is not increased.
- The proposed lots do not compromise the purpose of the zone.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

A report which explains how the proposal:

- Complies with the purposes of the zone.

- Responds to the decision guidelines for the zone.

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the land is liable to flooding.
- Whether the subdivision will be detrimental to the horticultural significance of the area.
- The impact of the subdivision on the character and appearance of the area.
- Whether the site is suitable for subdivision and the compatibility of the proposal with adjoining and nearby farming and other land uses.

4.0
04/05/2022
VC210

Buildings and works

A permit is not required to construct a building or construct or carry out works except for any of the following:

- A building or works associated with a use in Section 2 of Clause 1 of this schedule.
- A building which is within any of the following setbacks:
  - 100 metres from a Transport Zone 2.
  - 20 metres from any other boundary.
  - 100 metres from a waterway.
- A building with a gross floor area which exceeds 200 square metres.
- A building which exceeds 7 metres in height.
- Excavation or land fill works which are in excess of 1 metre in depth or height.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

A report which explains how the proposal: Complies with the purposes of the zone.

- Responds to the decision guidelines for the zone.

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the land is liable to flooding.
- Whether the buildings or works will be detrimental to the horticultural significance of the area.
- Whether the dwelling is reasonably required for the operation of the rural activity being conducted on the land.
- Whether the use utilises the high quality soils for horticultural or agricultural pursuits.
- The impact of the buildings or works on the character and appearance of the area.
- Whether the site is suitable for the buildings or works and the compatibility of the proposal with adjoining and nearby farming and other land uses.

5.0
10/06/2021
C254card

Signs

None specified.

6.0 Application requirements

An application to use or subdivide land, construct a building or construct or carry out works must be accompanied by a report which explains how the proposal:

- Complies with the purposes of the zone.
- Responds to the decision guidelines for the zone.

7.0 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- ~~The Land Capability Study for the Cardinia Shire (February 1997).~~
- ~~Whether the land is liable to flooding and any advice received from Melbourne Water.~~
- ~~Whether the use, building, works or subdivision will be detrimental to the horticultural significance of the area.~~
- ~~Whether the dwelling is reasonably required for the operation of the rural activity being conducted on the land.~~
- ~~Whether the use utilises the high quality soils for horticultural or agricultural pursuits.~~
- ~~The impact of the use, building, works or subdivision on the character and appearance of the area.~~
- ~~Whether the site is suitable for the use, building, works or subdivision and the compatibility of the proposal with adjoining and nearby farming and other land uses.~~

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10/06/2021
C254card

SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3** .

TYNONG RACECOURSE AND TRAINING FACILITY

Purpose

To provide for the use and development of the land for Racecourse including Horse stables and horse training facility and the co-location of other uses legitimately connected/ operating in conjunction with these pursuits.

To provide for dwellings on the land that are used and located in conjunction with horse training facilities and horse stables.

To ensure that horse racing and training facilities are established in a manner which does not cause loss of amenity to, and is consistent with, surrounding land uses including metropolitan green wedge land.

1.0
06/08/2026
C283card

Table of uses

Section 1 - Permit not required

Use	Condition
Agriculture (other than Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing Dog Husbandry and Timber production)	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Betting agency	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Car park	
Education centre (other than Primary school or Secondary school)	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Food and drink premises (other than Convenience restaurant, Hotel and Tavern)	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Function centre	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Helicopter landing site	Must be in conjunction with the Major sports and recreation facility.
Home based business **Major sports and recreation facility** **Mineral exploration**	
Minor sports and recreation facility (other than Outdoor recreation facility)	Must be generally in accordance with Map 1 and Table 1 in this schedule.

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Use	Condition
Mining	Must meet the requirements of Clause 52.08-2
Racing dog training	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Search for stone	Must not be costeaning or bulk sampling
Veterinary centre	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Convenience restaurant	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Dwelling	Must meet the requirements in Clause 2.
Equestrian supplies	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Hotel	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Industry (other than Automated collection point)	
Market	
Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Office	Must be directly associated with the management of the racecourse.
Residential hotel	Must be used in conjunction with a Major sports and recreation facility.
Tavern	Must be generally in accordance with Map 1 and Table 1 in this schedule.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

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Section 3 - Prohibited

Use
Accommodation (other than Dwelling)
Domestic animal husbandry
Convenience restaurant
Gaming premises (other than Betting agency)
Intensive animal production
Motor racing track
Outdoor recreation facility
Pig farm
Poultry farm
Poultry hatchery
Place of assembly (other than Function centre)
Retail premises (other than Food and drink premises, Market or Equestrian supplies)
Racing dog husbandry (other than Racing dog training)
Timber production

2.0
10/06/2021
C254card

Use of land

All use must be generally in accordance with Map 1 and Table 1 in this schedule.

Environment Management Plan

Prior to the commencement of any use on the land, an Environmental Management Plan must be prepared and approved to the satisfaction of the responsible authority. The Environmental Management Plan is to provide for:

- The impact of the use or development on the flora and fauna on the site and its surrounds and methods to avoid, minimise or mitigate those impacts.
- The need to protect and enhance the biodiversity of the area, including the retention of native vegetation and fauna habitat and the re-vegetation of important areas of habitat and integration of native vegetation into landscaping of the site.
- Avoidance and mitigation of impacts on Growling Grass Frog ecological community and habitat and the implementation of a Growling Grass Frog Management Plan approved to the satisfaction of the responsible authority.
- Management of impacts on Ararat Creek and surrounding environment.
- The management, treatment and disposal of stormwater, litter and effluent on site to avoid and minimise impacts of contaminants, nutrient and litter entering Ararat Creek, other waterways and on native vegetation.
- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of effluent, noise, dust and odours.
- Water sensitive urban design including methods for water collection and reuse.
- The management of any impacts on adjoining land associated with the horse racing and training facilities including noise, dust, traffic, hours of operation, night-lighting, light spill, effect on the privacy of adjoining properties, solar access, and glare.
- The management of impacts, if any, during the construction and carrying out of works, including dust, noise, litter, traffic and other amenity impacts.

- The management of areas identified in the reference document for future use and development.

Use of land for a Dwelling

A permit may only be granted to use land for the purposes of a Dwelling if:

- The use is in conjunction with the business of horse training.
- Training facilities have been constructed on the land or a permit has been issued to construct training facilities associated with the dwelling.
- The occupier is a 'Trainer' within the meaning of the Australian Rules of Racing, as amended from time to time, or is an employee of a Trainer. For the avoidance of doubt, a dwelling may only be occupied by a horse Trainer or employee of a Trainer together with their domestic partner and any dependents.
- There is only one dwelling on a lot.
- The dwelling can be connected to a reticulated sewerage system or if not available, the waste water can be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling can be connected to a reticulated potable water supply or is able to have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
- The dwelling can be connected to a reticulated electricity supply or have an alternative energy source.
- The permit is issued for a dwelling subject to a condition requiring the owner to enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987* that provides for or requires that:
  - The land on which the dwelling is located must be used for the purposes of horse training and horse stables;
  - The land may be used for the purposes of a dwelling only if:
    - It is in conjunction with horse training and horse stables.
    - It is occupied by a 'Trainer' within the meaning of the Australian Rules of Racing or an employee of a Trainer'. A horse 'Trainer' may occupy the dwelling together with their domestic partner and any dependants.
    - There is only one dwelling on a lot.
  - Ongoing management arrangements of private property and common property.

  The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Environmental Management Plan approved in accordance with clause 2.0.

- The impact of the use on the existing and surrounding land uses and whether it supports the values of the surrounding green wedge land.

3.0
10/06/2021
C254card

Subdivision

A permit is required to subdivide land.

A permit may only be granted to subdivide land if:

- The racetrack and training track have been constructed or are under construction on the site.

The subdivision is generally in accordance with Clause 6.

- Each lot to be created is at least 0.4 hectares in area.
- The permit is issued subject to a condition requiring the owner to enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987* that provides for or requires that:
  - The land must be used for the purposes of horse training and horse stables.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The layout of the subdivision, suitability of the location of the horse training facilities on the site and access arrangements.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.
- The Environmental Management Plan approved in accordance with clause 2.0.
- The integration of the subdivision with other use and development on the site.

4.0
10/06/2021
C254card

Buildings and works

A permit is required to construct a building or construct or carry out works.

All buildings and works must be generally in accordance with Clause 7.

No buildings and works (other than associated with the racetrack) are to be located within 100 meter of the Nar Nar Goon-Longwarry Road.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Demonstrated compliance with the Environment Management Plan approved under clause 2.0 to the schedule.
- A plan drawn to scale and dimensioned which shows:
  - The boundaries and dimensions of the site.
  - The location and names of adjoining roads.
  - The layout of existing and proposed buildings and works.
  - The location of access ways, internal vehicle road network, vehicle parking and loading areas.
  - The location, layout and planting schedule for all landscape areas.
  - Elevations detailing facade articulation and external materials, colours and finishes.
  - Stages, if any, in which the land is to be developed.
- A written summary of the proposed uses of the building, including, but not limited to, days and hours of operation and staffing levels.
- Transport of materials, goods or commodities to or from the land.
- Emission of noise, artificial light, vibration, dust, waste water, or waste products.

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the buildings or works on the existing and surrounding land uses and whether it supports the values of the surrounding green wedge land.
- The location and extent of any buildings and works with respect to the natural environment, landscape values, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The design of buildings, works and landscape treatment.
- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and

materials to be used, on landscape features, major roads and vistas.

- The location and design of proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed roads, site access and parking and their impact on the landscape and impact of the use and subdivision to the extent which traffic generation may require additional traffic management programs to be initiated.

5.0
06/08/2026
C283card

Signs

None specified.

~~6.0 Decision guidelines~~

~~Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, the responsible authority must consider, as appropriate:~~

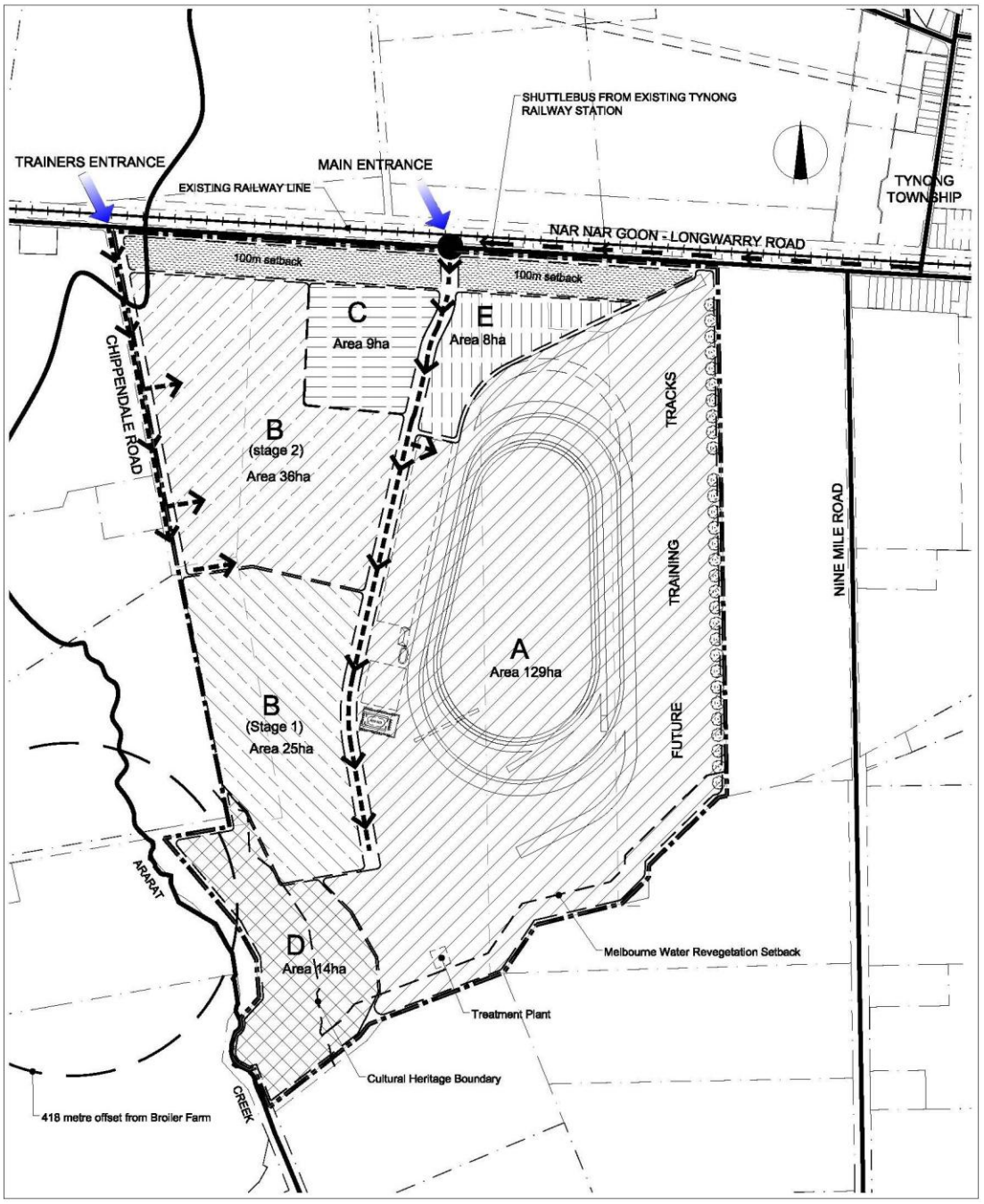
- ~~The Environmental Management Plan approved in accordance with clause 2.0.~~

- ~~The impact of the use, building, works or subdivision on the existing and surrounding land uses and whether it supports the values of the surrounding green wedge land.~~
- ~~The location and extent of any buildings and works with respect to the natural environment, landscape values, vistas and water features and the measures to be undertaken to minimise any adverse impacts.~~
- ~~The design of buildings, works and landscape treatment.~~
- ~~The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.~~
- ~~The location and design of proposed infrastructure services which minimises the visual impact on the landscape.~~
- ~~The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.~~
- ~~The location and design of existing and proposed roads, site access and parking and their impact on the landscape and impact of the use and subdivision to the extent which traffic generation may require additional traffic management programs to be initiated.~~

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7.0 Tynong Racecourse and Training Facilities

Map 1 to Schedule 3 to Clause 37.01



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Table 1 to Schedule 3 to Clause 37.01

Land Use	Precinct & Approx Land Area	Road Access, Connectivity, Parking, Public Transport	Internal Movement Network, Integration Principles
▪ Racecourse ▪ Car park ▪ Mounting yard ▪ Grandstand /Administration ▪ Float park ▪ Access tunnel	**Precinct A** Land area 129ha	▪ Minimum car spaces 2500. ▪ Car Parking for racing facilities to be all weather. ▪ Access to car park directly at main entrance at Longwarry Road. ▪ Shuttle bus route initially from Tynong Station until rail station for racing events established as and when required, but beyond immediate planning.	▪ Race day access for patrons via main entrance ensures separation of horse float access from spectator access essential for safety criteria.
Dwelling (other than a Bed and breakfast) ▪ Dwellings (Trainer Allotments) – Lot sizes 0.4ha-0.8ha – Stage 1 Trainers Lots (20 lots) – Stage 2 Trainers Lots (50-100 lots)	**Precinct B** Land area 61ha	▪ Access for both race day horse floats and trainers facilities via Chippendale Road entrance as indicated. ▪ Bus route and Patrons entrance via main entrance at Longwarry Road.	▪ Access for both horse floats via Chippendale Road and trainers allotments ensures separate connectivity to track and stripping stalls for both external and internal horse access.
Ancillary Activities: ▪ Residential hotel ▪ Function and conference centre	**Precinct C** Land area 9ha	▪ Ancillary and equine related facilities to have designated parking at each facility. ▪ Access to ancillary facilities to be made through main entrance. ▪ Any heavy duty vehicles/horse floats via Chippendale Road to ensure segregation from patrons/spectator vehicles.	▪ Access to be used for residential hotel/exhibition centre. Located centrally between the racetrack and associated facilities and Longwarry Road to aid ease of access from public/race goers.
Environment ▪ Flora / Fauna habitat ▪ Wetlands ▪ Water harvesting ▪ Growling Grass Frog habitat	**Precinct D** Land area 14ha	▪ Vehicular access via main entrance and internal road network.	▪ Area provides for integrated water treatment/recycling as part of a precinct wide environmental management plan strategy.

Land Use	Precinct & Approx Land Area	Road Access, Connectivity, Parking, Public Transport	Internal Movement Network, Integration Principles
Future Development (examples) ▪ Veterinary Centre ▪ Horse sales ▪ Feed merchant ▪ Recycled manure sales	**Precinct E** Land area 8ha	▪ Future development access to be via Longwarry Road, either directly from racing entrance or via a service road as and when required subject to traffic. Development to have appropriate road frontage treatment, vegetation and/or screening along Longwarry Road.	▪ As a related and integrated service area, this site will provide access directly to Tynong/Nar Nar Goon as well as internal access to the site.
Agriculture (other than Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery and Racing dog husbandry)	**Setback land** area 11ha (100m setback to Longwarry Road)	▪ To be used for landscaping, horse spelling and a variety of agricultural uses.	▪ N/A

10/06/2021
C254card

SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ5** .

CARDINIA MOTOR RECREATION AND EDUCATION PARK

Purpose

To provide for the use and development of a motor recreation and education facility.

To provide for complementary recreation and community uses.

1.0
01/12/2023
VC217

Table of uses

Separate exercise to rationalise land use term will occur and to be executed at the final stage.

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Car sales	Must not occur for more than 12 days per year. Must be in conjunction with the Motor Recreation and Education Park.
Education centre (other than Primary school and Secondary school)	
Informal outdoor recreation	
Market	Must not occur for more than 12 days per year.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor sports and recreation facility (other than Outdoor recreation facility)	
Railway	
Restricted place of assembly	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation	Must be generally in accordance with the development plan and be associated with the Motor Recreation and Education Park
Agriculture (other than Apiculture)	
Convenience restaurant	
Convenience shop	
Industry (other than Automated collection point)	
Major sports and recreation facility	
Motor racing track	
Outdoor recreation facility	
Place of assembly (other than Circus and Restricted place of assembly)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex product shop
Cinema based entertainment facility
Gambling premises

2.0
10/06/2021
C254card

Use of land

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The cumulative impacts of all events and meetings held at the site.
- The impact on existing and proposed nearby uses.

3.0
29/09/2011
C160

Subdivision

Each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title. The requirement to enter into an agreement only applies to a lot that could be further subdivided in accordance with this scheme.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

4.0 Buildings and works

10/06/2021
C254card

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Traffic impacts on nearby uses and the arterial road network.
- Landscape treatments.
- Interface with other areas.
- Parking and site access.
- Location and adequacy of loading and service areas.
- Adequacy lighting to provide a safe night time environment, where relevant.

5.0 Signs

10/06/2021
C254card

A permit is not required to construct or display a sign on any land within the Cardinia Motor Recreation and Education Park which is directed toward people attending the Park and that cannot be seen from outside the facility.

Sign requirements are at Clause 52.05. All land located within this schedule to this zone is in Category 2.

10/06/2021
C254card

SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ6.**

PRIVATE EDUCATION FACILITY

Purpose

To provide for areas in private ownership to be used for an education centre.

To ensure that the use and development of these facilities takes place in an orderly and proper manner and does not cause loss of amenity to the neighbourhood.

1.0
01/12/2023
VC217

Table of uses

Separate exercise to rationalise land use term will occur and to be executed at the final stage.

Section 1 - Permit not required

Use	Condition
Accommodation	Must be in accordance with a master plan prepared to the satisfaction of the responsible authority. Must be in conjunction with use of the land for an education centre.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Car park	Must be in accordance with a master plan prepared to the satisfaction of the responsible authority.
Child care centre	Must be in accordance with a master plan prepared to the satisfaction of the responsible authority.
Education centre	Must be in accordance with a master plan prepared to the satisfaction of the responsible authority.
Home based business **Mineral exploration**	
Mining	Must meet the requirements of Clause 52.08-2.
Minor sports and recreation facility	Must be in accordance with a master plan prepared to the satisfaction of the responsible authority.
Place of worship	Must be in accordance with a master plan prepared to the satisfaction of the responsible authority.
Railway	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables, and Intensive animal husbandry)	
Animal keeping (other than Animal boarding)	
Car wash	
Market	
Convenience shop	
Food and drink premises	
Leisure and recreation (other than Minor sports and recreation facility and Motor racing track)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Office	The leasable floor area must not exceed 500 square metres.
Place of assembly (other than Amusement parlour, Nightclub, and Place of worship)	
Plant nursery	
Store	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation – if the Section 1 condition is not met
Amusement parlour
Animal boarding
Animal training
Cemetery
Crematorium
Extractive industry
Horse stables
Industry (other than Automated collection point and Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Retail premises (other than Market, Convenience shop, Food and drink premises, and Plant nursery)
Saleyard

Use
Service station
Transport terminal
Warehouse (other than Store)

2.0 Use of land

10/06/2021
C254card

Application requirements

The following application requirements apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Any master plan for the site prepared to the satisfaction of the responsible authority.
- The purpose of the use and the types of activities that will be carried out.
- The likely effects, if any, on adjacent land including noise levels, traffic and hours of operation.

Exemption from notice and review

An application to use land that is in accordance with a master plan prepared to the satisfaction of the responsible authority is 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.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect that the proposed use may have on existing uses.
- The effect that the proposed use may have on the amenity of the neighbourhood.

3.0 Subdivision

10/06/2021
C254card

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title. The requirement to enter into an agreement only applies to a lot which could be further subdivided in accordance with this scheme.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

4.0 Buildings and works

28/04/2026
VC232

Permit requirement

No permit is required to construct a building or construct or carry out works for the following:

- Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
- Playground or sporting equipment.
- Planting or landscaping.

Application requirements

The following application requirements apply to an application for a permit to construct a building or construct or carry out works under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Any master plan for the site prepared to the satisfaction of the responsible authority and the requirements of the Roads Corporation.
- A plan, drawn to scale, which shows:
  - The boundaries and dimensions of the site.
  - Relevant ground levels.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - The layout and use of existing and proposed buildings and works including driveways and car parking and loading areas.
  - Elevation drawings indicating the colour and materials of all proposed buildings and works.
  - Construction details of all drainage works, driveways and car parking and loading areas.
  - Details of existing and proposed landscaping.

An application to use or develop land within 200 metres of a gas pipeline must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority.

Exemption from notice and review

An application to construct a building or construct or carry out works that is in accordance with a master plan prepared to the satisfaction of the responsible authority is 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.

Decision guidelines

The following decision guidelines apply to an application for a permit to construct a building, construct or carry out works under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The interface with adjoining land, especially the relationship with residential areas.
- The appearance and bulk of buildings having regard to the adjoining land, especially the relationship with residential areas.
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing and privacy.
- The provision of land for landscaping and beautification.

- The location and type of access to the site.
- The views of the Roads Corporation where there is a change in the intensity of the use or a change in access arrangements for the site that could impact on the operation of a Roads Corporation managed road.
- The provision for car parking.
- The movement of vehicles providing for supplies, waste removal, emergency services and public transport.
- Loading and service areas.
- The safe movement of pedestrians and cyclists across nearby road and rail corridors including at rail level crossings.
- The need for the preparation and implementation of a traffic management plan to the requirements of the Roads Corporation and to the satisfaction of the responsible authority.

5.0
10/06/2021
C254card

Signs

None specified.

OFFICIAL

10/06/2021
C254card

SCHEDULE 7 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ7.**

SOUTH EAST FOOD PRODUCTION, EXPORT AND EMPLOYMENT NODE

Purpose

To enhance the local, national and global market competitiveness of food production within the South-East region.

To provide for an integrated supply chain enabling the use and development of the site for co-location of food processing facilities.

To provide for the continued use of land for abattoir purposes as well as the use and development of land for food production through the co-location of other uses.

To protect the area from the encroachment of sensitive land uses.

To promote food security and sustainable agriculture in the region.

1.0
06/08/2026
C283card

Table of uses

Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal training, Aquaculture, Domestic animal husbandry, Horse riding school, Racing dog husbandry)	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Car park	
Carnival	Must meet the requirements of 'A Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Circus	Must meet the requirements of 'A Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
Industry (other than Automated collection point)	Must be associated with primary production and food processing facilities on the land or adjacent land
Mineral exploration **Manufacturing sales** **Milk depot**	
Mining	Must meet the requirements of Clause 52.08

OFFICIAL

Use	Condition
Minor utility installation	
Natural systems	
Primary produce sales **Road**	
Rural store	
Telecommunications facility	
Warehouse (other than Fuel depot, Mail centre, Shipping container storage and Boat and caravan storage)	Must be associated with primary production or must be associated with food processing facilities on the land or adjacent land
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Caretaker's house	
Office	Must be associated with primary production and food processing facilities on the land or adjacent land
Shipping container storage	Must be associated with primary production and food processing facilities on the land or adjacent land
Transport Terminal	Must be associated with primary production and food processing facilities on the land or adjacent land
Utility Installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Art and Craft Centre
Cinema based entertainment facility
Crematorium
Education Centre (other than Employment training centre)
Funeral parlour
Hospital

OFFICIAL

Use
Industry (other than Automated collection point) - if the Section 1 condition is not met
Leisure and recreation (other than Minor sports and recreation facility)
Place of Assembly
Retail premises (other than Manufacturing sales, Primary produce sales)
Recreational boat facility
Service station
Warehouse (other than Shipping container storage) - if the Section 1 condition is not met

2.0 Requirement before a Permit is Granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works (other than minor works) until a Master Plan has been prepared to the satisfaction of the Responsible Authority.

The Responsible Authority can consider an application for minor works before a Master Plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

3.0 Master Plan

A Master Plan must be prepared to the satisfaction of the Responsible Authority.

A Master Plan may be prepared in stages.

A Master Plan may be amended to the satisfaction of the Responsible Authority.

A Master Plan may be approved with or without conditions.

Requirements for Master Plan

The Master Plan must show or describe as appropriate:

- Existing natural and built features of the land including topography, vegetation, buildings, other works, utility services, drainage lines and watercourses.
- The relationship to existing and proposed surrounding development.
- A plan indicating the type of existing native vegetation and any areas where it is proposed to remove native vegetation.
- A flora and fauna assessment, including consideration of Growling Grass Frog habitat, and responses to that assessment.
- An environmental management plan for the site.
- All buildings and facilities established in a manner which does not cause loss of amenity to, and is consistent with, surrounding land uses.

4.0
10/06/2021
C254card

Use of land

Application requirements

The following application requirements apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.

- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the *Occupational Health and Safety (Major Hazard Facilities) Regulations 2000* is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the *Dangerous Goods (Storage and Handling) Regulations 2000* is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and dispatch.
  - Light spill or glare.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposed use is generally in accordance with the Master Plan
- The effect that the use may have on nearby existing or proposed uses, having regard to any comments or directions of the referral authorities.
- The interface with adjoining land.
- The provision of land for landscaping and beautification.
- Any impact on flora and fauna found on the land, and the response to any flora and fauna assessment undertaken for the land.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The provision for car parking.
- The movement of vehicles providing for supplies, waste removal, emergency services and public transport.
- Loading and service areas.

5.0
10/06/2021
C254card

Subdivision

A permit is required to subdivide land.

A permit may only be granted to subdivide land if:

- The subdivision is generally in accordance with the Master Plan.
- Each lot to be created is at least 0.4 hectares in area.

Decision Guidelines

~~A permit may only be granted to subdivide land if:~~

- ~~The subdivision is generally in accordance with the Master Plan.~~
- ~~Each lot to be created is at least 0.4 hectares in area.~~

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

OFFICIAL

- The layout of the subdivision;
- Site access arrangements;
- The impact of the subdivision on existing and future land uses;
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities;
- The approved Master Plan.

6.0
10/06/2021
C254card

Buildings and works

A permit is required to construct a building or construct or carry out works.

All buildings and works must be generally in accordance with the Master Plan.

Application requirements

The following application requirements apply to an application for a permit to construct a building or carry out works under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan, drawn to scale, which shows:
  - The boundaries and dimensions of the site.
  - Relevant ground levels
  - Adjoining roads
  - The location, height and purpose of the proposed buidings and works and the relationship, if any, with existing buildings and works within with Master Plan area.
  - The layout and use of existing and proposed buildings and works including driveways and carparking and loading areas.
  - Elevation drawings indicating the colour and materials of all proposed buildings and works.
  - Construction details of all drainage works, driveways and car parking and loading areas.
  - Details of existing and proposed landscaping.
  - External storage and waste treatment areas.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Traffic impacts on the road network.
- The need to minimise any adverse impacts of siting, design, height, bulk and colours and materials to be used on landscape features
- The location and design of existing and proposed infrastructure services which minimise the visual impact on the landscape.
- The provision of land for landscaping and beautification.
- Any impact on flora and fauna found on the land, and the response to any flora and fauna assessment undertaken for the land.
- The views of the Roads Corporation where there is a change in access arrangements for the site that could impact on the operation of a Roads Corporation managed road.

OFFICIAL

- The need for the preparation and implementation of a traffic management plan to the requirements of the Roads Corporation and to the satisfaction of the responsible authority.
- The movement of vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision for car parking.
- Interface with neighbouring sites.
- Location and adequacy of loading and service areas.
- Adequacy of lighting for security purposes and to avoid light spill off site.
- Stormwater discharge.

7.0 Exemption from notice and review

An application for subdivision, to use land, construct a building or construct or carry out works that is generally in accordance with the Master Plan is 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.

8.0
10/06/2021
C254card

Signs

A permit is not required to construct or display a sign on any land within the Master Plan area which is directed toward people attending the site and that cannot be seen from outside the facility. Sign requirements are at Clause 52.05. All land located within this schedule to this zone is in Category 3.

10/06/2021
C254card

SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ1.**

PAKENHAM WEST COMPREHENSIVE DEVELOPMENT PLAN, 1 SEPTEMBER 2005

Land

Land bounded by the Princes Highway, Toomuc Creek, Gippsland Railway line and Cardinia Road, Pakenham.

Purpose

~~To designate land suitable for urban development.~~

To provide for the development of the land generally in accordance with the Pakenham West Comprehensive Development Plan, 1 September 2005.

To ensure that any development and use of the land is in accordance with a local structure plan prepared to the satisfaction of the responsible authority.

To provide a range of dwelling types and lot sizes to meet a diversity of housing needs.

To provide a range of commercial uses and community facilities to meet the needs of existing and future residents of the area without causing a loss of amenity to nearby residents.

~~To ensure that non-residential uses do not cause a loss of amenity to nearby residents.~~

~~To facilitate urban design which creates a strong character and identity for the area, provides for a functional built environment, and promotes community and personal safety.~~

To manage the quality and quantity of urban stormwater entering local waterways.

1.0
01/12/2023
VC217

Table of uses

Section 1 - Permit not required

Use	Condition
Art and craft centre	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Car park	The site must be identified for the use or be within an activity centre in a local structure plan prepared to the satisfaction of the responsible authority.

Use	Condition
Child care centre	The site must be identified for the use or be within an activity centre in a local structure plan prepared to the satisfaction of the responsible authority.
Cinema based entertainment facility	The site must be identified for the use and be within an activity centre in a local structure plan prepared to the satisfaction of the responsible authority.
Convenience shop	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
~~Dependent person's unit~~Small second dwelling ~~dependent person's unit~~Small second dwelling on the lot.	Must be the only ~~dependent person's unit~~Small second dwelling
Display home	The site must be identified for the use in a local structure plan prepared to the satisfaction of the responsible authority.
Dwelling (other than Bed and breakfast)	
Education centre	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Food and drink premises	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Funeral parlour	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Home based business	
Indoor recreation facility	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Informal outdoor recreation	

Use	Condition
Medical centre	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Office (other than Medical centre)	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Open sports ground	
Place of assembly (other than Amusement parlour, Carnival, Circus, Drive-in theatre, and Nightclub)	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Postal agency	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Railway	
Railway station	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
~~**Search for stone**~~**Stone exploration**	Must not be costeaning or bulk sampling.
Service industry (other than Panel beating)	The site must be identified for the use or be within an activity centre in a local structure plan prepared to the satisfaction of the responsible authority.
Service station	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.

Use	Condition
Shop (other than Adult sex product shop and Convenience shop)	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Store	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Tramway	
Veterinary centre	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Any use listed in clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation (other than Corrective institution, ~~Dependent person's unit, and~~ Dwelling, and Small second dwelling) **Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables, and Intensive animal husbandry)**	
Amusement parlour	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Animal keeping (other than Animal boarding)	Must be no more than four animals.
Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Motor racing track, and Open sports ground) **Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)**	
Nightclub	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.

Use	Condition
Office (other than Medical centre) - if the Section 1 condition is not met	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Retail premises (other than Food and drink premises, Motor vehicle, boat, or caravan sales, Postal agency, and Shop)	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Shop (other than Adult sex product shop and Convenience shop) - if the Section 1 condition is not met)	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Store - if the Section 1 condition is not met	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Transport terminal (other than Railway station and Road freight terminal)	The site must be identified for the use or be within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 and the use must be identified in a local structure plan prepared to the satisfaction of the responsible authority.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex product shop
Animal boarding
Animal training
Corrective institution
Drive-in theatre
Extractive industry
Horse stables
Industry (other than Automated collection point and Service industry)
Intensive animal husbandry
Motor racing track
Motor vehicle, boat, or caravan sales
Panel beating

Use
Road freight terminal
Service industry (other than Panel beating) - if the Section 1 condition is not met
Saleyard
Warehouse (other than Store)

2.0 Local structure plan

No subdivision, building or works may take place before the land to be developed is included in a local structure plan prepared to the satisfaction of the responsible authority. The local structure plan must be generally consistent with the Pakenham West Comprehensive Development Plan, (1 September 2005).

With the agreement of the responsible authority, the local structure plan may be prepared in stages and may comprise one or more separate plans or other documents. The local structure plan must show, as considered appropriate by the responsible authority:

- The proposed use and development of each part of the land.
- The staging of development.
- The relationship of the land to existing or proposed land uses on adjoining land.
- Population targets.
- A range of housing types and lot sizes, including areas proposed for medium-density housing.
- Proposed open space and recreation facilities, including pedestrian and bicycle paths.
- Proposed retarding basins, lakes and watercourses, and the means by which these will be managed and water quality maintained.
- Proposed commercial and community facilities.
- The proposed layout of major roads and streets, including major traffic control infrastructure.
- Proposed public transport facilities, including the location of the proposed railway station which must allow for appropriate access provision from the land and adjoining land to the south.
- Physical and community infrastructure, including arrangements for their provision and funding. This must include a trunk sewer to service the land and other proposed residential zoned land in the vicinity.
- An overall landscape concept.
- Urban design principles for energy efficiency, community safety and environmental sustainability.

The local structure plan must be referred to the ~~Roads Corporation~~Head, Transport for Victoria for comment and may be amended to the satisfaction of the responsible authority.

The use and subdivision of land, construction of buildings and construction and carrying out of works must be consistent with the local structure plan.

3.0
10/06/2021
C254card

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

4.0 Subdivision

10/06/2021
C254card

4.1 Permit requirement

The subdivision of land must satisfy the servicing requirements of relevant referral authorities.

4.2 Exemption from notice and review

An application to subdivide land is 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.

5.0 Buildings and works

10/06/2021
C254card

5.1 Permit requirement

A permit is not required to construct or extend one dwelling on a lot of at least 300 square metr~~e~~ers.

5.2 Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveways, car parks, pedestrian paths and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, and vehicle parking and loading areas.
- A landscape layout which includes a description of vegetation to be planted, the surfaces to be constructed, site works specifications, and the method of preparing, draining, watering and maintaining the landscape area.

Medium-density housing and residential buildings

An application for any of the following must be accompanied by a ~~neighbourhood and~~ site description and a design response as described in Clause 54.01 or Clause 55.01 (as appropriate):

- To construct or extend one dwelling on a lot of less than 300 square metres.
- To construct a dwelling if there is at least one dwelling on the lot.
- To construct two or more dwellings on a lot.
- To extend a dwelling if there are two or more dwellings on the lot.
- To construct or extend a residential building.

~~**Satisfactory neighbourhood and site description**~~

~~**The responsible authority must inform the applicant in writing before notice of an application is given or, if notice of the application is not required to be given, before deciding the application that the neighbourhood and site description meets the requirements of Clause 54.01-1 or Clause 55.01-1 (as appropriate) and is satisfactory or does not meet the requirements of Clause 54.01-1 or Clause 55.01-1 (as appropriate) and is not satisfactory.**~~

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

~~**The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 or Clause 55.01-1 (as appropriate) and is satisfactory.**~~

~~**The above requirements do not apply if the responsible authority refuses an application under Section 52(1A) of the Act.**~~

5.3 Exemption from notice and review

An application to construct a building or construct or carry out works for a use on a site identified for that purpose or within an activity centre in a local structure plan prepared to the satisfaction of the responsible authority is 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
10/06/2021
C254card

Signs

Land within the Neighbourhood Centre shown in the Pakenham West Comprehensive Development Plan, 1 September 2005 is in Category 1.

10/06/2021
C254card

SCHEDULE 2 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ2** .

FORMER PAKENHAM RACECOURSE COMPREHENSIVE DEVELOPMENT PLAN (JANUARY 2010)

Land

This schedule applies to the land generally bounded by Racecourse Road, Pakenham Creek, Railway Avenue and the rear boundary of properties fronting King Street and Henry Street, Pakenham as identified in the Former Pakenham Racecourse Comprehensive Development Plan (February 2010).

Purpose

To develop the land for a mix of residential, retail, education and community uses that supports the strategic role of Pakenham Activity Centre and benefits from the close proximity to the Pakenham railway and bus interchange.

To achieve a higher density mixed use precinct that creates a new urban character which supports a vibrant and safe public realm with a high level of cross- site permeability.

To achieve excellence in architecture, urban design and landscape and deliver high quality internal and external amenity in all buildings.

To integrate Pakenham Creek as a key feature and ensure drainage, flood control and public open space functions are accommodated and enhanced.

1.0
01/12/2023
VC217

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Child care centre	
Convenience shop	
Dependent persons unit	Must be the only dependent person's unit on the lot.
Display home	
Dwelling	Must be generally in accordance with the Comprehensive Development Plan. In Precinct 1, any frontage at ground floor level must not exceed 4 metres.
Education centre	Must be generally in accordance with the Comprehensive Development Plan
Food and drink premises (other than Hotel and ~~Tavern~~Bar)	Must be generally in accordance with the Comprehensive Development Plan

Use	Condition
Home based business **Informal outdoor recreation** **Mineral exploration**	
Mining	Must meet the requirements of Clause 52.08-2.
Office	Must be generally in accordance with the Comprehensive Development Plan.
Place of Assembly (other than Amusement parlour, Carnival, Circus, Drive-in theatre, Nightclub)	Must be generally in accordance with the Comprehensive Development Plan.
Railway	
~~**Search for stone**~~**Stone exploration**	Must be costeaning or bulk sampling
Residential aged care facility	Must be generally in accordance with the Comprehensive Development Plan.
Shop (other than Convenience shop)	Must be located in the 'Mixed Use Development area' of Precinct 1. Must be generally in accordance with the Comprehensive Development Plan.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent persons unit, Dwelling, Residential aged care facility and Corrective Institution)	Must be generally in accordance with the Comprehensive Development Plan.
Shop (other than Convenience shop)	Must not be located in Precinct 2. Must be generally in accordance with the Comprehensive Development Plan.
Restricted retail premises	Must be located in the mixed use area or commercial area of Precinct 1. Must be generally in accordance with the Comprehensive Development Plan.
Leisure and recreation (other than Informal outdoor recreation and Motor racing track) ~~**Mineral, stone, or soil excavation**~~**Earth and energy resources industry** **(other than Extractive Industry, Mineral exploration, Mining and** ~~**Search for stone**~~**Stone exploration)** **Utility installation (other than Minor utility installation and Telecommunications facility)**	

Use	Condition
Any other use not in 1 or 3	Must be generally in accordance with the Comprehensive Development Plan.

Section 3 - Prohibited

Use
Adult sex product shop
Intensive animal husbandry
Cemetery
Corrective institution
Crematorium
Drive-in theatre
Extractive industry
Freeway service centre
Gambling premises
Industry (other than Automated collection point, Car wash, Dry cleaner, Laundromat, and Research and development centre)
Motor racing track
Road freight terminal
Saleyard
Transport terminal
Warehouse

2.0
10/06/2021
C254card

Use of land

Use	Condition

Exemption from notice and appeal

An application for use is 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, if it is generally in accordance with the Former Pakenham Racecourse Comprehensive Development Plan (February 2010) .

The following decision guidelines apply to an application for permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The incorporated document titled:
  - Former Pakenham Racecourse Comprehensive Development Plan (February 2010) as amended from time to time.
- Any shopfront and sign guidelines approved by the responsible authority for this site.

3.0 Subdivision

10/06/2021
C254card

Exemption from notice and appeal

An application for subdivision is 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, if it is generally in accordance with the *Former Pakenham Racecourse Comprehensive Development Plan* (February 2010).

The following decision guidelines apply to an application for permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The incorporated document titled:
  - Former Pakenham Racecourse Comprehensive Development Plan (February 2010) as amended from time to time.
- Any shopfront and sign guidelines approved by the responsible authority for this site.

4.0 Buildings and works

10/06/2021
C254card

Application Requirements

An application to construct a building or to construct or carry out works must be generally in accordance with the Former Pakenham Racecourse Comprehensive Development Plan (February 2010) .

An application must be accompanied by the following information, as appropriate:

- Site context and existing conditions plan including:

  - boundaries and dimensions of the site with adjoining roads, open space areas and relevant ground levels;
  - The location, height and use of existing buildings on adjoining land, pedestrian and other public areas, public transport availability and an evaluation of opportunities and constraints;
  - Urban design rationale report and plan explaining how the development responds to the broader town centre;
- Demolition plan;
- The staging of the development and interim treatment of areas until development occurs;
- Detailed land use plan including approximate floor area schedule;
- A development plan drawn to scale which shows:
  - Perspective views;
  - The layout plans for basement(s), ground floor and other floors within the development, roof plan, elevations including a schedule of colour and materials of all buildings and works, and sections. All plans must be to scale with dimensions;
  - Vehicle access and the location and layout of all car parking areas;
  - Location and layout of loading and unloading areas / facilities;
  - Location and layout of rubbish storage and waste recycling;
  - Location of all external plant, building services and equipment, including lift over runs;
  - Shadow plans for 22 September on the hour between 10am and 2pm;
- A traffic, parking and transport plan that shows:
  - Traffic management and control works in adjoining and nearby roads when the development or any stage of the development is completed;
  - The timing of proposed traffic works relative to the staging of the development;
  - Public transport arrangements and access routes;
  - Vehicle access and the location and layout of public/ commercial car parking areas.
- An open space plan including:
  - The hierarchy of public open space including but not limited to area, recreational use and extent of ecological systems; linkages to P.B Ronald Reserve, Pakenham Creek, existing public open space off Simon Drive, and anticipated future open space on Deep Creek (east of Cameron Way);
  - A management plan for the permanent maintenance of all open space areas available to the public;
  - Identification of areas of open space that will be available to the public (public areas) and non-public areas;
- An Environmentally Sustainable Development report identifying the environmental and energy efficient features to be included in the development, demonstrating best practice principles;
- Report addressing pedestrian connections and design and access arrangements appropriate to meet the needs of people with disabilities;
- A landscape concept plan that shows, in relation to the proposed development:
  - The provision of appropriate landscape buffers, including fencing where the land directly abuts an adjoining residential area not included in this schedule;
  - The treatment of car parking areas, including any rooftop and decked parking areas;

- The treatment and layout of the public realm including adjacent streets, road reserves and public areas;
- A staging strategy for the implementation of landscape works and ongoing management strategy for the permanent maintenance of all open space areas available to the public;
- Areas of open space that will be available to the public (public areas) and non-public areas;
- Lighting plan;
- Any temporary structures.

Exemption from notice and appeal

An application for buildings and works is 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, if it is generally in accordance with the Former Pakenham Racecourse Comprehensive Development Plan (February 2010) .

The following decision guidelines apply to an application for permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The incorporated document titled:
  - Former Pakenham Racecourse Comprehensive Development Plan (February 2010) as amended from time to time.
- Any shopfront and sign guidelines approved by the responsible authority for this site.

5.0
10/06/2021
C254card

Signs

Sign requirements are at Clause 52.05. All land within Precinct 1 as indicated in the Comprehensive Development Plan is in Category 1. All land within Precinct 2 as indicated in the Comprehensive Development Plan is in Category 3.

~~6.0 Decision guidelines~~

~~Before deciding on an application, the responsible authority should consider:~~

- ~~The incorporated document titled:~~
  - ~~Former Pakenham Racecourse Comprehensive Development Plan (February 2010) as amended from time to time.~~
- ~~Any shopfront and sign guidelines approved by the responsible authority for this site.~~

06/03/2020
C232card

SCHEDULE 3 TO CLAUSE 37.07 URBAN GROWTH ZONE

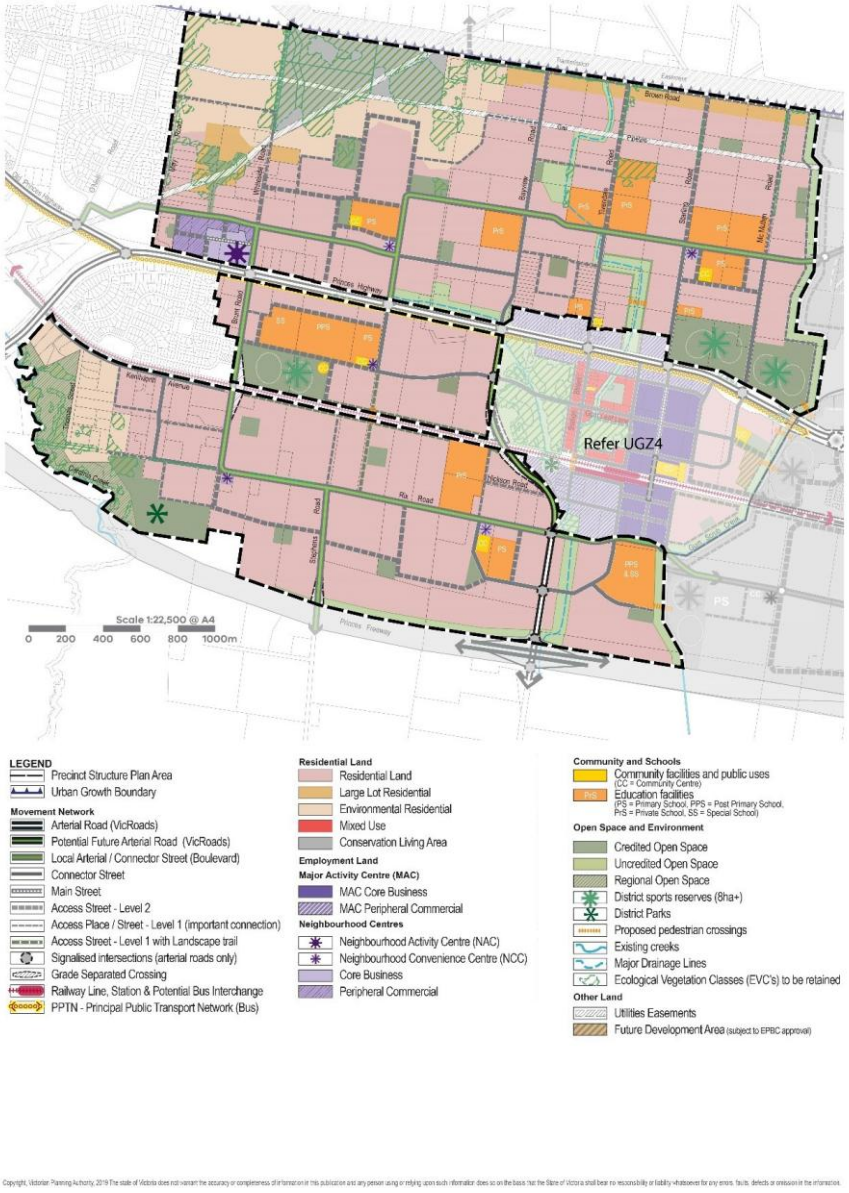
Shown on the planning scheme map as **UGZ3** .

OFFICER PRECINCT STRUCTURE PLAN (SEPTEMBER 2011, AMENDED NOVEMBER 2019) – RESIDENTIAL AREA

1.0 The Plan

06/03/2020
C232card

Plan 1 shows the future urban structure proposed in the incorporated *Officer Precinct Structure Plan* . It is a reproduction of Plan 5 in the incorporated *Officer Precinct Structure Plan.*



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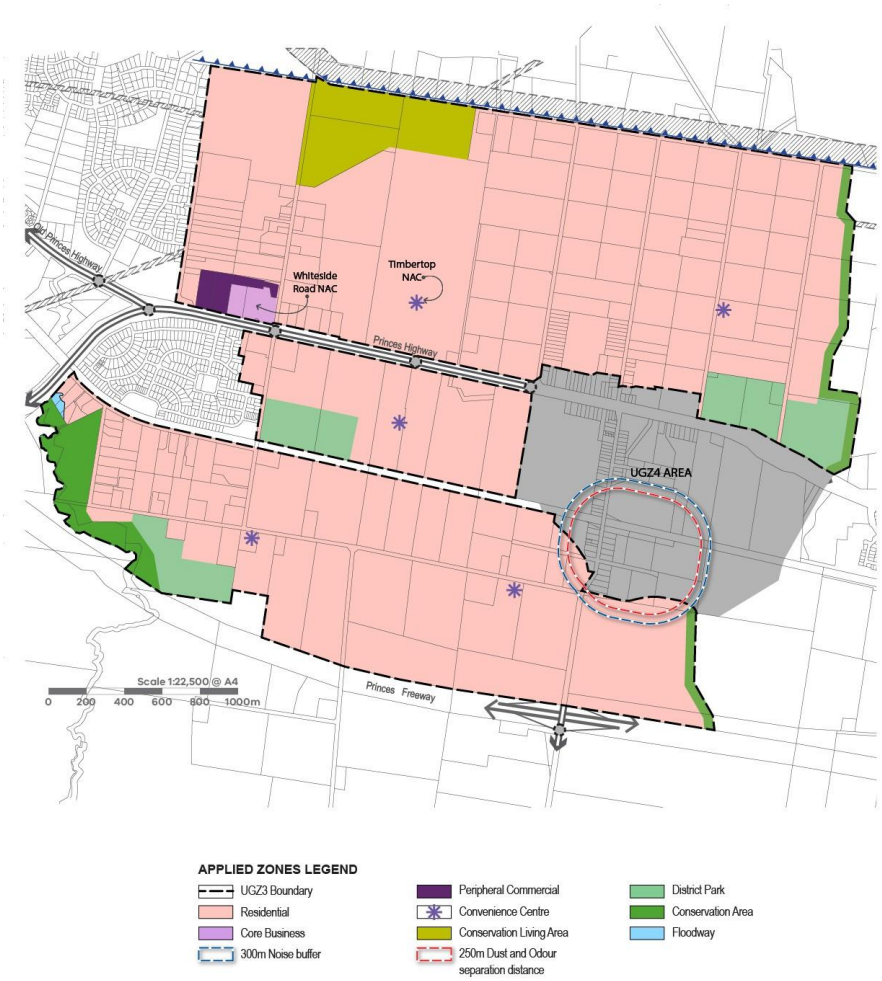
2.0 Use and development

06/03/2020
C232card

2.1 The Land

06/03/2020
C232card

The use and development provisions specified in this schedule apply to the land shown in Plan 2 of this schedule and shown as UGZ3 on the planning scheme maps.



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2.2
20/01/2022
VC205

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building, and construction and carrying out of works, by reference to Plan 2 of this schedule.

Note: *e.g. The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or Transport Zone 3.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or Transport Zone 3 or an applied Transport Zone 2 or Transport Zone 3 in the Urban Growth Zone schedule applying to the land'.*

Table 1: Applied zone provisions

Land shown on Plan 2 of this schedule	Applied zone provisions
Core Business / Convenience Centre / Peripheral Commercial	Clause 34.01 – Commercial 1 Zone

Land shown on Plan 2 of this schedule	Applied zone provisions
Conservation Living Area	Clause 35.06 – Rural Conservation Zone

Land shown on Plan 2 of this schedule	Applied zone provisions

District park	Clause 36.02 – Public Park and Recreation Zone
Land shown on Plan 2 of this schedule Conservation area	Applied zone provisions Clause 36.03 – Public Conservation and Resource Zone
Land shown on Plan 2 of this schedule Floodway	Applied zone provisions Clause 37.03 – Urban Floodway Zone
All other land on Plan 2 of this schedule	Applied zone provisions Clause 32.08 – General Residential Zone

Where a public land zone is applied in Table 1 and the land is in private ownership the bodies specified below are the public land manager for the purposes of the applied zone.

Applied zone	Public land manager
Public Park and Recreation Zone	Cardinia Shire Council
Public Conservation and Resource Zone (adjacent to Cardinia Creek)	Parks Victoria
Public Conservation and Resource Zone (adjacent to Gum Scrub Creek)	Melbourne Water or Cardinia Shire Council as appropriate

2.3
06/03/2020
C232card

Specific provisions – Use of land

Separate exercise to rationalise land use term will occur and to be executed at the final stage.

Section 1 - Permit not required

Use	Condition
Bed and breakfast where the applied zone is General Residential Zone **Community care accommodation where the applied zone is General Residential Zone** **Dependant person's unit where the applied zone is General Residential Zone** **Dwelling (other than bed and breakfast) where the applied zone is General Residential Zone** **Informal outdoor recreation where the applied zone is General Residential Zone** **Rooming house where the applied zone is General Residential Zone**	▪ Must not be on land within the 'separation distance' area from the existing HyGain Feeds Mill site at 10-20 Hickson Road, Officer shown on Plan 2 of this Schedule and Figure 6 in the incorporated *Officer Precinct Structure Plan;* and ▪ Must meet the conditions associated with these land uses under Section 1 of Clause 32.08-2. ▪
Shop (other than Adult sex product shop) where the applied zone is Commercial 1 Zone and the land is shown as "Core Business" and "Convenience Centre" on Plan 2 of this Schedule.	The combined leasable floor area of all shops must not exceed: ▪ 8,000 square metres for land shown as Neighbourhood Activity Centre – Princes Highway and Whiteside Road; ▪ 2,000 square metres for land shown as Neighbourhood Convenience Centre – Timbertop Boulevard North; or ▪ 500 square metres for any other neighbourhood convenience centre.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Use	Condition
Any other use listed in Section 1 in the Table of uses of the applicable applied zone.	

Section 2 - Permit required

Use	Condition
Residential aged care facility where the applied zone is General Residential Zone	
Beauty salon where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule. **Hairdresser where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule.** **Food and Drink Premises where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule.**	
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone.	

Section 3 – Prohibited

Use
Car wash where the applied zone is General Residential Zone
Food and drink premises (other than Restaurant) where the applied zone is General Residential Zone
Service station where the applied zone is General Residential Zone
Retail premises (other than Beauty salon, Food and Drink Premises and Hairdresser) where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule.
Industry where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule.
Any use listed in Section 3 in the Table of uses of the applicable applied zone

Berwick Pottery Site

A permit may be granted for the following uses on properties numbered 185 & 186 in the Officer Precinct Structure Plan (Lot 1 on TP20791 and Lot 1 on TP20642), also known as the Berwick Pottery:

Use	Condition
Retail premises (other than Food and drink premises, Market, Convenience shop, Plant nursery, Tavern, Betting agency, Gambling premises, Gaming premises, Motor vehicle, boat, or caravan sales and Shop)	
Restricted retail premises	Must be in one occupation with a leasable floor area of at least 1000 square metres.

Use of land for a dwelling

Prior to the use of any dwelling:

- the dwelling must be connected to a reticulated recycled water supply system for toilet flushing and garden watering where available to the lot; or
- where a reticulated recycled water supply system is not available to the lot, the dwelling must be connected to a rainwater tank with a minimum capacity of 2,500 litres for toilet flushing and garden watering or an alternative grey water recycling system to the satisfaction of the responsible authority; and

- the dwelling must be connected to a reticulated sewerage system.

Use of land within HyGain 'separation distance'

The use of the land for a bed and breakfast, accommodation, education centre and informal outdoor recreation within the identified 'separation distance' from the HyGain Feeds Mill Site must not be located in areas where their amenity may be detrimentally affected by the HyGain Feeds Mill site through noise, dust or odour emissions.

2.4
06/03/2020
C232card

Specific provisions - Subdivision

Environmental Residential (north of Princes Highway)

An application to subdivide land in the area shown as Environmental Residential B in Plan 8 of the incorporated *Officer Precinct Structure Plan* and Lot 2 PS312844 must provide lots that are a minimum of 4000 square metres where any proposed lot contains native vegetation to be retained in the *Officer Native Vegetation Precinct Plan (September 2011)* unless a planning permit has been granted for the removal of native vegetation within the proposed lot.

Whiteside Road Neighbourhood Activity Centre

An application to subdivide land in the Whiteside Road Neighbourhood Activity Centre including all land south of the Boulevard Connector between May and Whiteside Roads in Plan 1 must be consistent with an urban design framework approved under this schedule.

2.5
06/03/2026
C285card

Specific provisions - Buildings and works

Construction of one dwelling on a lot

In the area shown as 'Residential' where the applied zone is General Residential Zone on Plan 2 of this Schedule, a permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where an approved building envelope as defined in Part 4 of the Building Regulations 2006 applies to the lot.

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot of less than 300 square metres, if either of the following apply:

- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* forming part of the *Officer Precinct Structure* Plan applies, and the development complies with the *Small Lot Housing Code* forming part of the incorporated *Officer Precinct Structure Plan* .
- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies and the development complies with the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) incorporated into this planning scheme.

Buildings and Works associated with a dwelling:

Buildings and works for a dwelling within 300 metres from the HyGain Mills site at 10-20 Hickson Road, Officer must be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Construction and extension of one dwelling on a lot of 1000 square metres or more

A permit is required to construct or extend one dwelling on a lot of 1000 square metres or more where the applied zone is General Residential Zone, except where buildings and works are generally in accordance with an approved building envelope (as defined in Part 4 of the Building Regulations 2006).

Public transport referral requirements

For the purpose of Clause 66.02-11 of the scheme a development is generally in accordance with the incorporated *Officer Precinct Structure Plan* where the following requirements are met:

- A road nominated on Plan 17 – Public Transport in the incorporated *Officer Precinct Structure Plan* as a potential bus route is constructed in accordance with its corresponding cross section in the incorporated *Officer Precinct Structure Plan* ; and
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the *Officer 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 shown on Plan 16 – Public Transport in the incorporated *Officer Precinct Structure Plan* , 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.

A responsible authority may address any of the above matters through planning permit conditions.

3.0
06/03/2020
C232card

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:

General subdivision

All applications for subdivision must be accompanied by the following information to the satisfaction of the responsible authority.

- Details of the proposed use and development of each part of the land.
- A table setting out:
  - the amount of land allocated for the proposed uses; and
  - the mix of lot sizes.
- An indication of staging of subdivision and timing.
- Details of how the road connections, open space, pedestrian and bicycle linkages and drainage networks of the proposed development integrates with and responds to existing and planned developments on adjacent sites.
- Include a Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).
- A plan showing access arrangements for properties adjacent to all existing and future arterial roads.
- A Public Infrastructure Plan which addresses:
  - The extent of any stormwater drainage works and road works proposed or required under this permit.
  - The land which is required to be set aside for infrastructure identified in the incorporated *Officer Development Contributions Plan* or the incorporated *Officer Precinct Structure Plan* including land required for public open space and community facilities and any proposed reconciliation payment in respect of the land having regard to its value set out in the incorporated *Officer Development Contributions Plan* .
  - An estimate of the extent of equalization which is required in respect of public open space to be provided having regard to the incorporated *Officer Precinct Structure Plan* and the incorporated *Officer Development Contributions Plan* .

  - Subject to the consent of the Collecting Agency, any infrastructure works set out in the incorporated *Officer Development Contributions Plan* which can be provided "in lieu" of development contributions in accordance with the incorporated *Officer Development Contributions Plan* .
  - The effects of the provision of infrastructure on the land or any other land.
  - Any other relevant matter related to the provision of infrastructure reasonably required by the responsible authority.
- A hydrogeological assessment of 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.
- An approved Cultural Heritage Management Plan that is endorsed by the future public land manager/s of any reserve to be created as part of the development or advice from a suitably qualified cultural heritage professional that confirms that a Cultural Heritage Management Plan is not required. This requirement may not be waived.
- A Conservation Management Plan for land within the Heritage Overlay, prepared in accordance with Conservation Management Plans: Managing Heritage Places – A Guide (Heritage Council of Victoria 2010).
- A Safety Management Study for any land adjacent to or including a gas pipeline easement to the satisfaction of Energy Safe Victoria.
- A site assessment of the land by a suitably qualified environmental professional including:
  - detail of 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; and
  - 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, as amended from time to time.

Residential subdivision

In addition to the general subdivision requirements, an application that includes subdivision of land shown as residential on Plan 1 must be accompanied by the following information to the satisfaction of the responsible authority:

- An overall masterplan for all land in contiguous ownership of the landowner demonstrating the lot yield, diversity and distribution across the subject area, consistent with the principles outlined in the incorporated *Officer Precinct Structure Plan.*
- Subdivision and Housing Design Guidelines prepared to the satisfaction of the responsible authority in accordance with the incorporated *Officer Precinct Structure Plan* .
- A building envelope plan that addresses the planning and design guidelines set out in the incorporated *Officer Precinct Structure Plan* for land *:*
  - shown as Environmental Residential (north of the Princes Highway) in Plan 1;
  - included in Character Area 1c (CA1c) shown in Plan 7 of the incorporated *Officer Precinct Structure Plan* .
- The building envelope must provide for:
  - All outbuildings and water tanks to conform with the building envelope on the relevant lot;
  - A setback of at least 30 metres from any native vegetation in the relevant lot, which is identified to be protected and retained under the *Officer Native Vegetation Precinct Plan (September 2011)* , unless a planning permit is approved for the removal of that vegetation.

  This requirement may not be waived or reduced.
- A Fire Risk Assessment prepared by a suitably qualified bushfire risk management professional for all land in contiguous ownership that is located within the area shown as Environmental Residential (north of the Princes Highway) in Plan 1, including:
  - identification of the Bushfire Attack Level (BAL) curves generated by the fire threat/s;

- an assessment of the BAL standards applicable to each individual building envelope;
- advice about the impact of dwellings in closer proximity to the identified fire threat/s on the requirements for lots within than 100 metres of the fire threat/s, including requirements for defendable space and applicable BAL standards for dwellings.

This requirement may not be waived or reduced.

HyGain separation distance area

An application to use land within the 'separation distance' area to the existing HyGain Feeds Mill site at 10-20 Hickson Rd, Officer for Accommodation, Education centre, or Informal outdoor recreation must be accompanied by an Amenity Impact Plan which includes, as appropriate:

- A site plan identifying the proposal site in relation to the existing HyGain Feeds Mill site;
- An assessment of the amenity impacts of the existing use at HyGain Feeds site upon the proposed use, including:
  - Dust – conduct ambient particle measurements, for PM2.5 and PM10, and determine if the prevailing air quality criteria would be met. These criteria are currently determined under the Environment Protection Act by the State Environmental Protection Policies, to be superseded by the new Environmental Reference Standards on 1 July 2020.
  - Field Odour Survey – demonstrate that nuisance odours attributable to the subject industry would not cause unreasonable impact to amenity for sensitive uses within the buffer zone, using a methodology approved by EPA.
- Measures to mitigate potential amenity impacts from the existing use.

To the satisfaction of the Environmental Protection Agency and the responsible authority.

HyGain Feeds Mill noise influence area

An application to use and develop land for a dwelling within 300 metres from the existing HyGain Feeds Mill site at 10-20 Hickson Road, Officer must be accompanied by an acoustic report which demonstrates how a dwelling will be designed and constructed to achieve the noise levels identified in Clause 2.5 of the Schedule.

Neighbourhood Convenience Centres

Applications for buildings and works must be accompanied by a Site Context Report to the satisfaction of the responsible authority for Neighbourhood Convenience Centres.

The site context report must address the requirements set out in the incorporated *Officer Precinct Structure Plan* (specified in section 4.3.3b).

An application to use land for a shop in a Neighbourhood Convenience Centre must be accompanied by a retail demand assessment to the satisfaction of the responsible authority.

Whiteside Road Neighbourhood Activity Centre

An application to use or subdivide land, or to construct a building or construct and carry out works within the Whiteside Road Neighbourhood Activity Centre must be accompanied by an urban design framework which is to the satisfaction of the responsible authority.

The urban design framework must be generally in accordance with the incorporated *Officer Precinct Structure Plan* . The urban design framework may be amended to the satisfaction of the responsible authority.

Sustainability statement requirements

An application for subdivision of 60 or more lots, or to construct a building in the areas shown as Peripheral Commercial or Core Business must be accompanied by a Sustainability Statement as set out in the incorporated *Officer Precinct Structure Plan* .

4.0
06/03/2026
C285card

Conditions and requirements for permits

Requirement - Urban Design Framework

A permit within an area of an approved urban design framework must be generally in accordance with the approved urban design framework.

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 is consistent with the requirements for the Urban Design Framework as set out in the incorporated *Officer Precinct Structure Plan* .

Requirement - Native Vegetation Precinct Plan Implementation

Any:

- Works carried out in respect of any subdivision;
- Construction of buildings and associated works; and
- Removal, lopping or destruction of native vegetation on the land as authorised by the Native Vegetation Precinct Plan (NVPP) applying to the land

must be carried out in accordance with all of the requirements set out in the incorporated NVPP applying to the land to the satisfaction of the responsible authority.

Only the native vegetation which is identified for removal in the incorporated NVPP applying to the land may be removed, lopped or destroyed without a permit.

Before the removal, destruction or lopping of any native vegetation within any property (identified by the PSP Property Number in Map 1 of the Officer NVPP) the owner of the land from which the native vegetation is being removed must provide offsets consistent with the incorporated NVPP by either:

- providing an allocated credit extract issued by the Department of Sustainability and Environment; or
- preparing and submitting an Offset Plan to the satisfaction of the Department of Sustainability and Environment and have the Offset Plan approved by responsible authority.

Where an Offset Plan is approved:

- before the removal, destruction or lopping of any native vegetation, the owner of the land from which the native vegetation is being removed must provide on-title security for the Offset Site to the satisfaction of Department of Sustainability and Environment that provides for the implementation of the Offset Plan and pay the reasonable costs of the preparation, execution and registration of any on-title agreement; and
- offsets must be initiated within 12 months of approval of the Offset Plan or before the removal of Very High Conservation Significance vegetation, whichever is earlier, and be implemented according to the schedule of works in the Offset Plan to the satisfaction of the responsible authority.

Requirement - Environmental Assessment of Potentially Contaminated Land

Before the development associated with the subdivision starts, (this requirement does not apply to bore holes and excavation associated with an environmental site assessment), an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides information including:

- 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* , as amended from time to time.

If an environmental site assessment recommends an environmental audit of all or part of the land, then:

- prior to the commencement of any use for a sensitive purpose; or

- prior to any buildings or works; or
- prior to the certification of a plan of subdivision

whichever is the earlier of or in respect of all or that part of the land as the case may, the following must be provided to the responsible authority, either:

- A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the Environmental Protection Act 1970, or
- A statement by an environmental auditor appointed under the Environment Protection Act 1970, in accordance with Part 1XD of that Act that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site);

If a Statement of Environmental Audit is provided rather than a Certificate of Environmental Audit and the Statement of Environmental Audit indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 before the issue of a Statement of Compliance or before the construction of any building on the relevant land, whichever is the earlier:

- implementation of and on-going compliance with all conditions in the Statement of Environmental Audit; and
- the responsible authority's reasonable legal costs and expenses of drafting/reviewing and registering the agreement to be borne by the owner of the relevant land.

Condition - Construction Environmental Management Plan

Prior to the commencement of any buildings or works a Construction Environmental Management Plan (CEMP) is to be prepared, where appropriate.

The CEMP must specifically address significant flora and fauna where the buildings or works are within:

- 50 metres of any native vegetation to be retained in the *Officer Precinct Native Vegetation Precinct Plan (September 2011)* ; and/or
- 100 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the incorporated *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek)* ; and/or
- the area shown as Environmental Residential (south of the railway line) in Plan 2.

The CEMP must address all requirements specified in the *Officer Native Vegetation Precinct Plan (September 2011)* and the relevant Conservation Management Plan and be to the satisfaction of the responsible authority.

Conditions - Conservation Management Plan

Where the *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (Ecology Partners, 15 September 2011)* or the *Officer Precinct Structure Plan Cardinia Creek Conservation Management Plan (Ecology Australia, 8 September 2011)* has been approved by the Secretary to the Department of Sustainability and Environment and it applies to the land (refer Plan 13 of the incorporated *Officer Precinct Structure Plan*), any permit granted for subdivision or the construction of a building or the carrying out of works must include the following conditions:

- The actions which identify the responsible agent as the “landowner” or “developer” in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.

and the following conditions, where appropriate:

- Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the water body.
- No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.

- Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
- A salvage and translocation plan must be prepared and implemented to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority.

Where the land is identified to have suitable habitat approved to be removed in Appendix 8 of the *Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011),* any permit granted for subdivision or development must contain the following condition:

- Prior to the issue of a Statement of Compliance under the Subdivision Act, the landowner must enter into a legally binding agreement (or an alternative agreement approved by DSE) for the payment to implement the *Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011)* in accordance with Section 2.3.1 Management Responsibilities and Funding and Appendix 8 to the satisfaction of the Department of Sustainability and Environment. The landowner must pay the reasonable costs of the preparation, execution, and registration of the agreement.

Condition - Subdivision permits

Any permit for subdivision must contain the following conditions as appropriate:

- The setback from the rail reserve and interface between the rail line and the proposed subdivision is to be to the satisfaction of the Department of Transport and the approval of the responsible authority.
- If any part of the land is shown in the incorporated *Officer Precinct Structure Plan* as unencumbered passive public open space that land must be transferred to Council subject to equalisation in accordance with the equalisation provisions in the incorporated *Officer Precinct Structure Plan* . This requirement does not apply if the responsible authority advises the owner that it does not require the land.
- Land required for road widening must be transferred to or vested in the relevant roads authority at no cost to the relevant road authority unless the land is funded by the incorporated *Officer Development Contributions Plan* .

Conditions - Small lot housing code

A permit issued before 31 December 2026 which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following conditions:

- Before the plan of subdivision is certified under the *Subdivision Act 1988* , a plan must be approved and endorsed by the responsible authority, that identifies the lots to which:
  - the Small Lot Housing Code forming part of the incorporated *Officer Precinct Structure Plan* applies; or
  - type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies,

  to the satisfaction of the responsible authority.

A permit issued on or after 31 December 2026, other than an amendment of a permit issued before 31 December 2026 under section 72 of the Act, which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following condition:

- Before the plan of subdivision is certified under the *Subdivision Act 1988* , a plan that identifies the lots to which type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies, must be approved and endorsed by the responsible authority.

Conditions - Use of a building envelope plan

Where a building envelope plan is proposed and/or required, any permit for subdivision must contain the following conditions:

- The building envelopes must be applied as a restriction on the plan of subdivision or through 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 being constructed in accordance with 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; and

– a building envelope to cease to apply to any building on a lot less than 300 square metres that is affected by the envelope after the issue of a Certificate of Occupancy for the whole of a dwelling and any garage or carport on the land.

5.0 Exemption from notice and review

06/03/2020
C232card

None specified.

6.0 Decision guidelines

06/03/2020
C232card

The following decision guidelines 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 which must be considered, as appropriate, by the responsible authority:

- Before deciding on an application to use land for Accommodation, Education centre, Informal outdoor recreation within the 'separation distance' area from the existing HyGain Feeds Mill site at 10-20 Hickson Road, Officer, the responsible authority must consider:
  - The recommendations of the Amenity Impact Plan required by Clause 3.0 of this schedule;
  - Whether the amenity of the proposed use would be detrimentally affected by the HyGain Feeds Mill site through the emission of noise, dust and odour;
  - Whether the proposal includes appropriate mitigation measures to protect against offsite amenity impacts from the HyGain facility; and
  - The distance between the subject site and the HyGain Feeds Mill site.

7.0 Signs

06/03/2020
C232card

Sign requirements are at Clause 52.05. Land is in the category specified in the applied zone.

10/06/2021
C254card

SCHEDULE 1 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ1** .

CARDINIA ROAD PRECINCT STRUCTURE PLAN (SEPTEMBER 2008)

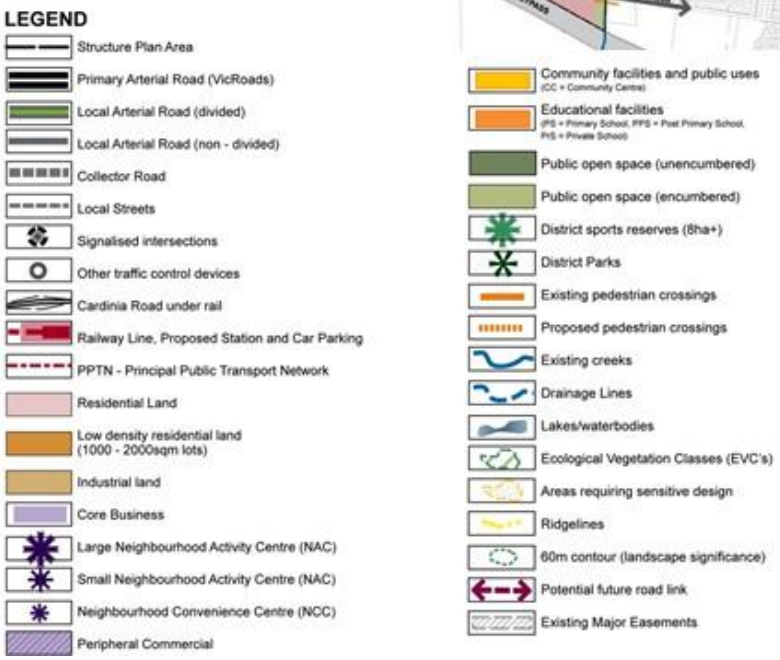
1.0
10/06/2021
C254card

The Plan

Plan 1 shows the future urban structure proposed in the Cardinia Road Precinct Structure Plan (September 2008).

Plan 1 to Schedule 1 to Clause 37.07





2.0
10/06/2021
C254card

Use and development

2.1
10/06/2021
C254card

The Land

The provisions specified in this schedule apply to all land zoned UGZ and shown in Plan 1.

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Note: Some land shown in Plan 1 is not zoned UGZ and the provisions of this schedule do not apply.

2.2 Applied zone provisions

10/06/2021
C254card

None specified.

2.3 Specific provisions – Use of land

06/08/2026
C283card

Section 1 - Permit not required

Use	Condition
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Food and drink premises (other than Hotel and Tavern)	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Home based business **Informal outdoor recreation**	
Medical centre	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Office (other than Medical centre)	The site must be within a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan (* September 2008), or the office must be a temporary land sales office for land being sold as part of the subdivision of land.
Open sports ground	
Postal agency	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Railway **Railway Station**	

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Use	Condition
Search for stone	Must not be costeaning or bulk sampling.
Shop	The site must generally form part of a core business area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008). The combined leasable floor area must not exceed the amount specified for the activity centre in the *Cardinia Road Precinct Structure Plan* (September 2008).
Tramway	
Veterinary centre	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Corrective institution, Dependent person's unit, and Dwelling	
Agriculture (other than Apiculture, Animal training, Domestic animal husbandry, Horse riding school, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery and Racing dog training)	
Amusement parlour	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 4 animals
Art and craft centre **Child care centre**	
Cinema based entertainment facility	The site must generally form part of a core business area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Convenience shop **Display Home** **Education Centre** **Funeral parlour**	

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Use	Condition
Horse stables	
Hotel	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Leisure and recreation (other than Informal outdoor recreation, Motor racing track and Open sports ground) **Mineral, stone or soil extraction (other than Extractive Industry, Mineral exploration, Mining and Search for stone)**	
Motor vehicle, boat or caravan sales	The site must generally form part of a peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Nightclub	The site must be within a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Place of assembly (other than Amusement parlour, Carnival, Circus, Drive-in-theatre, and Nightclub)	
Place of worship	
Racing dog husbandry (other than Racing dog training)	Must be no more than 4 animals
Retail premises (other than Food and drink premises, Motor vehicle, boat or caravan sales, Postal agency, and Shop)	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Service industry (other than Panel beating)	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Service station	The site must adjoin or have access to a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: - 3,000 square metres, or - 3,600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Shop – if the section 1 condition is not met.	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).

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Use	Condition
Store	If in a residential area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008), the store must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Tavern	The site must generally form part of a core business or peripheral commercial area as shown in the *Cardinia Road Precinct Structure Plan* (September 2008).
Transport terminal (other than Railway station and Road freight terminal)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not specified in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex product shop
Domestic animal boarding
Animal training
Corrective institution
Drive-in-theatre
Extractive industry
Industry (other than Service industry)
Intensive animal production
Horse riding school
Pig farm
Poultry farm
Poultry hatchery
Racing dog training
Motor racing track
Office (other than Medical centre) – if the Section 1 condition is not met
Panel beating
Road fright terminal
Saleyard
Warehouse (other than Store)

Use of land

The use of land must be generally in accordance with the Cardinia Road Precinct Structure Plan (September 2008).

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

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- Transport of materials or goods to or from the land.
- Traffic generated by the use.
- Appearance of any buildings, works or materials.
- Emissions from the use.

Use of land for a dwelling

A dwelling must be connected to a reticulated recycled water supply system for toilet flushing and garden watering where available to the lot. Where a reticulated recycled water supply system is not available to the lot, a dwelling must be connected to a rainwater tank with a minimum capacity of 2,500 litres for toilet flushing and garden watering purposes or an alternative grey water recycling system to the satisfaction of the responsible authority.

2.4
10/06/2021
C254card

Specific provisions - Subdivision

An application to subdivide residential land (as shown in Plan 1 to this schedule), other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

CLASS OF SUBDIVISION	OBJECTIVES AND STANDARDS TO BE MET
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

2.5
10/06/2021
C254card

Specific provisions - Buildings and works

Construction and extension of one dwelling on a lot

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres.

A development must meet the requirements of Clause 54.

A permit is required to construct a fence within 3 metres of a street if the fence exceeds the maximum front fence height specified in Table A2 of Clause 54.06-2.

Decision guidelines

Before deciding on an application the responsible authority must consider the objectives, standards and decision guidelines of Clause 54.

Construction and extension of two or more dwellings on a lot, dwellings on common property or residential buildings

A permit is required to:

- Construct a dwelling if there is at least one dwelling on the lot.
- Construct two or more dwellings on a lot.

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- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a residential building.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

A permit is not required to construct one dependant persons unit on a lot.

A permit is required to construct a fence within 3 metres of a street if the fence exceeds the maximum front fence height specified in Table A2 of Clause 55.06-2.

Buildings and works for non-residential uses

A permit is required to construct a building or construct or carry out works for a non-residential use.

This does not apply to the following in a core business or peripheral commercial area (as shown in Plan 1 to this schedule):

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

3.0
10/06/2021
C254card

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:~~An application must be accompanied by the following information. If in the opinion of the responsible authority an application requirement of this clause is not relevant to the assessment of the application, it may waive or reduce the requirement.~~

Urban Design Framework

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works within a core business or peripheral commercial area as shown in the Cardinia Road Precinct Structure Plan (September 2008) until an urban design framework for the activity centre has been prepared to the satisfaction of the responsible authority.

The urban design framework may be amended to the satisfaction of the responsible authority.

The responsible authority may grant a permit to subdivide land prior to the preparation of an urban design framework if it is satisfied that the subdivision will not affect the urban design outcomes for the activity centre as set out in the Cardinia Road Precinct Structure Plan (September 2008).

The urban design framework must:

- Be generally in accordance with the Cardinia Road Precinct Structure Plan (September 2008).
- Address the background document Activity Centre Design Guidelines (DSE, 2005) and Safer Design Guidelines for Victoria (DSE, 2005).
- Set out the role and function of the activity centre including the proposed use and development of each part of the activity centre.
- Show the relationship to existing and proposed development surrounding the activity centre.
- Set out building design guidelines including the interface with streets and other public spaces, heights, materials, and articulation to create a strong urban character.

- Set out the design of streets including street design and widths, pedestrian access and areas, car parking, paving materials and street furniture.

- Set out arrangements for access to the activity centre from adjoining arterial roads.
- Set out the location of public spaces within the activity centre including a town park / square.
- Include an overall landscape concept for the activity centre.
- Set out guidelines to improvement environmental sustainability including integrated water management and energy conservation.
- Set out provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the activity centre.
- Set out how public transport will be integrated with the activity centre.
- Set out design guidelines for the provision of signs.
- Set out arrangements for the provision of service areas for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the activity centre and adjoining neighbourhoods.
- Show how opportunities for housing and future commercial expansion can be incorporated into the activity centre.

Use of Land - non-residential uses

~~An application to use land for a non-residential use must be accompanied by the following information, as appropriate:~~

- The purpose of the use and the types of activities which will be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- How land which is not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land or water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Subdivision

~~In addition to the requirements of Clause 56, an~~An application for subdivision must be accompanied by the following information for all of the land in the contiguous ownership of the landowner forming part of the development:

- The proposed use and development of each part of the land.
- A table setting out the amount of land allocated for the proposed uses.
- The staging of the development.
- The relationship of the land to existing or proposed development on adjoining land including road connections, open space, pedestrian and bicycle linkages, and drainage networks.
- Population and dwelling targets.
- The proposed range of lot sizes and housing types.
- The proposed road and street network including intersection treatments, proposed bus routes and the interface treatment with arterial roads.
- Proposed open space areas including the role and purpose of the open space.
- An overall landscape concept for the development and a detailed local open space landscape design plan as specified in the Cardinia Road Precinct Structure Plan (September 2008).
- A topographical assessment plan as specified in the Cardinia Road Precinct Structure Plan (September 2008).
- Lot and building design guidelines for any areas identified as requiring sensitive design.

- An Aboriginal cultural heritage management plan.
- A flora and fauna assessment and vegetation management and biodiversity enhancement plan as specified in the Cardinia Road Precinct Structure Plan (September 2008).
- A hydrogeological assessment of 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.
- A site assessment of the potential for contaminated land as a result of previous land uses.
- An acoustic assessment of the level of traffic noise from the Princes Freeway (Pakenham Bypass) and any measures required to reduce traffic noise levels to an acceptable level.

Buildings and works

~~An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:~~

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colours and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout for the site, and where appropriate adjoining roads and public spaces, which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

4.0 Conditions and requirements for permits

10/06/2021
C254card

None specified.

5.0 Exemption from notice and review

10/06/2021
C254card

None specified.

6.0 Decision guidelines

10/06/2021
C254card

The following decision guidelines 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 which must be considered, as appropriate, by the responsible authority:

Non-residential land uses

~~Before deciding on an application to use land for a non-residential purpose the responsible authority must consider, as appropriate:~~

- Any approved urban design framework approved under this schedule.
- The effect that existing or designated uses on adjoining or nearby land may have on the proposed use.

- The effect that the proposed use may have on the amenity of the neighbourhood.

10/06/2021
C254card

SCHEDULE 2 TO CLAUSE 37.07 URBAN GROWTH ZONE

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

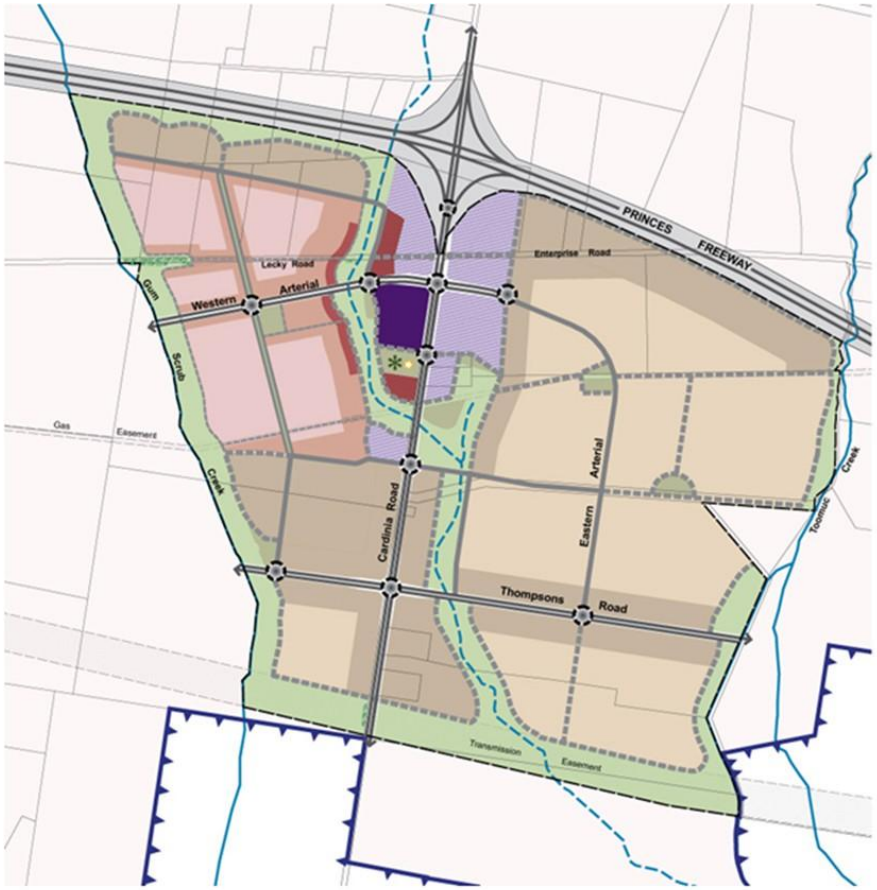
CARDINIA ROAD EMPLOYMENT PRECINCT STRUCTURE PLAN (SEPTEMBER 2010)

1.0
10/06/2021
C254card

The Plan

Plan 1 shows the future urban structure proposed in the Cardinia Road Employment Precinct Structure Plan (September 2010).

Plan 1 to Schedule 2 to Clause 37.07



LEGEND

- Precinct Structure Plan Area
- Urban Growth Boundary

Road Network

- State Freeway
- Arterial Road
- Connector Street
- Residential Connector Street (Boulevard)
- Access Street - level 2
- Access Street - level 1
- Controlled Intersections

Employment Land

- Commercial
- Activity Centre
- Service Business
- Industrial

Residential Land

- High Density Residential 2
- High Density Residential 1
- Medium Density Residential
- Conventional Residential

Heritage and Community

- Post Contact Heritage Site
- Community Facility

Open Space and Environment

- Unencumbered Open Space
- Encumbered Open Space
- Existing Creeks
- Drainage Lines
- Ecological Vegetation Classes (EVCs) to be Retained

Other land

- Existing Major Easements
- Future Urban Land

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2.0 Use and development

10/06/2021
C254card

2.1 The Land

10/06/2021
C254card

The use and development provisions specified in this schedule apply to the land shown in Plan 1 of this schedule and zoned UGZ2.

2.2 Applied zone provisions

10/06/2021
C254card

None specified.

2.3 Specific provisions - Use of land

01/12/2023
GC230

The Table of Uses below sets out the provisions for land where there are no applied zone provisions. Where reference is made to Plan 1, this refers to Plan 1 of this schedule.

Table of uses

Section 1 - Permit not required

Use	Condition
Bed and breakfast	Must be located within an area designated as residential land in Plan 1. No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dwelling (other than Bed and breakfast and Caretaker's house)	Must be located within an area designated as residential land in Plan 1 or the Activity Centre. Dwellings within the Activity Centre must be located on upper storeys and must have dedicated access independent of other uses. Any frontage at ground floor level must not exceed 4 metres.
Food and drink premises (other than Hotel and Tavern)	Must be located within the Activity Centre as shown in Plan 1.
Function centre	Must be located in an area shown as Commercial in Plan 1.
Home based business	
Industry (other than Materials recycling, Refuse disposal, Refuse transfer station, Research and development centre, Rural industry, and Service industry)	Must be located in an area shown as Service Business or Industrial in Plan 1. Must be located at least the following distances from land (not a road) designated for residential use in Plan 1 or shown as Activity Centre or Commercial: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not adversely affect the amenity of the neighbourhood, including through the:

OFFICIAL

Use	Condition
	Transport of materials, goods or commodities to or from the land. Appearance of any stored goods or materials. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Informal outdoor recreation	
Laundromat	Must be located in the Activity Centre as shown in Plan 1 and the gross leasable floor area must not exceed 400 square metres.
Manufacturing sales	Must be located in an area shown as Industrial in Plan 1.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Office	Must be located in an area designated as employment land in Plan 1. Within the Activity Centre, the gross leasable floor area for any tenancy must not exceed 1000 square metres. Any frontage at ground floor level on any street must not exceed 2 metres, unless the office is a bank, real estate agency, travel agency or any other office where the floor space adjoining the frontage is a customer service area accessible to the public. Within the Service Business area and the Industrial area, the office must be in conjunction with another use.
Postal agency	Must be located within the Activity Centre as shown in Plan 1.
Railway station	
Research and development centre	Must be located in an area shown as Industrial in Plan 1.
Research centre	Must be located in an area shown as Industrial in Plan 1.
Search for stone	Must not be costeaning or bulk sampling.
Shop (other than Adult sex product shop, Department store, Restricted retail premises)	Must be located within the Activity Centre as shown in Plan 1. The floor area of any shop must not exceed 3500 square metres leasable floor area.
Tramway	

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Use	Condition
Warehouse (other than Shipping container storage and Fuel depot)	Must be located in an area shown as Industrial in Plan 1.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Amusement parlour	Must be located on an upper storey in the Activity Centre as shown in Plan 1.
Art and Craft Centre	Must be located in the Activity Centre as shown in Plan 1.
Bed and breakfast – if the section 1 condition is not met	Must be located within an area designated as residential land in Plan 1.
Bus terminal	Must be located in an area shown as Industrial in Plan 1.
Car wash	Must be located in an area shown in Plan 1 as: ▪ Activity Centre; ▪ Service Business and have frontage to an arterial road; or. ▪ Industrial.
Child care centre	Must be located within the Activity Centre or be in conjunction with a use in the Commercial area, as shown in Plan 1.
Convenience restaurant - if the Section 1 condition is not met	Must be located within an area shown as Service Business or Industrial in Plan 1.
Convenience shop - if the Section 1 condition is not met	Must be in conjunction with a residential hotel or be located within an area shown as Service Business or Industrial in Plan 1.
Display home	Must be located within an area designated as residential land in Plan 1.
Dry cleaner	Must be located in an area shown in Plan 1 as: ▪ Activity Centre and the leasable floor area must not exceed 400 square metres; or ▪ Industrial.
Dwelling (other than Bed and breakfast and Caretaker's house) – if the Section 1 condition is not met	Must be located in an area shown as Activity Centre in Plan 1.

Use	Condition
Education Centre (except Primary School and Secondary School)	Must be located within or adjacent to an area designated as employment land in Plan 1.
Exhibition centre	Must be located within an area shown as Commercial in Plan 1, or within the Activity Centre adjacent to an arterial road.
Funeral Parlour	Must be located within an area shown as Service Business in Plan 1.
Geothermal energy extraction	Must be located in an area shown as Industrial in Plan 1.
Hospital	Must be located in an area shown as Commercial in Plan 1.
Hotel	Must be located within an area shown as Service Business in Plan 1 and have access to an arterial road.
Indoor recreation facility	Must be located in an area shown in Plan 1 as: ▪ Activity Centre, at an upper storey; or ▪ Service Business.
Industry (other than Materials recycling, Refuse disposal, Refuse transfer station, Research and development centre, Rural industry, and Service industry) – where the Section 1 condition is not met	Must be located in an area shown as Service Business or Industrial in Plan 1.
Land sales centre	The permit must specify an expiry date of five years from the date the permit is issued.
Motor vehicle, boat and caravan sales	Must be located in an area shown as Service Business or Industrial in Plan 1.
Nightclub	Must be located within the Activity Centre as shown in Plan 1. Any frontage at ground floor level must not exceed 2 metres.
Office - if the Section 1 condition is not met	Must be located within the Activity Centre as shown in Plan 1.
Renewable energy facility	Must be located in an area designated as employment land in Plan 1. When located in an area shown as Activity Centre, Commercial, or Service Business, must be in conjunction with another use.
Research and development centre - if the Section 1 condition is not met	Must be located in an area shown as Commercial or Service Business in Plan 1.

Use	Condition
Research centre - if the Section 1 condition is not met	Must be located in an area shown as Commercial or Service Business in Plan 1.
Residential hotel	Must be located in an area shown as Commercial or High Density Residential 2 in Plan 1.
Restaurant - if the Section 1 condition is not met	Must be located in an area shown in Plan 1 as: ▪ Commercial when in conjunction with another use; ▪ Service Business; or ▪ Industrial.
Restricted place of assembly	Must be located in an area shown as Commercial in Plan 1 and be in conjunction with an office.
Restricted recreation facility	Must be located within an area shown in Plan 1 as: Activity Centre, at an upper storey; or Commercial and be in conjunction with an office, residential hotel or education centre.
Restricted retail premises	Must be located in an area shown in Plan 1 as: ▪ Activity Centre; ▪ Commercial; or ▪ Service Business and be: ▪ automotive parts and accessories; ▪ equestrian supplies; or ▪ swimming pools.
Retail premises (other than Food and drink premises, Market, Motor vehicle, boat and caravan sales, Postal agency, Primary Produce Sales, Trade supplies and Shop)	Must be located in an area shown as Service Business in Plan 1.
Road freight terminal	Must be located in an area shown as Industrial in Plan 1.
Service station	Must be located in the Activity Centre as shown in Plan 1 or be located with frontage to an arterial road in areas shown as Industrial or Service Business.
Shop (other than Adult sex product shop, Convenience shop, Department store, Restricted retail premises) - if the Section 1 condition is not met	Must be in conjunction with a residential hotel or office and be in an area shown as Commercial on Plan 1.
Takeaway food premises - if the Section 1 condition is not met	Must be located within an area shown as Service Business or Industrial and adjacent to open space.

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Use	Condition
Tavern	Must be located in the Activity Centre as shown in Plan 1 or be located within an area shown as Service Business in Plan 1 and have frontage to an arterial road.
Trade supplies	Must be located in an area shown as Service Business or Industrial in Plan 1.
Utility installation (other than Minor utility installation and Telecommunications facility)	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is designated for residential use in Plan 1, or shown as Activity Centre or Commercial.
Veterinary Centre	Must be located within an area shown in Plan 1 as: Activity Centre; or Service Business.
Warehouse (other than shipping container storage and fuel depot) if the Section 1 condition is not met	Must be located within an area shown in Plan 1 as Service Business and be in conjunction with an office.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Bed & Breakfast, Dwelling, Residential hotel)
Adult sex product shop
Agriculture
Caretaker's house
Cemetery
Cinema based entertainment facility
Crematorium
Extractive Industry
Freeway service centre
Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Restricted recreation facility)
Place of assembly (other than Amusement parlour, Exhibition centre, Function centre, Hall, Library, Nightclub, Restricted Place of Assembly)
Recreational boat facility
Saleyard
Winery
Any use in Section 2 where the condition is not met

The use of land must be generally in accordance with *the Cardinia Road Employment Precinct Structure Plan* (September 2010).

A use must not detrimentally affect the amenity of the neighbourhood including through:

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- Transport of materials or goods to or from the land.
- Traffic generated by the use.
- Appearance of any buildings, works or materials.
- Emissions from the use.

Use of land for a dwelling

A dwelling must be connected to a reticulated recycled water supply system for toilet flushing and garden watering where available to the lot. Where a reticulated recycled water supply system is not available to the lot, a dwelling must be connected to a rainwater tank with a minimum capacity of 2,500 litres for toilet flushing and garden watering or an alternative grey water recycling system to the satisfaction of the responsible authority.

2.4 Specific provisions – Subdivision

10/06/2021
C254card

An application to subdivide in the Activity Centre must be consistent with any urban design framework approved under this schedule.

2.5 Specific provisions - Buildings and works

10/06/2021
C254card

Construction and extension of one dwelling on a lot

A permit is required to construct or extend one dwelling on a lot less than 350 square metres.

A development must meet the requirements of Clause 54, except:

- In areas shown as Medium Density Residential on Plan 1, the maximum setback for dwellings from the front title boundary is 3 metres.
- In areas shown as High Density Residential 1 and High Density Residential 2 on Plan 1, the maximum setback for dwellings from the front title boundary is 1 metre, and where the lot is a corner lot a maximum of 1 metre set back is to be provided from both frontages.
- A permit is required to construct a front fence that exceeds 1.2 metres in height.

Construction of two or more dwellings on a lot or residential buildings

A permit is required to:

- Construct a dwelling if there is at least one existing dwelling on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on a lot.

A development must meet the requirements of Clause 55, except:

- In areas shown as Medium Density Residential on Plan 1, the maximum setback for dwellings from the front title boundary is 3 metres.
- In areas shown as High Density Residential 1 and High Density Residential 2 on Plan 1, the maximum setback for dwellings from the title is 1 metre, and where the lot is a corner lot a maximum of 1 metre set back is to be provided from both frontages.
- A permit is required to construct a front fence that exceeds 1.2 metres in height.

These provisions do not apply to dwellings of three storeys or more, excluding a basement.

Construction of a dwelling or residential building of three or more storeys

A permit is required for all buildings and works for dwellings and residential buildings of three or more storeys.

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Uses other than dwellings on Residential land

A permit is required to construct a building or construct or carry out works for a non-residential use on land shown in Plan 1 as residential and any use listed in Section 2 of this schedule.

Buildings and works for employment land

A permit is required to construct a building or construct or carry out works on land designated for employment in Plan 1.

This does not apply to the following within an area shown as Activity Centre or Commercial in Plan 1:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

Removal of Existing Waterbodies

A permit is required to remove any existing waterbody, including dams and wetlands.

Buildings and Works on Encumbered Open Space

A permit is required for buildings and works on land shown as Encumbered Open Space in Plan 1.

2.6 Requirements before a permit is granted

Urban design frameworks

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 has been prepared to the satisfaction of the responsible authority for the following areas as shown on Plan 1:

- The area shown as 'Service Business' that abuts Princes Freeway, comprising two sub-areas:
  - west of Cardinia Road, north of the residential area; and
  - east of Cardinia Road, for the area generally north of Enterprise Road, extending to Toomuc Creek in a band that is approximately 200 metres wide.
- The area defined as the 'Commercial Core' including the Activity Centre, which encompasses:
  - all land between Cardinia Road and the Cardinia Road Open Space Corridor; and
  - all land east of Cardinia Road shown as Commercial.

The urban design framework must be generally in accordance with the *Cardinia Road Employment Precinct Structure Plan (September 2010)* (refer section 4.2.4). The urban design framework may be amended to the satisfaction of the responsible authority.

The responsible authority may grant a permit to subdivide land or to construct a building or construct and carry out works prior to the preparation of an urban design framework if it is satisfied that the subdivision, buildings or works give effect to the urban design outcomes as set out in the *Cardinia Road Employment Precinct Structure Plan (September 2010)* .

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The responsible authority may allow the preparation of the urban design framework for areas shown as 'Service Business' in Plan 1 to be staged or split, reflecting the area two areas either side of Cardinia Road.

3.0
10/06/2021
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Application requirements

3.1 Subdivision

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:

General

~~All applications for subdivision must be accompanied by the following information to the satisfaction of the responsible authority:~~

- Details of the proposed use and development of each part of the land.
- A table setting out:
  - the amount of land allocated for the proposed uses; and
  - the mix of lot sizes.
- An indication of staging of subdivision and timing.
- Details of how the proposed development complements the overarching precinct structure (roads, parks etc) with a finer-grained circulation network that facilitates the development of a higher degree of permeability and walkability.
- Details of how the road connections, open space, pedestrian and bicycle linkages and drainage networks of the proposed development integrates with and responds to existing and planned developments on adjacent sites.
- Details of how the land use pattern and urban structure provides appropriate buffers between sensitive land uses, in terms of open space, road reserves and landscape treatments.
- Include a Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).
- The proposed road and street network, including pedestrian and cycling routes, intersection treatments, proposed bus routes and the interface treatment with arterial roads.
- A plan showing access arrangements for properties adjacent to arterial roads.
- The staging of road network development within the subject land, enabling early delivery of roads shown in Plan 1.
- A plan showing proposed encumbered and unencumbered open space areas including land designated as 'waterways – drainage corridors' in Plan 11 of the *Cardinia Road Employment Precinct Structure Plan* (September 2010), and a description of role and purpose to the satisfaction of Melbourne Water and the responsible authority.
- An overall landscape concept for the development. This should be consistent with best practice Water Sensitive Urban Design techniques.
- An assessment of how the lot and building design responds to sensitive interfaces.
- A hydrogeological assessment of 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.
- A site assessment of the land by a suitably qualified environmental professional including:
  - detail of 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; and
  - 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 Planning Practice Note No. 30: Potentially Contaminated Land.~~the Potentially Contaminated Land General Practice Note June 2005, (DSE).~~

Residential subdivision

~~In addition to the above application requirements and the requirements of Clause 56 (where relevant), an application that includes subdivision of land shown as residential on Plan 1 must be accompanied be the following information to the satisfaction of the responsible authority:~~

- An overall residential subdivision plan for all land in contiguous ownership of the landowner demonstrating the lot yield, diversity and distribution across the subject area, consistent with the principles outlined in the *Cardinia Road Employment Precinct Structure Plan* (September 2010).
- Subdivision and Housing Design Guidelines prepared to the satisfaction of the responsible authority in accordance with the *Cardinia Road Employment Precinct Structure Plan* (September 2010).
- A building envelope plan for land shown as Conventional Residential in Plan 1 that provides sufficient space to contain a dwelling, garage and canopy tree as outlined in the *Cardinia Road Employment Precinct Structure Plan* (September 2010).

Demonstration of Clause 56 standards

An application to subdivide residential land (as shown in Plan 1 of this schedule), other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must demonstrate how the proposed subdivision layout is generally in accordance with the *Cardinia Road Employment Precinct Structure Plan* (September 2010), and:

- should meet all of the objectives and standards in the clauses specified in Table 2; and
- meet the requirements of Clause 56 (except where exempted in Table 3).

Table 2

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

Table 3: Specific conditions for subdivision of residential land

Density Type	Exemptions (to Clause 56)
High Density Residential 2	56.04-2, 56.05-2, 56.06-8
High Density Residential 1	56.04-2, 56.05-2, 56.06-8
Medium Density Residential	56.04-2, 56.05-2, 56.06-8
Conventional Residential	56.05-2, 56.06-8

3.2 Buildings and works for residential land

One dwelling on a lot

An application to construct a building or construct or carry out works on a lot less than 350 square metres must provide all information required under Clause 54, unless otherwise exempt in this Schedule.

Two or more dwellings on a lot or residential buildings

An application to construct a building or construct or carry out works for two or more dwellings on a lot or residential buildings must provide all information required under Clause 55, unless otherwise exempt in this Schedule. This does not apply to dwellings of three storeys or more excluding a basement.

Dwelling or residential building of three or more storeys

For applications relating to residential development of three or more storeys, an urban context report addressing the matters set out in Clause 58.01 is required.

3.3 Buildings and works for employment land

All applications for buildings and works on land shown as employment land on Plan 1 must be accompanied by the following information to the satisfaction of the responsible authority:

- A landscape layout for the site, and where appropriate, adjoining roads and public spaces, which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscaped area.
- A design response report that demonstrates the following:
  - The layout and design of buildings contributes towards an attractive and safe public realm environment and complements adjacent uses, addressing active frontages, site servicing, car parking, lighting, landscaping and signage.
  - How the design of buildings, including heights, massing and articulation, contributes to an attractive and cohesive built form environment, a diverse, interesting and complementary architectural form and responds to surrounding land uses.
  - Location and height of existing and proposed buildings on the site and surrounding properties.
  - The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
  - Traffic and pedestrian circulation through and around the site.
  - Surrounding land uses.

If in the opinion of the responsible authority a requirement of the design response report is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Site Context Reports

Applications for buildings and works must be accompanied by a Site Context Report to the satisfaction of the responsible authority for the following sites:

- Cardinia Road between the Cardinia Road Open Space Corridor and Thompsons Road;
- the corners of Cardinia and Thompsons Roads, extending along Thompsons Road to the first connecting street;
- Thompsons Road adjoining Gum Scrub Creek; and

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- Thompsons Road adjoining Toomuc Creek.

The site context report must be generally in accordance with the *Cardinia Road Employment Precinct Structure Plan* (September 2010) (specified in section 4.2.5).

Sustainability Statement Requirements

An application to use or subdivide land, or to construct a building or construct and carry out works must be accompanied by a Sustainability Statement that demonstrates how the development meets the sustainability objectives and planning and design guidelines. The sustainability statement must be in accordance with the *Cardinia Road Employment Precinct Structure Plan* (September 2010) (refer section 4.7.5).

If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

Specific Requirements – Lot 1 TP542938 (PSP Property Number 22)

Any application to remove Dam 38 on Lot 1 TP542938 (270 Cardinia Road, Officer South) must include written advice from the Department of Sustainability and Environment that it is satisfied there has been successful colonisation and breeding of GGFs (defined by the presence of metamorphs) at a minimum of one waterbody shown in Plan 13 of the *Cardinia Road Employment Precinct Structure Plan* (September 2010).

4.0
10/06/2021
C254card

Conditions and requirements for permits

4.1 General

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the *Cardinia Road Employment Precinct Structure Plan* (September 2010) are implemented as part of the planning permit or the plans endorsed under the permit.

Any permit granted for subdivision, or the construction of a building or the carrying out of works in respect of land where a Native Vegetation Precinct Plan has identified any native vegetation to be retained must contain the conditions set out in the *Cardinia Road Employment Precinct Native Vegetation Precinct Plan.*

4.2 Environmental assessment of potentially contaminated land

If an application for a permit includes a site assessment recommending an environmental audit of all or part of the land, then the permit must contain conditions that for that part of the land recommended for the audit;

1. Either:

- A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the *Environmental Protection Act 1970* , or
- A statement by an environmental auditor appointed under the *Environment Protection Act 1970* , in accordance with Part 1XD of that Act that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site);

must be provided to the responsible authority before any building on the relevant land is occupied; and

2. If a statement by an environmental auditor is provided rather than a certificate of environmental audit and the statement indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987* before any building on the relevant land is occupied to provide for;

- ongoing compliance with all conditions in the Statement by the Environmental Auditor;

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- the responsible authority's reasonable legal costs and expenses of drafting/reviewing and registering the agreement to be borne by the owner of the relevant land.

4.3 Construction Environmental Management Plan requirements

A permit to use or subdivide land, or to construct a building or construct and carry out works must contain a condition that prior to the commencement of any buildings or works, Construction Environmental Management Plan (CEMP) is to be prepared.

The CEMP must specifically address significant flora and fauna, where the buildings or works are within:

- 50 metres of any native vegetation to be retained in the *Cardinia Road Employment Precinct Native Vegetation Precinct Plan* ; and/or
- 200 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the Cardinia Road Employment Precinct Conservation Management Plan for Growling Grass Frog (GGF).

The CEMP must address all requirements specified in section 4.5.6 of the *Cardinia Road Employment Precinct Structure Plan* (September 2010) and be to the satisfaction of the Department of Sustainability and Environment and the responsible authority.

4.4 Conservation Management Plan - Growling Grass Frog

Where a Conservation Management Plan (CMP) for GGF has been approved by the Secretary to the Department of Sustainability and Environment and it applies to the land, any permit granted for subdivision or the construction of a building or the carrying out of works that directly or indirectly results in the destruction of habitat for the Growling Grass Frog must include the following conditions as appropriate:

- Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the waterbody.
- No dumping of soil or materials is to occur within 30 metres of any waterbody.
- No vehicle access is permitted within 30 metres of any waterbody.
- No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
- Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
- The actions which identify the responsible agent as the “landowner” in Table A2.1 of the CMP for the GGF must be implemented to the satisfaction of the Department of Sustainability and Environment.
- Water run-off from construction sites must be managed to maintain water quality of dams.
- A salvage and translocation plan must be prepared and implemented to the satisfaction of DSE and the responsible authority, in accordance with section 3.4.3 of the CMP, where:
  - construction of a building or carrying out of works is within 200 metres of an existing waterbody; or
  - an existing waterbody is being removed, as approved under the CMP.

4.5 Subdivision

Any permit granted for subdivision must contain the following conditions as appropriate:

- Infrastructure is to be provided in accordance with Chapter 6 of the *Cardinia Road Employment Precinct Structure Plan* (September 2010).

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- Where an infrastructure funding agreement under Section 173 of the *Planning and Environment Act* (1987) for the Cardinia Road Employment Precinct has been executed for the land, in accordance with its requirements, development contributions must be paid to Cardinia Shire Council.
- At the time of subdivision, or other time as agreed with Melbourne Water, land shown as 'waterways – drainage corridor' in Plan 6 of the *Cardinia Road Employment Precinct Structure Plan* (September 2010) must be vested in Melbourne Water.
- At the time of subdivision, or other time as agreed with Cardinia Shire Council, land identified as 'Project Land' in the infrastructure funding agreement under Section 173 of the *Planning and Environment Act* (1987) for the Cardinia Road Employment Precinct must be vested in Cardinia Shire Council.
- Before the Statement of Compliance is issued under the *Subdivision Act 1988* , the applicant or owner must make a financial contribution to Melbourne Water to fund the management and maintenance of waterways to fulfil the requirements of the CMP for GGF.
- Bus stop facilities are to be located, designed and constructed to the satisfaction of the Director of Public Transport.

4.6 Buildings and works

Any permit granted for buildings and works must contain the following conditions as appropriate:

- Where an infrastructure funding agreement under Section 173 of the *Planning and Environment Act* (1987) for the Cardinia Road Employment Precinct has been executed for the land and no subdivision of the parent title has occurred (prior to applications for buildings and works):
  - Development contributions must be paid to Cardinia Shire Council in accordance with the requirements of the infrastructure funding agreement under Section 173 of the *Planning and Environment Act* (1987) for the Cardinia Road Employment Precinct; and
  - Land identified as 'Project Land' in the infrastructure funding agreement under Section 173 of the *Planning and Environment Act* (1987) for the Cardinia Road Employment Precinct must be vested in Cardinia Shire Council.

This does not apply where the buildings and works are associated with an existing non-urban use (as determined by the responsible authority).

4.7 Creation of lots shown as Conventional Residential on Plan 1

Before the issue of the Statement of Compliance for the subdivision (or a stage of the subdivision), a building envelope plan for each lot must be submitted to and approved by the responsible authority.

The approved building envelopes must form either a restriction on the certified 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 registered on the title to the land. The restriction or 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;
- Creation of a private open space area of at least 36m² and provision of a canopy tree.

Where a 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 has been certified.

OFFICIAL

5.0
10/06/2021
C254card

Exemption from notice and review

None specified.

6.0
10/06/2021
C254card

Decision guidelines

None specified.

7.0
10/06/2021
C254card

Signs

The following sign controls apply:

Land (shown in Plan 1)	Sign Requirements
Land shown as Residential	Category 3 – except that a permit may be granted to display a sign that promotes the sale of land or dwellings. The permit must specify an expiry date of 5 years from the date the permit is issued
Land shown as Activity Centre	Category 1 – except that a permit is required: ▪ for a pole sign; ▪ where the land is adjacent to a residential use; ▪ where a sign is over 0.2 sq m for a Bed and breakfast sign of Home based business sign
Land shown as Commercial	Category 2 – except that a permit is required for a pole sign
Land shown as Service Business	Category 2 – where land is not adjacent to land shown as Residential or Commercial in Plan 1, except that a permit is required for a pole sign Category 3 – where land is adjacent to land shown as Residential or Commercial in Plan 1
Land shown as Industrial	Category 2 – where land is not adjacent to land shown as Commercial in Plan 1 Category 3 – where land is adjacent to land shown as Commercial in Plan 1
Land shown as Open Space, community facilities or other public use	Category 3

7.1 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 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.

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.

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- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.

Subdivision or one or more dwellings on a lot

~~Before deciding on an application to subdivide or to construct one or more dwellings on a lot, the responsible authority must consider the~~ The objectives, standards and decision guidelines of Clause 54, 55 or 56, as relevant.

Other buildings and works

~~Before deciding on an application the responsible authority must consider, as appropriate:~~

- The movement of pedestrians and cyclists, and vehicles, including vehicles involved with deliveries, waste removal, emergency services and public transport.
- The provision of car parking.
- The interface with adjoining areas, especially the relationship with residential areas.
- The streetscape, including the design of verandahs, access from the street front, providing active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or the immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- The design of buildings to provide for solar access.

~~If in the opinion of the responsible authority a requirement of this clause is not relevant to the assessment of the application, it may waive or reduce the requirement.~~

7.0
10/06/2021
C254card

Signs

The following sign controls apply.

LAND	SIGN REQUIREMENTS
Land shown as residential in Plan 1 to this schedule	Category 3 - except that a permit may be granted to display a sign that promotes the sale of land or dwellings. The permit must specify an expiry date of 5 years from the date the permit is issued
Land shown as core business or peripheral commercial in Plan 1 to this schedule	Category 1
Land shown as low density residential, public open space, community facilities, public uses and education facilities in Plan 1 to this schedule	Category 4

06/03/2020
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SCHEDULE 3 TO CLAUSE 37.07 URBAN GROWTH ZONE

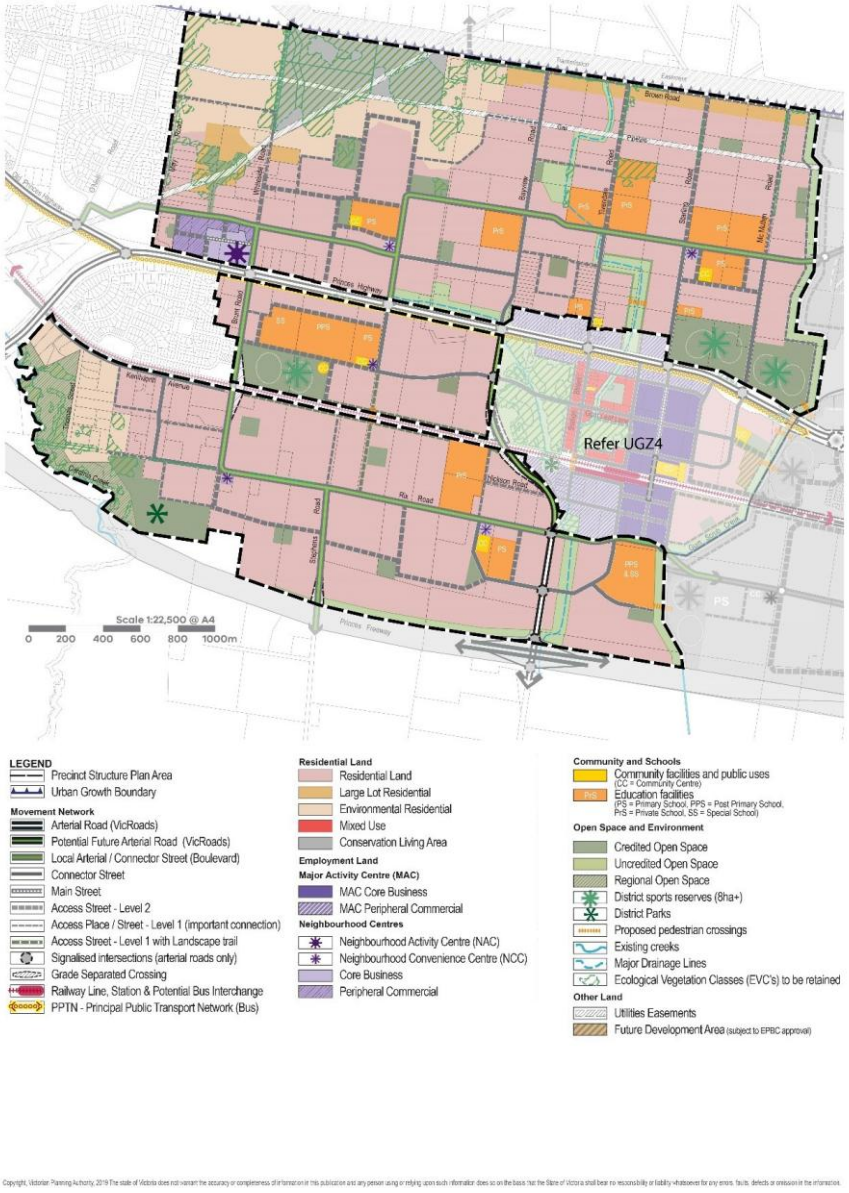
Shown on the planning scheme map as **UGZ3** .

OFFICER PRECINCT STRUCTURE PLAN (SEPTEMBER 2011, AMENDED NOVEMBER 2019) – RESIDENTIAL AREA

1.0 The Plan

06/03/2020
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Plan 1 shows the future urban structure proposed in the incorporated *Officer Precinct Structure Plan* . It is a reproduction of Plan 5 in the incorporated *Officer Precinct Structure Plan.*



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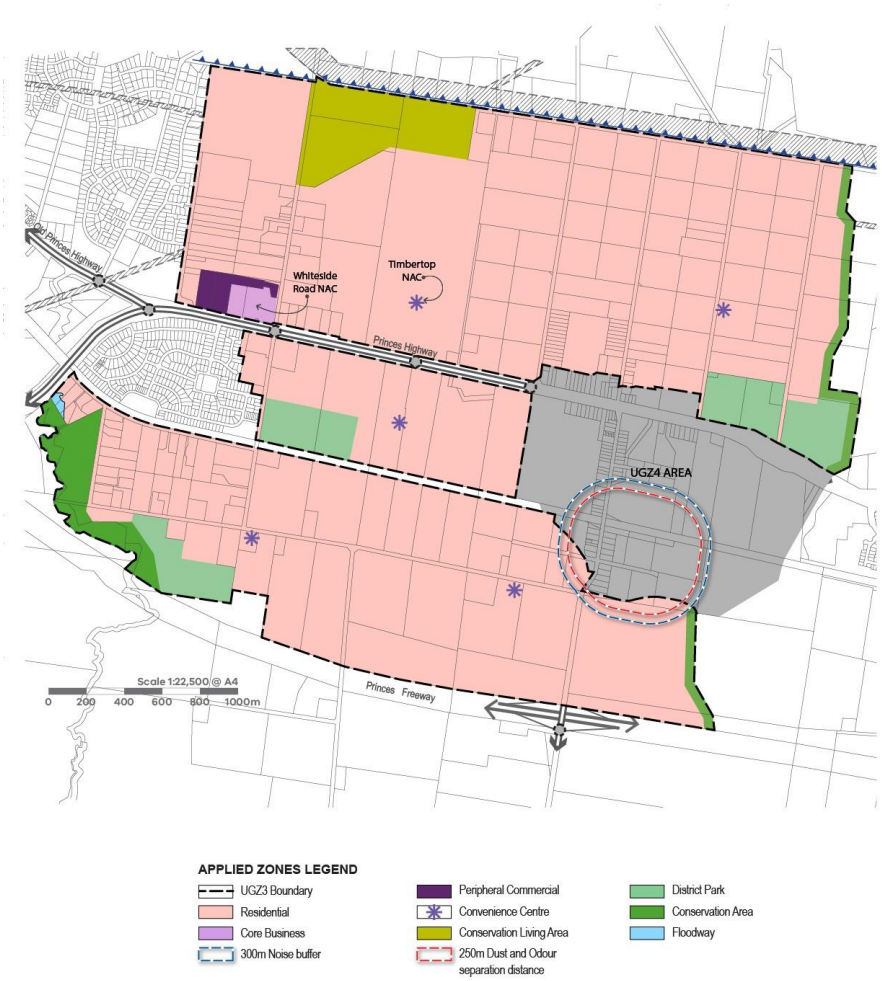
2.0 Use and development

06/03/2020
C232card

2.1 The Land

06/03/2020
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The use and development provisions specified in this schedule apply to the land shown in Plan 2 of this schedule and shown as UGZ3 on the planning scheme maps.



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2.2
20/01/2022
VC205

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building, and construction and carrying out of works, by reference to Plan 2 of this schedule.

Note: *e.g. The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or Transport Zone 3.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or Transport Zone 3 or an applied Transport Zone 2 or Transport Zone 3 in the Urban Growth Zone schedule applying to the land'.*

Table 1: Applied zone provisions

Land shown on Plan 2 of this schedule	Applied zone provisions
Core Business / Convenience Centre / Peripheral Commercial	Clause 34.01 – Commercial 1 Zone

Land shown on Plan 2 of this schedule	Applied zone provisions
Conservation Living Area	Clause 35.06 – Rural Conservation Zone

Land shown on Plan 2 of this schedule	Applied zone provisions

District park	Clause 36.02 – Public Park and Recreation Zone
Land shown on Plan 2 of this schedule Conservation area	Applied zone provisions Clause 36.03 – Public Conservation and Resource Zone
Land shown on Plan 2 of this schedule Floodway	Applied zone provisions Clause 37.03 – Urban Floodway Zone
All other land on Plan 2 of this schedule	Applied zone provisions Clause 32.08 – General Residential Zone

Where a public land zone is applied in Table 1 and the land is in private ownership the bodies specified below are the public land manager for the purposes of the applied zone.

Applied zone	Public land manager
Public Park and Recreation Zone	Cardinia Shire Council
Public Conservation and Resource Zone (adjacent to Cardinia Creek)	Parks Victoria
Public Conservation and Resource Zone (adjacent to Gum Scrub Creek)	Melbourne Water or Cardinia Shire Council as appropriate

2.3
06/03/2020
C232card

Specific provisions – Use of land

Separate exercise to rationalise land use term will occur and to be executed at the final stage.

Section 1 - Permit not required

Use	Condition
Bed and breakfast where the applied zone is General Residential Zone **Community care accommodation where the applied zone is General Residential Zone** **Dependant person's unit where the applied zone is General Residential Zone** **Dwelling (other than bed and breakfast) where the applied zone is General Residential Zone** **Informal outdoor recreation where the applied zone is General Residential Zone** **Rooming house where the applied zone is General Residential Zone**	▪ Must not be on land within the 'separation distance' area from the existing HyGain Feeds Mill site at 10-20 Hickson Road, Officer shown on Plan 2 of this Schedule and Figure 6 in the incorporated *Officer Precinct Structure Plan;* and ▪ Must meet the conditions associated with these land uses under Section 1 of Clause 32.08-2. ▪
Shop (other than Adult sex product shop) where the applied zone is Commercial 1 Zone and the land is shown as "Core Business" and "Convenience Centre" on Plan 2 of this Schedule.	The combined leasable floor area of all shops must not exceed: ▪ 8,000 square metres for land shown as Neighbourhood Activity Centre – Princes Highway and Whiteside Road; ▪ 2,000 square metres for land shown as Neighbourhood Convenience Centre – Timbertop Boulevard North; or ▪ 500 square metres for any other neighbourhood convenience centre.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Use	Condition
Any other use listed in Section 1 in the Table of uses of the applicable applied zone.	

Section 2 - Permit required

Use	Condition
Residential aged care facility where the applied zone is General Residential Zone	
Beauty salon where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule. **Hairdresser where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule.** **Food and Drink Premises where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule.**	
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone.	

Section 3 – Prohibited

Use
Car wash where the applied zone is General Residential Zone
Food and drink premises (other than Restaurant) where the applied zone is General Residential Zone
Service station where the applied zone is General Residential Zone
Retail premises (other than Beauty salon, Food and Drink Premises and Hairdresser) where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule.
Industry where the applied zone is Commercial 1 Zone and the land is shown as "Peripheral Commercial" on Plan 2 of this Schedule.
Any use listed in Section 3 in the Table of uses of the applicable applied zone

Berwick Pottery Site

A permit may be granted for the following uses on properties numbered 185 & 186 in the Officer Precinct Structure Plan (Lot 1 on TP20791 and Lot 1 on TP20642), also known as the Berwick Pottery:

Use	Condition
Retail premises (other than Food and drink premises, Market, Convenience shop, Plant nursery, Tavern, Betting agency, Gambling premises, Gaming premises, Motor vehicle, boat, or caravan sales and Shop)	
Restricted retail premises	Must be in one occupation with a leasable floor area of at least 1000 square metres.

Use of land for a dwelling

Prior to the use of any dwelling:

- the dwelling must be connected to a reticulated recycled water supply system for toilet flushing and garden watering where available to the lot; or
- where a reticulated recycled water supply system is not available to the lot, the dwelling must be connected to a rainwater tank with a minimum capacity of 2,500 litres for toilet flushing and garden watering or an alternative grey water recycling system to the satisfaction of the responsible authority; and

- the dwelling must be connected to a reticulated sewerage system.

Use of land within HyGain 'separation distance'

The use of the land for a bed and breakfast, accommodation, education centre and informal outdoor recreation within the identified 'separation distance' from the HyGain Feeds Mill Site must not be located in areas where their amenity may be detrimentally affected by the HyGain Feeds Mill site through noise, dust or odour emissions.

2.4
06/03/2020
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Specific provisions - Subdivision

Environmental Residential (north of Princes Highway)

An application to subdivide land in the area shown as Environmental Residential B in Plan 8 of the incorporated *Officer Precinct Structure Plan* and Lot 2 PS312844 must provide lots that are a minimum of 4000 square metres where any proposed lot contains native vegetation to be retained in the *Officer Native Vegetation Precinct Plan (September 2011)* unless a planning permit has been granted for the removal of native vegetation within the proposed lot.

Whiteside Road Neighbourhood Activity Centre

An application to subdivide land in the Whiteside Road Neighbourhood Activity Centre including all land south of the Boulevard Connector between May and Whiteside Roads in Plan 1 must be consistent with an urban design framework approved under this schedule.

2.5
06/03/2026
C285card

Specific provisions - Buildings and works

Construction of one dwelling on a lot

In the area shown as 'Residential' where the applied zone is General Residential Zone on Plan 2 of this Schedule, a permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where an approved building envelope as defined in Part 4 of the Building Regulations 2006 applies to the lot.

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot of less than 300 square metres, if either of the following apply:

- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* forming part of the *Officer Precinct Structure* Plan applies, and the development complies with the *Small Lot Housing Code* forming part of the incorporated *Officer Precinct Structure Plan* .
- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies and the development complies with the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) incorporated into this planning scheme.

Buildings and Works associated with a dwelling:

Buildings and works for a dwelling within 300 metres from the HyGain Mills site at 10-20 Hickson Road, Officer must be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Construction and extension of one dwelling on a lot of 1000 square metres or more

A permit is required to construct or extend one dwelling on a lot of 1000 square metres or more where the applied zone is General Residential Zone, except where buildings and works are generally in accordance with an approved building envelope (as defined in Part 4 of the Building Regulations 2006).

Public transport referral requirements

For the purpose of Clause 66.02-11 of the scheme a development is generally in accordance with the incorporated *Officer Precinct Structure Plan* where the following requirements are met:

- A road nominated on Plan 17 – Public Transport in the incorporated *Officer Precinct Structure Plan* as a potential bus route is constructed in accordance with its corresponding cross section in the incorporated *Officer Precinct Structure Plan* ; and
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the *Officer 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 shown on Plan 16 – Public Transport in the incorporated *Officer Precinct Structure Plan* , 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.

A responsible authority may address any of the above matters through planning permit conditions.

3.0
06/03/2020
C232card

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:

General subdivision

All applications for subdivision must be accompanied by the following information to the satisfaction of the responsible authority.

- Details of the proposed use and development of each part of the land.
- A table setting out:
  - the amount of land allocated for the proposed uses; and
  - the mix of lot sizes.
- An indication of staging of subdivision and timing.
- Details of how the road connections, open space, pedestrian and bicycle linkages and drainage networks of the proposed development integrates with and responds to existing and planned developments on adjacent sites.
- Include a Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).
- A plan showing access arrangements for properties adjacent to all existing and future arterial roads.
- A Public Infrastructure Plan which addresses:
  - The extent of any stormwater drainage works and road works proposed or required under this permit.
  - The land which is required to be set aside for infrastructure identified in the incorporated *Officer Development Contributions Plan* or the incorporated *Officer Precinct Structure Plan* including land required for public open space and community facilities and any proposed reconciliation payment in respect of the land having regard to its value set out in the incorporated *Officer Development Contributions Plan* .
  - An estimate of the extent of equalization which is required in respect of public open space to be provided having regard to the incorporated *Officer Precinct Structure Plan* and the incorporated *Officer Development Contributions Plan* .

  - Subject to the consent of the Collecting Agency, any infrastructure works set out in the incorporated *Officer Development Contributions Plan* which can be provided "in lieu" of development contributions in accordance with the incorporated *Officer Development Contributions Plan* .
  - The effects of the provision of infrastructure on the land or any other land.
  - Any other relevant matter related to the provision of infrastructure reasonably required by the responsible authority.
- A hydrogeological assessment of 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.
- An approved Cultural Heritage Management Plan that is endorsed by the future public land manager/s of any reserve to be created as part of the development or advice from a suitably qualified cultural heritage professional that confirms that a Cultural Heritage Management Plan is not required. This requirement may not be waived.
- A Conservation Management Plan for land within the Heritage Overlay, prepared in accordance with Conservation Management Plans: Managing Heritage Places – A Guide (Heritage Council of Victoria 2010).
- A Safety Management Study for any land adjacent to or including a gas pipeline easement to the satisfaction of Energy Safe Victoria.
- A site assessment of the land by a suitably qualified environmental professional including:
  - detail of 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; and
  - 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, as amended from time to time.

Residential subdivision

In addition to the general subdivision requirements, an application that includes subdivision of land shown as residential on Plan 1 must be accompanied by the following information to the satisfaction of the responsible authority:

- An overall masterplan for all land in contiguous ownership of the landowner demonstrating the lot yield, diversity and distribution across the subject area, consistent with the principles outlined in the incorporated *Officer Precinct Structure Plan.*
- Subdivision and Housing Design Guidelines prepared to the satisfaction of the responsible authority in accordance with the incorporated *Officer Precinct Structure Plan* .
- A building envelope plan that addresses the planning and design guidelines set out in the incorporated *Officer Precinct Structure Plan* for land *:*
  - shown as Environmental Residential (north of the Princes Highway) in Plan 1;
  - included in Character Area 1c (CA1c) shown in Plan 7 of the incorporated *Officer Precinct Structure Plan* .
- The building envelope must provide for:
  - All outbuildings and water tanks to conform with the building envelope on the relevant lot;
  - A setback of at least 30 metres from any native vegetation in the relevant lot, which is identified to be protected and retained under the *Officer Native Vegetation Precinct Plan (September 2011)* , unless a planning permit is approved for the removal of that vegetation.

  This requirement may not be waived or reduced.
- A Fire Risk Assessment prepared by a suitably qualified bushfire risk management professional for all land in contiguous ownership that is located within the area shown as Environmental Residential (north of the Princes Highway) in Plan 1, including:
  - identification of the Bushfire Attack Level (BAL) curves generated by the fire threat/s;

- an assessment of the BAL standards applicable to each individual building envelope;
- advice about the impact of dwellings in closer proximity to the identified fire threat/s on the requirements for lots within than 100 metres of the fire threat/s, including requirements for defendable space and applicable BAL standards for dwellings.

This requirement may not be waived or reduced.

HyGain separation distance area

An application to use land within the 'separation distance' area to the existing HyGain Feeds Mill site at 10-20 Hickson Rd, Officer for Accommodation, Education centre, or Informal outdoor recreation must be accompanied by an Amenity Impact Plan which includes, as appropriate:

- A site plan identifying the proposal site in relation to the existing HyGain Feeds Mill site;
- An assessment of the amenity impacts of the existing use at HyGain Feeds site upon the proposed use, including:
  - Dust – conduct ambient particle measurements, for PM2.5 and PM10, and determine if the prevailing air quality criteria would be met. These criteria are currently determined under the Environment Protection Act by the State Environmental Protection Policies, to be superseded by the new Environmental Reference Standards on 1 July 2020.
  - Field Odour Survey – demonstrate that nuisance odours attributable to the subject industry would not cause unreasonable impact to amenity for sensitive uses within the buffer zone, using a methodology approved by EPA.
- Measures to mitigate potential amenity impacts from the existing use.

To the satisfaction of the Environmental Protection Agency and the responsible authority.

HyGain Feeds Mill noise influence area

An application to use and develop land for a dwelling within 300 metres from the existing HyGain Feeds Mill site at 10-20 Hickson Road, Officer must be accompanied by an acoustic report which demonstrates how a dwelling will be designed and constructed to achieve the noise levels identified in Clause 2.5 of the Schedule.

Neighbourhood Convenience Centres

Applications for buildings and works must be accompanied by a Site Context Report to the satisfaction of the responsible authority for Neighbourhood Convenience Centres.

The site context report must address the requirements set out in the incorporated *Officer Precinct Structure Plan* (specified in section 4.3.3b).

An application to use land for a shop in a Neighbourhood Convenience Centre must be accompanied by a retail demand assessment to the satisfaction of the responsible authority.

Whiteside Road Neighbourhood Activity Centre

An application to use or subdivide land, or to construct a building or construct and carry out works within the Whiteside Road Neighbourhood Activity Centre must be accompanied by an urban design framework which is to the satisfaction of the responsible authority.

The urban design framework must be generally in accordance with the incorporated *Officer Precinct Structure Plan* . The urban design framework may be amended to the satisfaction of the responsible authority.

Sustainability statement requirements

An application for subdivision of 60 or more lots, or to construct a building in the areas shown as Peripheral Commercial or Core Business must be accompanied by a Sustainability Statement as set out in the incorporated *Officer Precinct Structure Plan* .

4.0
06/03/2026
C285card

Conditions and requirements for permits

Requirement - Urban Design Framework

A permit within an area of an approved urban design framework must be generally in accordance with the approved urban design framework.

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 is consistent with the requirements for the Urban Design Framework as set out in the incorporated *Officer Precinct Structure Plan* .

Requirement - Native Vegetation Precinct Plan Implementation

Any:

- Works carried out in respect of any subdivision;
- Construction of buildings and associated works; and
- Removal, lopping or destruction of native vegetation on the land as authorised by the Native Vegetation Precinct Plan (NVPP) applying to the land

must be carried out in accordance with all of the requirements set out in the incorporated NVPP applying to the land to the satisfaction of the responsible authority.

Only the native vegetation which is identified for removal in the incorporated NVPP applying to the land may be removed, lopped or destroyed without a permit.

Before the removal, destruction or lopping of any native vegetation within any property (identified by the PSP Property Number in Map 1 of the Officer NVPP) the owner of the land from which the native vegetation is being removed must provide offsets consistent with the incorporated NVPP by either:

- providing an allocated credit extract issued by the Department of Sustainability and Environment; or
- preparing and submitting an Offset Plan to the satisfaction of the Department of Sustainability and Environment and have the Offset Plan approved by responsible authority.

Where an Offset Plan is approved:

- before the removal, destruction or lopping of any native vegetation, the owner of the land from which the native vegetation is being removed must provide on-title security for the Offset Site to the satisfaction of Department of Sustainability and Environment that provides for the implementation of the Offset Plan and pay the reasonable costs of the preparation, execution and registration of any on-title agreement; and
- offsets must be initiated within 12 months of approval of the Offset Plan or before the removal of Very High Conservation Significance vegetation, whichever is earlier, and be implemented according to the schedule of works in the Offset Plan to the satisfaction of the responsible authority.

Requirement - Environmental Assessment of Potentially Contaminated Land

Before the development associated with the subdivision starts, (this requirement does not apply to bore holes and excavation associated with an environmental site assessment), an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides information including:

- 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* , as amended from time to time.

If an environmental site assessment recommends an environmental audit of all or part of the land, then:

- prior to the commencement of any use for a sensitive purpose; or

- prior to any buildings or works; or
- prior to the certification of a plan of subdivision

whichever is the earlier of or in respect of all or that part of the land as the case may, the following must be provided to the responsible authority, either:

- A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the Environmental Protection Act 1970, or
- A statement by an environmental auditor appointed under the Environment Protection Act 1970, in accordance with Part 1XD of that Act that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site);

If a Statement of Environmental Audit is provided rather than a Certificate of Environmental Audit and the Statement of Environmental Audit indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 before the issue of a Statement of Compliance or before the construction of any building on the relevant land, whichever is the earlier:

- implementation of and on-going compliance with all conditions in the Statement of Environmental Audit; and
- the responsible authority's reasonable legal costs and expenses of drafting/reviewing and registering the agreement to be borne by the owner of the relevant land.

Condition - Construction Environmental Management Plan

Prior to the commencement of any buildings or works a Construction Environmental Management Plan (CEMP) is to be prepared, where appropriate.

The CEMP must specifically address significant flora and fauna where the buildings or works are within:

- 50 metres of any native vegetation to be retained in the *Officer Precinct Native Vegetation Precinct Plan (September 2011)* ; and/or
- 100 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the incorporated *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek)* ; and/or
- the area shown as Environmental Residential (south of the railway line) in Plan 2.

The CEMP must address all requirements specified in the *Officer Native Vegetation Precinct Plan (September 2011)* and the relevant Conservation Management Plan and be to the satisfaction of the responsible authority.

Conditions - Conservation Management Plan

Where the *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (Ecology Partners, 15 September 2011)* or the *Officer Precinct Structure Plan Cardinia Creek Conservation Management Plan (Ecology Australia, 8 September 2011)* has been approved by the Secretary to the Department of Sustainability and Environment and it applies to the land (refer Plan 13 of the incorporated *Officer Precinct Structure Plan*), any permit granted for subdivision or the construction of a building or the carrying out of works must include the following conditions:

- The actions which identify the responsible agent as the “landowner” or “developer” in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.

and the following conditions, where appropriate:

- Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the water body.
- No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.

- Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
- A salvage and translocation plan must be prepared and implemented to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority.

Where the land is identified to have suitable habitat approved to be removed in Appendix 8 of the *Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011),* any permit granted for subdivision or development must contain the following condition:

- Prior to the issue of a Statement of Compliance under the Subdivision Act, the landowner must enter into a legally binding agreement (or an alternative agreement approved by DSE) for the payment to implement the *Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011)* in accordance with Section 2.3.1 Management Responsibilities and Funding and Appendix 8 to the satisfaction of the Department of Sustainability and Environment. The landowner must pay the reasonable costs of the preparation, execution, and registration of the agreement.

Condition - Subdivision permits

Any permit for subdivision must contain the following conditions as appropriate:

- The setback from the rail reserve and interface between the rail line and the proposed subdivision is to be to the satisfaction of the Department of Transport and the approval of the responsible authority.
- If any part of the land is shown in the incorporated *Officer Precinct Structure Plan* as unencumbered passive public open space that land must be transferred to Council subject to equalisation in accordance with the equalisation provisions in the incorporated *Officer Precinct Structure Plan* . This requirement does not apply if the responsible authority advises the owner that it does not require the land.
- Land required for road widening must be transferred to or vested in the relevant roads authority at no cost to the relevant road authority unless the land is funded by the incorporated *Officer Development Contributions Plan* .

Conditions - Small lot housing code

A permit issued before 31 December 2026 which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following conditions:

- Before the plan of subdivision is certified under the *Subdivision Act 1988* , a plan must be approved and endorsed by the responsible authority, that identifies the lots to which:
  - the Small Lot Housing Code forming part of the incorporated *Officer Precinct Structure Plan* applies; or
  - type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies,

  to the satisfaction of the responsible authority.

A permit issued on or after 31 December 2026, other than an amendment of a permit issued before 31 December 2026 under section 72 of the Act, which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following condition:

- Before the plan of subdivision is certified under the *Subdivision Act 1988* , a plan that identifies the lots to which type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies, must be approved and endorsed by the responsible authority.

Conditions - Use of a building envelope plan

Where a building envelope plan is proposed and/or required, any permit for subdivision must contain the following conditions:

- The building envelopes must be applied as a restriction on the plan of subdivision or through 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 being constructed in accordance with 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; and

– a building envelope to cease to apply to any building on a lot less than 300 square metres that is affected by the envelope after the issue of a Certificate of Occupancy for the whole of a dwelling and any garage or carport on the land.

5.0 Exemption from notice and review

06/03/2020
C232card

None specified.

6.0 Decision guidelines

06/03/2020
C232card

The following decision guidelines 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 which must be considered, as appropriate, by the responsible authority:

- Before deciding on an application to use land for Accommodation, Education centre, Informal outdoor recreation within the 'separation distance' area from the existing HyGain Feeds Mill site at 10-20 Hickson Road, Officer, the responsible authority must consider:
  - The recommendations of the Amenity Impact Plan required by Clause 3.0 of this schedule;
  - Whether the amenity of the proposed use would be detrimentally affected by the HyGain Feeds Mill site through the emission of noise, dust and odour;
  - Whether the proposal includes appropriate mitigation measures to protect against offsite amenity impacts from the HyGain facility; and
  - The distance between the subject site and the HyGain Feeds Mill site.

7.0 Signs

06/03/2020
C232card

Sign requirements are at Clause 52.05. Land is in the category specified in the applied zone.

10/06/2021
C254card

SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO1** .

NORTHERN HILLS

1.0
10/06/2021
C254card

Statement of environmental significance

The hills int~~o~~ the northern part of the municipality (generally to the north of the Princes Highway) is an area with significant landscape and environmental values. The area is characterised by a geology of Devonian Granitic and Sulrian Sediment origin, moderate to steep slopes, and areas of remnant vegetation. These characteristics contribute to environmental values including landscape quality, water quality, and habitat of botanical and zoological significance. These characteristics are also a significant factor in terms of environmental hazards including erosion and fire risk.

The vegetation supports the ecological processes and biodiversity of this area by forming core habitat areas within a complex network of biolink wildlife corridors. Sites containing threatened flora and fauna are defined as being of botanical and zoological significance. Development within and around these sites need to be appropriately managed to ensure the long term protection, enhancement and sustainability of these ecological processes and the maintenance of biodiversity.

2.0
10/06/2021
C254card

Environmental objective to be achieved

To protect and enhance the significant environmental and landscape values and biodiversity in the northern hills, by ensuring the siting and design of buildings and works maintains the dominance of vegetation and does not adversely impact the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity.

~~To protect and enhance the significant environmental and landscape values in the northern hills area including the retention and enhancement of indigenous vegetation.~~

~~To ensure that the siting and design of buildings and works does not adversely impact on environmental values including the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity.~~

~~To ensure that the siting and design of buildings and works addresses environmental hazards including slope, erosion and fire risk, the protection of view lines and maintenance of vegetation as the predominant feature of the landscape.~~

3.0
10/06/2021
C254card

~~To protect and enhance biolinks across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.~~

Permit requirement

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- The building is finished in ~~Building~~ materials ~~must be~~that are non-reflective and~~or~~ subdued colours which complement the environment to the satisfaction of the responsible authority.
- The height of any dwelling ~~must~~ does not exceed 7 metres above natural ground level and the height of ~~all other~~any other building~~s~~ ~~must~~ does not exceed 4 metres above natural ground level.
- The works ~~must~~ do not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre and any disturbed area must be stabilised by engineering works or revegetation to prevent erosion.
- The slope of the land on which the buildings or works are undertaken ~~must~~ does not exceed 20 per cent~~%~~.

- The buildings and works ~~must~~ do not result in the removal or destruction of native vegetation (including trees, shrubs, herbs, sedges and grasses) within an area of botanical or zoological significance as shown on ~~the mapped information provided by the Department of Sustainability and Environment~~Map 1 to this clause, ~~with the exception of~~other than Sweet Pittosporum (Pittosporum undulatum).

- ~~If the building is a~~An extension to an existing dwelling, provided that the extension is less than 50 per cent of the floor area of the existing ~~building~~dwelling.
- ~~If the building is a~~An outbuilding ancillary to a dwelling, provided the gross floor area of all outbuildings on the land ~~must~~ does not exceed 120 square metres.
- An agricultural building on land ~~If the building is~~ in a Green Wedge or Rural Conservation Zone ~~and is associated with the existing use of the land for the purposes of agriculture~~, provided the gross floor area of the building must not exceed 160 square metres.
- ~~If a building envelope is registered on the plan of subdivision, any building must be located within the building envelope.~~

~~In addition to the exemptions under Clause 52.12 (Bushfire protection exemptions), a~~A permit is not required to remove, destroy or lop any vegetation if:

- The vegetation is a tree overhanging the roof of a building used for ~~Accomodation~~Accommodation. This exemption only allows the removal, destruction, or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land and hobbies such as craft. This exemption does not apply to:
  - Standing living and dead trees with a trunk diameter of 40 centimetres of more at a height of 1.3 metres above natural ground level.
  - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- It is necessary for the works associated with the normal operation of Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under Clause 36.01 of this Planning Scheme.
- The vegetation is to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and ~~there is no condition listed in the table~~any condition listed in the table is met:

Botanical name	Common name	Condition
Acacia baileyana	Cootamundra Wattle	

Botanical name	Common name	Condition
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia longifolia	Coast/Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	
Acacia sophorae	Coastal Wattle	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Agapanthus praecox orientalis	African Lily	
Allium triquetrum	Angled Onion	
Alstromeria aurea	Peruvian Lily	
Amaryllis belladonna	Belladonna Lily	
Anredera cordifolia	Madeira vine	
Anthoxanthum odoratum	Sweet Vernal Grass	
Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Arctotheca calendula	Cape Weed	
Asparagus asparagoides	Bridal Creeper	
Asparagus scandens	Asparagus Fern	
Berberis darwinii	Darwin's Berberry	
Briza minor	Shivery Grass	
Briza maxima	Quaking Grass	
Buddleia variabilis	Butterfly Bush	
Calicotome spinosa	Spiny broom	

Botanical name	Common name	Condition
Castanea spp.	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cestrum elegans	Red Cestrum	
Chamaecytisus palmensis	Tree Lucerne	
Chrysanthemoides monilifera	Boneseed	
Chrysanthemum maximum	Shasta Daisy	
Cirsium vulgare	Spear thistle	
Conium maculatum	Hemlock	
Convolvulus spp.	Bindweeds	
Conyza bonariensis	Tall Fleabane	
Coprosma repens	Mirror Bush	
Coprosma repens	Tuapata	
Coprosma robusta	Karamu	
Cornus capitata	Evergreen Dogwood	
Cortaderia selloana	Pampas Grass	
Corymbia maculata	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cotoneaster spp.	Cotoneaster	
Crataegus monogyna	Hawthorn	
Crocosmia x crocosmiifolia	Montbretia	
Cytisus palmensis	Tree Lucerne	
Cytisus scoparius	English Broom	
Cynodon dactylon	Couch grass	
Cyperus erogrostis	Drain Flat Sedge	
Delairea odorata	Cape Ivy	

Botanical name	Common name	Condition
Dipogon lignosus	Common Dipogon (Dolichos)	
Dodonea viscose	Sticky Hop Bush	
Echium plantagineum	Paterson's Curse	
Ehrharta erecta	Panic Veldt Grass	
Ehrharta longiflora	Annual Veldt grass	
Erica baccans	Berry-flower Heath	
Erica lusitanica	Spanish Heath	
Euryops abrotanifolius	Euryops	
Foeniculum vulgare	Fennel	
Fraxinus angustifolia	Narrow-leafed Ash	
Fraxinus ornus	Manna Ash	
Fraxinus oxycarpa	Caucasian Ash	
Galium aparine	Cleavers	
Genista linifolia	Flax Leaf Broom	
Genista monspessulana	Cape/Montpellier Broom	
Hakea salicifolia	Willow Hakea	
Hakea sauveolens	Sweet Hakea	
Hedra helix	English Ivy	
Holcus lanatus	Yorkshire Fog	
Hypericum androsaemum	Tutsan	
Hypericum perforatum	St.John's Wort	
Hypericum tetrapterum	St. Peter's Wort	
Ilex aquifolium	Holly	
Ipomoea indica	Morning Glory	

Botanical name	Common name	Condition
Lathyrus latifolius	Sweet Pea	
Leycesteria Formosa	Himilayan Honeysuckle	
Lingustrum lucidum	Broad-Leaved Privet	
Ligustrum vulgare	Privet	
Lonicera japonica	Japanese Honeysuckle	
Malus spp	Apple	
Melaleuca armillaris	Giant Honey Myrtle	
Melaleuca hypericifolia	Honey Myrtle	
Myosotis sylvatica	Common Forget-me-not	
Myrsiphyillum scandens	Asparagus Fern	
Myrsiphyllum asparagoides	Bridal Creeper	
Myrsiphyllum asparagoides	Smilax	
Oenothera stricta	Common Evening Primrose	
Opuntia aurantiaca	Prickly Pear	
Oxalis pes-caprae	Soursob	
Portulaca oleracea	Common Purslane	
Paraserianthis lopantha	Cape Wattle	
Passiflora sp. aff. mollissima	Banana Passionfruit	
Pentaglottis serpvirens	Alkante	
Phalaris aquatica	Toowoomba Canary Grass	
Pennisetum clandestinum	Kikuyu	
Phytolacca octandra	Inkweed	
Pinus radiata	Montery Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

Botanical name	Common name	Condition
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	
Populus tremuloides	American Aspen	
Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Does not included Prunus cerasifera (Cherry Plum)
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	
Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	
Rosa rubiginosa	Sweet Briar	
Rubus fruticosus spp. agg.	Blackberry	
Saliz babylonica	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salix spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	

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Botanical name	Common name	Condition
Senecio jacobaea	Ragwort	
See Cape Wattle	False Wattle	
Solanum linnaeanum	Apple of Sodom	
Solanum mauritianum	Tree Tobacco	
Solanum nigrum	Black Nightshade	
Solanum pseudocapsicum	Madeira Winter Cherry	
Sollya heterophylla	Blue-bell Creeper	
Spartina anglica	Common Cord-grass	
Tradescantia fluminensis	Wandering Jew/Trad	
Trapaeolum majus	Nasturtium	
Ulex europaeus	Gorse	
Verbascum thapsus	Great Mullein	
Vibernum timus	Laurestinus	
Vinca major	Blue Periwinkle	
Viola odorata	Fragrant Violet	
Viola riviniana	Wood Violet	
Watsonia borbonica	Rosy Watsonia	
Watsonia meriana var. bulbillifera	Bulbil Watsonia	
Zantedeschia aethiopica	White Arum Lily	

4.0
10/06/2021
C254card

Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation proposed to be removed.

- Details of the location and extent of any earthworks.

To remove, destroy or lop native vegetation:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation including the understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Appropriately replace and/ or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defendable space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.
- An environmental assessment report prepared by a suitably qualified person and to the satisfaction of the responsible authority.

5.0 Decision guidelines

10/06/2021
C254card

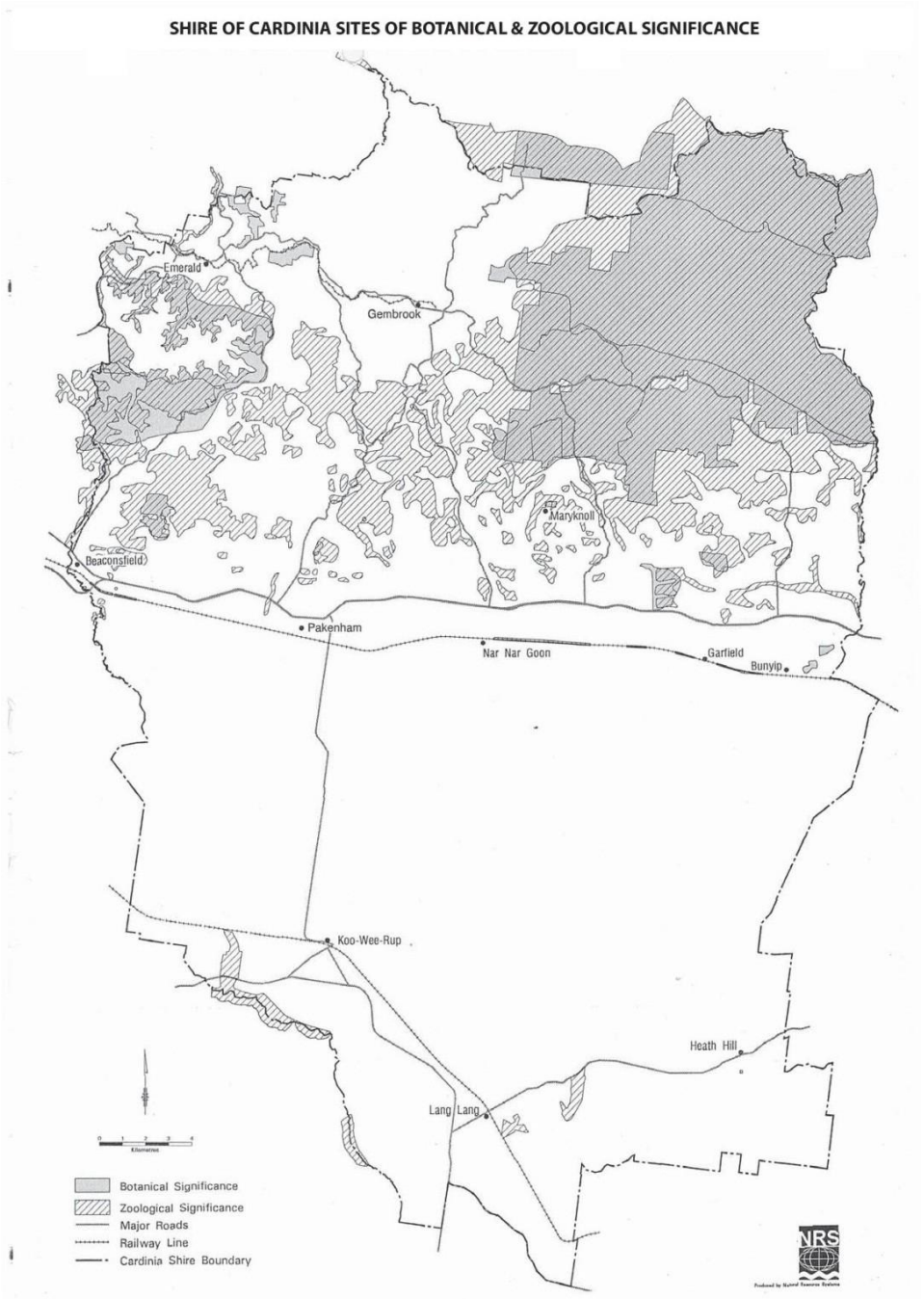
The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the removal of any vegetation has been avoided and/or minimised.
- ~~The Land Capability Study for the Cardinia Shire (February 1997).~~
- The protection and enhancement of the natural environment and character of the area.
- The retention, protection and enhancement of remnant vegetation and habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance and threatened species.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- Whether the siting, height, scale, materials, colours and form of the proposed buildings and works have been designed to have the least visual impact on the environment and landscape.
- The availability of other alternative sites, alternative building designs or alternative construction practices for the proposed buildings and works that minimise cut and fill and would better meet the environmental objectives of this schedule, having regard to the size and topography of the land, retention of vegetation and the form and nature of the proposed buildings and works.
- Measures to address environmental hazards or constraints including slope, erosion, drainage, salinity and fire.

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- The protection of waterways and water quality through the appropriate management of effluent disposal, erosion and sediment pollution.

Map 1 to Schedule 1 to Clause 42.01



10/06/2021
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SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO2** .

WESTERN PORT COASTAL WETLAND AREAS

1.0 Statement of environmental significance

10/06/2021
C254card

Saltmarsh and mangrove communities co-exist along the northern shores of Western Port. On a global scale, mangroves tend to occupy tropical regions, while the saltmarsh occupy temperate regions, therefore their co-existence in Western Port is environmentally significant.

The mangrove and saltmarsh communities also provide feeding, roosting and breeding habitats for many species of waterbirds, including migratory waders protected under the international RAMSAR agreement, as well as being a nursery area for fish and as a primary food source.

The native vegetation along the coast plays an important role in protecting the coastline by stabilising the soil from coastal erosion which contributes to poor water quality within the bay. Native vegetation also plays a role in providing habitat for threatened species. The retention of vegetation within this area is vital to minimising the disturbance of acid sulphate soils.

2.0 Environmental objective to be achieved

10/06/2021
C254card

To protect the environmentally significant features of Western Port by ensuring that development is sensitively designed and sited to be compatible with the area's ecological values and protect the coastline from erosion and disturbance of coastal acid sulphate soils.

~~To ensure that use and development of land is compatible with the ecological values of Western Port including the protection and replanting of indigenous vegetation.~~

~~To ensure that any new development is sensitively designed and sited to reinforce the existing environmental characteristics of the area.~~

~~To protect the coastline from erosion and ensure that development avoids the disturbance of coastal acid sulphate soils.~~

3.0 Permit requirement

10/06/2021
C254card

A permit is not required to remove, destroy or lop any vegetation if:

- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land, and hobbies such as craft. This exemption does not apply to:
  - Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
  - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.

- It is the removal of any vegetation from an existing dam wall where the vegetation is impacting on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- The vegetation is required to be pruned or lopped (but not removed or destroyed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below~~; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay)~~ and any condition in the table below is met:~~there is no condition listed in the table~~:

Botanical name	Common name	Condition
Acacia baileyana	Cootamundra Wattle	
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Agapanthus praecox orientalis	Agapanthus ~~frican~~ Lily	
~~*Allium triquetrum*~~	~~Angled Onion~~	
Alstromeria aurea	Yellow Astromeria~~Peruvian Lily~~	
Amaryllis belladonna	Belladonna Lily	
~~*Anredera cordifolia*~~	~~Madeira vine~~	
Anthoxanthum odoratum	Sweet Vernal Grass	
Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Arctotheca calendula	Cape Weed	
~~*Asparagus asparagoides*~~	~~Bridal Creeper~~	

Asparagus scandens	Asparagus Fern
Berberis darwinii	Darwin's Berberry
Briza minor	Shivery Grass
Briza maxima	Quaking Grass
Buddleia variabilis	Butterfly Bush

Botanical name	Common name	Condition
~~*Calicotome spinosa*~~	~~Spiny broom~~	
Castanea spp.	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cestrum elegans	Red Cestrum	
Chamaecytisus palmensis	Tree Lucerne	
~~*Chrysanthemoides monilifera*~~	~~Boneseed~~	
Chrysanthemum maximum	Shasta Daisy	
~~*Cirsium vulgare*~~	~~Spear thistle~~	
~~*Conium maculatum*~~	~~Hemlock~~	
Convolvulus spp.	Bindweeds	
Conyza bonariensis	Tall Fleabane	
Coprosma repens	Mirror Bush	
~~*Coprosma repens*~~	~~Tuapata~~	
Coprosma robusta	Karamu	

Cornus capitata	Evergreen Dogwood	
Cortaderia selloana	Pampas Grass	
Corymbia maculata	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cotoneaster spp.	Cotoneaster	
~~*Crataegus monogyna*~~	~~Hawthorn~~	
Crocosmia x crocosmiifolia	Montbretia	
~~*Cytisus palmensis*~~	~~Tree Lucerne~~	
~~*Cytisus scoparius*~~	~~English Broom~~	
Cynodon dactylon	Couch grass	
Cyperus erogrostis	Drain Flat Sedge	

Botanical name	Common name	Condition
Delairea odorata	Cape Ivy	
Dipogon lignosus	Common Dipogon (Dolichos)	
Dodonea viscosa~~*e*~~	Sticky Hop Bush	
~~*Echium plantagineum*~~	~~Paterson's Curse~~	
Ehrharta erecta	Panic Veldt Grass	
Ehrharta longiflora	Annual Veldt grass	
Erica baccans	Berry-flower Heath	
Erica lusitanica	Spanish Heath	
Euryops abrotanifolius	Euryops	
~~*Foeniculum vulgare*~~	~~Fennel~~	

Fraxinus angustifolia	Narrow-leafed Ash
Fraxinus ornus	Manna Ash
~~*Fraxinus oxycarpa*~~	~~Caucasian Ash~~
Galium aparine	Cleavers
~~*Genista linifolia*~~	~~Flax Leaf Broom~~
~~*Genista monspessulana*~~	~~Cape/Montpellier Broom~~
Hakea salicifolia	Willow Hakea
Hakea sauveolens	Sweet Hakea
Hedra helix	English Ivy
Holcus lanatus	Yorkshire Fog
~~*Hypericum androsaemum*~~	~~Tutsan~~
~~*Hypericum perforatum*~~	~~St.John's Wort~~
~~*Hypericum tetrapterum*~~	~~St. Peter's Wort~~
Ilex aquifolium	Holly

Botanical name	Common name	Condition
Ipomoea indica	Morning Glory	
Lathyrus latifolius	Sweet Pea	
Leycesteria Formosa	~~Himilayan~~Himalayan Honeysuckle	
Lingustrum lucidum	Broad-Leaved Privet	
Ligustrum vulgare	Privet	
Lonicera japonica	Japanese Honeysuckle	
Malus spp	Apple	
Melaleuca armillaris	Giant Honey Myrtle	
Melaleuca hypericifolia	Honey Myrtle	

Myosotis sylvatica	Common Forget-me-not
~~*Myrsiphyllum scandens*~~	~~Asparagus Fern~~
~~*Myrsiphyllum asparagoides*~~	~~Bridal Creeper~~
~~*Myrsiphyllum asparagoides*~~	~~Smilax~~
Oenothera stricta	Common Evening Primrose
~~*Opuntia aurantiaca*~~	~~Prickly Pear~~
Oxalis pes-caprae	Soursob
Portulaca oleracea	Common Purslane
Paraserianthis lopantha	Cape Wattle
Passiflora sp. aff. mollissima	Banana Passionfruit
Pentaglottis serpvirens	Alkante
Phalaris aquatica	Toowoomba Canary Grass
Pennisetum clandestinum	Kikuyu
Phytolacca octandra	Inkweed

Botanical name	Common name	Condition
Pinus radiata	~~Montery~~Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	
Populus tremuloides	American Aspen	
Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Does not included Prunus cerasifera (Cherry Plum)
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	
Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	
~~*Rosa rubiginosa*~~	~~Sweet Briar~~	
~~*Rubus fruticosus spp. agg.*~~	~~Blackberry~~	
~~*Saliz babylonica*~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~

Botanical name	Common name	Condition
Salix spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	
~~*Senecio jacobaea*~~	~~Ragwort~~	

~~*See Cape Wattle*~~	~~False Wattle~~
~~*Solanum linnaeanum*~~	~~Apple of Sodom~~
Solanum mauritianum	Tree Tobacco
Solanum nigrum	Black Nightshade
Solanum pseudocapsicum	Madeira Winter Cherry
Sollya heterophylla	Blue-bell Creeper
Spartina anglica	Common Cord-grass
Tradescantia fluminensis	Wandering ~~Jew/~~Trad
Trapaeolum majus	Nasturtium
~~*Ulex europaeus*~~	~~Gorse~~
Verbascum thapsus	Great Mullein
Vibernum timus	Laurestinus
Vinca major	Blue Periwinkle
Viola odorata	Fragrant Violet
Viola riviniana	Wood Violet
Watsonia borbonica	Rosy Watsonia
~~*Watsonia meriana var. bulbillifera*~~	~~Bulbil Watsonia~~
Zantedeschia aethiopica	White Arum Lily

4.0
10/06/2021
C254card

Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation including understorey proposed to be removed.
- Details of the location and extent of any earthworks.
- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation including understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Appropriately replace, and/or compensate for the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defendable space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.

5.0 Decision guidelines

10/06/2021

C254card

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The need to ensure that the environmentally sensitive areas of Western Port are not adversely affected by the proposed use or development of the land.
- The impact of the proposal on coastal processes and the need to protect and enhance environmentally sensitive coastlines.
- Whether the proposed works will have a significant impact on the Western Port Ramsar wetland and require referral under the *Environment Protection and Biodiversity Conservation Act 1999.*
- The capacity of the soil and water to absorb wastes and the design of effluent disposal systems.
- The impact on native flora and fauna habitats.
- Whether the building or works or vegetation removal will be detrimental to the landscape of the area.
- The design, location and colour of proposed buildings and works and their impact on the environment.
- The extent of any proposed removal of vegetation, and the location of any buildings and works, in particular:

10/06/2021
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SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO3** .

OTHER SIGNIFICANT SITES

1.0 Statement of environmental significance

10/06/2021
C254card

The ~~Department of Sustainability and Environment has~~Shire contains ~~identified~~ sites ~~within the municipality~~ that are considered to be of botanical and zoological significance. These sites contain rare, endangered or uncommon species of plants and animals and are critical for the protection of habitat for native plants and animals.

2.0 Environmental objective to be achieved

10/06/2021
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To ensure that the habitat values of ~~the~~ sites are not diminished by the incremental removal of vegetation and that development is sensitively designed and sited to protect vegetation and reinforce the existing environmental characteristics of the area ~~or inappropriate development.~~

~~To ensure that any new development is sensitively designed and sited to reinforce the existing environmental characteristics of the area.~~

3.0 Permit requirement

28/04/2026
VC232

None specified.

~~Applications must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority.~~

4.0 Application requirements

10/06/2021
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None specified.

5.0 Decision guidelines

10/06/2021
C254card

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal will have an adverse effect on the environmental, physical or visual attributes of the site and its immediate locality.
- The significance of the vegetation in terms of its variety or as a habitat for wildlife.
- Any alternative means of locating proposed buildings and works so as to conserve and enhance the site and its environs.

10/06/2021
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SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO4** .

PAKENHAM NORTH RIDGE

1.0 Statement of environmental significance

10/06/2021
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The Pakenham ridge has regional significance for biodiversity. It makes a substantial contribution to biodiversity in the Gippsland Plain Bioregion as well as the Pakenham area. The area has remnants of Grassy Forest, an ecosystem that is vulnerable in the area. The Cobra Greenhood Orchid *(Pterostylis grandiflora)* which is of state significance, and the Green Scentbark *(Eucalytptus fulgens)* which is of state/national significance, are found in the area The area is characterised by a geology of Devonian Granitic and Silurian Sediment origin, moderate to steep slopes, and areas of remnant vegetation. These characteristics contribute to environmental values including landscape quality, water quality, and habitat of botanical and zoological significance. These characteristics are also a significant factor contributing to environmental hazards such as erosion, salinity and fire risk, and susceptibility to visual intrusion from buildings and works.

2.0 Environmental objective to be achieved

10/06/2021
C254cardepar

To protect and enhance the significant environmental and landscape values of the Pakenham North ridge by maintaining and replanting native vegetation and ensuring that the siting and design of development maintains the diverse and interesting landscape, including the ridge landorm and natural skyline, area of remnant vegetation and habitat of botanical and zoological significance.

~~To ensure that the siting and design of buildings and works does not adversely impact on environmental and landscape values including the ridge landform, the diverse and interesting landscape, the natural skyline of ridge areas, areas of remnant vegetation, and habitat of botanical and zoological significance.~~

~~To ensure that the siting and design of buildings and works responds to environmental and landscape values, and addresses environmental hazards of erosion, salinity and fire.~~

~~To maintain, manage and promote replanting of native vegetation as an important element of the Pakenham North ridge landscape and natural systems.~~

3.0

10/06/2021
C254card

~~To ensure long term protection of areas of high conservation value and promote the protection and enhancement of wildlife habitat and corridors.~~

Permit requirement

A permit is required to construct a fence.

A permit is not required to remove, destroy or lop any vegetation if:

- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is with the written consent of the responsible authority.

- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- The vegetation is required to be pruned or lopped (but not removed or destroyed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below~~; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay)~~ and any condition in the table below is met:~~there is no condition listed in the table~~:

Botanical name	Common name	Condition
Acacia baileyana	Cootamundra Wattle	
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia longifolia	Coast / Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	
~~*Acacia sophorae*~~	~~Coastal Wattle~~	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Agapanthus praecox orientalis	Agapanthus~~frican~~ Lily	
~~*Allium triquetrum*~~	~~Angled Onion~~	
Alstromeria aurea	Yellow Alstromeria~~Peruvian~~ Lily	
Amaryllis belladonna	Belladonna Lily	
~~*Anredera cordifolia*~~	~~Madeira vine~~	
Anthoxanthum odoratum	Sweet Vernal Grass	
Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

Arctotheca calendula	Cape Weed	
~~*Asparagus asparagoides*~~	~~Bridal Creeper~~	
Asparagus scandens	Asparagus Fern	
Berberis darwinii	Darwin's Berberry	
Betula spp.	Birch	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Briza minor	Shivery Grass	

Botanical name	Common name	Condition
Briza maxima	Quaking Grass	
Buddleia variabilis	Butterfly Bush	
~~*Calicotome spinosa*~~	~~Spiny broom~~	
Castanea spp.	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cestrum elegans	Red Cestrum	
Chamaecytisus palmensis	Tree Lucerne	
~~*Chrysanthemoides monilifera*~~	~~Boneseed~~	
Chrysanthemum maximum	Shasta Daisy	
~~*Cirsium vulgare*~~	~~Spear thistle~~	
~~*Conium maculatum*~~	~~Hemlock~~	
Convolvulus spp.	Bindweeds	
Conyza bonariensis	Tall Fleabane	

Coprosma repens	Mirror Bush	
~~*Coprosma repens*~~	~~Tuapata~~	
Coprosma robusta	Karamu	
Cornus capitata	Evergreen Dogwood	
Cortaderia selloana	Pampas Grass	
Corymbia maculata	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cotoneaster spp.	Cotoneaster	
~~*Crataegus monogyna*~~	~~Hawthorn~~	
Crocosmia x crocosmiifolia	Montbretia	
~~*Cytisus palmensis*~~	~~Tree Lucerne~~	
~~*Cytisus scoparius*~~	~~English Broom~~	

Botanical name	Common name	Condition
Cynodon dactylon	Couch grass	
Cyperus erogrostis	Drain Flat Sedge	
Delairea odorata	Cape Ivy	
Dipogon lignosus	Common Dipogon (Dolichos)	
Dodonea viscos~~*a*~~*ae*	Sticky Hop Bush	
~~*Echium plantagineum*~~	~~Paterson's Curse~~	
Ehrharta erecta	Panic Veldt Grass	

Ehrharta longiflora	Annual Veldt grass	
Erica baccans	Berry-flower Heath	
Erica lusitanica	Spanish Heath	
Eucalyptus botryoides	Southern Mahogany Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Euryops abrotanifolius	Euryops	
~~*Foeniculum vulgare*~~	~~Fennel~~	
Fraxinus angustifolia	Narrow-leafed Ash	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Fraxinus ornus	Manna Ash	
~~*Fraxinus oxycarpa*~~	~~Caucasian Ash~~	
Galium aparine	Cleavers	
~~*Genista linifolia*~~	~~Flax Leaf Broom~~	
~~*Genista monspessulana*~~	~~Cape/Montpellier Broom~~	
Hakea salicifolia	Willow Hakea	
Hakea sauveolens	Sweet Hakea	
Hedra helix	English Ivy	
Holcus lanatus	Yorkshire Fog	

Botanical name	Common name	Condition
~~*Hypericum androsaemum*~~	~~Tutsan~~	
~~*Hypericum perforatum*~~	~~St.John's Wort~~	

~~*Hypericum tetrapterum*~~	~~St. Peter's Wort~~
Ilex aquifolium	Holly
Ipomoea indica	Morning Glory
Lathyrus latifolius	Sweet Pea
Leptospermum laevigatum	Coast Tea Tree
Leycesteria formosa	Himilayan Honeysuckle
Ligustrum lucidum	Broad-Leaved Privet
Ligustrum vulgare	Privet
Lonicera japonica	Japanese Honeysuckle
Malus spp	Apple
Melaleuca armillaris	Giant Honey Myrtle
Melaleuca hypericifolia	Honey Myrtle
Myosotis sylvatica	Common Forget-menot
~~*Myrsiphyillum scandens*~~	~~Asparagus Fern~~
~~*Myrsiphyllum asparagoides*~~	~~Bridal Creeper~~
~~*Myrsiphyllum asparagoides*~~	~~Smilax~~
Oenothera stricta	Common Evening Primrose
~~*Opuntia aurantiaca*~~	~~Prickly Pear~~
Oxalis pes-caprae	Soursob

Portulaca oleracea	Common Purslane	
Paraserianthis lopantha	Cape Wattle	

Botanical name	Common name	Condition
Passiflora sp. aff. mollissima	Banana Passionfruit	
Pentaglottis serpvirens	Alkante	
Phalaris aquatica	Toowoomba Canary Grass	
Pennisetum clandestinum	Kikuyu	
Phytolacca octandra	Inkweed	
Pinus radiatae	~~Montery~~Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	
Populus tremuloides	American Aspen	
Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Except Prunus cerasifera (Cherry Plum)
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	

Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	

Botanical name	Common name	Condition
~~*Rosa rubiginosa*~~	~~Sweet Briar~~	
~~*Rubus fruticosus spp. agg.*~~	~~Blackberry~~	
~~*Salix babylonica*~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
Salix spp.	Willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	
~~*Senecio jacobaea*~~	~~Ragwort~~	
~~*See Cape Wattle*~~	~~False Wattle~~	
~~*Solanum linnaeanum*~~	~~Apple of Sodom~~	
Solanum mauritianum	Tree Tobacco	
Solanum nigrum	Black Nightshade	
Solanum pseudocapsicum	Madeira Winter Cherry	
Sollya heterophylla	Blue-bell Creeper	
Spartina anglica	Common Cord-grass	

Tradescantia fluminensis	Wandering ~~Jew~~/Trad
Trapaeolum majus	Nasturtium
~~*Ulex europaeus*~~	~~Gorse~~
Verbascum thapsus	Great Mullein
Vibernum timus	Laurestinus
Vinca major	Blue Periwinkle
Viola odorata	Fragrant Violet
Viola riviniana	Wood Violet
Watsonia borbonica	Rosy Watsonia
~~*Watsonia meriana var. bulbillifera*~~	~~Bulbil Watsonia~~

Botanical name	Common name	Condition
Zantedeschia aethiopica	White Arum Lily	

4.0
10/06/2021

C254card

Application requirements

The following application requirements apply to an application for a permit under 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

An environmental and landscape impact assessment report, prepared by a properly qualified persone that includes:

- An appropriate consideration of alternative subdivision layouts and alternative sites for buildings.
- Possible design responses and design guidelines.
- Consideration of appropriate environmental management practices, including replanting of native vegetation and ongoing protection and management of vegetation and habitat areas.

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation proposed to be removed.
- Details of the location and extent of any earthworks.

To remove, destroy or lop native vegetation:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
-

A description of the vegetation including understory to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.

- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defendable space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.

5.0 Decision guidelines

10/06/2021

C254card

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

General

- ~~The Land Capability Study for the Cardinia Shire (February 1997).~~
- ~~The need for an environmental and landscape impact assessment report, prepared by a properly qualified person and to the satisfaction of the responsible authority, that includes:~~
  - ~~An appropriate consideration of alternative subdivision layouts and alternative sites for buildings~~
  - ~~Possible design responses and design guidelines~~
  - ~~Consideration of appropriate environmental management practices, including replanting of native vegetation and ongoing protection and management of vegetation and habitat areas.~~
- ~~The protection and enhancement of environmental significance having regard to:~~
  - ~~Protecting habitat areas, landscape areas and vantage points of high quality~~
  - ~~Protecting and enhancing areas of native vegetation~~
  - ~~Setting development back from the ridgeline to allow appreciation of the ridge landform and topography, and to maintain the natural skyline of the ridge~~
  - ~~The visual prominence of land above the 60 metre contour as a defining landscape feature~~
  - ~~The integration of buildings and works with environmental and landscape features~~
  - ~~Appropriate environmental management practices.~~
- ~~Measures to address environmental hazards or constraints including erosion, drainage and fire.~~

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Buildings and works

- The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- The control of the density of buildings and subdivision necessary to meet environmental objectives.
- The establishment of appropriate building envelopes and the benefits of requiring building envelopes to be shown on plans of subdivision.
- Whether the siting, height, scale, materials, colours and form of proposed buildings and works, including roads and infrastructure service lines, have been designed to have least visual effect on the ridge environment and landscape.
- Whether approval of any proposed buildings and works is compatible with maintaining the visual, natural and cultural significance of the ridge landscape.
- The benefit of permit conditions requiring all building materials to be non-reflective and of colours that are complementary to those of the natural landscape.
- The benefit of conditions requiring the landscaping of buildings and works, while also having regard to the maintenance of existing viewlines.

Vegetation and habitat

- The retention of remnant vegetation and wildlife habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The conservation and enhancement of the area's native vegetation and habitat values, including allowing for natural regeneration of native vegetation
- Providing linked open space and local habitat corridors.
- Maintaining vegetation as a key element of the landscape, and maintaining and enhancing the continuity of vegetation.
- The significance of any vegetation proposed to be removed, including its rarity and habitat value.
- The need to revegetate or landscape the site with native species and dispersing buildings to allow trees to be planted between them.

Response to slope

- The availability of other alternative sites, alternative building designs or alternative construction practices for proposed buildings and works that minimise cut and fill and would better meet the environmental objectives of this schedule, having regard to the size and topography of the land, retention of vegetation, and the form and nature of the proposed buildings and works.
- The availability of reasonable alternative routes, alternative designs or alternative forms of installation for roads, access driveways and infrastructure service lines that would avoid impact on vegetation and habitat areas, follow the contours of the land, minimise cut and fill and better meet the environmental objectives of this schedule.
- Locating buildings and works in low lying positions on a site.
- Slope stability and the need for a geotechnical report, particularly where slopes are greater than 20 percent.

Waterways

- The protection of waterways and water quality through the appropriate management of stormwater, effluent disposal, erosion, sediment pollution and the provision and protection of vegetation especially along watercourses.

Salinity

- Whether vegetation retention and revegetation is occurring and whether appropriate management techniques are being put in place to address water table and salinity issues.

~~6.0 Background documents~~

~~Ecological Assessment of Pakenham Ridge, Biosis Research (August 2006)~~

~~Indigenous Vegetation Survey – an inventory of sites of biodiversity significance in the Pakenham Growth Corridor and adjoining area Volume 2, Ecology Australia (January 2004)~~

~~Pakenham North Ridge Precinct Assessment of Landscape Value, Land Design Partnership (June 2007)~~

~~Land Capability Study for the Cardinia Shire (February 1997)~~

Page

10/06/2021
C254card

SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO5** .

CARDINIA ROAD PRECINCT STRUCTURE PLAN – AREAS OF ENVIRONMENTAL SIGNIFICANCE

1.0
10/06/2021
C254card

Statement of environmental significance

Sites of biodiversity significance in the Cardinia Road Precinct Structure Plan area are small areas of swamp scrub (EVC 53), grassy forest (EVC 47), damp heathy woodland (EVC 793) and swampy riparian woodland (EVC 83) stretching along Toomuc Creek. The bioregional conservation status for swamp scrub, swampy riparian woo~~e~~dland and grassy forest are endangered. The bioregional conservation status of damp heathy woodland is of least concern.

2.0
10/06/2021
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Environmental objective to be achieved

To protect, enhance and restore the native vegetation, with emphasis on retaining intact remnant vegetation patches and encourage development that is designed and sited to minimise, as far as practicable, the removal or destruction of indigenous vegetation, habitat corridors and intact remnant patches.

~~To encourage subdivision that is designed to minimise as far as practicable the removal or destruction of indigenous vegetation that retains vegetated corridors and habitat links.~~

3.0
10/06/2021
C254card

~~To encourage building design and siting that as far as practicable reduces the impact of development on intact remnant vegetation patches.~~

Permit requirement

A permit is not required to construct a building or to construct or carry out works where the building or works do not require the removal, destruction or lopping of native vegetation.

4.0
10/06/2021
C254card

A permit is not required to subdivide land where the sites of biodiversity significance are wholly contained within land identified as encumbered open space.

5.0
10/06/2021
C254card

~~A permit is required for subdivision except where the sites of biodiversity significance are wholly contained within land identified as encumbered open space.~~

~~A permit is required to construct a building or carry out works except where the building or works do not require the removal, destruction or lopping of native vegetation.~~

Application requirements

None specified.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the three-step approach to managing native vegetation set out in ~~Victoria's Native Vegetation Management Framework~~the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (Department of Energy, Environment and Climate Action, 2025) has been followed and ~~in particular~~whether:
  - The extent to which subdivision or buildings and works avoid or minimise (where removal is unavoidable) the removal of indigenous vegetation.
  - The significance of the vegetation and the extent of vegetation removal proposed.
  - The potential ability to provide offsets within designated encumbered land through recruitment or replanting of vegetation species consistent with the EVC of the site.
- Whether site disturbance resulting from excavation and/or fill would pose a risk to the health of existing vegetation being retained, or reduces the potential for future planting of vegetation.

10/06/2021
C254card

SCHEDULE 6 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO6** .

OFFICER – CONSERVATION LIVING AREA

1.0 Statement of environmental significance

10/06/2021
C254card

The Officer Conservation Living Area is located within the Urban Growth Boundary and forms part of the foothills that extend north into the Dandenong Ranges. It has significant landscape and environmental values, with substantial areas of remnant native vegetation. The endangered Grassy Forest community (EVC128) covers over 85% of the land. The steep typography of the land ensures it is of high landscape value, featured in several viewlines across the Officer Precinct Structure Plan (September 2011) area. These characteristics contribute to a high fire risk within the area, limiting future development opportunities.

2.0 Environmental objective to be achieved

10/06/2021
C254card

- To protect the significant environmental and landscape character and values of the area by ensuring that the siting and design of buildings and works minimises impacts on area-s of remnant native vegetation. And addresses slope and fire risks.
- ~~To ensure that the siting of buildings minimises impacts on areas of remnant native vegetation.~~
- ~~To ensure that the siting and design of buildings and works:~~
  - ~~does not adversely impact on existing landscape character; and~~
  - ~~addresses slope and fire risks.~~

3.0 Permit requirement

10/06/2021
C254card

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- ~~Building materials must be~~The building is finished in materials that are non-reflective and~~or~~ subdued colours which complement the surrounding environment.
- The height of any building ~~must~~ does not exceed 7 metres above natural ground level.
- The works ~~must~~ do not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre and any disturbed area must be stabilised by engineering works or revegetation to prevent erosion.
- The slope of the land on which the buildings or works are undertaken must not exceed 20 per cent.
- If the building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land ~~must~~ does not exceed 120 square metres.
- If a building envelope is registered on the plan of subdivision, any building ~~must be~~is located within the building envelope.

4.0 Application requirements

10/06/2021
C254card

None specified.

5.0 Decision guidelines

10/06/2021
C254card

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The protection and enhancement of the natural environment and character of the area.
- The retention of remnant native vegetation, including the need to retain vegetation along waterways, gullies, ridgelines and property boundaries.

- The retention of remnant native vegetation, including the need to retain vegetation along waterways, gullies, ridgelines and property boundaries.
- The impact of any buildings and works on areas of remnant native vegetation.
- The impact of proposed buildings and works on the landscape character of the area, including significant views to the area from other locations in the Officer Precinct Structure Plan area.
- The location of buildings, including the extent to which their siting responds to the slope of the area.

Measures to address the risk of fire, including fuel load management, location of buildings and setbacks from native vegetation.

27/02/2025
C274card

SCHEDULE 7 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO7**-.

South-eastern growth corridor ~~Urban~~ Conservation Area ~~NAME OF SCHEDULE~~

1.0
27/02/2025
C274card

Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne's footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the delivery of Melbourne's Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0 Environmental objective to be achieved

27/02/2025
C274card

- To protect, restore and enhance the environment and landscape values of the area, including habitat, ecological communities, flora and fauna and genetic diversity, by ensuring that development or management of land is compatible with and maintains the environmental integrity of the land and does not diminish the extent, quality or environmental integrity of native vegetation and fauna habitat. ~~To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.~~

  ~~To enhance the environmental and landscape values of the area.~~

- ~~To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long term maintenance and conservation and will not have detrimental impacts on biodiversity values.~~

- ~~To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.~~

  ~~To maintain and enhance habitat connectivity for listed threatened species.~~

- ~~To prevent a decline in the extent and quality of native vegetation and native fauna habitat~~

- ~~To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.~~

  ~~To maintain and enhance the integrity of sites of environmental significance.~~

3.0

27/02/2025
C274card

~~To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.~~

Permit requirement

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987.*

- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.

- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.

- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation comprises one or more of the following environmental weed species;
  - Sweet Pittosporum (*Pittosporum undulatum);*
  - Sallow Wattle(*Acacia longifolia subsp ~~L~~longifolia);*
  - Coast Wattle (*Acacia longifolia subsp ~~s~~Sophorae).*
  - ~~Where the vegetation is a plant proclaimed as a weed under the *Catchment and Land Protection Act 1994.*~~
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural

products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.

- For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
- To mow or slash grass in a lawn, garden or other planted area for maintenance only.
- To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

4.0 Application requirements

27/02/2025

C274card The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
  - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.
- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria's Guidelines for the ~~r~~Removal, ~~d~~Destruction or ~~l~~Lopping of ~~n~~Native ~~v~~Vegetation (Department of ~~Environment, Land, Water and Planning 2017~~Energy, Environment and Climate Action, 2025).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

OFFICIAL

5.0 Decision guidelines

27/02/2025

C274card

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on anyproposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

10/06/2021
C254card

SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO1** .

LOW DENSITY RESIDENTIAL

1.0 Statement of nature and significance of vegetation to be protected

10/06/2021
C254card

The low density residential areas within the Shire support substantial areas of remnant indigenous vegetation and mature exotic species. The maintenance and enhancement of the flora habitat is vital for the long term protection of these areas and the native fauna they support. Some of these areas contain small lots which are not protected under the native vegetation controls of Clause 52.17 resulting in areas of vegetation becoming increasingly fragmented.

The remnant vegetation is important for its contribution to habitat and environmental values and processes. This vegetation provides protection to waterways including in the reduction of siltation and contributes to habitat corridors as well as playing a role in supporting soil stability, reducing stormwater runoff, and limiting erosion and salinity.

2.0 Vegetation protection objectives to be achieved

10/06/2021
C254card

To protect and conserve existing vegetation as an important element of the character of low density residential areas.

To maintain and enhance local habitat and biolinks, including hollow bearing trees.

To avoid and minimise the removal of vegetation where it contributes to the management of environmental hazards such as erosion, salinity, siltation of creeks and watercourses, and stormwater runoff.

To ensure that vegetation remains a significant part of the character and visual amenity of these areas, with the built form being located within a landscape, and vegetation being the predominant feature.

3.0 Permit requirement

10/06/2021
C254card

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- ~~It is exempt under Clause 52.12 (Bushfire Protection: Exemptions) of this Planning Scheme.~~
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot of less than 0.4 hectares.
-

It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under Clause 36.01 of this Planning Scheme.

- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below~~; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay)~~ and any condition in the table below is met:~~there is no condition listed in the table~~:

Botanical name	Common name	Condition
Acacia baileyana	Cootamundra Wattle	
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia longifolia	Coast/Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	
~~*Acacia sophorae*~~	~~Coastal Wattle~~	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Agapanthus praecox orientalis	Agapanthus~~frican~~ Lily	
~~*Allium triquetrum*~~	~~Angled Onion~~	
Alstromeria aurea	Yellow Alstromeria ~~Peruvian Lily~~	
Amaryllis belladonna	Belladonna Lily	
~~*Anredera cordifolia*~~	~~Madeira vine~~	
Anthoxanthum odoratum	Sweet Vernal Grass	
Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

Arctotheca calendula	Cape Weed
~~*Asparagus asparagoides*~~	~~Bridal Creeper~~
Asparagus scandens	Asparagus Fern
Berberis darwinii	Darwin's Berberry
Briza minor	Shivery Grass

Botanical name	Common name	Condition
Briza maxima	Quaking Grass	
Buddleia variabilis	Butterfly Bush	
~~*Calicotome spinosa*~~	~~Spiny broom~~	
Castanea spp.	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cestrum elegans	Red Cestrum	
Chamaecytisus palmensis	Tree Lucerne	
~~*Chrysanthemoides monilifera*~~	~~Boneseed~~	
Chrysanthemum maximum	Shasta Daisy	
~~*Cirsium vulgare*~~	~~Spear thistle~~	
~~*Conium maculatum*~~	~~Hemlock~~	
Convolvulus spp.	Bindweeds	
Conyza bonariensis	Tall Fleabane	
Coprosma repens	Mirror Bush	

~~*Coprosma repens*~~	~~Tuapata~~	
Coprosma robusta	Karamu	
Cornus capitata	Evergreen Dogwood	
Cortaderia selloana	Pampas Grass	
Corymbia maculata	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cotoneaster spp.	Cotoneaster	
~~*Crataegus monogyna*~~	~~Hawthorn~~	
Crocosmia x crocosmiifolia	Montbretia	
~~*Cytisus palmensis*~~	~~Tree Lucerne~~	
~~*Cytisus scoparius*~~	~~English Broom~~	

Botanical name	Common name	Condition
Cynodon dactylon	Couch grass	
Cyperus erogrostis	Drain Flat Sedge	
Delairea odorata	Cape Ivy	
Dipogon lignosus	Common Dipogon (Dolichos)	
Dodonea viscose	Sticky Hop Bush	
~~*Echium plantagineum*~~	~~Paterson's Curse~~	
Ehrharta erecta	Panic Veldt Grass	
Ehrharta longiflora	Annual Veldt grass	
Erica baccans	Berry-flower Heath	
Erica lusitanica	Spanish Heath	

Euryops abrotanifolius	Euryops
~~*Foeniculum vulgare*~~	~~Fennel~~
Fraxinus angustifolia	Narrow-leafed Ash
Fraxinus ornus	Manna Ash
~~*Fraxinus oxycarpa*~~	~~Caucasian Ash~~
Galium aparine	Cleavers
~~*Genista linifolia*~~	~~Flax Leaf Broom~~
~~*Genista monspessulana*~~	~~Cape/Montpellier Broom~~
Hakea salicifolia	Willow Hakea
Hakea sauveolens	Sweet Hakea
Hedra helix	English Ivy
Holcus lanatus	Yorkshire Fog
~~*Hypericum androsaemum*~~	~~Tutsan~~
~~*Hypericum perforatum*~~	~~St.John's Wort~~

Botanical name	Common name	Condition
~~*Hypericum tetrapterum*~~	~~St. Peter's Wort~~	
Ilex aquifolium	Holly	
Ipomoea indica	Morning Glory	
Lathyrus latifolius	Sweet Pea	
Leycesteria Formosa	~~Himilayan~~Himalayan Honeysuckle	
Lingustrum lucidum	Broad-Leaved Privet	
Ligustrum vulgare	Privet	
Lonicera japonica	Japanese Honeysuckle	
Malus spp	Apple	

Melaleuca armillaris	Giant Honey Myrtle
Melaleuca hypericifolia	Honey Myrtle
Myosotis sylvatica	Common Forget-me-not
~~*Myrsiphyillum scandens*~~	~~Asparagus Fern~~
~~*Myrsiphyllum asparagoides*~~	~~Bridal Creeper~~
~~*Myrsiphyllum asparagoides*~~	~~Smilax~~
Oenothera stricta	Common Evening Primrose
~~*Opuntia aurantiaca*~~	~~Prickly Pear~~
Oxalis pes-caprae	Soursob
Portulaca oleracea	Common Purslane
Paraserianthis lopantha	Cape Wattle
Passiflora sp. aff. mollissima	Banana Passionfruit
Pentaglottis serpvirens	Alkante
Phalaris aquatica	Toowoomba Canary Grass
Pennisetum clandestinum	Kikuyu

Botanical name	Common name	Condition
Phytolacca octandra	Inkweed	
Pinus radiata	~~Montery~~Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	
Populus tremuloides	American Aspen	

Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Does not included Prunus cerasifera (Cherry Plum)
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	
Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	
~~*Rosa rubiginosa*~~	~~Sweet Briar~~	
~~*Rubus fruticosus spp. agg.*~~	~~Blackberry~~	
~~*Saliz babylonica*~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~

Botanical name	Common name	Condition
Salix spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	

~~*Senecio jacobaea*~~	~~Ragwort~~
~~*See Cape Wattle*~~	~~False Wattle~~
~~*Solanum linnaeanum*~~	~~Apple of Sodom~~
Solanum mauritianum	Tree Tobacco
Solanum nigrum	Black Nightshade
Solanum pseudocapsicum	Madeira Winter Cherry
Sollya heterophylla	Blue-bell Creeper
Spartina anglica	Common Cord-grass
Tradescantia fluminensis	Wandering ~~Jew/~~Trad
Trapaeolum majus	Nasturtium
~~*Ulex europaeus*~~	~~Gorse~~
Verbascum thapsus	Great Mullein
Vibernum timus	Laurestinus
Vinca major	Blue Periwinkle
Viola odorata	Fragrant Violet
Viola riviniana	Wood Violet
Watsonia borbonica	Rosy Watsonia
~~*Watsonia meriana var. bulbillifera*~~	~~Bulbil Watsonia~~
Zantedeschia aethiopica	White Arum Lily

4.0 Application requirements

10/06/2021
C254card

The following application requirements apply to an application for a permit under Clause 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation, including understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Any actions to contribute to the ongoing management of existing vegetation on the site.
  - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defendable space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.

5.0 Decision guidelines

10/06/2021
C254card

None specified.

10/06/2021
C254card

SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO2** .

HILLS TOWNSHIPS

1.0 Statement of nature and significance of vegetation to be protected

10/06/2021
C254card

The Hills Townships contain substantial areas of remnant indigenous, and mature exotic vegetation, which are important elements of the character of these residential areas This vegetation is often of environmental or landscape significance due to topography and view lines and contributes to the visual amenity of these areas.

Some residential areas contain remnant native vegetation, however due to the size of some lots, it is not protected by the native vegetation controls in Clause 52.17. This remnant vegetation is of particular importance as it provides both flora and fauna habitat and enhances local biolinks.

The vegetation in these areas also plays an important function in managing environmental conditions by providing habitat and biolinks, supporting soil stability, reducing stormwater runoff, limiting erosion and salinity and siltation of creeks and watercourses.

2.0 Vegetation protection objectives to be achieved

10/06/2021
C254card

To protect, and conserve existing vegetation as an important element of the character of residential areas in the Hills Townships by ensuring that this vegetation remains the predominant feature within the landscape.

To avoid and minimise the removal of vegetation where it assists in the management of environmental hazards such as erosion, salinity, siltation of creeks and watercourses, and stormwater runoff.

3.0 Permit requirement

10/06/2021
C254card

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- ~~It is an exemption listed at Clause 52.12 (Bushfire Protection: Exemptions).~~
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which have been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling a lot less than 0.4 hectares.
- It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under this planning scheme.
-

The vegetation is required to be pruned or lopped (but not removed or destroyed) as part of normal domestic or horticultural practice for the species.

- The vegetation is an environmental weed contained in the table below~~; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay)~~ and any condition in the table below is met:~~there is no condition listed in the table~~:

Botanical name	Common name	Condition
Acacia baileyana	Cootamundra Wattle	
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia longifolia	Coast/Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	
~~*Acacia sophorae*~~	~~Coastal Wattle~~	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Agapanthus praecox orientalis	Agapanthus~~frican Lily~~	
~~*Allium triquetrum*~~	~~Angled Onion~~	
Alstromeria aurea	Yellow Alstromeria~~Peruvian Lily~~	
Amaryllis belladonna	Belladonna Lily	
~~*Anredera cordifolia*~~	~~Madeira vine~~	
Anthoxanthum odoratum	Sweet Vernal Grass	
Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Arctotheca calendula	Cape Weed	

~~*Asparagus asparagoides*~~	~~Bridal Creeper~~
Asparagus scandens	Asparagus Fern
Berberis darwinii	Darwin's Berberry
Briza minor	Shivery Grass
Briza maxima	Quaking Grass

Botanical name	Common name	Condition
Buddleia variabilis	Butterfly Bush	
~~*Calicotome spinosa*~~	~~Spiny broom~~	
Castanea spp.	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cestrum elegans	Red Cestrum	
Chamaecytisus palmensis	Tree Lucerne	
~~*Chrysanthemoides monilifera*~~	~~Boneseed~~	
Chrysanthemum maximum	Shasta Daisy	
~~*Cirsium vulgare*~~	~~Spear thistle~~	
~~*Conium maculatum*~~	~~Hemlock~~	
Convolvulus spp.	Bindweeds	
Conyza bonariensis	Tall Fleabane	
Coprosma repens	Mirror Bush	
~~*Coprosma repens*~~	~~Tuapata~~	

Coprosma robusta	Karamu	
Cornus capitata	Evergreen Dogwood	
Cortaderia selloana	Pampas Grass	
Corymbia maculata	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cotoneaster spp.	Cotoneaster	
~~*Crataegus monogyna*~~	~~Hawthorn~~	
Crocosmia x crocosmiifolia	Montbretia	
~~*Cytisus palmensis*~~	~~Tree Lucerne~~	
~~*Cytisus scoparius*~~	~~English Broom~~	
Cynodon dactylon	Couch grass	

Botanical name	Common name	Condition
Cyperus erogrostis	Drain Flat Sedge	
Delairea odorata	Cape Ivy	
Dipogon lignosus	Common Dipogon (Dolichos)	
Dodonea viscose	Sticky Hop Bush	
~~*Echium plantagineum*~~	~~Paterson's Curse~~	
Ehrharta erecta	Panic Veldt Grass	
Ehrharta longiflora	Annual Veldt grass	
Erica baccans	Berry-flower Heath	
Erica lusitanica	Spanish Heath	
Euryops abrotanifolius	Euryops	

~~*Foeniculum vulgare*~~	~~Fennel~~
Fraxinus angustifolia	Narrow-leafed Ash
Fraxinus ornus	Manna Ash
~~*Fraxinus oxycarpa*~~	~~Caucasian Ash~~
Galium aparine	Cleavers
~~*Genista linifolia*~~	~~Flax Leaf Broom~~
~~*Genista monspessulana*~~	~~Cape/Montpellier Broom~~
Hakea salicifolia	Willow Hakea
Hakea sauveolens	Sweet Hakea
Hedra helix	English Ivy
Holcus lanatus	Yorkshire Fog
~~*Hypericum androsaemum*~~	~~Tutsan~~
~~*Hypericum perforatum*~~	~~St.John's Wort~~
~~*Hypericum tetrapterum*~~	~~St. Peter's Wort~~

Botanical name	Common name	Condition
Ilex aquifolium	Holly	
Ipomoea indica	Morning Glory	
Lathyrus latifolius	Sweet Pea	
Leycesteria Formosa	~~Himilayan~~Himalayan Honeysuckle	
Lingustrum lucidum	Broad-Leaved Privet	
Ligustrum vulgare	Privet	
Lonicera japonica	Japanese Honeysuckle	
Malus spp	Apple	
Melaleuca armillaris	Giant Honey Myrtle	

Melaleuca hypericifolia	Honey Myrtle
Myosotis sylvatica	Common Forget-me-not
~~*Myrsiphyillum scandens*~~	~~Asparagus Fern~~
~~*Myrsiphyllum asparagoides*~~	~~Bridal Creeper~~
~~*Myrsiphyllum asparagoides*~~	~~Smilax~~
Oenothera stricta	Common Evening Primrose
~~*Opuntia aurantiaca*~~	~~Prickly Pear~~
Oxalis pes-caprae	Soursob
Portulaca oleracea	Common Purslane
Paraserianthis lopantha	Cape Wattle
Passiflora sp. aff. mollissima	Banana Passionfruit
Pentaglottis serpvirens	Alkante
Phalaris aquatica	Toowoomba Canary Grass
Pennisetum clandestinum	Kikuyu
Phytolacca octandra	Inkweed

Botanical name	Common name	Condition
Pinus radiata	~~Montery~~Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	
Populus tremuloides	American Aspen	

Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Does not included Prunus cerasifera (Cherry Plum)
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	
Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	
~~*Rosa rubiginosa*~~	~~Sweet Briar~~	
~~*Rubus fruticosus spp. agg.*~~	~~Blackberry~~	
~~*Saliz babylonica*~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~

Botanical name	Common name	Condition
Salix spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	

Senecio jacobaea	Ragwort
See Cape Wattle	False Wattle
Solanum linnaeanum	Apple of Sodom
Solanum mauritianum	Tree Tobacco
Solanum nigrum	Black Nightshade
Solanum pseudocapsicum	Madeira Winter Cherry
Sollya heterophylla	Blue-bell Creeper
Spartina anglica	Common Cord-grass
Tradescantia fluminensis	Wandering ~~Jew/~~Trad
Trapaeolum majus	Nasturtium
~~*Ulex europaeus*~~	~~Gorse~~
Verbascum thapsus	Great Mullein
Vibernum timus	Laurestinus
Vinca major	Blue Periwinkle
Viola odorata	Fragrant Violet
Viola riviniana	Wood Violet
Watsonia borbonica	Rosy Watsonia
~~*Watsonia meriana var. bulbillifera*~~	~~Bulbil Watsonia~~
Zantedeschia aethiopica	White Arum Lily

4.0 Application requirements

10/06/2021
C254card

The following application requirements apply to an application for a permit under Clause 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation, including any understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Any actions to contribute to the ongoing management of existing vegetation on the site.
  - Appropriately replace and/ or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defendable space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.

5.0 Decision guidelines

10/06/2021
C254card

None specified.

10/06/2021
C254card

SCHEDULE 3 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO3** .

VEGETATION CONTROL FOR EMERALD TOWN CENTRE

1.0 Statement of nature and significance of vegetation to be protected

10/06/2021
C254card

Vegetation is an important element that contributes to the character of the hills townships, and is often of environmental or landscape significance. Within the Emerald Town Centre are areas of indigenous vegetation as well as exotic and deciduous vegetation that contribute to the character of the township. Hedge plantings of exotic species are notable features along Belgrave Gembrook Road and roadside vegetation supports rare species such as the Emerald Star Bush. Some of these areas contain small lots and/or mature exotic vegetation which is not protected under the native vegetation controls of Clause 52.17 resulting in areas of vegetation becoming increasingly fragmented. The vegetation in the Emerald Town Centre:

- Provides a canopy backdrop to the built form
- Frames views across the valley corridor to the north
- Is a dominant element, with built form being recessive, particularly in the central commercial area of the township.
- Is provided in wide road reserves or, where the reserve is narrow, in large setbacks
- Is multi-layered and includes canopy trees as well as understorey
- Indicates the changing topography of the township, as it follows the ridgelines and surrounding valleys.

Emerald is also known for its historical connections to horticultural activities which has formed the basis for some of its exotic street tree plantings.

2.0 Vegetation protection objectives to be achieved

10/06/2021
C254card

To protect and conserve existing vegetation as an important element of the character of the Emerald Town Centre.

To prevent the incremental loss of vegetation.

3.0 Permit requirement

10/06/2021
C254card

A permit is required to remove, destroy or lop any vegetation. This includes the hedge plantings along Belgrave-Gembrook Road.

This does not apply if:

- ~~It is an exemption listed at Clause 52.12 (Bushfire Protection: Exemptions).~~
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as the result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.

- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under this planning scheme.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below~~; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay)~~ and any condition in the table below is met~~there is no condition listed in the table~~:

Botanical name	Common name	Condition
Acacia baileyana	Cootamundra Wattle	
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia longifolia	Coast/Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	
~~*Acacia sophorae*~~	~~Coastal Wattle~~	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Agapanthus praecox orientalis	Agapanthus~~frican Lily~~	
~~*Allium triquetrum*~~	~~Angled Onion~~	
Alstromeria aurea	Yellow Alstromeria~~Peruvian Lily~~	
Amaryllis belladonna	Belladonna Lily	
~~*Anredera cordifolia*~~	~~Madeira vine~~	
Anthoxanthum odoratum	Sweet Vernal Grass	

Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Arctotheca calendula	Cape Weed	
~~*Asparagus asparagoides*~~	~~Bridal Creeper~~	
Asparagus scandens	Asparagus Fern	

Botanical name	Common name	Condition
Berberis darwinii	Darwin's Berberry	
Briza minor	Shivery Grass	
Briza maxima	Quaking Grass	
Buddleia variabilis	Butterfly Bush	
~~*Calicotome spinosa*~~	~~Spiny broom~~	
Castanea spp.	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cestrum elegans	Red Cestrum	
Chamaecytisus palmensis	Tree Lucerne	
~~*Chrysanthemoides monilifera*~~	~~Boneseed~~	
Chrysanthemum maximum	Shasta Daisy	
~~*Cirsium vulgare*~~	~~Spear thistle~~	
~~*Conium maculatum*~~	~~Hemlock~~	
Convolvulus spp.	Bindweeds	
Conyza bonariensis	Tall Fleabane	

Coprosma repens	Mirror Bush	
~~*Coprosma repens*~~	~~Tuapata~~	
Coprosma robusta	Karamu	
Cornus capitata	Evergreen Dogwood	
Cortaderia selloana	Pampas Grass	
Corymbia maculata	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cotoneaster spp.	Cotoneaster	
~~*Crataegus monogyna*~~	~~Hawthorn~~	
Crocosmia x crocosmiifolia	Montbretia	

Botanical name	Common name	Condition
~~*Cytisus palmensis*~~	~~Tree Lucerne~~	
~~*Cytisus scoparius*~~	~~English Broom~~	
Cynodon dactylon	Couch grass	
Cyperus erogrostis	Drain Flat Sedge	
Delairea odorata	Cape Ivy	
Dipogon lignosus	Common Dipogon (Dolichos)	
Dodonea viscose	Sticky Hop Bush	
~~*Echium plantagineum*~~	~~Paterson's Curse~~	
Ehrharta erecta	Panic Veldt Grass	
Ehrharta longiflora	Annual Veldt grass	
Erica baccans	Berry-flower Heath	

Erica lusitanica	Spanish Heath
Euryops abrotanifolius	Euryops
~~*Foeniculum vulgare*~~	~~Fennel~~
Fraxinus angustifolia	Narrow-leafed Ash
Fraxinus ornus	Manna Ash
~~*Fraxinus oxycarpa*~~	~~Caucasian Ash~~
Galium aparine	Cleavers
~~*Genista linifolia*~~	~~Flax Leaf Broom~~
~~*Genista monspessulana*~~	~~Cape/Montpellier Broom~~
Hakea salicifolia	Willow Hakea
Hakea sauveolens	Sweet Hakea
Hedra helix	English Ivy
Holcus lanatus	Yorkshire Fog

Botanical name	Common name	Condition
~~*Hypericum androsaemum*~~	~~Tutsan~~	
~~*Hypericum perforatum*~~	~~St.John's Wort~~	
~~*Hypericum tetrapterum*~~	~~St. Peter's Wort~~	
Ilex aquifolium	Holly	
Ipomoea indica	Morning Glory	
Lathyrus latifolius	Sweet Pea	
Leycesteria Formosa	~~Himilayan~~Himalayan Honeysuckle	
Lingustrum lucidum	Broad-Leaved Privet	
Ligustrum vulgare	Privet	
Lonicera japonica	Japanese Honeysuckle	

Malus spp	Apple
Melaleuca armillaris	Giant Honey Myrtle
Melaleuca hypericifolia	Honey Myrtle
Myosotis sylvatica	Common Forget-me-not
~~*Myrsiphyllum scandens*~~	~~Asparagus Fern~~
~~*Myrsiphyllum asparagoides*~~	~~Bridal Creeper~~
~~*Myrsiphyllum asparagoides*~~	~~Smilax~~
Oenothera stricta	Common Evening Primrose
~~*Opuntia aurantiaca*~~	~~Prickly Pear~~
Oxalis pes-caprae	Soursob
Portulaca oleracea	Common Purslane
Paraserianthis lopantha	Cape Wattle
Passiflora sp. aff. mollissima	Banana Passionfruit
Pentaglottis serpvirens	Alkante

Botanical name	Common name	Condition
Phalaris aquatica	Toowoomba Canary Grass	
Pennisetum clandestinum	Kikuyu	
Phytolacca octandra	Inkweed	
Pinus radiata	~~Montery~~Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	

Populus tremuloides	American Aspen	
Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Does not included Prunus cerasifera (Cherry Plum)
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	
Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	
~~*Rosa rubiginosa*~~	~~Sweet Briar~~	
~~*Rubus fruticosus spp. agg.*~~	~~Blackberry~~	

Botanical name	Common name	Condition
~~*Saliz babylonica*~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~

Salix spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	
~~*Senecio jacobaea*~~	~~Ragwort~~	
~~*See Cape Wattle*~~	~~False Wattle~~	
~~*Solanum linnaeanum*~~	~~Apple of Sodom~~	
Solanum mauritianum	Tree Tobacco	
Solanum nigrum	Black Nightshade	
Solanum pseudocapsicum	Madeira Winter Cherry	
Sollya heterophylla	Blue-bell Creeper	
Spartina anglica	Common Cord-grass	
Tradescantia fluminensis	Wandering ~~Jew/~~Trad	
Trapaeolum majus	Nasturtium	
~~*Ulex europaeus*~~	~~Gorse~~	
Verbascum thapsus	Great Mullein	
Vibernum timus	Laurestinus	
Vinca major	Blue Periwinkle	
Viola odorata	Fragrant Violet	
Viola riviniana	Wood Violet	
Watsonia borbonica	Rosy Watsonia	

~~*Watsonia meriana var. bulbillifera*~~	~~Bulbil Watsonia~~
Zantedeschia aethiopica	White Arum Lily

4.0 Application requirements

10/06/2021

C254card The following application requirements apply to an application for a permit under Clause 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation to be removed, including the understorey, species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Any actions to contribute to the ongoing management of existing vegetation on the site.
  - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defendable space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.

5.0 Decision guidelines

10/06/2021

C254card The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation and enhancement of the landscape character and biodiversity of the area.
- The contribution to the visual amenity of the area and the impact on the landscape character of the area.

10/06/2021
C254card

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1** .

PUFFING BILLY TOURIST RAILWAY SCENIC CORRIDOR

1.0 Statement of nature and key elements of landscape

10/06/2021
C254card

The Puffing Billy Tourist Railway is a significant part of Victoria's cultural heritage and is a popular tourist attraction within the region. A major attraction of the Puffing Billy ~~Tourist~~ Railway is the scenic views over rural and natural landscapes as it passes through the foothills of the Dandenong Ranges. It is important that the landscape and environmental qualities of the scenic corridor, which has been recognised by the National Trust, are protected and that any development is sited and designed to integrate with or enhance the landscape.

The scenic corridor also provides an important biolink between the -Dandenong Ranges National Park in the west, parks adjacent to the corridor such as Wright Forest and parks to the east such as Gembrook Park and further to the east, Bunyip State Park. Rare plants such as the Emerald Star Bush are found along the corridor.

~~Background documents: "Puffing Billy Corridor Landscape Evaluation Study" (Scenic Spectrums, May 1992)~~

2.0 Landscape character objectives to be achieved

10/06/2021
C254card

To recognise the importance of the rural and natural landscape in the scenic corridor and views from the railway line as a significant attraction of the Puffing Billy ~~Tourist~~ Railway.

To ensure that any development on land within the scenic corridor is appropriately sited and designed to have a minimal impact in the immediate corridor and viewlines.

To encourage the retention of vegetation and, wherever possible, promote natural regeneration, revegetation, reafforestation and long-term management of vegetation to prevent the incremental loss of vegetation.

To support the biolink along the corridor.

3.0 Permit requirement

10/06/2021
C254card

A permit is not required to construct a building or construct or carry out works associated with the day-to-day operation of the Puffing Billy ~~Tourist~~ Railway by the ~~Emerald Tourist~~Puffing Billy Railway Board, including to remove, destroy or lop vegetation as defined in the Schedule to the Public Use Zone at Clause 36.01 under this Planning Scheme.

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- Building materials and finishes are non-reflective and subdued colours which complement the environment to the satisfaction of the Responsible Authority.
- The height of any dwelling does not exceed 7 metres above natural ground level and the height of all other buildings does not exceed 4 metres above natural ground level.

~~In addition to the exemptions under Clause 52.12 (Bushfire Protection: Exemptions), a permit is not required to remove, destroy or lop any vegetation if:~~

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the

responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land, and hobbies such as craft. This exemption does not apply to:
  - Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
  - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below~~; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay)~~ and any condition in the table below is met~~there is no condition listed in the table~~:

Botanical name	Common name	Condition
Acacia baileyana	Cootamundra Wattle	
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia longifolia	Coast/Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	
~~*Acacia sophorae*~~	~~Coastal Wattle~~	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

Agapanthus praecox orientalis	Agapanthus ~~frican Lily~~	
~~*Allium triquetrum*~~	~~Angled Onion~~	
Alstromeria aurea	Yellow Alstromeria~~Peruvian Lily~~	
Amaryllis belladonna	Belladonna Lily	

Botanical name	Common name	Condition
~~*Anredera cordifolia*~~	~~Madeira vine~~	
Anthoxanthum odoratum	Sweet Vernal Grass	
Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Arctotheca calendula	Cape Weed	
~~*Asparagus asparagoides*~~	~~Bridal Creeper~~	
Asparagus scandens	Asparagus Fern	
Berberis darwinii	Darwin's Berberry	
Briza minor	Shivery Grass	
Briza maxima	Quaking Grass	
Buddleia variabilis	Butterfly Bush	
~~*Calicotome spinosa*~~	~~Spiny broom~~	
Castanea spp.	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cestrum elegans	Red Cestrum	
Chamaecytisus palmensis	Tree Lucerne	

~~*Chrysanthemoides monilifera*~~	~~Boneseed~~
Chrysanthemum maximum	Shasta Daisy
~~*Cirsium vulgare*~~	~~Spear thistle~~
~~*Conium maculatum*~~	~~Hemlock~~
Convolvulus spp.	Bindweeds
Conyza bonariensis	Tall Fleabane
Coprosma repens	Mirror Bush
~~*Coprosma repens*~~	~~Tuapata~~
Coprosma robusta	Karamu

Botanical name	Common name	Condition
Cornus capitata	Evergreen Dogwood	
Cortaderia selloana	Pampas Grass	
Corymbia maculata	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Cotoneaster spp.	Cotoneaster	
~~*Crataegus monogyna*~~	~~Hawthorn~~	
Crocosmia x crocosmiifolia	Montbretia	
~~*Cytisus palmensis*~~	~~Tree Lucerne~~	
~~*Cytisus scoparius*~~	~~English Broom~~	
Cynodon dactylon	Couch grass	

Cyperus erogrostis	Drain Flat Sedge
Delairea odorata	Cape Ivy
Dipogon lignosus	Common Dipogon (Dolichos)
Dodonea viscose	Sticky Hop Bush
~~*Echium plantagineum*~~	~~Paterson's Curse~~
Ehrharta erecta	Panic Veldt Grass
Ehrharta longiflora	Annual Veldt grass
Erica baccans	Berry-flower Heath
Erica lusitanica	Spanish Heath
Euryops abrotanifolius	Euryops
~~*Foeniculum vulgare*~~	~~Fennel~~
Fraxinus angustifolia	Narrow-leafed Ash
Fraxinus ornus	Manna Ash
~~*Fraxinus oxycarpa*~~	~~Caucasian Ash~~

Botanical name	Common name	Condition
Galium aparine	Cleavers	
~~*Genista linifolia*~~	~~Flax Leaf Broom~~	
~~*Genista monspessulana*~~	~~Cape/Montpellier Broom~~	
Hakea salicifolia	Willow Hakea	
Hakea sauveolens	Sweet Hakea	
Hedra helix	English Ivy	

Holcus lanatus	Yorkshire Fog
~~*Hypericum androsaemum*~~	~~Tutsan~~
~~*Hypericum perforatum*~~	~~St.John's Wort~~
~~*Hypericum tetrapterum*~~	~~St. Peter's Wort~~
Ilex aquifolium	Holly
Ipomoea indica	Morning Glory
Lathyrus latifolius	Sweet Pea
Leycesteria Formosa	~~Himilayan~~Himalayan Honeysuckle
Lingustrum lucidum	Broad-Leaved Privet
Ligustrum vulgare	Privet
Lonicera japonica	Japanese Honeysuckle
Malus spp	Apple
Melaleuca armillaris	Giant Honey Myrtle
Melaleuca hypericifolia	Honey Myrtle
Myosotis sylvatica	Common Forget-me-not
~~*Myrsiphyillum scandens*~~	~~Asparagus Fern~~
~~*Myrsiphyllum asparagoides*~~	~~Bridal Creeper~~
~~*Myrsiphyllum asparagoides*~~	~~Smilax~~

Botanical name	Common name	Condition
Oenothera stricta	Common Evening Primrose	
~~*Opuntia aurantiaca*~~	~~Prickly Pear~~	
Oxalis pes-caprae	Soursob	
Portulaca oleracea	Common Purslane	

Paraserianthis lopantha	Cape Wattle	
Passiflora sp. aff. mollissima	Banana Passionfruit	
Pentaglottis serpvirens	Alkante	
Phalaris aquatica	Toowoomba Canary Grass	
Pennisetum clandestinum	Kikuyu	
Phytolacca octandra	Inkweed	
Pinus radiata	~~Montery~~Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	
Populus tremuloides	American Aspen	
Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Does not included Prunus cerasifera (Cherry Plum)
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	
Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

Botanical name	Common name	Condition
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	
~~*Rosa rubiginosa*~~	~~Sweet Briar~~	
~~*Rubus fruticosus spp. agg.*~~	~~Blackberry~~	
~~*Saliz babylonica*~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
Salix spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	
~~*Senecio jacobaea*~~	~~Ragwort~~	
~~*See Cape Wattle*~~	~~False Wattle~~	
~~*Solanum linnaeanum*~~	~~Apple of Sodom~~	
Solanum mauritianum	Tree Tobacco	
Solanum nigrum	Black Nightshade	
Solanum pseudocapsicum	Madeira Winter Cherry	
Sollya heterophylla	Blue-bell Creeper	
Spartina anglica	Common Cord-grass	
Tradescantia fluminensis	Wandering ~~Jew/~~Trad	
Trapaeolum majus	Nasturtium	
~~*Ulex europaeus*~~	~~Gorse~~	
Verbascum thapsus	Great Mullein	

Vibernum timus	Laurestinus

Botanical name	Common name	Condition
Vinca major	Blue Periwinkle	
Viola odorata	Fragrant Violet	
Viola riviniana	Wood Violet	
Watsonia borbonica	Rosy Watsonia	
~~*Watsonia meriana var. bulbillifera*~~	~~Bulbil Watsonia~~	
Zantedeschia aethiopica	White Arum Lily	

4.0 Application requirements

10/06/2021

C254card The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation proposed to be removed.
- Details of the location and extent of any earthworks.

To remove, destroy or lop vegetation:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation including understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Any actions to contribute to the ongoing management of existing vegetation on the site.
  - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defendable space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.

5.0 Decision guidelines

10/06/2021

C254card

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ~~The advice of the Emerald Tourist Railway Board.~~
- ~~The recommendations in the Puffing Billy Corridor Landscape Evaluation Study (Scenic Spectrums, May 1992).~~
- Any revegetation proposed as part of the application.
- Consideration of appropriate environmental management practices, including replanting of native vegetation and ongoing protection and management of vegetation and habitat areas.
- Maintenance and enhancement of the rural landscape.
- Impacts on view lines and the scenic corridor along the Puffing Billy railway line.

10/06/2021
C254card

SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO3** .

LANG LANG/HEATH HILL

1.0 Statement of nature and key elements of landscape

10/06/2021
C254card

The Heath Hill landscape extends east from the township of Lang Lang to Nyora in the south and Poowong in the east. The area, which has been recognised by the National Trust, includes landforms which range from alluvial river flats, through sandy heaths to rolling hills which reach elevations of 182 metres. The area is crossed by tributaries of the Lang Lang River which form a catchment area that drains into Western Port. The area contains one of the last extensive heathy woodland remnants in the Western Port region and is a mixture of cleared pasture land which contains clumps of indigenous areas of heath and Messmate forest, particularly along the stream and road lines. Scenic views are available from elevated points with views across the river flats and to Western Port. The environmental characteristics of the landscape are sensitive to any further fragmentation or development.

2.0 Landscape character objectives to be achieved

10/06/2021
C254card

To protect and enhance the environmental and landscape values of the Lang Lang/Heath Hill area.

To protect, conserve and improve habitat for flora and fauna which contributes to the significance of the landscape and provides fauna habitat and biolinks.

To ensure that any new buildings and works are located and designed to avoid detrimental effects on the key characteristics of the landscape.

To maintain and protect vegetation as an important element within the landscape.

Permit requirement

3.0

10/06/2021
C254card

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- Building materials and finishes are non-reflective and subdued colours which complement the environment.
- The height of any dwelling does not exceed 7 metres above natural ground level and the height of all other buildings does not exceed 4 metres above natural ground level.
- The works must not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre except for a swimming pool associated with an existing dwelling.
- The buildings and works must not result in the removal or destruction of native vegetation (including trees, shrubs, herbs, sedges and grasses), with the exception of noxious and environmental weeds as listed in the table in this Schedule.
- If ~~T~~the building is an extension to an existing dwelling that is less than 50 per cent of the gross floor area of the existing dwelling area.
- If ~~T~~the building is an outbuilding ancillary to a dwelling, and the gross floor area of all outbuildings on the land must not exceed 120 square metres.
- If ~~T~~the building is in a Green Wedge Zone and is associated with the existing use of the land for agricultural purposes, and the gross floor area of the building must not exceed 160 square metres.

~~In addition to the exemptions under Clause 52.12 (Bushfire Protection: Exemptions), a permit is not required to remove, destroy or lop any vegetation if:~~

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land, and hobbies such as craft. This exemption does not apply to:
  - Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
  - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below~~; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay)~~ and any condition in the table below is met ~~there is no condition listed in the table~~:

Botanical name	Common name	Condition
Acacia baileyana	Cootamundra Wattle	
Acacia decurrens	Early Black Wattle	
Acacia elata	Cedar Wattle	
Acacia floribunda	White Sallow Wattle	
Acacia longifolia	Coast/Sallow Wattle	
Acacia saligna	Golden Wreath Wattle	

~~*Acacia sophorae*~~	~~Coastal Wattle~~	
Acer spp.	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Agapanthus praecox orientalis	Agapanthus ~~African Lily~~	

Botanical name	Common name	Condition
~~*Allium triquetrum*~~	~~Angled Onion~~	
Alstromeria aurea	~~Peruvian Lily~~Yellow Alstromeria	
Amaryllis belladonna	Belladonna Lily	
~~*Anredera cordifolia*~~	~~Madeira vine~~	
Anthoxanthum odoratum	Sweet Vernal Grass	
Arbutus unedo	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Arctotheca calendula	Cape Weed	
~~*Asparagus asparagoides*~~	~~Bridal Creeper~~	
Asparagus scandens	Asparagus Fern	
Berberis darwinii	Darwin's Berberry	
Briza minor	Shivery Grass	
Briza maxima	Quaking Grass	
Buddleia variabilis	Butterfly Bush	
~~*Calicotome spinosa*~~	~~Spiny broom~~	

Castanea spp.	Chestnut	3 metres a ove natural Diameter at 1. must not exceed 40 ground level centimetres
Cestrum elegans	Red Cestrum	
Chamaecytisus palmensis	Tree Lucerne	
~~*Chrysanthemoides monilifera*~~	~~Boneseed~~	
Chrysanthemum maximum	Shasta Daisy	
~~*Cirsium vulgare*~~	~~Spear thistle~~	
~~*Conium maculatum*~~	~~Hemlock~~	
Convolvulus spp.	Bindweeds	
Conyza bonariensis	Tall Fleabane	

Botanical name	Common name	Condition
Coprosma repens	Mirror Bush	
~~*Coprosma repens*~~	~~Tuapata~~	
Coprosma robusta	Karamu	
Cornus capitata	Evergreen Dogwood	
Cortaderia selloana	Pampas Grass	
Corymbia maculata	Spotted Gum	metres ove natural Diameter at 1.3 must exceed 40 ground leve not centimetres
Cotoneaster spp.	Cotoneaster	
~~*Crataegus monogyna*~~	~~Hawthorn~~	
Crocosmia x crocosmiifolia	Montbretia	

~~*Cytisus palmensis*~~	~~Tree Lucerne~~
~~*Cytisus scoparius*~~	~~English Broom~~
Cynodon dactylon	Couch grass
Cyperus erogrostis	Drain Flat Sedge
Delairea odorata	Cape Ivy
Dipogon lignosus	Common Dipogon (Dolichos)
Dodonea viscose	Sticky Hop Bush
~~*Echium plantagineum*~~	~~Paterson's Curse~~
Ehrharta erecta	Panic Veldt Grass
Ehrharta longiflora	Annual Veldt grass
Erica baccans	Berry-flower Heath
Erica lusitanica	Spanish Heath
Euryops abrotanifolius	Euryops
~~*Foeniculum vulgare*~~	~~Fennel~~

Botanical name	Common name	Condition
Fraxinus angustifolia	Narrow-leafed Ash	
Fraxinus ornus	Manna Ash	
~~*Fraxinus oxycarpa*~~	~~Caucasian Ash~~	
Galium aparine	Cleavers	
~~*Genista linifolia*~~	~~Flax Leaf Broom~~	
~~*Genista monspessulana*~~	~~Cape/Montpellier Broom~~	

Hakea salicifolia	Willow Hakea
Hakea sauveolens	Sweet Hakea
Hedra helix	English Ivy
Holcus lanatus	Yorkshire Fog
~~*Hypericum androsaemum*~~	~~Tutsan~~
~~*Hypericum perforatum*~~	~~St.John's Wort~~
~~*Hypericum tetrapterum*~~	~~St. Peter's Wort~~
Ilex aquifolium	Holly
Ipomoea indica	Morning Glory
Lathyrus latifolius	Sweet Pea
Leycesteria Formosa	~~Himilayan~~Himalayan Honeysuckle
Lingustrum lucidum	Broad-Leaved Privet
Ligustrum vulgare	Privet
Lonicera japonica	Japanese Honeysuckle
Malus spp	Apple
Melaleuca armillaris	Giant Honey Myrtle
Melaleuca hypericifolia	Honey Myrtle
Myosotis sylvatica	Common Forget-me-not

Botanical name	Common name	Condition
~~*Myrsiphyillum scandens*~~	~~Asparagus Fern~~	
~~*Myrsiphyllum asparagoides*~~	~~Bridal Creeper~~	
~~*Myrsiphyllum asparagoides*~~	~~Smilax~~	
Oenothera stricta	Common Evening Primrose	

~~*Opuntia aurantiaca*~~	~~Prickly Pear~~	
Oxalis pes-caprae	Soursob	
Portulaca oleracea	Common Purslane	
Paraserianthis lopantha	Cape Wattle	
Passiflora sp. aff. mollissima	Banana Passionfruit	
Pentaglottis serpvirens	Alkante	
Phalaris aquatica	Toowoomba Canary Grass	
Pennisetum clandestinum	Kikuyu	
Phytolacca octandra	Inkweed	
Pinus radiata	~~Montery~~Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Pittosporum crassifolium	Karo	
Pittosporum undulatum	Sweet Pittosporum	
Polygalia myrtifolia	Myrtle Leaf Milkwort	
Populus tremuloides	American Aspen	
Prunus cerasifera	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Prunus laurocerasus	Cherry Laurel	
Prunus lusitanica	Portugal Laurel	
Prunus spp.	Plum	Does not included Prunus cerasifera (Cherry Plum)

Botanical name	Common name	Condition
Psoralea pinnata	Bloukeur (Pinnate Scurf-Pea)	
Pyracantha spp.	Firethorns	
Quercus spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Ranunculus repens	Creeping Buttercup	
Rhamnus alaternus	Italian Buckthorn	
Ricinus communis	Castor Oil Plant	
Robinia pseudacacia	Black Locust	
Romulea rosea var australis	Onion Grass	
~~*Rosa rubiginosa*~~	~~Sweet Briar~~	
~~*Rubus fruticosus spp. agg.*~~	~~Blackberry~~	
~~*Saliz babylonica*~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
Salix spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Salpichroa origanifolia	Pampas Lily of the Valley	
~~*Senecio jacobaea*~~	~~Ragwort~~	
~~*See Cape Wattle*~~	~~False Wattle~~	
~~*Solanum linnaeanum*~~	~~Apple of Sodom~~	
Solanum mauritianum	Tree Tobacco	

Solanum nigrum	Black Nightshade
Solanum pseudocapsicum	Madeira Winter Cherry
Sollya heterophylla	Blue-bell Creeper
Spartina anglica	Common Cord-grass
Tradescantia fluminensis	Wandering ~~Jew/~~Trad

Botanical name	Common name	Condition
Trapaeolum majus	Nasturtium	
~~*Ulex europaeus*~~	~~Gorse~~	
Verbascum thapsus	Great Mullein	
Vibernum timus	Laurestinus	
Vinca major	Blue Periwinkle	
Viola odorata	Fragrant Violet	
Viola riviniana	Wood Violet	
Watsonia borbonica	Rosy Watsonia	
~~*Watsonia meriana var. bulbillifera*~~	~~Bulbil Watsonia~~	
Zantedeschia aethiopica	White Arum Lily	

4.0 Application requirements

10/06/2021

C254card The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

OFFICIAL

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation including understorey proposed to be removed.
- Details of the location and extent of any earthworks.

To remove, destroy or lop vegetation:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
  - Avoid the removal of vegetation, where possible.
  - Minimise the removal of vegetation.
  - Any actions to contribute to the ongoing management of existing vegetation on the site.
  - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defendable space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defendable space in conjunction with an application under the Bushfire Management Overlay.

5.0 Decision guidelines

10/06/2021

C254card

None specified.

10/06/2021
C254card

SCHEDULE 4 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO4** .

MENZIES CREEK VALLEY

1.0 Statement of nature and key elements of landscape

10/06/2021
C254card

The Menzies Creek valley is a small steep-sided valley, the area of which is generally bounded by Jacksons Hill Road, Belgrave Road, Ridge Road and a section of Menzies Creek. The landscape is significant as it provides a variety of scenic views from the Belgrave-Gembrook Road and the Puffing Billy railway line and is recognised as one of the most scenic tourist routes in the Dandenong Ranges. The eastern end of the valley on the Menzies Creek walking track contains one of the most southerly record of Mountain Ash in the Dandenong Ranges and the limited stands of native vegetation along the creek provide viable habitats for native animals. Much of the area has been cleared and limited residential development has been established. Additional development would require sensitive siting and design to avoid significant intrusion into the predominantly rural landscape.

2.0 Landscape character objectives to be achieved

10/06/2021
C254card

To protect and enhance the environmental, scenic and visual values of the Menzies Creek valley.

To ensure that any new development is located and designed to avoid detrimental effects on the key characteristics of the landscape.

To retain and conserve vegetation as an important element within the classified landscape.

3.0 Permit requirement

10/06/2021
C254card

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- The vegetation is an environmental weed known as Sweet Pittosporum (Pittosporum undulatum).

~~In accordance with Section 52(1)(c) of the Act, notice of an application to construct a building or construct or carry out works (including an sign) must be given to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause.~~

4.0 Application requirements

10/06/2021
C254card

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation proposed to be removed.
- Details of the location and extent of any earthworks.

5.0 Decision guidelines

10/06/2021
C254card

None specified.

10/06/2021
C254card

SCHEDULE 5 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO5** .

COCKATOO CREEK

1.0 Statement of nature and key elements of landscape

10/06/2021
C254card

The Cockatoo Creek landscape covers approximately 21 hectares being an elongated strip between Pakenham Road and the old Gembrook railway line, extending from the bridge near Alexander Road to Dorchester Road. The creek valley and adjoining slopes contain remnant vegetation consisting of tall open forest of Mountain Ash and dense understorey of shrubs and ferns. The small remnant of forest has a diversity of native plant species and provides habitat for a variety of birds. The environmental characteristics of the landscape are sensitive to any further development and careful consideration is required to ensure that these unique characteristics are maintained.

2.0 Landscape character objectives to be achieved

10/06/2021
C254card

To protect and enhance the environmental, scenic and visual values of the significant landscape.

To protect and conserve habitat for flora and fauna which contribute to the significance of the landscape.

To retain and conserve remnant vegetation as an important element of the landscape.

To ensure that any new development is located and designed to avoid detrimental effects on the key characteristics of the landscape.

3.0 Permit requirement

10/06/2021
C254card

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- The vegetation is an environmental weed known as Sweet Pittosporum (*Pittosporum undulatum*).

~~In accordance with Section 52(1)(c) of the Act, notice of an application to construct a building or construct or carry out works (including an sign) must be given to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause.~~

4.0 Application requirements

10/06/2021
C254card

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation proposed to be removed.
- Details of the location and extent of any earthworks.

5.0 Decision guidelines

10/06/2021
C254card

None specified.

10/06/2021
C254card

SCHEDULE 7 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO7** .

STOKES CROFT PLANTING, EMERALD

1.0 Statement of nature and key elements of landscape

10/06/2021
C254card

The turn of the century Stokes Croft planting at 4 Edenmont Road, Emerald is of local aesthetic significances to Cardinia Shire. It contains a number of important plantings that contribute to its significance as a largely intact, mature garden. It is comprised of an interesting collection of mature exotic trees and remnants of other original elements such as its orchard.

Important elements of place include the Chestnut avenue planting along the driveway entry, Spanish Chestnut (Castanea sativa), indigenous trees, Messmate (Eucaluptus obliqua), Pin Oak (Quercus palustris) x 2, Lillypilly (Acmena Smittii) x 1, Copper Beech (Fagus sylvatica 'Riversii') x 1, Horse Chestnut (Aesculus hippocastanum) x 1, Lawson Cypress (Camaecyparis lawsoniana) x 6, Norfolk Island Pine (Araucaria heterophylla) x 2, Tulip Tree (Liriodendron tulipfera) x 1, Spruce (Picea abies) x 5, Radiata Pine (Pinus radiatae) x 3, Hinoki Cypress (Camaecyparis obtuse) x 2, English Oak (Quercus robur) x 1 Sawara Cypress (Camaecyparis pisifera) x 1, Japanese Cedar (Cryptomeria japonica) x 2, Tricolor Beech (Fagus sylvatica 'Purpurea Tricolor') x 2, Blue Spruce (Picea pungens) x 1, Liquidambar (Liquidambar styracflua) x 1, Golden Elm (Ulmus glabra) x 1, Persian Ironwood (Parrotia perscia) x 1 Camphor Laurel (Cinnamomum camphora) x 1 Silver Linden (Tilia tomentoae) x 1, Claret Ash (Fraxinus oxycarpa 'Raywood') x 1, mature conifers and Narrow Leaf Peppermint (Eucalyptus nicholii) x 1 the lawn and its collection of bulbs (muscari, ixia, nerines, belladonna, crocus) and many varieties of daffodil, the remnant orchard with a variety of fruit and nut trees.

The following elements also contribute to the significance of the garden. Smaller trees, shrubs and ferns not on the above list, including magnolia, tree ferns, camellias, Cordyline australis, Weeping Elm, Bird of Paradise x 2, Laurel hedge, and Rhododendron.

Background documents: Cardinia Local Heritage Study Review November 2013, September 2015 – Volume 3

2.0 Landscape character objectives to be achieved

10/06/2021
C254card

- Maintain the integrity of the collection by:
  - Replacing trees 'like with like' species unless an alternative planting scheme has been decided in accordance with an approved management plan.
  - Removing inappropriate or historically inaccurate species.
- Ensure that any future development or changes in immediate environmental conditions within the garden and adjacent to individual trees does not have a detrimental impact on the integrity and condition of the garden as a whole, and in particular on the Chestnut avenue
- Manage surrounding vegetation and landscape to maintain the integrity and condition of the garden.
- Remove weed vegetation species

3.0 Permit requirement

10/06/2021
C254card

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- The vegetation is an environmental weed known as Sweet Pittosporum (Pittosporum undulatum).
- The vegetation is dead or diseased as a result of natural circumstances or the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority.

- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- Necessary for the construction of maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- Necessary for the construction or maintenance of a fence provided the vegetation is the minimum required to be removed and is within any of the following:
  - 1.5 metres either side of a title boundary which does not abut a road reserve and the consent of the adjoining property owner has been obtained.
  - 2.0 metres within a title boundary abutting a road reserve
  - 1.5 metres either side of an internal fenceline

This exemption does not apply to land within an area of botanical or zoological significance as shown on the mapped information provided by the Department of Environment, Land, Water and Planning, with the exception of Sweet Pittosporum (Pittosporum undulatum).

- It is a grass species and the removal, slashing or cutting is associated with an existing residential or permitted use or part of an existing farming operation.
- It is the minimum extent necessary to construct an approved building or construct or carry out approved works.
- Within 10 metres of a dwelling or within 10 metres of an outbuilding ancillary to the dwelling of a lot of at least 0.4 hectare.
- Within 6 metres of a dwelling or within 6 metres of an outbuilding ancillary to the dwelling on a lot of less than 0.4 hectare.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below:

Common name	Botanical name

Agapanthisfrican Lily	Agapanthus praecox ssp. orientalis
Alkante	Pentaglottis serpvirens
American Aspen	Populus tremuloides
Angled Onion	Allium triquetrum
Apple	Malus spp
Arum Lily	Zantedeschia aethiopica
Asparagus Fern	Myrsiphyilum scadens
Banana Passionfruit	Passiflora tarminiana sp. aff. Mollissima (syn. Jacsonia mollissima)
Belladonna Lily	Amaryllis belladonna
Berry-flower Heath	Erica baccans
Bindweeds	Convolvulus spp.
Blackberry	Rubus fruticosos spp. agg.
Black Locust	Robina pseudacacia
Bloukeur (Pinnate Scurf-Pea)	Psoralea pinnata
Blue-bell Creeper	Sollya heterophylla
Blue Periwinkle	Vinca major
Bridal Creeper	Myrisphyllum asparagoides
Boneseed	Chrysanthemoides monilifera Watsonia meriana

Common name	Botanical name

~~Bulbil Watsonia~~	
Butterfly Bush	Buddleia variabilis ~~(syn. Veitchianus)~~
~~Cape Broom~~	~~Genista monspessulana~~
Cape Ivy	Delairea odorata
Cape Wattle	Paraserianthis lopantha
Caster Oil Plant	Rincinus commonis
~~Caucasian Ash~~	~~Fraxinus oxycarpa~~
Cedar Wattle	Acacia elat~~a~~ae
Cestrum	Cestrum elegans
Cherry laurel	Prunus laurocerasus
Cherry Plum	Prunus cerasifera
Common Dipogon (Dolichos)	Dipogon lignosus
Common Evening Primrose	Oenothera stricta
Common Forget-me-not	Myosotis sylvatica
Cootamundra Wattle	Acacia baileyana
Cotoneaster	Cotoneaster spp.
Creeping Buttercup	Ranunculus repens
Darwin's Berberry	Berberis darwinii
Early Black Wattle	Acacia decurrens
~~English Broom~~	~~Cytisus scoparius~~
English Ivy	Hedra helix
Euryops	Euryops abrotanifolius
Evergreen Dogwood	Cornus capitata
False Wattle	Albizia lopantha
~~Fennel~~	~~Foeniculum vulgare~~
Firethorns	Pyracantha spp.
~~Flax Leaf Broom~~	~~Genista linifolia~~
Fragrant Violet	Viola odorata
Giant Honey Myrtle	Melaleuca armillaris
Golden Wreath Wattle	Acacia saligna
Great Mullein	Verbascum thapsus
~~Hawthorn~~	~~Crategus monogyna~~
~~Hemlock~~	~~Conium maculatum~~
~~Himilayan~~Himalayan Honeysuckle	Leycesteria formosa
Holly	Ilex aquifolium
Honey Myrtle	Melaleuca hypericifolia
Inkweed	Phytolacca octandra
Italian Buckthorn	Rhamnus alaternus
Japanese Honeysuckle	Lonicera japonica
Karamu	Coprosma robusta
Karo	Pittosporum crassifolium
Laurestinus	Vibernum timus
Manna Ash	Fraxinus ornus
	~~Coprosma repens~~

Common name	Botanical name
Mirror Bush	Coprosma repens
Montbretia	Crocosmia x crocosmiifolia
~~Montery Pine~~	~~Pinus radiata~~
Morning Glory	Ipomoea indica
Myrtle Leaf Milkwort	Polygalia myrtifolia
Nasturtium	Tropaeolum majus
Pampas Grass	Cortaderai selloana
Yellow Alstromeria~~Peruvian Lily~~	Alstromeria aurea
Plum	Prunus spp.
Portugal Laurel	Prunus lusitanica
~~Prickly Pear~~	~~Opuntia aurantiaca~~
Privet	Ligustrum vulgare
Quaking Grass	Briza maxima
Red Cestrum	Cestrum elegans
Rosy Watsonia	Watsonia boronica
Sallow Wattle	Acacia longifolia
Shasta Daisy	Chrysanthem maximum
~~Smilax~~	~~Myrsiphyilum asparagoides~~
Spanish Heath	Erica lusitanica
Sticky Hop Bush	Dodonea viscosa
Strawberry Tree	Arbutus unedo
~~Sweet Briar~~	~~Rosa rubiginosa~~
Sweet Hakea	Hakea sauveolens
Sweet Pea	Lathyrus latifolius
Sycamore Maple	Acer pseudo-plantanus
Tall Fleabane	Conyza bonariensis
~~Taupata~~	~~Coprosma repens~~
Tree Lucerne	Chamaectisis palmensis~~ytisis palmensis~~
Tree Tobacco	Solanum mauritianum
~~Tutsan~~	~~Hypericum androsaemum~~
Wandering Trad~~Jew~~	Tradescantia fluminensis
White Arum Lily	Zantedeschia aethopia
White Sallow Wattle	Acacia floribunda
Willow	Salix spp.
Willow Hakea	Hakea salicifolia
Wood Violet	Viola riviniana

~~An application to construct a building or construct or carry out works must be accompanied by the following information:~~

- ~~The location of any existing buildings and works.~~
- ~~Details of elevations, including external colours, materials and finishes.~~
- ~~The location of any existing vegetation and any vegetation proposed to be removed.~~

- ~~Details of the location and extent of any earthworks.~~

4.0
10/06/2021
C254card

Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:
Buildings and works:

- The location of any existing buildings and works.
- Det~~None specified.~~

5.0
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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Cardinia Local Heritage Study Review November 2013, September 2015 – Volume 3 Heritage Place and Precinct Citations.
- The protection and enhancement of the natural environment and character of the place.
- The impact of any buildings and works on areas of identified vegetation.

10/06/2021
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SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0 Application requirements

10/06/2021
C254card

None specified.

2.0 Heritage places

27/02/2025
C274card

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
AVONSLEIGH									
HO13	Avonsleigh Church of Christ 17 Avon Road, Avonsleigh	Yes	Yes	Yes	Yes	No	No	No	No
BAYLES									
HO146	House 683 Koo Wee Rup-Longwarry Road, Bayles	No	No	No	Yes	No	No	No	No
BEACONSFIELD									
HO133	Woods Street Commercial & Civic Precinct War memorial on Old Princes Highway, 11-17, 19-21, 23-25, 24-26 and 37 Woods Street, Beaconsfield	Yes	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO147	Woods Street Residential Precinct 48, 54 & 56 Woods Street, Beaconsfield **Incorporated plan:** Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No
HO17	Beaconsfield Station Master's Residence and Bunya Bunya tree 20 Beaconsfield Avenue, Beaconsfield and part of adjacent railway land (CA 33A and part of CA33)	Yes	No	Yes (Bunya Bunya tree)	Yes	No	No	No	No
HO18	Payne House Part CA56A & CA56B Beaconsfield-Emerald Road, Beaconsfield	Yes	No	Yes	Yes	Yes	No	No	No
HO53	Kenilworth Coach House 10 Coach House Lane , Beaconsfield	No	No	Yes	Yes	Yes Coach House	No	No	No
HO95	Villa Maria 7-11 Marcanna Place, Beaconsfield	Yes	Yes	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO96	Holm Park 237 O'Neil Road, Beaconsfield	Yes	Yes	Yes	Yes	Yes	No	No	No
HO100	Central Hotel 1 Old Princes Highway, Beaconsfield	Yes	No	No	Yes	No	No	No	No
HO242	Hybrid Oak 40 Railway Terrace, Beaconsfield	No	No	Yes	Yes	No	No	No	No
BEACONSFIELD UPPER									
HO71	Beaconsfield Upper Milk Bar, Former Cormore Tea Rooms 28 Beaconsfield-Emerald Road, Upper Beaconsfield	Yes	No	No	Yes	No	No	No	No
HO9	Rosemont 11 A'Beckett Road, Beaconsfield Upper	Yes	No	Yes	Yes	No	No	No	No
HO8	Fassifern Garden 50 A'Beckett Road, Beaconsfield Upper	No	No	Yes	Yes	Yes	No	No	No
HO7	Calambeen	Yes	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	71 A'Beckett Road, Beaconsfield Upper								
HO19	Victorian Orchardists Coolstore & Fruit Packaging Company Packing Shed 24-25 Beaconsfield-Emerald Road, Beaconsfield Upper	Yes	No	No	Yes	No	No	No	No
HO23	The Towers 194 Berglund Road, Beaconsfield Upper	Yes	No	Yes	Yes	No	No	No	No
HO27	Stone Pine at Windy Hills Farm 30 Buchanan Road, Beaconsfield Upper	No	No	Yes	Yes	No	No	No	No
HO72	Highland Park 2 McBride Road, Beaconsfield Upper	Yes	No	No	Yes	No	No	No	No
HO148	Staverton Garden 201 Quamby Road, Beaconsfield Upper	No	No	Yes	Yes	No	No	No	No
HO112	Upper Beaconsfield War Memorial Salisbury Road, Beaconsfield Upper	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO111	Upper Beaconsfield Post Office 4 Salisbury Road, Beaconsfield Upper	Yes	No	No	Yes	No	No	No	No
HO110	Kincraik 5-9 Salisbury Road, Beaconsfield Upper	Yes	No	Yes	Yes	No	No	No	No
HO149	Former Upper Beaconsfield Assembly Hall 10-12 Salisbury Road, Beaconsfield Upper	No	No	No	Yes	No	No	No	No
HO118	Lo-Yuan 84 Split Rock Road, Beaconsfield Upper	Yes	Yes	Yes	Yes	No	No	No	No
HO128	Cork Oak & Woodlands 21 Walnut Grove, Beaconsfield Upper	Yes	No	Yes	Yes	No	No	No	No
HO272	Huntingdon Elm 10-12 Salisbury Road, Beaconsfield Upper	No	No	Yes	Yes	No	No	No	No
HO243	Radiata Pine 120 A'Beckett Road, Beaconsfield Upper	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
BUNYIP									
HO150	Bunyip, George Street Residential Precinct 3, 5, 7 and 9 George Street, Bunyip **Incorporated plan:** Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No
HO46	Bunyip Commercial & Civic Precinct 9-34 Main Street, 2A, 2, and 7-23 High Street, Bunyip **Incorporated plan:** Cardinia Commercial Heritage Precincts Incorporated Plan, December 2020	Yes	No	No	Yes	No	No	No	No
HO5	St. Thomas Church of England 16 A'Beckett Road, Bunyip	Yes	Yes	No	Yes	Yes	No	No	No
HO6	Ballantrae 190 A'Beckett Road, Bunyip	Yes	No	Yes	Yes	No	No	No	No
HO28	Bunyip General Cemetery Part CA30 Bunyip-Tonimbuk Road, Bunyip	Yes	No	Yes	Yes	Yes	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO151	House 4 Hope Street, Bunyip	No	No	No	Yes	No	No	No	No
HO56	Bunyip Hall 32 Main Street, Bunyip	Yes	Yes	No	Yes	No	No	No	No
HO57	Railway Hotel 14 Main Street, Bunyip	Yes	No	No	Yes	No	No	No	No
HO58	Former Flett Bros. Grocers 18 Main Street, Bunyip	Yes	No	No	Yes	No	No	No	No
HO59	Bakehouse 19 Main Street, Bunyip	Yes	No	No	Yes	No	No	No	No
HO60	Nathan's Shop Row 20-22 Main Street, Bunyip	Yes	No	No	Yes	No	No	No	No
HO142	Bunyip Railway Sub Station Nar Nar Goon-Longwarry Road, Bunyip	-	-	-	-	-	Yes Ref No H2025	Yes	No
HO84	Bunyip State School 1290 Nar Nar Goon-Longwarry Road, Bunyip	Yes	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO99	Bunyip Fire Station 13 Pearson Street, Bunyip	Yes	No	No	Yes	No	No	No	No
HO152	House 5-7 Princess Street, Bunyip	No	No	No	Yes	No	No	No	No
HO139	Main Drain Bridge Southbank Road, Bunyip	Yes	No	No	Yes	No	No	No	No
BUNYIP NORTH									
HO122	Woodlands (later Fern Hill) 50 Topp Road, Bunyip North	Yes	No	Yes	Yes	No	No	No	No
CARDINIA									
HO153	Corofin (House) & Hawthorn Hedges 2245 Ballarto Road, Cardinia	No	No	Yes	Yes	No	No	No	No
HO154	Cardinia Presbyterian Church 2400 Ballarto Road, Cardinia	No	No	Yes	Yes	No	No	No	No
HO155	Cardinia Public Hall 2401 Ballarto Road, Cardinia	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO156	House & Canary Island Palms 2416 Ballarto Road, Cardinia	No	No	Yes	Yes	No	No	No	No
HO157	E. Gunton Oval Cardinia Recreation Reserve 2440 Ballarto Road, Cardinia	No	No	Yes	Yes	No	No	No	No
HO158	House & Stables 2005 Pound Road, Cardinia	No	No	No	Yes	Yes Stables	No	No	No
CATANI									
HO159	Lineham Farm complex 35 Linehams Road, Catani	No	No	No	Yes	No	No	No	No
HO160	Catani Uniting Church 41 Taplins Road, Catani	No	No	Yes	Yes	No	No	No	No
HO161	Former Catani General Store and residence 72 Taplins Road, Catani	No	No	No	Yes	No	No	No	No
HO162	Catani Soldiers' Memorial Hall 75 Taplins Road, Catani	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO163	Hawthorn Hedges Cnr of Walshes Road & Heads Road, Catani	No	No	Yes	Yes	No	No	No	No
HO244	Hybrid Oak 55 Taplins Road, Catani	No	No	Yes	Yes	No	No	No	No
COCKATOO									
HO164	Cockatoo War memorial 20 Belgrave-Gembrook Road, Cockatoo	No	No	No	Yes	No	No	No	No
HO73	Cash & Co. 44 McBride Street, Cockatoo	Yes	No	No	Yes	No	No	No	No
HO274	Former Cockatoo Kindergarten 2-10 McBride Street, Cockatoo	-	-	-	-	-	Yes Ref No H2303	Yes	No
HO97	Providence House 31 Pakenham Road, Cockatoo	Yes	No	Yes	Yes	Yes	No	No	No
HO126	Mt. View (Weekender) 14 Viewhill Road, Cockatoo	Yes	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO245	Red, Hybrid, English Oak McBride Street, Cockatoo	No	No	Yes	Yes	No	No	No	No
HO246	Cherry Laurel Alma Treloar Reserve, 79 Pakenham Road, Cockatoo	No	No	Yes	Yes	No	No	No	No
CORA LYNN									
HO16	Cora Lynn Cheese Factory 464 Bayles-Tynong Road, Cora Lynn	Yes	No	No	Yes	No	No	No	No
HO165	Former Cora Lynn Catholic Parish School 370 Convent School Rd, Cora Lynn	No	No	No	Yes	No	No	No	No
HO247	English Oak Cnr of Dessent and Main Drain Road, Cora Lynn	No	No	Yes	Yes	No	No	No	No
DALMORE									
HO166	Former Dalmore Post Office & Store 280 Dalmore Road, Dalmore	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO167	Glen-Keith Farm complex and trees 250 Peers Road, Dalmore	No	No	Yes	Yes	No	No	No	No
HO237	Former Rutter Farm trees 320 Tooradin Station Road, Dalmore	No	No	Yes	Yes	No	No	No	No
HO275	Dalmore Hall 231 Dalmore Road, Dalmore	No	No	No	Yes	No	No	Yes	No
EMERALD									
HO168	Emerald Country Club, Estate and Landscape Precinct 9, 11, 17, 21 and , 34, 36, 38, 40 and 48 Lakeside Drive and 10, 12, 14, 18, 20, 22 and 24 Sycamore Avenue, Emerald **Incorporated plan:** Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	Yes	Yes	Yes Early Garages	No	No	No
HO1	Aboriginal Sacred Rocks Cardinia Reservoir Park	No	No	Yes	Yes	No	No	No	Yes

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO250	Cherry Laurel Hedge 29-63 Beaconsfield Emerald Road, Emerald	No	No	Yes	Yes	No	No	No	No
HO20	Lawson False Cyprus at Verlys 1 Cloverleigh Avenue, Emerald	No	No	Yes	Yes	No	No	No	No
HO253	Lawson's and Hinoki Cypress 356-358 Belgrave Gembrook Road, Emerald	No	No	Yes	Yes	No	No	No	No
HO174	Koombahla 395 Belgrave-Gembrook Road, Emerald	No	No	No	Yes	No	No	No	No
HO252	Bay Laurel 6 Brookdale Avenue, Emerald	No	No	Yes	Yes	No	No	No	No
HO29	Carramar Homestead 5 Carramar Court, Emerald	Yes	Yes	Yes	Yes	No	No	No	No
HO175	Tyrrell 8 Carramar Court, Emerald	No	No	Yes	Yes	No	No	No	No
HO249	Pin Oak 2-28 Emerald Monbulk Road, Emerald	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO34	Rose Charman's Cottage 77 Emerald-Monbulk Road, Emerald	No	No	No	Yes	No	No	No	No
HO106	Emerald Lake Park and landscape Emerald Lake Road, Emerald	Yes	No	Yes	Yes	Yes	No	No	No
HO176	Emerald Railway Station Kilvington Drive, Emerald	No	No	Yes	Yes	Yes Three goods sheds, water tower, picket fencing	No	No	No
HO270	Former Emerald Bakery 1 Kilvington Drive (rear), Emerald	No	Yes (Bake oven only)	No	Yes	No	No	No	No
HO177	Former Emerald Police Station & Lockup 15 Kilvington Drive, Emerald	No	No	No	Yes	Yes Lockup	No	No	No
HO171	Oak Lee, House and trees 11 Lakeside Drive, Emerald	No	No	Yes	Yes	No	No	No	No
HO173	Sycamore Lodge 34 Lakeside Drive, Emerald	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO181	Emerald Reserve 402A Main Street (Gembrook-Belgrave Road), Emerald	No	No	Yes	Yes	No	No	No	No
HO178	Pair of shops 369-371 Main Street, Emerald	No	No	No	Yes	No	No	No	No
HO179	Former Stephens butcher shop and residence 381 Main Street, Emerald	No	No	No	Yes	No	No	No	No
HO180	Emerald Post Office and residence 398 ~~Main Street~~Belgrave-Gembrook Road, Emerald	No	No	No	Yes	No	No	No	No
HO3	Silver Birches 1 Mary Street, Emerald	Yes	No	Yes	Yes	Yes	No	Yes	No
HO182	Former Barnes' Weekender 11 Ogilvy Road, Emerald	No	No	No	Yes	No	No	No	No
HO273	Former Nobelius Nursery, Packing Shed and Railway Siding Princess Avenue and Emerald Lake Road, Emerald	-	-	-	-	-	Yes Ref No H2285	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO254	Beech Railway Reserve, Sellers Road, Emerald	No	No	Yes	Yes	No	No	No	No
HO255	Dutch Elm and Oaks Station Avenue, William Street and Ambrose Street, Emerald	No	No	Yes	Yes	No	No	No	No
HO183	Former Cascades Guesthouse 10 Telopea Road, Emerald	No	No	No	Yes	Yes Stone dairy	No	No	No
HO295	Three Sequoia sempervirens, Coast Redwood 4 Dewhurst Road, Emerald **Statement of Significance:** Sequoia sempervirens, Coast Redwood, 4 Dewhurst Road, Emerald	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO296	Sequoia sempervirens, Coast Redwood 44 Beaconsfield-Emerald Road, Emerald **Statement of Significance:** Sequoia sempervirens, Coast Redwood, 44 Beaconsfield-Emerald, Emerald	No	No	Yes	Yes	No	No	No	No
HO297	Fargus sylvatica 'Purpurea', Purple Beech 8 Benson Street, Emerald **Statement of Significance:** Fargus sylvatica 'Purpurea', Purple Beech, 8 Benson Street, Emerald	No	No	Yes	Yes	No	No	No	No
HO299	Angophora costata, Smooth-barked Apple 79 Emerald-Monbulk Road, Emerald **Statement of Significance:** Angophora costata, Smooth-barked Apple, 79	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Emerald-Monbulk Road, Emerald								
GARFIELD									
HO85	Garfield Commercial Precinct 33-101 Nar Nar Goon-Longwarry Road (Main Street), Garfield **Incorporated plan:** Cardinia Commercial Heritage Precincts Incorporated Plan, December 2020.	Yes	No	No	Yes	No	No	No	No
HO256	Cotton Palm 6 Campbell Street, Garfield	No	No	Yes	Yes	No	No	No	No
HO70	Smith Orchard House 20 Martin Road, Garfield	Yes	No	No	Yes	No	No	No	No
HO86	J. & M. E. Lowndes Bakery & Residence 41-43 Nar Nar Goon-Longwarry Road, Garfield	Yes	No	No	Yes	No	No	No	No
HO87	Garfield Picture Theatre 51 Nar Nar Goon-Longwarry Road, Garfield	Yes	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO88	ANZ Bank 79 Nar Nar Goon-Longwarry Road, Garfield	Yes	No	No	Yes	No	No	No	No
HO186	Teacher's residence & Canary Island Palm 86 Railway Avenue, Garfield	No	No	Yes	Yes	No	No	No	No
HO187	St Mary's Church of England 90 Railway Avenue, Garfield	No	No	No	Yes	Yes Front fence	No	No	No
GARFIELD NORTH									
HO36	Cannibal Hill 260 Garfield North Road, Garfield North	No	No	Yes	Yes	No	No	No	No
HO188	Former Garfield North State School No. 3849 375 Garfield North Road, Garfield North	No	No	Yes	Yes	No	No	No	No
HO94	Mikado Park 265 Old Sale Road, Garfield North	Yes	No	Yes	Yes	Yes	No	No	No
HO101	Towt's Cool Store & Packing Shed	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	71 Garfield Road, Garfield North								
HO113	Lamble Orchard House 145 Sanders Road, Garfield North	Yes	No	No	Yes	No	No	No	No
GEMBROOK									
HO189	Gembrook Commercial Precinct 62-72 & 75-97 Main Street and 66A Station Road, Gembrook **Incorporated plan:** Cardinia Commercial Heritage Precincts Incorporated Plan, December 2020.	Yes	No	Yes	Yes	No	No	No	No
HO11	Russell 'Big Mill' (Number 1) Ash Landing Road, Bunyip State Park	No	No	No	Yes	No	No	No	No
HO12	Russell 'Little Mill' (Number 2) West of Ash Landing Road, Bunyip State Park	No	No	No	Yes	No	No	No	No
HO22	Sunset Guest House 65 Beenak East Road, Gembrook	Yes	No	Yes	Yes	No	No	No	No
HO82	Mt. Eirene Guest House	Yes	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	315 Mt Eirene Road, Gembrook								
HO37	Californian Redwoods Gembrook Road, Gembrook	No	No	Yes	Yes	No	No	No	No
HO38	Gembrook Park Gembrook Road, Gembrook	No	No	Yes	Yes	No	No	No	No
HO40	Gilwell Park Scout Camp 2555 Gembrook-Launching Place Road, Gembrook	Yes	Yes	Yes	Yes	Yes	No	Yes	No
HO41	Charcoal Burning Kiln Gembrook-Tonimbuk Road, Bunyip State Park	Yes	Yes	No	Yes	No	No	No	No
HO190	Wattle Bank 18 Innes Road, Gembrook	No	No	Yes	Yes	No	No	No	No
HO268	Algerian Oak, Hybrid Oak Main Street, Gembrook	No	No	Yes	Yes	No	No	No	No
HO258	Hybrid Oaks Redwood Road, Gembrook	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO259	Messmate Gum Ure Raod, Gembrook	No	No	Yes	Yes	No	No	No	No
HO61	Bhutan Pines at Gembrook Railway Station Site Main Street, Gembrook	No	No	Yes	Yes	No	No	No	No
HO63	Sacred Hearth Catholic Church 93 Main Street, Gembrook	Yes	Yes	Yes	Yes	No	No	No	No
HO79	Oak Avenue 275 Mountain Road, Gembrook	No	No	Yes	Yes	No	No	No	No
HO80	Gembrook Union 438 Mountain Road, Gembrook	Yes	Yes	Yes	Yes	No	No	No	No
HO21	Kurth Kiln Soldiers Road, Gembrook	-	-	-	-	-	Yes Ref No H2012	Yes	No
HO257	Small leaved Linden Bank Smith Drive, Gembrook	No	No	Yes	Yes	No	No	No	No
HO125	Silverwells 330 Ure Road, Gembrook	-	-	-	-	-	Yes Ref No H611	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO134	Balance Ure Farm Complex (Silverwells) 330 Ure Road, Gembrook	No	No	Yes	Yes	No	No	No	No
HO294	Eucalyptus dalrympleana, Mountain White Gum Road Reserve, 185 Mountain Road, Gembrook **Statement of Significance:** Eucalyptus dalrympleana, Mountain White Gum, Road Reserve, 185 Mountain Road, Gembrook	No	No	Yes	Yes	No	No	No	No
HO300	Eucalyptus sieberi, Silvertop Ash 45 Mentiplay Road, Gembrook **Statement of Significance:** Eucalyptus sieberi, Silvertop Ash, 45 Mentiplay Road, Gembrook	No	No	Yes	Yes	No	No	No	No
HEATH HILL									Yes
HO191	Heath Hill Railway Station residence	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	1405 Westernport Road, Heath Hill								
IONA									
HO35	St. Joseph of the Sacred Heart Convent, Catholic Church & Precinct 1215 Bunyip River Road, Iona	Yes	Yes	Yes	Yes	No	No	No	No
HO136	Bunyip River Bridge Fourteen Mile Road, Iona	Yes	No	No	Yes	No	No	No	No
HO192	Tehennepe 495 Little Road, Iona	No	No	No	Yes	No	No	No	No
HO193	Former St John's Presbyterian Church 580 Little Road, Iona	No	No	No	Yes	No	No	Yes	No
HO194	House & Oaks 935 Murray Road, Iona	No	No	Yes	Yes	No	No	No	No
HO120	Iona State School SS3201 Site 430 Thirteen Mile Road, Iona	No	No	Yes	Yes	No	No	No	No
KOO WEE RUP									

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO195	Koo Wee Rup Commercial Precinct 275-297 & 272-300 Rossiter Road and 2-16, 56-86 Station Street, Koo Wee Rup **Incorporated plan:** Cardinia Commercial Heritage Precincts Incorporated Plan, December 2020.	No	No	No	Yes	No	No	No	No
HO196	Rossiter Road Residential Precinct 360, 362, 370, 372 and 376 Rossiter Road, Koo Wee Rup **Incorporated plan:** Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No
HO197	Dunlop's cheese factory, cottage & tree 150 Koo Wee Rup-Longwarry Road, Koo Wee Rup	No	No	Yes	Yes	Yes Dairy, stalls, machinery room, cheese making room, well, workers' cottages.	No	No	No
HO198	Shepton Mallet 145 Rossiter Road, Koo Wee Rup	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO200	St George's Church of England 270 Rossiter Road, Koo Wee Rup	No	No	No	Yes	No	No	No	No
HO230	Former Wattle Theatre 284-286 Rossiter Road, Koo Wee Rup	No	Yes Decorated proscenium arch and ceiling	No	Yes	No	No	No	No
HO203	St Andrew's Presbyterian Church 319 Rossiter Road, Koo Wee Rup	No	No	No	Yes	No	No	No	No
HO204	Mallow House and former Koo Wee Rup Police Lockup 325 Rossiter Road, Koo Wee Rup	No	No	No	Yes	No	No	No	No
HO205	Eason Memorial gates and trees 345 Rossiter Road, Koo Wee Rup	No	No	No	Yes	No	No	No	No
HO116	Harewood 3300 South Gippsland Highway, Koo Wee Rup	-	-	-	-	-	Yes Ref No H284	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO140	Old Yallock 3940 South Gippsland Highway, Koo Wee Rup	No	No	Yes	Yes	Yes	No	No	No
HO117	Warrook 4150-4170 South Gippsland Highway, Koo Wee Rup	No	Yes	No	Yes	No	No	No	No
HO207	Air Raid Shelter 30 (rear) Station Street, Koo Wee Rup	No	No	No	Yes	No	No	No	No
HO208	House 140-146 Station Street, Koo Wee Rup	No	No	No	Yes	No	No	No	No
HO269	Royal Hotel 96-102 Station Street, Koo Wee Rup	No	No	No	Yes	No	No	No	No
HO127	The Grange Lot 1, PS 318270, Walker Street, Koo Wee Rup	No	No	Yes	Yes	No	No	No	No
HO298	Quercus robur, English Oak Cochranes Park, Rossiter Road, Koo Wee Rup	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: Quercus robur, English Oak, Cochranes Park, Rossiter Road, Koo Wee Rup								
LANG LANG									
HO210	Carnarvon & Rupert Streets Precinct 10, 12, 14, 16, 20, 22, 23 and 25 Carnarvon Street and 12, 14 and 14A-C Rupert Street, Lang Lang **Incorporated plan:** Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No
HO212	Lang Lang Railway Houses Precinct 17, 20, 22, 24 and 26 Roseberry's Street, Lang Lang **Incorporated plan:** Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No
HO50	Bay View (House, Dairy Shed & Well) 115 Jetty Road, Lang Lang	No	No	Yes	Yes	Yes	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO213	Lang Lang Cemetery & trees McDonalds Track, Lang Lang	No	No	Yes	Yes	No	No	No	No
HO214	Palace Hotel 140 McDonalds Track, Lang Lang	No	No	No	Yes	No	No	No	No
HO215	House & former dairy 1 Westernport Road, Lang Lang	No	No	No	Yes	No	No	No	No
HO216	Former Lang Lang Infant Welfare Centre & Lang Lang War Memorial 1 & 3 Whitstable Street , Lang Lang	No	No	Yes	Yes	No	No	No	No
HO217	House 13-17 Westernport Road, Lang Lang	No	No	No	Yes	No	No	No	No
HO218	Missions Butchers Shop & residence 34-36 Westernport Road, Lang Lang	No	No	No	Yes	Yes Front fence	No	No	No
HO219	ANZ Bank 47 Westernport Road, Lang Lang	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO220	Finlay McQueen Uniting Church complex 46 Westernport Road, Lang Lang	No	Yes	No	Yes	No	No	No	No
HO221	Priestley's store site & Oak 49 (rear) Westernport Road, Lang Lang	No	No	Yes	Yes	No	No	No	No
HO239	Brick Trough 190 Westernport Road, Lang Lang	No	No	Yes	Yes	No	No	No	No
HO222	Stafford House & hedge Lot 1, TP109006 Westernport Road, Lang Lang	No	No	Yes Hawthorn hedge only	Yes	No	No	No	No
HO131	Cottages 4 Whitstable Street, Lang Lang	Yes	No	No	Yes	No	No	No	No
HO223	St John The Evangelist Anglican Church complex 6-10 Whitstable Street, Lang Lang	No	Yes	No	Yes	No	No	No	No
MARYKNOLL									
HO55	Maryknoll Precinct	No	No	Yes	Yes	Yes	No	No	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	23 & 70 Girrahween Road , 6, 9, 19, 41, 45, 51 and 61 Koolbirra Road and Bush Bush Reserves, Manoora Reserve, Manoora Road, Wirragulla Reserve, Barongarook Road North, Koala, Koolbirra Road, St Joseph's Square, Turramurra Road, Sister Chanel Reserve and Nagle Crescent, Maryknoll **Incorporated plan:** Maryknoll Township Heritage Precinct Incorporated Plan.								
HO54	Holy Family Church 6 Koolbirra Road, Maryknoll **Incorporated plan:** Maryknoll Township Heritage Precinct Incorporated Plan.	No	Yes	Yes	Yes	No	No	No	No
MONOMEITH									
HO77	Monomeith Homestead 405 Monomeith Road, Monomeith	-	-	-	-	-	Yes Ref No H452	Yes	No
HO78	Monomeith Park 490 Monomeith Road, Monomeith	No	No	Yes	Yes	Yes	No	No	No
NAR NAR GOON									

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO225	Nar Nar Goon North Hall 642 Dore Road, Nar Nar Goon	No	No	No	Yes	No	No	No	No
HO83	Commercial Bank of Australia 3 Nar Nar Goon Road, Nar Nar Goon	Yes	Yes	No	Yes	No	No	No	No
HO39	St James Catholic Church 60 Nar Nar Goon Road, Nar Nar Goon	Yes	Yes	No	Yes	No	No	No	No
HO114	St. Johns Church of England6-8 Main Street, Nar Nar Goon	Yes	Yes	Yes	Yes	No	No	No	No
NAR NAR GOON SOUTH									
HO15	Shady Oaks 615 Bald Hill Road, Nar Nar Goon South	Yes	No	No	Yes	No	No	No	No
HO32	McCutcheon Farm 350 Eight Mile Road, Nar Nar Goon South	Yes	No	Yes	Yes	Yes	No	No	No
NAR NAR GOON NORTH									
HO31	Aringa	Yes	No	Yes	Yes	Yes	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	40 Clark Road, Nar Nar Goon North								
HO132	Wilson Farm Part CA137, Wilson Road, Nar Nar Goon North	Yes	No	Yes	Yes	Yes	No	No	No
OFFICER									
HO90	Kaduna Park 270 Cardinia Road, Officer	Yes	No	Yes	Yes	No	No	No	No
HO144	Mature Oak, Greenslopes 15 Bayview Road, Officer	No	No	Yes	Yes	No	No	No	No
HO91	Cardinia Park 410 Officer South Road, Officer	Yes	No	No	Yes	No	No	Yes	No
HO92	Jesmond Dene 425 Officer South Road, Officer **Statement of Significance:** Jesmond Dene, 425 Officer South Road, Officer	No	No	Yes	Yes	No	No	Yes	No
HO105	Berwick Pottery 350 Princes Highway, Officer	Yes	Yes	Yes	Yes	Yes	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO102	Primrose Park 250 Princes Highway, Officer	Yes	No	Yes	Yes	No	No	Yes	No
HO103	Firwood Park 265 Princes Highway, Officer	Yes	No	Yes	Yes	No	No	Yes	No
HO104	James Hicks Pty. Ltd. Pottery 365 Princes Highway, Officer	Yes	Yes	No	Yes	Yes	No	No	No
HO143	Officer Union Church & Officer Public Hall 16 to 18 Tivendale Road, Officer	Yes	Yes (Church only)	No	Yes	No	No	Yes	No
HO130	Grant House 36 Whiteside Road, Officer	Yes	Yes	Yes	Yes	No	No	Yes	No
HO262	Hybrid Oaks 13-23 Tivendale Road, Officer	No	No	Yes	Yes	No	No	No	No
PAKENHAM									
HO10	Salvation Army Commandant's & Nurses Barracks 34 Army Settlement Road, Pakenham	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO226	Pakenham War Memorial Corner of Henry and John Streets, Pakenham	No	No	No	Yes	No	No	No	No
HO227	Grason 6 Henty Street, Pakenham	No	No	Yes	Yes	No	No	No	No
HO228	House 21 James Street, Pakenham	No	No	Yes	Yes	Yes Fences and carriage gates	No	No	No
HO49	Pakenham Scout Hall 34 James Street, Pakenham	Yes	Yes	No	Yes	No	No	No	No
HO65	St. James Church of England 1A Main Street, Pakenham	Yes	Yes	No	Yes	Yes	No	No	No
HO264	Algerian Oak 9-13 Main Street, Pakenham	No	No	Yes	Yes	No	No	No	No
HO66	Pakenham Gazette & Berwick City News Offices 100 Main Street, Pakenham	Yes	No	No	Yes	No	No	No	No
HO64	Pakenham Hotel 153 Main Street, Pakenham	Yes	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO76	Koo-Man-Goo-Nong 85 McGregor Road, Pakenham	Yes	No	Yes	Yes	Yes	No	No	No
HO229	I.Y.U. Pre-emptive right homestead site 245 McGregor Road, Pakenham	No	No	Yes	Yes	No	No	No	No
HO81	Mt. Ararat Pre-emptive Right 125 Mt. Ararat Road North, Pakenham	Yes	No	Yes	Yes	No	No	No	No
HO98	Oak Drive at Oak Springs 415 Pakenham Road, Pakenham	No	No	Yes	Yes	No	No	No	No
HO271	Former St Patrick's Catholic Church 144 Princes Highway, Pakenham	No	No	No	Yes	No	No	No	No
HO263	English Oak 30 metres west of intersection Princes Highway and Oaktree Drive, Pakenham	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO108	Bourke House & Stables 65 Racecourse Road, Pakenham	Yes	No	Yes	Yes	Yes	No	No	No
HO265	English Oak North-east corner of Syme and Toomuc Valley Road, Pakenham	No	No	Yes	Yes	No	No	No	No
HO233	Pakenham Cemetery 50 Thewlis Road, and Cemetery Road, Pakenham	No	No	No	Yes	No	No	No	No
HO121	Whangarei 667 Toomuc Valley Road, Pakenham Upper	Yes	Yes	Yes	Yes	Yes	No	No	No
HO275	Pyrus communis (Pear Tree) 40 Dore Road, Pakenham	No	No	Yes	Yes	No	No	No	No
HO279	House 18A Henry Street, Pakenham	No	No	No	Yes	No	No	No	No
HO281	House (H.B. Thomas House) 49 James Street, Pakenham	No	No	No	Yes	No	No	No	No
HO283	House	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	39 Main Street, Pakenham								
HO284	Shop 62 Main Street, Pakenham	No	No	No	Yes	No	No	No	No
HO285	House 84 Main Street, Pakenham	No	No	No	Yes	No	No	No	No
HO286	Shop and Residence 90-92 Main Street, Pakenham	No	No	No	Yes	No	No	No	No
HO287	Group Listing Pakenham State Bank and War Services Homes Group 11, 14, 17 & 5/19 Rogers Street, Pakenham	No	No	No	Yes	No	No	No	No
HO288	Shop 1 Station Street, Pakenham	No	No	No	Yes	No	No	No	No
HO290	House 23 Rogers Street, Pakenham	No	No	No	Yes	No	No	No	No
HO291	St James Village Precinct, Dame Pattie Avenue Pakenham 1-17 & 2-18 Dame Pattie Avenue, Pakenham	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan: Cardinia Residential Heritage Precincts Incorporated Plan.								
HO292	Henty Street Precinct 3-5, 7-10 Henty Street, Pakenham **Incorporated plan:** Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No
HO293	James Street Precinct 5-19 (West Side), 20-32 (East Side) James Street and 1 Snodgrass Street, Pakenham **Incorporated plan:** Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No
HO14	Windarra 40 Greenhills Road, Pakenham Statement of Significance: 'Windarra', 40 Greenhills Road Pakenham, Statement of Significance, July 2021 Incorporated Plan: 'Windarra', 40 Greenhills Road Pakenham, Incorporated Plan - Permit Exemptions, July 2021	No	No	Yes	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
PAKENHAM SOUTH									
HO25	Snow View 300 Bourke Road, Pakenham South	Yes	No	Yes	Yes	No	No	No	No
HO74	Wood Farm Complex 575 McDonalds Drain Road, Pakenham South	Yes	No	Yes	Yes	Yes	No	No	No
HO75	Ellett Farm 615 McDonalds Drain Road, Pakenham South	Yes	No	Yes	Yes	No	No	No	No
HO234	Pakenham South Hall 815 McDonalds Drain Road West, Pakenham South	No	No	Yes	Yes	No	No	No	No
PAKENHAM UPPER									Yes
HO24	Pakenham Upper Civic & Residential Precinct Bourke Creek Road & Old Gembrook Road, Pakenham Upper	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO48	The Grange 15 Huxtable Road, Pakenham Upper	Yes	Yes	Yes	Yes	Yes	No	No	No
HO69	Goronga Lot CM, Lot 4, Lot 6 and part Lot 5 PS317138, 20 Matilda Drive, Pakenham Upper	Yes	Yes	Yes	Yes	No	No	No	No
HO93	Pakenham Upper Church Hall Old Gembrook Road, Pakenham Upper	Yes	Yes	Yes	Yes	No	No	No	No
HO266	Spotted and Scarlet Flowering Gum Cnr of Bourke's Creek Road and Pakenham Road, Pakenham Upper	No	No	Yes	Yes	No	No	No	No
HO231	Valley View Orchards Manager's House & former Coolstore 15 & 30 Shelton Road, Pakenham Upper	No	No	No	Yes	No	No	No	No
RYTHDALE									
HO47	Dalmore Well	Yes	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	In the road reserve adjacent to 75 Hobson Road, Rythdale								
HO115	Hobson's (Soldier Settler) House 194 Soldiers Road, Rythdale	Yes	No	Yes	Yes	No	No	No	No
HO235	Rythdale Reserve trees 205 Soldiers Road, Rythdale	No	No	Yes	Yes	No	No	No	No
TONIMBUK									
HO236	Tonimbuk Hall 1900 Gembrook-Tonimbuk Road, Tonimbuk	No	No	No	Yes	No	No	No	No
TYNONG									
HO26	Bunya Bunyas 195 Browning Road, Tynong	No	No	Yes	Yes	No	No	No	No
HO89	Killary 130 (Lot 1, TP120736) Nine Mile Road, Tynong	Yes	Yes	Yes	Yes	Yes	No	No	No
HO107	Vaughan & Lodge Tynong Quarry 20 Quarry Road, Tynong	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO240	Tynong general store & stock feed 40 Railway Avenue, Tynong	No	No	No	Yes	No	No	No	No
HO124	Bunya Bunya 76 Tynong Road, Tynong	No	No	Yes	Yes	No	No	No	No
HO123	Waterhousea Floribunda 19-21 Tynong North Road, Tynong	No	No	Yes	Yes	No	No	No	No
HO267	Chestnut Oak Railway Avenue, Tynong	No	No	Yes	Yes	No	No	No	No
TYNONG NORTH									
HO30	Tynong North Methodist Church 32 Clark Road, Tynong North	Yes	Yes	No	Yes	No	No	No	No
HO129	Weatherhead (Horatio) Timber Mill Weatherhead Hill Track, Bunyip State Park	No	No	No	Yes	No	No	No	No
YANATHAN									
HO43	Glenafton Stud	Yes	No	Yes	Yes	Yes	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	210 Heads Road, Yannathan								
HO44	Myrtlewood 275 Heads Road, Yannathan	Yes	No	No	Yes	No	No	No	No
HO241	Yannathan Public Hall, Union Church & Canary Island Palms 491-495 South Yannathan Road & 225-227 Heads Road, Yannathan	No	No	Yes	Yes	No	No	No	No
HO119	Budgeree (Farmhouse) 130 Swamp Road, Yannathan	Yes	No	Yes	Yes	No	No	No	No
OTHER									
HO2	Bowman's Track Launching Place	No	No	Yes	Yes	No	No	No	No
HO4	Upper Ferntree Gully to Gembrook Railway Emerald, Cockatoo and Gembrook	Yes	No	Yes	Yes	Yes	No	No	No

10/06/2021
C254card

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1** .

LOW DENSITY RESIDENTIAL

1.0 Design objectives

10/06/2021
C254card

To ensure that the location and design of buildings creates an attractive low density residential environment.

To ensure that any development has regard to the environmental features and constraints of the land.

To ensure that the subdivision of land has regard to the existing pattern of subdivision in the area.

2.0 Buildings and works

04/05/2022
VC210

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- ~~Any~~ The building ~~must be~~is located within the building envelope if one is registered on the plan of subdivision.
- ~~Any~~ The building ~~must be~~is set back at least 30 metres from a Transport Zone 2, 20 metres from a Transport Zone 3, 10 metres from any other road, and 5 metres from any other boundary unless the location of the building is within an approved building envelope.
- ~~Any building or works~~The buildings and works ~~must be~~are set back at least 60 metres from a waterway.
- The buildings and works are for an extension to an existing dwelling. ~~If the building is an extension to an existing dwelling.~~
- ~~If the~~The building is an outbuilding ancillary to a dwelling and~~,~~ the gross floor area of all outbuildings on the land ~~must~~ does not exceed 120 square metres.
- ~~Building~~ The building is finished in materials ~~must be~~that are non-reflective ~~or~~ and subdued colours which complement the environment.
- The height of any building ~~must~~ does not exceed 7 metres above natural ground level.
- The works ~~must~~ do not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre and any disturbed area must be stabilised by engineering works or revegetation to prevent erosion.
- The slope of the land on which the buildings and works are undertaken ~~must~~ does not exceed 20 per cent.
- The buildings and works ~~must~~ do not result in the removal or destruction of native vegetation (including trees, shrubs, herbs, sedges and grasses) within an area of botanical or zoological significance as shown on the mapped information provided by the Department of ~~Natural Resources and Environment~~Energy, Environment and Climate Action, with the exception of Sweet Pittosporum (Pittosporum undulatum).

3.0 Subdivision

10/06/2021
C254card

None specified.

4.0 Signs

10/06/2021
C254card

None specified.

5.0 Application requirements

10/06/2021
C254card

None specified.

6.0
10/06/2021
C254card

Decision guidelines

The following ~~application requirements~~decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- ~~The Land Capability Study for the Cardinia Shire (February 1997).~~
- The protection and enhancement of the natural environment and character of the area including the retention of remnant vegetation and habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- Measures to address environmental hazards or constraints including slope, erosion, drainage, salinity, land capability and fire.
- The protection of waterways and water quality through the appropriate management of effluent disposal, erosion and sediment pollution.

10/06/2021
C254card

SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2** .

HILLS TOWNSHIPS

1.0 Design objectives

10/06/2021
C254card

To retain and protect the special character of the hills townships.

To maintain the diversity in lot sizes and ensure that subdivision of land has regard to the existing subdivisional characteristics of the area.

To ensure that the location and design of buildings protects and enhances the character and natural environment of the area and does not cause detriment to surrounding residents.

To ensure that any development has regard to the environmental features and constraints of the land.

2.0 Buildings and works

04/05/2022
VC210

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- ~~Any~~ The building ~~must be~~is set back at least 10 metres from a Transport Zone 2, 7.5 metres from a Transport Zone 3 or any other road, and 2 metres from any other boundary.
- ~~Any~~ The building or works ~~must be~~are set back at least 60 metres from a waterway.
- ~~If the building is an extension to an existing dwelling.~~The buildings and works are for an extension to an existing dwelling.
- ~~If the~~The building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land ~~must~~ does not exceed 80 square metres.
- The height of any building ~~must~~ does not exceed 7 metres above natural ground level.
- The works ~~must~~ do~~p~~ not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre and any disturbed area must be stabilised by engineering works or revegetation to prevent erosion.
- The slope of the land on which buildings or works are undertaken must not exceed 20 per cent~~%~~.
- The b~~B~~uilding is finished in materials ~~must be~~that are non-reflective and~~or~~ subdued colours which complement the environment.
- If sewerage is not available, the land ~~must~~ is ~~be~~ capable of containing on site all wastewater generated by the use or development.

3.0 Subdivision

10/06/2021
C254card

None specified.

4.0 Signs

10/06/2021
C254card

None specified.

5.0 Application requirements

10/06/2021
C254card

None specified.

6.0 Decision guidelines

10/06/2021
C254card

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposed building or works has regard to the natural features of the land and is properly designed and sited in recognition of such factors as the slope of the land, existing

vegetation and the amenity of surrounding residents.

- Measures to address environmental hazards or constraints including slope, erosion, drainage and fire.
- Whether the subdivision, building or works contributes to the protection and enhancement of the character and natural environment of the hills townships.

10/06/2021
C254card

SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3** .

BUNYIP RAILWAY AREA

1.0 Design objectives

10/06/2021
C254card

- To achieve architectural and urban design outcomes that add visual interest and vitality and contribute positively to unique heritage and landscape values of the Bunyip town centre.
- To guide the integrated development of the land so as to build on the elements that define the attractive and distinct character of the Bunyip town centre.
- To encourage a design solution that responds to the site topography, ensures buildings create attractive frontages ~~and~~ maintains the built form character of the Bunyip town centre.
- To maintain appropriate views to the south from the Bunyip town centre precinct.
- To ensure that car parking, vehicle access and service areas are visually integrated with the built form and the adverse impacts of any development on the safety of pedestrians and cyclists is minimised.
- ~~To minimise adverse impacts of any development on the safety of pedestrians and cyclists.~~
- ~~To ensure frontages are pedestrian oriented and add interest and vitality to the Bunyip town centre.~~

2.0 Buildings and works

10/06/2021
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Buildings or works generally should not exceed a maximum height of 7 metres (excluding an attic or basement). The height of a building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

Buildings and works should be of a scale, design and alignment that maintain appropriate views to the south from the Bunyip town centre precinct.

Car parking facilities should not be a dominant feature when viewed from Main Street and High Street.

Any development must interact with the street frontage by providing window area and active edges on street frontages.

Any development must ensure a consistent height with the surrounding built form by using verandahs or similar shade and weather protection devices.

Any development must include works to provide a drop-off point for school and other buses as an integral part of the precinct.

Any development must include works to provide connections across Main Street to promote a high level of pedestrian integration with the Bunyip town centre precinct.

Rubbish enclosures and service areas must not be visible from a street and located to the rear of buildings.

~~Signage above verandahs and sky signs are discouraged. Signs should be integrated with the style and character of the building and surrounds.~~

3.0 Subdivision

10/06/2021
C254card

None specified.

4.0 Signs

10/06/2021
C254card

None specified.

5.0 Application requirements

10/06/2021
C254card

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- ~~An application must be accompanied by a~~A site analysis and urban context report which demonstrates how the proposed building or works achieve each of the design objectives and built form outcomes of this schedule, and any other policy requirements.

6.0 Decision guidelines

10/06/2021
C254card

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposed building or works has regard to the natural features of the land and is properly designed and sited in recognition of such factors as the slope of the land and existing vegetation.
- Whether the proposed building or works contributes to the protection and enhancement of the character and natural environment of the Bunyip town centre precinct.
- The impact of the development on scenic vistas.
- The capacity of the existing road system and any proposed modifications to accommodate any increase in traffic.
- Whether adequate pedestrian connections have been provided between precincts, car parks and open space.

10/06/2021
C254card

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4** .

EMERALD TOWN CENTRE

Precincts within the Emerald Town Centre are identified in Map 1.

1.0 Design objectives

10/06/2021
C254card

To achieve architectural and urban design outcomes that contribute positively to the character of the Emerald town centre.

To encourage a design solution that responds to the site topography and maintains the built form character of the Emerald town centre.

To maintain view corridors with the town centre and protect the Puffing Billy landscape corridor.

To ensure that car parking, vehicle access and service areas are visually integrated with the built form.

To ensure frontages are pedestrian oriented and add interest and vitality to the town centre.

2.0 Buildings and works

10/06/2021
C254card

Permit requirements

A permit is not required to construct a building or construct or carry out works within the Arts and Community precinct, and Community and Recreation precinct where the buildings and works are carried out by or on behalf of the relevant Public Land Manager.

Service and Mixed Use Precinct

Development should:

- Ensure that views are not unreasonably reduced, providing view corridors between buildings and ensuring retention of public views particularly along Belgrave-Gembrook Road. Consideration should be given to the views into the site from the gateway area at the crossing of the Railway line.
- Provide a strong landscape response and a contribution to the landscape character of the town, in particular the address to Belgrave – Gembrook Rd and the Puffing Billy landscape corridor.
- Provide building envelopes that are sympathetic to the scale, height and location of existing trees.
- Minimise the number of vehicle access points from Belgrave-Gembrook Road. This should also apply to any future service road access points.
- Where possible and practical (in relation to topography, amenity, accessibility, compatibility with neighbouring uses), vehicle access should be provided from the rear laneway.
- Ensure the use of appropriate colour schemes and materials that respond to the requirements of the Puffing Billy Landscape Corridor standards.
- Be of innovative design and a high standard of built form design and detailing, appropriate to the gateway location of this precinct.

The maximum building height should not exceed 2 storeys. Building height should also respond to topography (views; limited cut and fill) as well as amenity (adjoining uses) and streetscape context.

Front setbacks should be a minimum of 3.0 metres, however consideration will be given to reduced setbacks where it can be demonstrated that the reduced setback is in response to retention of existing vegetation, limiting cut and fill, protection of views and response to slope/elevation.

Setbacks from side and rear boundaries should be a minimum of 3.0 metres to allow appropriate space for canopy tree planting.

Central Retail Precinct (Kilvington Drive)

Development should:

- Ensure that view corridors are not unreasonably reduced, providing view corridors between buildings and ensuring retention of public views, particularly the views from Main Street and from the Puffing Billy Railway corridor.
- Provide a strong landscape response and the contribution to the landscape and streetscape character of the town, in particular the address to Kilvington Drive.
- Avoid the number of vehicle access points from Kilvington Drive.
- Ensure the use of appropriate colour schemes and materials that respond to the requirements of the Puffing Billy Landscape Corridor standards.
- Be of a design that respects the context, materials, colours and forms of existing built form in the precinct, without necessarily copying past styles.

Building height should not exceed 2 storeys. Building height should respond to amenity (adjoining uses) and streetscape context.

Front setbacks should be zero, consistent with existing setbacks.

Front setbacks for car parking should be avoided.

Active edges on street frontages and along all pedestrian connections to be provided, avoiding blank facades.

Central Mixed Use Precinct

Development should:

- Take advantage of the natural topography.
- Ensure that view corridors are not unreasonably reduced, providing view corridors between buildings and ensuring retention of public views particularly from Main Street and Murphy's Way.
- Provide a strong landscape response and a contribution to the landscape character of the town, particularly the address to Belgrave – Gembrook Road. Front hedging and a density of canopy vegetation are desirable.
- Minimise the number of vehicle access points from Belgrave – Gembrook Rd and ensure site planning avoids steep driveways.
  - On the north side, encourage vehicle access and parking from the Madigan Way.
  - On the south side, encourage shared vehicle crossovers and rear car parking.
- Be of innovative design, with due regard and recognition of the surrounding village character, without necessarily copying past styles.
- Ensure the use of colour schemes and materials which:
- do not dominate the strong landscape setting, or within the streetscape.
- contribute to and strengthen a sense of place through the use of local and natural materials (such as timber and stone)

Building heights from natural ground level should be:

- South side maximum height presented to Main Street, not more than 2 storeys above natural ground level.
- North side maximum height presented to Main Street, not more than 2 storeys from the permanent footpath at the centre of the frontage of the site.
- Front setbacks should be 6.0 metres minimum, however consideration will be given to reduced setbacks where it can be demonstrated that the reduced setback is in response to retention of existing vegetation, limiting cut and fill, protection of views and response to slope/elevation.

Front setbacks should be maintained as landscaped open space.

On the south side of Main Street, all developments should incorporate a public shared path as well as canopy trees, as a contribution to the development of 'Emerald Link'.

Front setbacks for car parking should be avoided.

Building setbacks from side and rear boundaries should be a minimum of 3.0 metres to allow for canopy tree planting.

Northern Retail Precinct

Development should:

- Take advantage of the natural topography and capitalise on existing site features, forms and vegetation.
- Ensure that view corridors are not unreasonably reduced, providing view corridors between buildings and ensuring retention of public views particularly from Belgrave-Gembrook Road, Emerald – Monbulk Road and the recreation reserve.
- Provide a strong landscape response and a contribution to the landscape character of the town, in particular the streetscape address.
- Minimise the number of vehicle access points from Belgrave – Gembrook Rd and Emerald – Monbulk Road.
- Ensure design that respects the context, materials, colours and forms of existing built form in the precinct, without necessarily copying past styles.

Building height should not exceed 2 storeys. Building height should also respond to topography (views; limited cut and fill) as well as amenity (adjoining uses) and streetscape context.

Avoid setbacks for buildings fronting Main Street/Belgrave – Gembrook Road.

On Emerald – Monbulk Road, setbacks should be generally consistent with existing average setbacks and be maintained as landscaped open space.

Front setbacks for car parking should be avoided, however consideration will be given to maintaining existing car parking locations on the existing supermarket site.

Arts and Community Precinct

Development should:

- Ensure that view corridors are not unreasonably reduced, providing view corridors between buildings and ensuring retention of public views particularly along Kilvington Drive. consideration should be given to the views from the Puffing Billy railway corridor and Emerald Primary School.
- Provide a strong landscape response and a contribution to the landscape and heritage character of the town and the address to Kilvington Drive.

- Provide building envelopes that are sympathetic to the scale, height and location of existing trees.
- Minimise the number of vehicle access points from Kilvington Drive.
- Provide permeability and direct connections between adjoining developments, with direct connections to Emerald Primary School encouraged.
- Provide a design and the selection of appropriate colour schemes and materials that responds to the requirements of the Puffing Billy Landscape Corridor standards.
- Provide a design that respects the context, materials, colours and forms of existing built form in the precinct.

Building height should not exceed 2 storeys. Building height should also respond to topography (views; limited cut and fill) as well as amenity (adjoining uses) and streetscape context.

Front setbacks should be a minimum of 3.0 metres, however consideration will be given to reduced setbacks where it can be demonstrated that the reduced setback is in response to existing setbacks in adjoining properties, retention of existing vegetation, limiting cut and fill, protection of views and response to slope/elevation.

Community and Recreation

Development should:

Ensure that view corridors are not unreasonably reduced, providing view corridors between buildings and ensuring retention of public views particularly from all main entry

- Provide a strong landscape response and a contribution to the landscape character of the town and in particular respond to the context of the recreation reserve and the address to the main entry roads.
- Provide building envelopes that are sympathetic to the scale, height and location of existing trees.
- Ensure permeability by integrating new pedestrian connections with the circulation patterns and desire lines around the existing Library and Recreation Reserve.
- Be of a high standard of built form design and detailing that is harmonious with the form and character of existing development.
- In larger scale developments, provide varied building types and forms relative to human scale and create the appearance of several smaller buildings.

Building height should not exceed 2 storeys. Building height should also respond to topography (views; limited cut and fill) as well as amenity (adjoining uses) and streetscape context.

Front setbacks should be consistent with the setback of the Emerald Library.

3.0
10/06/2021
C254card

Subdivision

None specified.

4.0
10/06/2021
C254card

Signs

~~A permit is required for a sky sign, high wall sign or above verandah sign.~~

In all Precincts:

- Signs are to identify the location, name and nature of a business.
- Where buildings have a zero front setback, signs are to be located on buildings and generally be limited to a single awning sign or verandah sign, or within a built element.
- Where multiple businesses occupy a premise, a single sign should be displayed.
- Signs on windows are to be limited.

- Signage above verandahs and sky signs are discouraged.
- Illuminated signs are to be permitted only where it can be demonstrated that there is no detrimental affect on the amenity of the area.
- Signs should be integrated with the style and character of the building and surrounds.
- The size of signs is to be consistent with the scale of the building and its surrounds.
- Signage colours and graphics are not to detract from the amenity of the area.
- Signs are to be of a high standard and design quality.

In the Central Mixed Use Precinct and elsewhere where buildings are setback from the street frontage, signs should meet the following design guidelines:

- all signs should be located on buildings.
- where it can be demonstrated that topography and/or vegetation obscures sightlines to the buildings, signs may be stand alone pole signs.
- a single signage plate is allowable for each allotment and only one sign should be used whether there is a single or multiple businesses on the site.
- double sided signage plates are accepted.

5.0 Application requirements

10/06/2021
C254card

None specified.

6.0 Decision guidelines

10/06/2021
C254card

None specified.

Map 1 to Schedule 4 to Clause 43.02



01/08/2024
C265card

SCHEDULE 2 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO2** .

PAKENHAM SOUTH EMPLOYMENT PRECINCT STRUCTURE PLAN

~~*Note: Also include reference to the Incorporated plan in the Schedule to Clause 72.04*~~

1.0 Requirement before a permit is granted

01/08/2024
C265card

None specified

2.0 Permits not generally in accordance with incorporated plan

01/08/2024
C265card

None specified

3.0 Conditions and requirements for permits

01/08/2024
C265card

None specified

4.0 Decision guidelines

01/08/2024
C265card

None specified

5.0 Preparation of the incorporated plan

01/08/2024
C265card

None specified

10/06/2021
C254card

SCHEDULE 5 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO5** .

PAKENHAM NORTH-EAST RESIDENTIAL PRECINCT

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

None specified.

3.0 Conditions and requirements for permits

10/06/2021
C254card

The following conditions and/or requirements apply to permits:

- Construction and post construction activities must be conducted in accordance with the following EPA best practice guidelines:
  - *Environmental Guidelines for Major Construction Sites* (EPA Publication No. 480, December 1995).
  - *Construction Techniques for Sediment Pollution Control* (EPA Publication No. 275, May 1991).
- Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences on land at 130 Army Road, Pakenham (L1 P82846 & PC355507W), 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.

4.0 Requirements for development plan

10/06/2021
C254card

A development plan must include the following requirements:

- The staging of the development.
- Proposed management techniques for the former quarry site.
- The relationship and integration with the surrounding land.
- Identification of significant vegetation on the land and measures to retain the vegetation where appropriate.
- A flora and fauna survey to be undertaken between August to April to the satisfaction of the ~~Department of Natural Resources and Environment~~ Department of Energy, Environment and Climate Action (DEECA)
- A geo-technical report to be provided for the area proposed for development on the edge of the quarry hole.
- Proposed layout and hierarchy of streets including traffic control infrastructure.
- A traffic management plan to be carried out to the satisfaction of the responsible authority, in consultation with the Roads Corporation.
- Proposed major retarding basins, watercourses and major drainage features.
-

An overall landscaping concept plan.

Physical and community infrastructure required.

CARDINIA PLANNING SCHEME

- The following urban design principles, and a report which demonstrates that the development incorporates these principles:
  - The design of a compact neighbourhood which is oriented around walkable distances between activities and where neighbourhood centres provide access to services and facilities to meet day-to-day needs.
  - A neighbourhood which incorporates safe and attractive spaces for walking and cycling, and subdivision layout which allows easy movement through and between neighbourhoods.
  - A range of lot sizes and housing types to satisfy the needs and aspirations of different groups of people, including areas proposed for medium density housing.
  - Integration of housing, workplaces, shopping, recreation and community services, to provide a mix and level of activity that attracts people, creates a safe environment, stimulates interaction and provides a lively community focus.
  - Design which creates opportunity of access for public transport.
  - A range of open spaces to meet a variety of needs, with links to open space networks and regional parks if possible.
  - A strong sense of place created because neighbourhood development emphasises existing cultural heritage values, attractive built form and landscape character.
  - Environmentally friendly development that includes energy efficiency, water conservation, local management of stormwater and waste water treatment.
  - Protection and enhancement of native vegetation habitat and discouragement of the spread and planting of noxious weeds.
  - Community safety design principles in order to reduce opportunities for crime, improve perceptions of safety and increase levels of community involvement.

10/06/2021
C254card

SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO10** .

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

None specified.

3.0 Conditions and requirements for permits

10/06/2021
C254card

None specified.

4.0 Requirements for development plan

10/06/2021
C254card

A development plan must include the following requirements:

- The subdivision concept for the land including the location of industrial, business or other proposed uses, and public open space.
- The staging of development.
- The relationship of the land to existing or proposed uses on adjoining or nearby land.
- Arrangements for vehicle access to the development including the road layout and construction standards, and traffic management. Such arrangements shall include the construction of a connection to Exchange Drive to the north, the interface with Kooweerup Road and provision for a controlled intersection at the intersection of Kooweerup Road and Greenhills Road (including any necessary road widening).
- The provision of utility services infrastructure required for the development of the land.
- A stormwater management plan including provision for outfall drainage from the area. The stormwater management plan must incorporate measures to reduce input of sediment and pollutants into waters downstream of the site to the satisfaction of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action and Melbourne Water.
- Urban design guidelines for the development including streetscape, building design (setbacks, height and materials), vehicle access and carparking, loading and storage areas, pedestrian movements, community safety and graffiti control.
- Vegetation and landscaping guidelines including weed control and replanting where appropriate using locally indigenous plants and trees.
- Guidelines for environmental sustainability including stormwater management, water efficiency and energy efficiency.
- An environmental management plan for the construction phase of the development including the control of waste and wind blown rubbish, dust, noise and sediment pollution.

10/06/2021
C254card

SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO11** .

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

The Responsible Authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

3.0 Conditions and requirements for permits

10/06/2021
C254card

None specified.

4.0 Requirements for development plan

10/06/2021
C254card

A development plan must include the following requirements:

- The proposed use and development of each part of the land.
- The staging of development.
- The relationship of the land to existing or proposed land uses on adjoining land.
- Population and household targets.
- The proposed range of housing types and lot sizes.
- Proposed open space, recreation and path facilities including:
  - a district sporting reserve of 8 hectares
  - a centrally located neighbourhood park with a minimum area of 1 hectare
  - joint-use paths throughout the development to link the land to Lakeside Activity Centre, Pakenham and Officer townships, to provide for good north/south connections, especially along the Gum Scrub Creek and to provide for access to the proposed Lakeside station east of Cardinia Road.
  - joint-use paths along the Princes Highway and Cardinia Road frontages
  - Provision of a pedestrian/bicycle bridge across the Gum Scrub Creek at an agreed midpoint between the Princes Highway and the railway reserve additional to any crossing associated with the Princes Highway frontage
  - Provision for the protection and management of, and enhancement of habitat for, the nationally significant Growling Grass Frog and *Dianella longifolia* var. grandis and *Dianella amoena* as determined
- Proposed drainage features on the land including the proposed treatment for the Gum Scrub Creek and the interface between the district sporting reserve and Gum Scrub Creek, including any restriction of the floodway to provide for regular use of the reserve in winter, how any variations to landform created to accommodate this will be dealt with and how growling grass frog habitat will be protected and enhanced.
- An investigation of regional water management opportunities to shift the land requirement for water management from the south east corner of the site to land south of the Pakenham Bypass
- An assessment of the potential for saline discharge sites on the land, and any necessary measures to address salinity.
- An archaeological survey of the site.

- A traffic management plan to the satisfaction of council and VicRoads.
- Proposed public transport routes and facilities including how the site can be provided with access to public transport within reasonable walking distance of each dwelling to the satisfaction of the Department of Infrastructure.
- The proposed layout of streets including the provision of access to both Princes Highway and Cardinia Road to the satisfaction of both council and Vic Roads.
- The funding arrangements for provision of controlled intersections that may be required including the funding arrangements and timing for the upgrade of the intersection of Cardinia Road and the Princes Highway.
- An interface between the development and both Princes Highway and Cardinia Road that provides for safe, attractive and permeable pedestrian and bicycle movement along the frontage to those roads and between the development and the roads.
- Provision for the future widening of Cardinia Road.
- Provision of a tree reserve abutting Cardinia Road that can adequately accommodate mature *Eucalyptus radiata* (Narrow Leaf Peppermint) without impinging on private land and to the minimum safety standard required by VicRoads.
- Provision for a link road to the west adjacent to the railway reserve constructed to a standard and to an end point to the satisfaction of council to enable east-west vehicle permeability following the future provision of a bridge.
- A schedule of physical and community infrastructure required for and as a result (in whole or part) of the development of the land including arrangements for their provision and funding.
- An overall landscape concept, including the landscape corridor of the Gum Scrub Creek, the district sporting reserve and the interface between the two. The landscape plan will provide for advanced *Eucalyptus radiata* (Narrow Leaf Peppermint) to be provided on the tree reserve abutting Cardinia Road at 5 metre intervals. Indigenous plantings of local provenance species must be used in any plantings along the Gum Scrub Creek. Consideration should also be given to using local indigenous species in all landscape plantings for the development.
- Significantly increased housing densities above the average adjacent to public open space and in association with any activity centre on the site.
- Details of the location of any activity centre proposed for the site and its relationship and interaction with other activity centres including the Officer town centre.
- Details of how a high level of urban design will be delivered for areas of higher density.
- Details of how the neighbourhood design principles in Melbourne 2030 will be addressed as part of the development.
- An Environmental Management Plan for the site that addresses the following issues to the satisfaction of the Council, and the Department of Sustainability and Environment:
- How any identified habitat (including that used for feeding, occupation, breeding, dispersal) of *Litoria Raniformis* (Growling Grass Frog) is to be protected and/or enhanced and managed on an ongoing basis, following a targeted survey for the species (including an assessment of the dispersal requirements for the species) between the months of October and December using a suitably qualified and experienced herpetologist;
  - An assessment of remnant vegetation and identification of management measures required to ensure ongoing protection of significant flora, in accordance with ~~*Victoria's Native Vegetation - A Framework for Action* ;~~ Guidelines for the removal, destruction or lopping of native vegetation (DEECA 2025);
  - An assessment of the impacts to biodiversity of conducting works on the Gum Scrub Creek and environs and proposed mitigation measures; and

- How site works will be managed (during and post construction) to ensure that there is no impact on significant flora located in the railway reserve to the south of the subject area, particularly the populations of *Dianella longifolia var. grandis* and *Dianella amoena* , by way of a report prepared by a suitably qualified and experienced environmental consultant.
- Protection measures for significant flora and fauna located in the railway reserve must include an effective buffer along the entire southern boundary.
- The flora and fauna protection and management measures that are contained within the Environmental Management Plan must be incorporated into the development design.

10/06/2021
C254card

SCHEDULE 12 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO12** .

ROSSITER ROAD, KOO WEE RUP

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

The Responsible Authority can consider an application for minor works or extension to an existing dwelling before a development plan has been approved. All proposals for minor works or dwelling extensions must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner. Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

Prior to the granting of a subdivision permit or any development other than minor works or extension to an existing dwelling, an agreement between the owner of the land for 170 Rossiter Road, (Lot 2, LP 208879), Sybella Avenue (LA PS540339), 44 Sybella Avenue (Lot 6, P53874), 80 Sybella Avenue (Lot 1, TP202048H) and Sybella Avenue Koo Wee Rup (Lot 26, PS009030) and the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* must be entered into to the satisfaction of the Responsible Authority, which must require the owner:

- Supply and erect post and wire fencing along the wetland periphery located outside the urban growth boundary prior to the wetland construction to the requirements of Melbourne Water and to satisfaction of the Responsible Authority. The bottom wire of the fence must be between 40 to 60cm above the natural ground level to facilitate wildlife movement.
- Monitor groundwater quality at the location of the bore well installed near the fuel depot at Lots 1-2 P53874, 7/4 Sybella Avenue, Koo Wee Rup to the satisfaction of the responsible authority. The groundwater monitoring is to continue until the final stage of development and the monitoring results are to inform an appropriate response before the commencement of construction or carrying out of any buildings and works in association with a sensitive use adjacent to the fuel depot.
- Construct a local road to the satisfaction of the Responsible Authority during the first stage of development, extending from Rossiter Road through Lot 2, LP208879, 170 Rossiter Road, Koo Wee Rup linking to the western boundary of Lot 1, P208879, 190 Rossiter Road and Lot 15, P9030, 216-218 Rossiter Road, Koo Wee Rup to provide access to the 'long lots' as shown on SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F).
- Provide construction of the wetland system generally in accordance with SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F). Construction and staging of the wetland construction must be completed in accordance with the requirements of Melbourne Water.
- Land required for drainage purposes or as encumbered open space must be transferred to the drainage authority or municipal council at no cost and will not be credited as open space.

3.0 Conditions and requirements for permits

10/06/2021
C254card

None specified.

Requirements for development plan

4.0

10/06/2021
C254card

The development plan must include the following requirements:

Subdivision Layout

An indicative subdivision layout for the land, generally in accordance with the SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F) showing:

- A clear, legible and convenient road network and pedestrian/bicycle network within and leading to the development, demonstrating appropriate road layout, traffic management and construction standards.
- A report which demonstrates that the development incorporates the following principles:
  - Maintaining 50 percent of the lots over 700 square metres
  - Discouraging small allotments of area less than 500 square metres
  - Encouraging larger allotments over 1000 square metres towards the edge of the urban growth boundary.
  - Encouraging the inclusion of street trees for shade and aesthetic quality.
  - Developing a clear, legible road network that provides a high level of internal connectivity and external linkages for local vehicle, pedestrian and bicycle movements.

Rossiter Road / Sybella Avenue Precinct (other than long lots)

In addition to any other requirements for a development plan specified in this schedule, the development plan for the Rossiter Road/Sybella Avenue Precinct

- Part of Lot 2, LP208879, 170 Rossiter Road, Koo Wee Rup
- Lot 6, PS53874, 44 Sybella Avenue, Koo Wee Rup
- Lot 1, TP202048H, 80 Sybella Avenue, Koo Wee Rup
- Part of LA, PS540339, Sybella Avenue, Koo Wee Rup

Must provide for:

Subdivision Layout

An indicative subdivision layout for the land, generally in accordance with the SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F) showing:

- The size and dimensions of lots proposed
- The proposed use and development of each parts of the land
- The relationship of the land to existing or proposed uses on adjoining land
- The location of a local neighbourhood park, wetland reserves and encumbered open space The
- staging of development. The staging must include:
  - A local road to the satisfaction of the Responsible Authority during the first stage of development, extending from Rossiter Road through Lot 2, LP208879, 170 Rossiter Road, Koo Wee Rup linking to the western boundary of Lot 1, P208879, 190 Rossiter Road and Lot 15, P9030, 216-218 Rossiter Road, Koo Wee Rup to provide access to the 'long lots' as shown on SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F).
  - The land adjacent to the fuel depot at Lot 1-2, P53874, 7/4 Sybella Avenue, Koo Wee Rup, in the final stage of the development

Open Space

- Proposed open space, recreation and path facilities including:

- a centrally located unencumbered local neighbourhood park with a minimum area of 1 hectare
- shared paths throughout the development to link the land to existing development to the north and east
- trail network along the wetland reserve in consultation with Melbourne Water
- provisions for the **protection of native vegetation along the wetland system**

- A temporary reserve at the location of the groundwater monitoring well to enable ease of access from Sybella Avenue, Koo Wee Rup.
- The arrangement for transfer of open space into public ownership to the satisfaction of the responsible authority.

Traffic

- A traffic management plan prepared to the satisfaction of the responsible authority and in consultation with Vic Roads, demonstrating:
  - A clear, legible and convenient road network and pedestrian/bicycle network within and leading to the development, demonstrating appropriate road layout, traffic management and construction standards. Such arrangements must include the construction of a connection to Rossiter Road to the north, and Sybella Avenue to the east. The provision of access to Rossiter Road and Sybella Avenue needs to be to the requirements of Vic Roads.

Landscaping

- An indicative landscape plan must be prepared to the satisfaction of the responsible authority, demonstrating:
  - The location of all landscaped areas, including the wetland area
  - Details of any landscape themes for the site
  - The incorporation of a consistent streetscape theme
  - Location and details of any street furniture, playground equipment, boardwalks and viewing platforms
  - Effective management of the interface between the residential area and wetland area, including appropriate fencing where necessary.

Environment

- Incorporation of a Southern Brown Bandicoot Habitat Plan into the design of the development to be prepared by a suitably qualified and experienced zoologist to the requirements of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA) ~~-~~including:
  - Design elements for the creation of appropriate new habitat for the Southern Brown Bandicoot and methods of ongoing long term management and protection of the new habitat.
  - How the protection and creation of the habitat for Southern Brown Bandicoot contributes to establishing long term habitat links between the Bunyip Creek, the rail reserve and Yallock Creek.
- Provision for the protection and conservation of remnant trees, particularly the Swamp Gums (Eucalyptus ovata)
- Provision of an arborist report to the satisfaction of the responsible authority assessing the health of the Southern Mahogany trees. Based on the health and condition of these trees, provide for the protection and conservation of these trees.

- A targeted survey for the Dwarf Galaxias (Galaxiella pusilla) by a qualified environmental consultant in consultation with the Department of Energy, Environment and Climate Action ~~Department of Sustainability and Environment~~. The survey needs to occur when water is present: if the water body is temporary then the survey should be in November-December and not in mid summer. Always undertake bait trapping with glow sticks over night in combination with at least one other method of backpack electro fishing or dip netting. Note: Avoid dip netting in breeding season (May – October) as fry are easily damaged.

- A groundwater monitoring program to monitor groundwater quality at the location of the bore well installed near the fuel depot at Lots 1-2 P53874, 7/4 Sybella Avenue Koo Wee Rup, to the satisfaction of the Responsible Authority and Environment Protection Authority. The groundwater monitoring is to continue until the final stage of development and the monitoring results are to inform an appropriate response before the commencement of construction or carrying out of buildings and works in association with a sensitive use adjacent to the fuel depot.

Wetland

- A drainage plan in accordance with the requirements of Melbourne Water and generally in accordance with the Stormy Water Solutions Drainage Strategy dated 2 February 2009

- A Functional Design plan prepared and approved by Melbourne Water prior to the commencement of detail design of the wetlands. The functional design plans must consider a groundwater analysis and how the groundwater will impact on the construction of the wetlands.

- The order and extent of each stage of the wetland system development (if the wetlands are to be staged) to the requirements of Melbourne Water

- The requirements of Melbourne Water (for drainage) and those of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (for flora and fauna) must be considered mutually prior to the development of either a Habitat or Drainage Plan.

Infrastructure

- The provision of utility service infrastructure required to service the development and details on the arrangements for the provision of the infrastructure. The land must be connected to a reticulated sewerage system of a sewerage authority

- The means by which the gas transmission easement and drainage easement will be accommodated as part of the development.

10/06/2021
C254card

SCHEDULE 13 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO13** .

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

The responsible authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

Except for an application for minor works, a section 173 agreement with the responsible authority that transfers the Peck Road Hill conservation reserve into public ownership and provides for the funding for management of the reserve.

3.0 Conditions and requirements for permits None specified.

10/06/2021
C254card

4.0 Requirements for development plan

10/06/2021
C254card

A development plan must include the following requirements:

- The proposed use and development of each part of the land.
- The staging of development.
- The relationship of the land to existing or proposed land uses on adjoining land.
- Population and household targets.
- The proposed range of housing types and lot sizes.
- Proposed open space, recreation and path facilities including:
  - A centrally located unencumbered neighbourhood park with a minimum area of 1 hectare or allocation of parks to the satisfaction of council
  - Joint-use paths throughout the development to link the land to future development to the west and east, to provide for good north/south connections, and joint-use paths along the Princes Highway and Thewlis Road frontages
  - Provision for the protection of significant vegetation in a reserve on the hill adjacent to Peck Road
- An assessment of the potential for saline discharge sites on the land, and any necessary measures to address salinity.
- An archaeological survey of the site.
- A traffic management plan to the satisfaction of Council and Vic Roads
- The proposed layout of streets including the provision of access to both Princes Highway and Thewlis Road, and including an east-west link of appropriate dimensions to provide the key link consistent with the Casey-Cardinia Smart Growth Committee Framework Plans.
- The funding arrangements for provision of controlled intersections that maybe required including the funding arrangements and timing for the upgrade of the intersection of Thewlis Road and the Princes Highway.

- An interface between the development and both Princes Highway and Thewlis Road that provides for safe, attractive and permeable pedestrian and bicycle movement along the frontage to those roads and between the development and the roads.
-

Provision for the future widening of Thewlis Road.

CARDINIA PLANNING SCHEME

- A schedule of physical and community infrastructure required for and as a result (in whole or part) of the development of the land including arrangements for their provision and funding.
- An overall landscape concept to the satisfaction of Council. Indigenous plantings must be used in informal clumps on Thewlis Road and Princes Highway. Consideration should also be given to using local indigenous species in all landscape plantings for the development.
- Significantly increased housing densities above the average adjacent to public open space and in association with any activity centre on the site.
- The provision of a local neighbourhood centre located in the north-east of the land comprising of:
  - A 3.5 hectare site for a state school with three road frontages one of which is Thewlis Road
  - A 0.44 hectare fully serviced and unencumbered site for the future provision of a community centre.
  - A retail/commercial centre of at least 250 square metres
  - Details of the location of relationship and interaction with nearby activity centres.
- Details of how a high level of urban design will be delivered for areas of higher density.
- Details of how the principles set out in Melbourne 2030 will be addressed as part of the development, in particular for neighbourhood design
- An Environmental Management Plan for the Peck Road Thewlis Road EVC site that addresses the following issues to the satisfaction of the Council and the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA):
  - The arrangements for transfer into public ownership of the land;
  - An assessment of remnant vegetation and identification of management measures required to ensure ongoing protection of significant flora, in accordance with ~~Victoria's Native Vegetation - A Framework for Action~~ Guidelines for the removal, destruction or lopping of native vegetation (DEECA 2025); and
  - Provision for the full funding for 10 years implementation of the Environmental Management Plan
  - Effective management of the interface between the EVC site and residential uses, including an appropriate buffer as indicated in the plan referenced as *Worthington Estate Pakenham, Buffer Treatment Area, Option K Rev A November 2006* .
- The Environmental Management Plan should:
  - Include a statement that Cardinia Shire Council will have ownership of the bushland reserve and responsibility for the implementation of the Environmental Management Plan
  - Outline methods to be introduced to minimise any impacts upon the vegetation by recreational use.

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10/06/2021
C254card

SCHEDULE 15 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO15** .

LOT 1, TP 711091S, NASH ROAD, BUNYIP

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

The Responsible Authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

3.0 Conditions and requirements for permits

10/06/2021
C254card

The following conditions and/or requirements apply to permits:

- Under Section 118 of the Pipelines Act 2005, a person cannot excavate within 3 metres of a pipeline without either obtaining the authority of the licensee or giving notice to the licensee in accordance with the *Pipeline Regulations 2007* .
- Under Section 120 of the Pipelines Act 2005, a person must not construct a building so that any part of it is situated less than 3 metres from a point on the surface of the land whose position is vertically above a part of a pipeline below the surface unless the Minister has first consented to that construction.
- A MUSIC (model for urban stormwater improvements conceptualisation) model is required showing the extent of water quality treatment in the wetland to the satisfaction of Melbourne Water.
- The wetlands should be designed in accordance to the “Constructed Wetland Systems Design Guidelines for Developers" (Melbourne Water). Detailed design plans are required to be submitted to Melbourne Water. These plans are to address:
  - Maintenance issues: the proponent must provide a maintenance plan for assets that are to become Melbourne Water assets (online wetland). This plan should detail the appropriate maintenance access (including vehicle access).
  - Revegetation and Landscaping: Re-vegetation is to be in accordance with Melbourne Water guidelines. Vegetation and landscaping plans must be submitted for comment and/or approval.
- The subdivision design must incorporate the findings of the flora and fauna assessment as specified under Section 4.0 of Schedule 15 Development Plan Overlay.
- The subdivision design must incorporate the findings of the soil contamination assessment as specified under Section 4.0 of Schedule 15 Development Plan Overlay.
- The subdivision design must incorporate the findings of the salinity assessment as specified under Section 4.0 of Schedule 15 Development Plan Overlay.
- The owner of the subject land must enter into an agreement with South East Water for the provision of reticulated sewerage and fulfil all requirements to its satisfaction.
- The owner of the subject land must enter into an agreement with South East Water for the provision of water supply and fulfil all requirements to its satisfaction.
- Access to the site shall only be at the nominated vehicle crossings shown on the Development Plan.
-

The street lighting must be baffled and located to in consultation with SPI Electricity to prevent any adverse effect on adjoining landowners to the satisfaction of the responsible authority.

- Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties to the satisfaction of the responsible authority.
- A Maintenance Management Plan is to be submitted and approved for all Water Sensitive Urban Design infrastructure (swales, gross pollution traps, planting etc) both for:
  - The "on maintenance period" of the establishment, which is the life of the development or 2 years, whichever is greater.
  - and for the ongoing Council maintenance responsibilities, once Final Completion is issued.
- Prior to handover to Council, the developer will be required to complete the following to the satisfaction of Council:
  - Return all assets to as new functional condition i.e. removal of all accumulated litter and sediment, replacement plants.
  - Provide complete documentation (both plans and written reports) on the nature, purpose, location, detailed design, maintenance methods and costs (capital and recurrent), for each asset.
  - Provide a complete record of the maintenance undertaken.
  - Undertake water quality monitoring, maximum three (3) monthly intervals, during the 'on maintenance' period and provide tabulated results.
- Environmental Management Plan is to be submitted, indicating risk assessment and how the effects of the construction works will be controlled and managed onsite to ensure minimisation of impacts on adjoining land and the downstream tributary of Ti Tree Creek to the satisfaction of the responsible authority.

4.0 Requirements for development plan

10/06/2021

C254card The development plan must demonstrate and/or contain the following to the satisfaction of the responsible authority:

Subdivision layout

An indicative lot layout for the whole site covered by the schedule showing:

- The size and dimensions of the lots.
- The proposed use and development of each parts of the land.
- The location of vehicle crossings.
- The location and size of the wetland and broad vegetated swale system within the Public Park and Recreation Zone.
- The relationship of the land to existing or proposed developments on adjoining land to achieve the integrated subdivision of the land in the area.
- Location of building envelopes.
- Any lot or lots created on the subject site with abuttal to the common property known as 59 Nash Road, Bunyip (this includes any lot separated from 59 Nash Road, Bunyip by any faunal corridor), no building may be constructed on that part of the lot(s), to the immediate north of the dwelling located at 59 Nash Road, Bunyip, except for an outbuilding or outbuildings with an overall height of not more than 2.1 metres. The eastern and western boundaries of the area of building exclusion in this requirement are to commence 45 metres and 70 metres respectively from the eastern end of the northern boundary of the property known as 59 Nash Road, Bunyip and the boundaries of the exclusion area are to extend northward for the full depth of the lot(s).

- Any dwelling on any lot or lots created on the subject site with abuttal to the property known as 59 Nash Road, Bunyip (this includes any lot separated from the property by any faunal corridor), must not have a wall height exceeding 2.75 metres.

Transport

- Provide a clear, legible and convenient road network and pedestrian/bicycle network within and leading to the development to the satisfaction of the responsible authority. The plans must show the following:
  - Consideration should be given to aligning the entrance from the amendment site not to be opposite the existing dwelling or driveway at 103 Nash Road, Bunyip.
  - Road and driveway access to the amendment site must not be located opposite the existing driveway at 105 Nash Road, Bunyip.
  - Provide a multi-purpose gravel trail, with a minimum width of 2 metres in the Public Park and Recreation Zone. The trail needs to provide connection from the Low Density Residential Zone, through the Public Park and Recreation Zone to the boundary of the Bunyip Valley Estate (commonly known as Bunyip Sanctuary).
  - Provide a multi-purpose gravel trail, with a minimum width of 2 metres along Nash Road reserve. The gravel trail needs to connect from the intersection of Wattletree Road and Nash Road, along Nash Road to the amendment site. From the boundary of amendment site, the trail must be located within the amendment site along the western boundary unless with the consent of the responsible authority and upon the advise of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA).

Landscaping

- An indicative landscape plan must be prepared to the satisfaction of the responsible authority, demonstrating:
  - The location of all landscaped areas, including the wetland area.
  - Details of any landscape themes for the site.
  - The landscape design needs to incorporate a consistent streetscape theme.
  - Plant listing, using a majority of local indigenous species in all landscape plantings.
  - Location and details of any street furniture, signage, playground equipment, boardwalks and viewing platforms.
  - Demonstrate effective management of the interface between the residential area and wetland area, including appropriate fencing.
  - An explanatory statement illustrating landscape maintenance of the site for a period of 24 months.

Environment

- A Flora and Fauna Assessment of the site and road reserve prepared to the satisfaction of the responsible authority that:
  - Undertakes a targeted survey for the Green-striped Greenhood and River Swamp Wallaby Grass carried out between September and April.
  - Comply with the ~~Applies the 'three step' approach as detailed in Victoria's Native Vegetation Management – A Framework for Action and Net Gain (avoid, minimise and offset)~~ *Guidelines for the removal, destruction or lopping of native vegetation (DEECA 2025)*. ~~The three step approach must include a flora listing of each habitat patch.~~
  - Provides for the protection and conservation of native vegetation, including trees and roadside vegetation.

  - Orientates building envelopes and driveway access on residential allotments to minimise the loss of scattered trees.
  - Demonstrates an appropriate offset or net gain to compensate for the loss of vegetation on the site and road reserve as determined by an Offset Management Plan. The Offset Management Plan must be a 10 year fully funded management plan and include:
  - Means of calculating the offsets.
  - Location of where the offsets will be provided.
  - Type of offsets provided for each location.
  - Details of revegetation including number of trees, shrubs and other plants, species mix and density.
  - Method of permanent protection for the offsets.
  - Measures to control noxious and environmental weeds.
  - Persons from time to time responsible for implementing and monitoring the offsets.
  - Timeframe for completing the offsets.

- Investigations by a suitably qualified environmental profession to undertake an assessment (including soil samples, readings of the water electrical conductivity) of the eastern part of the site, for potential saline discharge sites on the land and impacts on adjoining land and any necessary measures to address salinity if apparent.
- Investigations by a suitably qualified environmental professional to provide soil sampling and testing across the site to fully assess the soil contamination status of the land.

Open space

- The arrangement for transfer of the Public Park and Recreation Zone into public ownership to the satisfaction of the responsible authority.
- Outline methods and/or design principles to minimise the impact of recreation users on the vegetation located in the Public Park and Recreation Zone.

Fencing

- Provide post and wire fencing adjacent to wetland area, the bottom wire needs to be 60cm above the ground to facilitate wildlife movement.
- Maintain the rural character of large allotments with only post and wire style fencing to maintain a continuous flow of vegetation across the landscape, with the exception of providing a solid paling fence of 2.1 metres high along the full length of the common boundary of the subject site and the property known as 59 Nash Road, Bunyip.

Infrastructure

- The provision of utility service infrastructure required to service the development and details on the arrangements for the provision of the infrastructure. The land must be connected to a reticulated sewerage system of a sewerage authority.
- The relationship of building envelopes and public areas of open space to pipeline infrastructure crossing the site must be to the satisfaction of the Department of Primary Industries.
- Provide Stormwater quality treatment which incorporates the use of Water Sensitive Urban Design to achieve Melbourne Water's best practice water quality principles.
- Prepare a Stormwater Management Plan showing the stormwater works to the nominated point of discharge to the satisfaction and approval of the responsible authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the

proposed stormwater works including all existing and proposed features that may have impact (e.g. Trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc), to the satisfaction of the responsible authority.

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10/06/2021
C254card

SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO16** .

CARDINIA MOTOR RECREATION AND EDUCATION PARK

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

None specified.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

Plans drawn to scale showing:

- The relationship of the buildings and works to the development plan.
- The boundaries and dimensions of the land to be developed.
- Adjoining roads and access ways.
- Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Elevation drawings to scale that show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- Location and details of floodlighting and public address equipment.
- Driveways and vehicle parking and loading areas.
- External storage and waste treatment areas.
- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

3.0 Conditions and requirements for permits

10/06/2021
C254card

The following conditions and/or requirements apply to permits:

- Any permit granted for land uses associated with the Motor Recreation and Education Park must include a condition requiring the use and development of the site to be undertaken in accordance with the management plan and environmental management plan approved as part of the development plan.

4.0 Requirements for development plan

10/06/2021
C254card

A development plan must include the following requirements:

- Existing natural and built features of the land including topography, vegetation, buildings, other works, utility services, drainage lines and watercourses.
- Relationship to existing and proposed surrounding development, including the KooweerupHealesville Road extension.
- A plan indicating the type of existing native vegetation and any areas where it is proposed to remove native vegetation.
- A flora and fauna assessment including consideration of:

  - Corridors for Growling Grass Frog habitat
  - Dwarf Galaxia habitat
  - Corridors for Southern Brown Bandicoot habitat
  - Adequate waterway setbacks
- A stormwater drainage strategy including details of any onsite water retention, effects on water quality and hydraulic impacts on waterways.
- How the existing floodplain and overland flow paths will be accommodated by the proposed development.
- Development setback at least 20 metres from the top of bank for the Toomuc Creek and McGregor Road drain. The 10 metres closest to the top of bank must support core riparian habitat only, and must not include any other infrastructure unless agreed in writing by Melbourne Water.
- The location, height and dimensions of all proposed buildings and works.
- The proposed use of each building and facility.
- Landscaping treatments to be undertaken.
- The proposed stages of development, if more than one, and the time for commencement and completion of each stage.
- The provision of utility services and infrastructure associated with the development, use and maintenance of the land.
- Use and management of portions of the site not being used for the Motor Recreation and Education Park.
- Noise mitigation measures.
- Proposed traffic and access arrangements and associated works.
- The location and capacity of all car parking areas and access to and from them.
- The location and design of all pedestrian and vehicle access ways.
- Provision for the loading and unloading of vehicles associated with the development and use of the land.
- An environmental management plan addressing:
  - The impact of the use and development on the flora and fauna on the site and its surrounds and methods to avoid or mitigate those impacts.
  - The need to protect and enhance the biodiversity of the area, including the retention of native vegetation and fauna habitat and the re-vegetation of important areas of habitat and integration of native vegetation into landscaping of the site.
  - Avoidance and mitigation of impacts on Growling Grass Frog ecological community and habitat and the implementation of a Growling Grass Frog Management Plan approved to the satisfaction of the responsible authority.
  - Management of impacts on creek lines and surrounding environment.
  - Water sensitive urban design including methods for water collection and reuse.
  - The management of impacts, if any, during the construction and carrying out of works, including erosion and sediment, dust, noise, litter, traffic and other amenity impacts.

For the portions of land to be used for the Motor Recreation and Education Park, the development plan must also include:

- A management plan, detailing:

- Hours of operation.
- Number of events per year
- Number of patrons each type of event will cater for.
- Management of noise emissions.
- An emergency management plan.

Notice of Development Plan

Prior to approval of a development plan, or any substantial amendment to an approved development plan, the responsible authority must notify the community, or cause notice to be given, for a period of 14 days.

Notice may be given in all or any of the following ways:

- by placing a sign on the land concerned;
- by publishing a notice in newspapers generally circulating in the area in which the land is situated; giving the notice personally or sending it by post; or
- in any other way that the responsible authority considers appropriate

The development plan must be available for viewing at the responsible authority's offices during this time.

The responsible authority must also seek the views of the ~~Department of Environment, Land, Water and Planning~~ Department of Energy, Environment and Climate Action (DEECA), and Melbourne Water prior to the approval of the development plan.

The responsible authority must consider any submissions on the development plan prior to making a decision.

10/06/2021
C254card

SCHEDULE 17 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO17** .

52 JAMES STREET LANG LANG

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

The Responsible Authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

Before a permit for subdivision or any development other than minor works or extension to an existing dwelling is granted, the owner of the land must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. The agreement must require the owner to:

- construct a footpath on the east side of James Street from the primary school to the southern entry of the development ; and
- pay the Department of Energy, Environment and Climate Action (DEECA)~~Department of Sustainability and Environment (DSE)~~ $20,000 for rehabilitation works located on the adjoining Crown Land.

If the Lang Lang Rifle Club is not relocated: before a permit for subdivision or any development other than minor works or extension to an existing dwelling for any of stages 5 to 8 as shown on the draft plan 'Staging Plan James Street, Lang Lang', prepared by Beveridge Williams and dated 14 December 2010, the applicant must:

- implement any noise control methods and treatments and any precautionary safety works identified as necessary in the approved development plan; or
- enter into an agreement to implement any noise control methods and treatments and any precautionary safety works identified as necessary in the approved development plan,to the satisfaction of the Responsible Authority.

3.0 Conditions and requirements for permits

10/06/2021
C254card

The following conditions and requirements apply to the subdivision and development of the land:

Tree protection zones around trees requiring protection measures must be implemented prior to construction works commencing in accordance with the Carrington Park Estate Site Rehabilitation Management Plan (December 2010).

4.0 Requirements for development plan

10/06/2021
C254card

A development plan must include the following requirements:

Subdivision Layout

An indicative subdivision layout for the land showing:

- The staging of the subdivision of the land
- The proposed use and development of the land
- The size and dimensions of lots proposed generally in accordance with the Lang Lang Township Strategy (July 2009)
- The location of trees requiring protection measures

- The relationship of the land to existing or proposed uses on adjoining land to achieve the integrated subdivision of the land, including the Little Lang Lang River and the Lang Lang Primary School

Details of how the proposed development responds to the character guidelines for Precinct 5 – New Residential Estates in the Lang Lang Township Strategy (July 2009).

Open Space

An open space plan showing proposed open space, recreation and path facilities including:

- The development of encumbered areas adjoining the Lang Lang Primary School and Crown land to be suitable for use for open space purposes generally in accordance with the draft landscape master plan prepared by Beveridge Williams and dated 21 February 2011.
- Shared paths throughout the open space to link the land to adjoining uses.
- Location of recreation facilities.

Traffic

A clear, legible and convenient road network and pedestrian/bicycle network within and leading to the development, demonstrating appropriate road layout, traffic management and construction standards.

Landscaping

An indicative landscape plan showing:

- The location of all landscaped areas.
- The treatment of the interface between the open space areas and:
  - Crown land located to east and west
  - Little Lang Lang River; and
  - Lang Lang Primary School The revegetation of open space areas.
- Existing remnant trees to be retained.

Environment

- Details of any impacts of the development on biodiversity values in the adjoining Crown land, such as by altered hydrology or the introduction of pest plant and animals, and how those impacts will be addressed, to the satisfaction of the Department of Energy, Environment and Climate Action (DEECA) ~~Department of Sustainability and Environment~~.
- The provision of suitable buffer zones along all boundaries adjoining native vegetation to the satisfaction of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA).

Acoustics and safety

If the Lang Lang Rifle Range is not relocated, details of:

- noise control methods and treatments, including an acoustic assessment report if necessary, to ensure that no residences will be subject to noise in excess of the maximum allowable noise limit (assessed in accordance with the EPA's *Interim Gunshot Noise Guidelines* , N6/91, dated 26 February 1991) from the Lang Lang Rifle Range; and
- any necessary precautionary safety works as a result of the operation of the Lang Lang Rifle Club, including a risk assessment report if necessary.

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10/06/2021
C254card

SCHEDULE 18 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO18** .

LOT A PS527923L & LOT S2 (PART) PS527923L GAINSBOROUGH AVENUE, LANG LANG

1.0 Objectives

10/06/2021
C254card

None specified.

2.0 Requirement before a permit is granted

10/06/2021
C254card

The Responsible Authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner. Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

Prior to the granting of a subdivision permit or any development other than minor works, an agreement between the owner of the land for Lot A PS527923L Gainsborough Avenue, Lang Lang and the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* must be entered into to the satisfaction of the Responsible Authority, which must require the owner:

- To ensure dwellings on lots abutting the residential properties to the north (Cullen Drive) should be appropriately set back and proportioned to minimise visual built impact. Dwellings should not exceed a height greater than single storey, with the exception of an attic style building to the satisfaction of the responsible authority.
- The Section 173 Agreement must be registered on title.

3.0 Conditions and requirements for permits

10/06/2021
C254card

The following conditions and requirements apply to the subdivision and development of the land as shown on the approved development plan.

- Where there is vegetation to be retained, a vegetation protection envelope and a building envelope is to be provided on the plan.
- Vegetation protection envelopes must provide for a Tree Protection Zone in accordance with the Australian Standard AS4970-2009 (Protection of Trees on Development Sites).
- Should development, works or vegetation removal impact on threatened species as outlined in the Development Plan, a threatened species Management Plan to the satisfaction of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA) must be submitted to and approved by the Responsible Authority.
- Offsets to compensate for the loss of any native vegetation on site must be in accordance with an Offset Management Plan prepared to the satisfaction of the ~~Department of Sustainability and Environment and~~ Department of Energy, Environment and Climate Action (DEECA) Responsible Authority. Unless otherwise agreed in writing by the ~~Department of Sustainability and Environment,~~ Department of Energy, Environment and Climate Action (DEECA) any offsets required must be secured prior to the removal of native vegetation.

4.0 Requirements for development plan

10/06/2021
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A development plan must include the following requirements:

Subdivision Layout

An indicative lot layout for the whole site covered by the schedule showing:

- The size and dimensions of lots proposed must be in accordance with the Lang Lang Township Strategy (July 2009).
- The arrangement of the pedestrian/bicycle and road network.
- Suitable provision of public open space to meet the local community needs.
- Align as much as possible, lot boundaries with the existing lot boundaries of the abutting residential properties to the north, to minimise multiple lots at the rear of individual properties.
- A design that implements the findings of the Flora and Fauna Report.

Staging

- Details on the staging of the subdivision and anticipated timing of development.

Land Use

- The proposed use and development of each part of the land.
- Details on the proposed range of housing types and lot sizes.
- The relationship of the land to existing or proposed developments on adjoining land to achieve the integrated subdivision of the land in the area.
- Ensure a clear transition between densities occurs between the low density lots in the south to the higher density suburban lots in the north.

Traffic and Transport

- Provide a clear legible and convenient road network and pedestrian/bicycle network within and leading to the development demonstrating appropriate road layout, traffic management, and construction standards to the satisfaction of the Relevant Authority.
- The plan must show a north/south vehicle link integrated with abutting land to the south and provide an east/west vehicle link to the abutting residential land to the east and the west.
- The plan must show no vehicle ingress or egress road access to Cullen Drive.

Landscaping

An indicative landscape plan showing:

- The location of landscaped areas.
- Details of any landscape themes for the site.
- The landscape design needs to incorporate a consistent streetscape theme.
- Consideration needs be given to using a majority of local indigenous species in all landscape plantings.
- An explanatory statement illustrating landscape maintenance of the site.

Environment

- A flora and fauna assessment (including a habitat hectare assessment) of the site prepared to the satisfaction of the responsible authority upon the advice of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA) that:
  - Provides an assessment of the flora and fauna on site including Ecological Vegetation Classes.
  - Assesses suitable habitat for threatened species on site.
  - Provides a flora listing of each habitat patch.

- Complies with ~~Applies the three step approach as detailed in~~ the *Guidelines for the removal, destruction or loppingof native vegetation (DEECA 2025)* ~~Victoria's Native Vegetation Management – A Framework for Action (avoid, minimise and offset~~).

- A targeted survey of threatened species (including the southern brown bandicoot) by a qualified environmental consultant where suitable habitat is found on site.

- Provision of an arborist report prepared in accordance with Australian Standard *AS4970-2009 Protection of Trees on Development Sites* to the satisfaction of the responsible authority assessing the remnant trees (Heathy woodland and Swampy woodland) on site. Based on their ecological value and appropriateness of retention, provide for the protection and conservation of the trees.

- Investigations by a suitably qualified environmental professional to provide soil sampling and testing to fully assess the soil contamination status at the cattle yards located along the eastern boundary, to the satisfaction of the Responsible Authority.

Infrastructure

- The provision of utility services infrastructure required to service the development and details of the arrangements for the provision of the infrastructure. The land must be connected to a reticulated sewerage system of a sewerage authority.

Open Space

- The provision of 8 percent unencumbered open space, recreation facilities and path facilities.
- Open space should be fronted by a street which provides frontage (and vehicle access) to housing lots.
- The subdivision layout should be designed to overlook public spaces.
- The arrangements for transfer of open space into public ownership to the satisfaction of the relevant authority.

5.0 Decision guidelines

Before deciding to approve a Development Plan, the responsible authority must consider:

- The appropriateness of the layout of the subdivision having regard to ~~Victoria's Native Vegetation Management – A Framework for Action~~ *Guidelines for the removal, destruction or lopping of native vegetation (DEECA 2025)*, and any areas of native trees or vegetation to be retained.

- The views of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA)~~.~~

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24/02/2022
C240card

SCHEDULE 23 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO23** .

MOODY STREET KOO WEE RUP RESIDENTIAL PRECINCT

1.0 Objectives

24/02/2022
C240card

- To integrate new development with the surrounding area by responding to existing neighbourhood character, enhancing the public realm and existing street and pedestrian networks.
- To ensure choice and diversity of housing that achieves a high quality of amenity and urban design.
- To ensure the stormwater is managed on site up to the 1 in 100 year ARI storm event to predevelopment flow rates.

2.0 Requirement before a permit is granted

24/02/2022

C240card A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that the permit will not prejudice the future integrated use and development of the land. **Conditions and requirements for permits**

3.0

24/02/2022
C240card

The following conditions apply to permits:

- Any application for additional dwellings or subdivision of No. 90 Boundary Drain Road or 16 Blackfish Drive include the following condition:

  A sealed road with kerb and channel to the closest side and underground drain to match the existing sealed road must be constructed.

- Building envelopes that achieve the front and side building setbacks required by this schedule and the approved development plan are implemented in the form of a Restriction on the certified Plan of Subdivision, or an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* , which is recorded on the Certificate of Title of the land. The owner of the land or permit holder must pay all reasonable costs of the preparation, execution and registration of the restriction or agreement, including the reasonable costs of the Responsible Authority.

- Before a statement of compliance is issued under the Subdivision Act 1988, the land owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 to provide for the requirements outlined within the bushfire hazard site assessment. The land owner must pay the reasonable costs of the preparation, execution, and registration of the Section 173 Agreement.

- Construction of the internal road network to the satisfaction of the responsible authority, including upgrades to Moody Street that include kerb and channel, road pavement widening, underground drainage and footpath construction.

Requirements for development plan

4.0

24/02/2022
C240card

A development plan must include the following requirements to the satisfaction of the responsible authority.

The Development Plan must be generally in accordance with the Concept Plan labelled Figure 1 to this Schedule.

Subdivision Layout

- An indicative lot layout showing how the subdivision encourages a range of dwelling types to cater for a variety of housing needs and addresses the size, dimension and orientation of lots and includes:
  - The provision of a range of lot sizes.
  - The provision of 70 per cent of the lots greater than 700 square metres and range up to 1000 square metres.
  - The avoidance of smaller lots of less than 600 square metres.
  - Lots with a minimum width of 18 metres where possible.
  - A transition to green wedge land to the north with larger lots of greater than 1000 square metres.
- An indicative building envelope for each lot providing:
  - A minimum front setback of 7 metres or no less than the average setback of the adjoining two dwellings.
  - Minimum side and rear setbacks of 2.5 metres.
  - Setbacks for defendable space from bushfire where required.
- A road link from Blackfish Drive to Milla Way, with an altered priority T intersection to identify the separation between these two streets.

Staging

- Details on the anticipated sequencing and timing of development of the precinct, including road delivery.

Environment and Landscaping

- An **Environmental Management Plan** that addresses vegetation and trees (including roadside vegetation) to be retained and how vegetation removal will be avoided, and if it cannot be avoided, how it will be minimised or offset, and measures to protect the trees which includes buffer and tree protection zones, and provides:
  - A **flora and fauna assessment** (including a habitat hectare assessment) of the site must be prepared to the satisfaction of the responsible authority, that:
    - Provides an assessment of the flora and fauna on site including Ecological Vegetation Classes.
    - Assesses suitable habitat for threatened species on site.
    - Provides a flora listing of each habitat patch.
  - An **arboricultural assessment** of all vegetation prepared by a suitably qualified person(s) that identifies any significant trees or vegetation on the land, any existing street trees, roadside vegetation and grassed verges.
  - A targeted survey of threatened species (including but not limited to the Southern Brown Bandicoot) must be prepared by a suitably qualified person(s) where suitable habitat is found on site in consultation with the ~~Department of Environment, Land, Water and Planning~~ Department of Environment, Energy and Climate Action~~.~~
- A **Landscape Plan** showing:
-

The location, preservation and protection of significant trees/vegetation, existing street trees, roadside vegetation and grassed road verges. Including maintaining the long term, sustainable health and condition of existing vegetation to be retained.

- The location, preservation and protection of any threatened species.
- Removal of the row of pine trees and other trees located in the road reserve to the rear of 85 Moody Street whilst retaining and protecting the 8 metre wide low vegetation strip along the southern side of the Southern Boundary Drain.
- Removal of the row of pittosporum trees and other trees located in the road reserve to the rear of 73 Moody Street whilst retaining and protecting the 8 metre wide low vegetation strip along the southern side of the Southern Boundary Drain.
- Removal of trees located in the road reserve to the rear of 90 Boundary Drain Road and 57 Moody Street whilst retaining and protecting the 8 metre wide low vegetation strip along the southern side of the Southern Boundary Drain.
- The location of landscaped areas.
- Details of any landscape themes.
- Landscape design incorporating a consistent streetscape theme.
- New plantings consistent with existing species of vegetation from connecting roads and reserves.
- The provision of street trees (minimum pot size of 45 litres when planted) for shade and aesthetic quality at an early stage of development – to be planted or bonded to the satisfaction of the responsible authority prior to Statement of Compliance of a subdivision.
- Defendable space for bushfire purposes in accordance with Table 6 of Clause 53.02 (Bushfire Planning) of the Cardinia Planning Scheme to ensure development is exposed to a radiant heat flux of less than 12.5 kilowatts/square metre. See CFA's publication 'Landscaping for Bushfire, Garden Design and Plant Selection' for assistance with plant selections within perimeter roads that are located within the defendable space.

Bushfire

- A **bushfire management assessment** , including a bushfire hazard site assessment, prepared by a suitably qualified person. The bushfire management assessment is to include details of how development will respond to 'Clause 13.02-1S Bushfire Planning' of this planning scheme and demonstrate that development is exposed to a radiant heat flux of less than 12.5 kilowatts/square metre. The bushfire management assessment must be to the satisfaction of the responsible authority upon the advice of CFA.
-
  - the provision of a perimeter road along the northern precinct boundary where development will interface with the bushfire hazard (scrub) located along each side of the Southern Boundary Drain within the Boundary Drain Road reserve, to form part of an area of defendable space;
  - if any defendable space is required on private lots, building envelopes must be provided toprovide an area of defendable space of a width to the satisfaction of the responsible authority on the advice of CFA and vegetation within the defendable space within private lots must be managed in accordance with Table 6 of Clause 53.02 (Bushfire Planning).
- Defendable space may also be achieved through:

– the construction of a wetland system for the purpose of stormwater retention that is well maintained.

– land to be vested in Council for the purpose of a local park and will be maintained byCouncil.

Aboriginal Cultural Heritage

- An Aboriginal cultural heritage assessment/archaeological survey must be prepared by a suitably qualified person(s).
- Location(s) and protection of any Aboriginal cultural heritage on the land in accordance with a Cultural Heritage Management Plan (CHMP), if required by the *Aboriginal Heritage Act 2006* .

Traffic and Transport

- An **Integrated Transport and Impact Assessment** prepared to conform with arterial road access management policies to the satisfaction of the responsible authority.
- A **Traffic Impact and Design Assessment to** the satisfaction of the responsible authority, showing arrangements for vehicle ingress and egress to the development, including the road layout, construction standards, traffic management which includes waste and emergency vehicle access.
- A clear legible and convenient pedestrian, bicycle and road network that:
  - Connects and integrates with existing networks, including a pedestrian and bicycle path along Moody Street, and creates new opportunities for improved local permeability in the future.
  - Provides for pedestrian and bicycle pathways in locations adjacent to any public open space.
  - Provides internal street widths of 7.5 metres between invert of kerbs with underground drainage, and generous footpath and nature strip widths.
  - Discourages cul-de-sacs, and if used they are connected through to other streets by a wide reserve and path for safe pedestrian and bicycle access.
  - Provides only one vehicle crossover or access point per lot.
  - Provides traffic management devices for roads with lengths over 180 metres.
- New roads are designed having regard to the standard cross sections in the VPA (GAA) Engineering Design and Construction Manual.

Infrastructure and Drainage

- Provision of utility services infrastructure required to service the development and details of the arrangements for the provision of the infrastructure.
- Provision of a reticulated sewerage system.
- A **Fill Plan** which identifies the depth and fill material, and staging in a manner and time designed to minimise any adverse impacts on the amenity of nearby areas, to the satisfaction of the responsible authority and the relevant water authority.
- A **Drainage Strategy** for the subdivision showing filling of residential lots with roads providing for overland flows and/or raised minimum floor levels for development, to the satisfaction of the relevant water authority and the responsible authority.

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Public Open Space

- Provision of at least 8 per cent of the development plan area as unencumbered public open space for the purpose of a local park, to be provided in equal parts by No. 73 and No. 85 Moody Street.
- A cash contribution is required to be made in lieu of land for the purpose of unencumbered public open space, equivalent to 8% of the value of the land by land parcels that are not required to contribute land as shown in Figure 1, unless a contribution has previously been made.
- A mechanism for equalisation of public open space contributions required by Clause 53.01, whereby Council is required to provide monetary compensation for the portion of land above 8% to land parcels that are required to contribute land for the purpose of unencumbered public open space that exceeds 8% of the land area as shown in Figure 1, following a valuation based on development values (highest and best use of the land) that is carried out within 28 days of the issue of a statement of compliance by a Council approved property valuer.
- Public open space should be adjacent to a road on all sides and pedestrian and bicycle linkages.
- Provision of a pedestrian access way of 6 metres in width from the proposed open space to the southern boundary drain that will allow Council maintenance vehicles to access the drain.

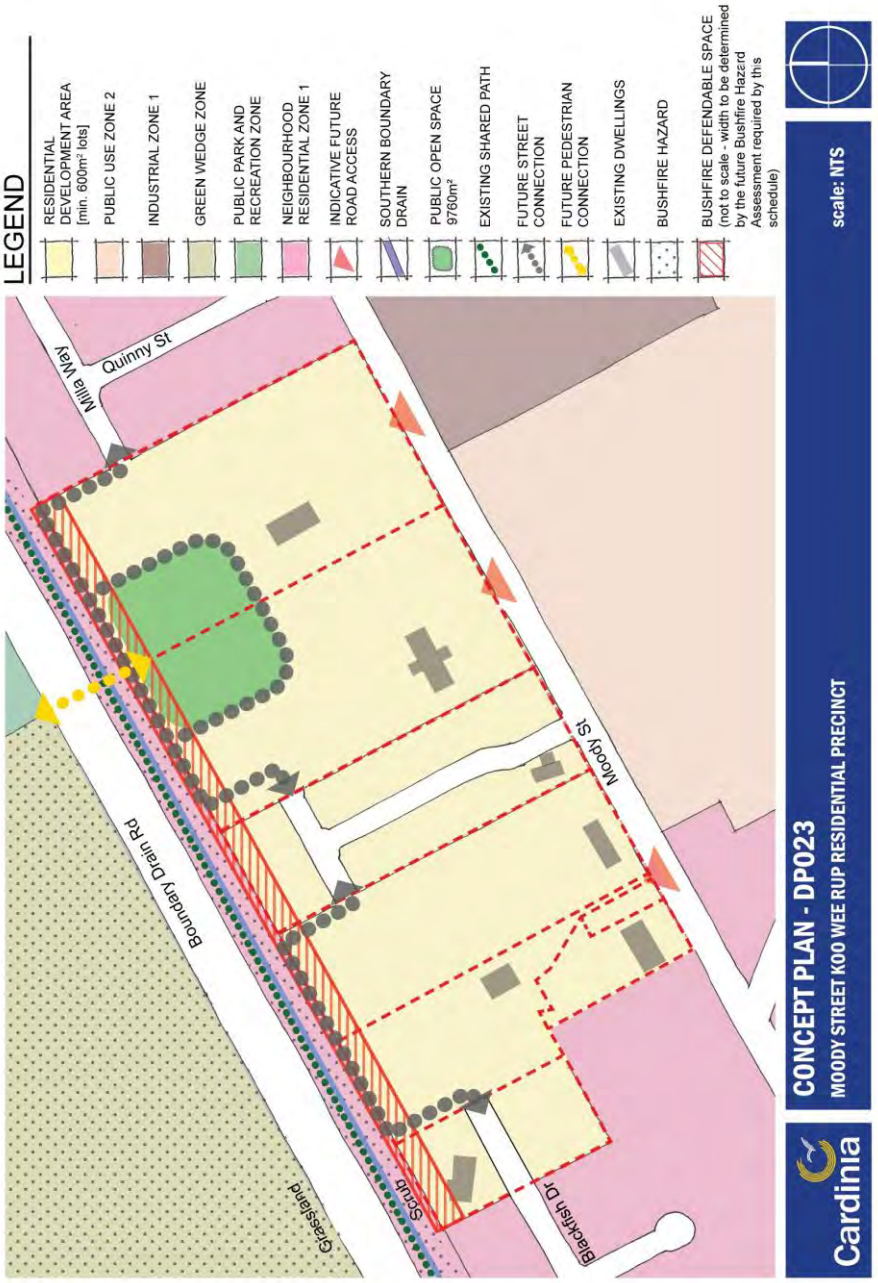
Urban Design and character

- A high level of quality in the design and construction of new buildings which responds to the existing built form character of the Koo Wee Rup Township.
- Configure dwellings to maximise retention of existing vegetation and allow only one access driveway to a lot.
- Avoid front fences, if lots are fenced in front of the building line provide low front fences no more than 1.2 metres high.
- Any lots adjoining public open space should provide low and transparent fencing.
- New road treatments and street furniture should be consistent with the existing styles of road treatments and street furniture found in Koo Wee Rup Township.
- Provide footpaths with a minimum width of 1.8 metres.
- The interface between development and bushfire hazard must be responsive to the bushfire risk.

Figure 1

The land parcels affected by this schedule are identified as:

- No. 16 Blackfish Drive, Koo Wee Rup.
- No. 90 and 120 Boundary Drain Road, Koo Wee Rup.
- No. 51-53, 55, 57, 65, 67, 73 and 85 Moody Street, Koo Wee Rup.


LEGEND
RESIDENTIAL DEVELOPMENT AREA [min. 600m² lots]
PUBLIC USE ZONE 2
INDUSTRIAL ZONE 1
GREEN WEDGE ZONE
PUBLIC PARK AND RECREATION ZONE
NEIGHBOURHOOD RESIDENTIAL ZONE 1
INDICATIVE FUTURE ROAD ACCESS
SOUTHERN BOUNDARY DRAIN
PUBLIC OPEN SPACE 9760m²
EXISTING SHARED PATH
FUTURE STREET CONNECTION
FUTURE PEDESTRIAN CONNECTION
EXISTING DWELLINGS
BUSHFIRE HAZARD
BUSHFIRE DEFENDABLE SPACE (not to scale - width to be determined by the future Bushfire Hazard Assessment required by this schedule)
Quinny St
Milla Way
Moody St
Blackfish Dr
Boundary Drain Rd
Grassland
Scrub
Cardinia
CONCEPT PLAN - DP023
MOODY STREET KOO WEE RUP RESIDENTIAL PRECINCT
scale: NTS

10/06/2021
C254card

SCHEDULE TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as **FO** or **RFO** .

1.0 Floodway objectives to be achieved

10/06/2021
C254card

None specified.

2.0 Statement of risk

10/06/2021
C254card

None specified.

3.0 Permit requirement

10/06/2021
C254card

None specified.

4.0 Application requirements

10/06/2021
C254card

None specified.

5.0 Decision guidelines

10/06/2021
C254card

None specified.

~~6.0 Permit exemption~~

~~Roadwork limited to routine repair and maintenance including resurfacing of the existing road within the declared road boundary of Princes Freeway or any works agreed to in writing with the relevant Floodplain Management Authority.~~

10/06/2021
C254card

SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

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

1.0 Land subject to inundation objectives to be achieved

10/06/2021
C254card

None specified.

2.0 Statement of risk

10/06/2021
C254card

None specified.

3.0 Permit requirement

10/06/2021
C254card

A permit is not required to construct or carry out:

- A dwelling and extensions to an existing dwelling (including outbuildings and fencing) on a lot of 1500 square metres or less in a Residential 1 Zone, Urban Growth Zone, comprehensive Development Zone, General Residential Zone, Neighbourhood Residential Zone or Residential Growth Zone shown on a plan of subdivision registered after 17 March 2005.
- An extension to an existing dwelling, provided the proposed floor level is at or above the existing floor level.
- Works ancillary to an existing dwelling, including landscaping, a pergola, driveway, verandah, barbeque and water tank.
- An open building with no walls.
- An open-style fence.
- A tennis court at natural surface level with curtain fencing.
- A below-ground swimming pool.
- Earthworks for the purpose of constructing a swimming pool or spa and associated mechanical and safety equipment if associated with an existing dwelling on the same lot."
- A non-habitable building or extension to a non-habitable building, with concrete floors, provided the floor levels are at least 300 mm above the flood level.
- A non-habitable building or extension to a non-habitable building, with dirt floors, provided the floor levels are at least 150 mm above the flood level.
- A footpath, bicycle path or elevated boardwalk, provided it is at least 300 mm above the flood level.
- A radio mast.
- A sign on a post or attached to a building.
- An upper storey extension or alteration to an existing building.
- A replacement fence of the same material as the existing fence.
- An aviary or other enclosure for domestic animals.
- An agricultural or farm building with permanent openings on all sides such as a hay shed, stockyards or covered horse stables.
- Earthworks associated with the construction of a dam, provided no fill is imported to the site and no embankment is above ground level.
- A picnic shelter.

4.0 Application requirements

10/06/2021
C254card

The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - Relevant ground levels, to Australian Height Datum, taken by a licensed surveyor.
  - The layout of existing and proposed buildings and works.
  - Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by a licensed surveyor.

5.0 Decision guidelines

10/06/2021
C254card

None specified.

~~6.0 Referral of applications~~

~~An application to construct a building or construct or carry out works or an application to amend a permit does not have to be referred to the floodplain management authority if the application:~~

- ~~Is accompanied by the relevant floodplain management authority's written approval. The written approval must:~~
  - ~~Be granted not more than three months prior to lodging with the responsible authority.~~
  - ~~Quote the reference number of the approved plans.~~
  - ~~State the applicable flood level and any required floor levels.~~
- ~~Is in accordance with an adopted local floodplain development plan.~~
- ~~Complies with a building envelope, filling levels and floor levels specified by Melbourne Water in the previous six months.~~

~~7.0 Permit exemption~~

~~Roadwork limited to routine repair and maintenance including resurfacing of the existing road within the declared road boundary of Princes Freeway or any works agreed to in writing with the relevant Floodplain Management Authority.~~

10/06/2021
C254card

SCHEDULE TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

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

1.0 Flooding management objectives to be achieved

10/06/2021
C254card

None specified.

2.0 Statement of risk

10/06/2021
C254card

None specified.

3.0 Permit requirement

10/06/2021
C254card

None specified.

4.0 Application requirements

10/06/2021
C254card

The following application requirements apply to an application for a permit under Clause 44.05, in addition to those specified in Clause 44.05 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - Relevant ground levels, to Australian Height Datum, taken by a licensed surveyor.
  - The layout of existing and proposed buildings and works.
  - Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by a licensed surveyor.

5.0 Decision guidelines

10/06/2021
C254card

None specified.

~~6.0 Referral of applications~~

~~An application to construct a building or construct or carry out works or an application to amend a permit does not have to be referred to the floodplain management authority if the application:~~

- ~~Is accompanied by the relevant floodplain management authority's written approval. The written approval must:~~
  - ~~Be granted not more than three months prior to lodging with the responsible authority.~~
  - ~~Quote the reference number of the approved plans.~~
  - ~~State the applicable flood level and any required floor levels.~~
- ~~Is in accordance with an adopted local floodplain development plan.~~

14/06/2018
C236

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0
30/04/2026
GC272

Public acquisition

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	~~Roads Corporation~~Head, Transport for Victoria	Road
PAO2	The Minister responsible for administering Part 2 of the *Crown Land (Reserves) Act 1978*	Cardinia Creek Parklands
PAO3	Cardinia Shire Council	Road
~~**PAO4**~~	~~Cardinia Shire Council~~	~~Civic and Professional Precinct redevelopment including development of Municipal Offices~~
~~**PAO5**~~	~~Public Transport Development Authority~~	~~Pakenham East Train Maintenance Depot~~
PAO6	Minister for Education	Proposed School
~~**PAO7**~~	~~Minister for Health~~	~~Pakenham Community Hospital~~
PAO8	Head, Transport for Victoria	Road construction
PAO9	Melbourne Water Corporation	Wetland
PAO10	South East Water	Water recycling plant

14/06/2018
C236

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0
30/04/2026
GC272

Public acquisition

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	~~Roads Corporation~~Head, Transport for Victoria	Road
PAO2	The Minister responsible for administering Part 2 of the *Crown Land (Reserves) Act 1978*	Cardinia Creek Parklands
PAO3	Cardinia Shire Council	Road
~~**PAO4**~~	~~Cardinia Shire Council~~	~~Civic and Professional Precinct redevelopment including development of Municipal Offices~~
~~**PAO5**~~	~~Public Transport Development Authority~~	~~Pakenham East Train Maintenance Depot~~
PAO6	Minister for Education	Proposed School
~~**PAO7**~~	~~Minister for Health~~	~~Pakenham Community Hospital~~
PAO8	Head, Transport for Victoria	Road construction
PAO9	Melbourne Water Corporation	Wetland
PAO10	South East Water	Water recycling plant

10/06/2021
C254card

1.0
27/02/2025
C274card

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

Scheduled area

2.0
10/06/2021
C254card

Scheduled weed

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
~~All land in a Public Acquisition Overlay or a Transport Zone 2 or a Transport Zone 3 for the Pakenham Bypass~~	~~All native vegetation provided the works are undertaken in accordance with a Project Environment Protection Strategy, which is consistent with the Minister's Assessment under the Environment Effects Act 1978 for the Pakenham Bypass Project, to the satisfaction of the responsible authority~~
All land	Sweet Pittosporum *(Pittosporum undulatum)*
~~Land in the Cardinia Reservoir Park, Emerald~~	~~Native vegetation required to be removed, destroyed or lopped to enable the land to be developed by or on behalf of Melbourne Water for the Desalinated Water Integration Project~~
~~Land in a Transport Zone 1 for the Cardinia Road Railway Station and associated facilities~~	~~Native vegetation required to be removed, destroyed or lopped to enable the land to be developed for the Cardinia Road Railway Station and associated facilities~~
Land shown in the Urban Growth Zone 6 for the Pakenham South Employment precinct	All native vegetation in the levy area within the meaning of the Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020.
Land shown as UGZ7, SUZ8 and IPO3 on planning scheme maps	All native vegetation in the levy area within the meaning of the Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020. This does not apply to native vegetation identified as to be retained in a precinct structure plan incorporated in this scheme.

Area	Description of weed
None specified	

10/06/2021
C254card

SCHEDULE TO CLAUSE 52.28 GAMING

Objectives

1.0
13/03/2026
C271card

Objectives

To discourage new gaming machines in vulnerable or disadvantaged areas and protect the rural townships in the municipality from the negative impacts of gaming.

To achieve positive social, economic and environmental outcomes in the location and relocation of gaming machines, to protect the amenity of areas surrounding gaming venues and avoid exacerbating the risk of problem gambling.

To minimise opportunities for convenience gaming.

To locate gaming machines where the community has a choice of non-gambling entertainment or recreation activities within the gaming venue and the local area.

~~To protect the amenity of areas surrounding gaming venues.~~

To avoid the establishment of gaming machines in the growth area ahead of sufficient population growth.

2.0
10/06/2021
C254card

~~To protect the rural townships in the municipality from the negative impacts of gaming.~~

Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
Arena Shopping Centre, Officer	Lot R in Plan of Subdivision PS625955
Cardinia Lakes Shopping Centre, Pakenham	Land in Plan of Consolidation CP374344
Heritage Springs Shopping Centre, Pakenham	Land in Plan of Subdivision PS549321
Lakeside East Village Shopping Centre, Pakenham	Lot 2007 in Plan of Subdivision PS447404
Lakeside Square Shopping Centre, Pakenham	Lot 1042 in Plan of Subdivision PS640819
342 Belgrave-Gembrook Road, Emerald	Land in Plan of Consolidation PC358199
2 Emerald-Monbulk Road, Emerald	Land in Plan of Consolidation PC373789
Station Street, Koo Wee Rup	Lot 2 in Plan of Subdivision PS549875
Main Street, Bunyip	2-6 Main Street, Bunyip (CA26, CA27 and CA28 Sec11)
Officer Town Centre	All land in Urban Growth Zone 4 (UGZ4) other than Town Centre Precincts 'Gateway' and 'Highway Business' shown in Plan 2 of UGZ4
Pakenham Place Shopping Centre, Pakenham	Land in Plan of Consolidation CP160829
Pakenham Central Marketplace Shopping Centre, Pakenham	Lots 1 and 2 in Plan of Subdivision PS629098

3.0
10/06/2021
C254card

Prohibition of a gaming machine in a strip shopping centre

A gaming machine as specified in Clause 52.28-5 is prohibited in a strip shopping centre specified in Table 2 below.

Table 2

Name of strip shopping centre and locality	Land description
Beaconsfield	2 Beaconsfield-Emerald Road 4-68 Old Princes Highway (even numbers) 53-55 Old Princes Highway (odd numbers) 19-29 Sylvia Road (odd numbers) 11-37 Woods Street (odd numbers)
Bunyip	1-21 High Street (odd numbers) 2-4 High Street (even numbers) 9-29 Main Street (odd numbers) 2-8 Main Street (even numbers) 1-15 Pearson Street (odd numbers) 2-8 Pearson Street (even numbers) 1-3 Railway Avenue (odd numbers)
Cockatoo	1 Belgrave-Gembrook Road 1-3 Boronia Crescent (odd numbers) 2-4 Boronia Crescent (even numbers) 7-27 McBride Street (odd numbers) 22-62 McBride Street (even numbers) 8 Rouen Road
Emerald	311-325 and 351-381 Gembrook-Belgrave Road (odd numbers) 336-344, 348-354 and 360-366 Gembrook-Belgrave Road (odd numbers) 1-5 Kilvington Drive (odd numbers) 4-12 Kilvington Drive (even numbers) 1 Monbulk Road
Garfield	35-105 Longwarry-Nar Nar Goon Road (odd numbers)
Gembrook	73-101 Main Street (odd numbers) 66-88 Main Street (even numbers)
Koo Wee Rup	6 Moody Street 275-319 Rossiter Road (odd numbers) 272-330 Rossiter Road (even numbers) 4-86 Station Street (even numbers)

Name of strip shopping centre and locality	Land description
Lakeside, Pakenham	Lakeside Boulevard Lakeside Link
Lang Lang	1-49 Westernport Road (odd numbers) 2-38 Westernport Road (even numbers)
Nar Nar Goon	1-17 Carney Street (odd numbers) 1-3 Main Street (odd numbers) 2 Main Street 1-3 Nar Nar Goon Road (odd numbers)
Officer	404-432 Princes Highway (even numbers) 4 Station Street
Pakenham	55-71 Henry Street (odd numbers) 49 James Street 11-17 John Street (odd numbers) 50-56 John Street (even numbers) 39-153 Main Street (odd numbers) 52-162 Main Street (even numbers) 2-20 Station Street (even numbers)
Upper Beaconsfield	23-61 Beaconsfield-Emerald Road (odd numbers) 2-4 St Georges Road (even numbers)

4.0
13/03/2026
C271card

Locations for gaming machines

Appropriate areas

Gaming venues and machines should be located:

- Where the community has a choice of non-gaming entertainment and recreation activities and established social infrastructure, some of which operate during the times that the proposed gaming machines will operate in the local area.
- In growth areas, where the Electronic Gaming Machine (EGM) density cap does not exceed 10 EGMs per 1000 persons over the age of 18 as set by the State Government.
- Where they will make a positive contribution to the redistribution of gaming machines away from relatively disadvantaged areas, as defined by the latest Australian Bureau of Statistics (ABS) Socio Economic Indexes for Areas (SEIFA) index of relative socio-economic disadvantage.
- Where the facility is removed from day-to-day convenience activities.

Gaming venues and machines should not be located:

- In areas that abut, or are adjacent, opposite or in close proximity to prohibited areas as specified in this Schedule.
- Within 400 metres walking distance of a concentration of social housing comprising more than 50 dwellings or within a clear line of sight of a social support agency or gamblers help

centre.

- Where any ABS statistical area within 400 metres of the proposed venue is in the 20% most disadvantaged statistical areas in Cardinia Shire as set out in the latest SEIFA Index of relative socio-economic disadvantage.
- In areas that are key connections between core retail areas in a township or activity centre.

Appropriate sites

Gaming venues and machines should be located:

- On sites that minimise the likelihood of impulse gaming by people passing the venue in the course of their usual business or every day activities.
- At the periphery of activity centres and removed from land zoned for a commercial purpose, or at a sports or recreation club.

Gaming venues and machines should not be located on sites:

- Where they are convenient to concentrations of shops, major community facilities or key public transport nodes where large numbers of pedestrians are likely to pass in the course of their daily activities.
- In townships and small centres where local convenience services are provided and where no or limited alternative attractions are offered.
- That abut, are adjacent to, or are opposite a strip shopping centre.
- That are in the direct line of sight of a strip shopping centre.
- That are in a rural township where there is no alternative club or hotel without gaming machines.

5.0 Venues for gaming machines

13/03/2026
C271card

Gaming machines should be located in venues:

- That offer and promote a range of other forms of recreation and entertainment other than gambling based activities and which are located in spaces completely divorced from the presence of EGMs.
- That promote non-gaming activities that increase the choice of activities and attractions available to patrons.
- That limit play by condition of approval to times when alternative entertainment and recreation is also operating and available.
- That already have gaming machines (in preference to the establishment of a new gaming venue).
- That are designed to comply with best practice and the full ambit of the VCGLR Venue Manual or any regulatory successor.
- That promote responsible gaming practices.

Gaming machines should not be located in venues:

- That have 24 hour-a-day operation or do not allow for a substantive period of time whereby gaming machines are non-operational.
- That have a gaming floor area of more than 25% of the total floor area of the venue.
- That will detrimentally affect the amenity of the surrounding area by way of design, location or operating hours.

6.0
13/03/2026
C271card

Application requirements

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A statement outlining how the application is consistent with the broader Planning Policy Framework and Municipal Planning Strategy including policies on recreation and entertainment, economic development, tourism and town development.
- An assessment of the social and economic benefits and dis-benefits of the proposed EGMs and how the benefits are to be secured and distributed to the broader local community.
- Details about the existing and proposed distribution and density of gaming machines in the municipality and local area, any proposed reallocation of gaming machines in the municipality, and the proposal's expected impact on patronage.
- A current assessment of the suburb or town's relative vulnerability to problem gaming in comparison to others in the region. [~~22.03-4 AR4~~]
- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community.
- If it is proposed to move EGMs from one part of the municipality to another, details of the relative social and economic differences between the two areas. An explanation as to why the EGMs are being transferred is to be provided.
- If relevant, details of existing gaming expenditure at the venue (over a 3 year period prior to the application) and a forecast of the anticipated expenditure at the venue if the proposal was to be approved.
- If EGMs are to be relocated from other venues, the likely social and economic impact of the proposal on those venues and the local area within which those venues are located.
- Gaming expenditure that is likely to be transferred from other venues, including:
  - Particulars as to how the level of transfer has been calculated (including, but not limited to, comparison of existing and projected expenditure per machine at the venue, current usage levels of machines at the venue, projected usage level of machines at the venue after the additional machines).
  - The amount of transfer expenditure anticipated.
  - The resulting impact on revenue of the venue from where the expenditure is transferred.
  - The resulting impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, impact on ability to provide services etc).
- Details of the relative socio-economic disadvantage of the locality and the broader 5 kilometre catchment of the venue.
- The latest ABS and SEIFA index of relative socio-economic disadvantage, the projected growth, housing affordability and housing stress, income levels, unemployment rates, educational retention and attainment levels, and the percentage of social security recipients.
- A statement outlining mitigating strategies to prevent problem gambling and external amenity impacts in relation to the design and management of the venue, including the applicant's responsible gaming practices.
- Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities at the venue and within the local area.
- The distance to shopping complexes and strip shopping centres, community facilities, counselling services and public transport.
- Details of currently available social support services including specific problem gambling services, financial counselling services, and material and financial aid services; the location

of these services in relation to both the revenue and patron catchment area; and the level of current demand for these services.

- Pedestrian counts outside the proposed venue on different days and at a variety of times, including (where relevant) comparisons with base levels in core areas of the activity centre.
- A detailed overall assessment, that shows and summarises the economic and social impacts of the proposal and their effect on community wellbeing and health.

7.0
13/03/2026
C271card

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The relative vulnerability to problem gaming within a 5 kilometre radius of the proposed venue, or alternative catchment area where appropriate. ~~[22.03-5-DG1]~~
- Whether there is to be a net community benefit derived from the application, aside from any community contribution scheme.
- Whether approval is likely to increase the social disadvantage or vulnerability of the local community.
- Whether the location of the gaming machines or gaming premises will facilitate or discourage convenience gaming.
- Whether the venue is accessible by a variety of transport modes.
- Whether residents will have a choice between entertainment and recreation venues with and without gambling in the local area.
- The impact of the proposal on the amenity of the area and surrounding land uses.

10/06/2021
C254card

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0
14/05/2026
GC148

Referral of permit applications under local provisions

Clause	Kind of application	Referral authority	Type of referral authority
Clause 3.0 of Schedule 3 to Clause 42.01 (ESO)	All Applications	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
Clause 4.0 of Schedule 6 to Clause 37.01 (SUZ)	Any application within 200 metres of an existing gas pipeline.	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
~~Schedule 4 to Clause 37.07 (UGZ)~~	~~An application to subdivide land, or construct a building or carry out works (if the application includes 1,000 square metres or more of leasable floor space) on land identified on Figure 6 in the incorporated *Officer Precinct Structure Plan* as 'Officer Town Centre Sub Precinct Plan' where there is no approved Urban Design Framework in place.~~	~~Victorian Planning Authority~~	~~Determining referral authority~~
Schedule 4 to Clause 37.07 (UGZ)	Application to use land within the 'separation distance' area from the existing HyGain Feeds Mill site at 10-20 Hickson Rd, Officer for Accommodation, Dwelling, Education centre, or Informal outdoor recreation.	Environment Protection Authority	Recommending referral authority
Schedule 3 to Clause 37.07 (UGZ)	Application to use land within the 'separation distance' area from the existing HyGain Feeds Mill site at 10-20 Hickson Rd, Officer for Accommodation, Dwelling, Education centre, or Informal outdoor recreation.	Environment Protection Authority	Recommending referral authority
~~Clause 2.0 of Schedule 5 to Clause 37.07 (UGZ)~~	~~Any application to subdivide, or construct or carry out works (where the value of those works is in excess of $500,000) on land in the Local Town Centre in the incorporated *Pakenham East Precinct Structure Plan.*~~	~~Victorian Planning Authority~~	~~Recommending referral authority~~
Schedule 1 to Clause 44.07 (SRO)	An application for any use listed at section 3.0 of the schedule.	Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*	Determining referral authority

Clause	Kind of application	Referral authority	Type of referral authority
Schedule 1 to Clause 44.07 (SRO)	An application under a zone to use or develop land for extractive industry.	Head, Transport for Victoria	Determining referral authority
Schedule 2 to Clause 44.07 (SRO)	An application for any use listed at section 3.0 of the schedule.	Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990* .	Determining referral authority
Schedule 3 to Clause 44.07 (SRO)	An application for any use listed at section 3.0 of the schedule.	Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*	Determining referral authority
Schedule 6 to Clause 37.07 (UGZ)	Application to use land within the 'odour South East Water buffer' area from the existing Pakenham Water Recycling Plant for Convenience shop, Crop raising, Informal outdoor recreation, Service station, or Take away food premises.	South East Water	Recommending referral authority
Schedule 6 to Clause 37.07 (UGZ)	Application to use land within the 'O'Connor odour buffer' area from the existing Pakenham Water Recycling Plant for Convenience shop, Crop raising, Informal outdoor recreation, Service station, or Take away food premises.	Environmental Protection Authority	Recommending referral authority
Clause 36.04-1 and 36.04-2	A permit to use land in a Transport Zone or to construct a building or construct or carry out works in a Transport Zone for a Section 2 use if the road is identified as a future arterial road in an approved Precinct Structure Plan.	Head, Transport for Victoria	Recommending referral authority
Schedule 7 to Clause 37.07 (UGZ)	An application to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as 'Biodiversity Conversation Strategy (BCS) conservation area' in the incorporated *Officer South (Employment) Precinct Structure Plan* .	Secretary to the Department of Energy, Environment, and Climate Action (as constituted under part 2 of the Conservation, Forests And Lands Act 1987).	Determining referral authority
Schedule 3 to Clause 43.03 (IPO)	An application to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as 'Biodiversity Conversation Strategy (BCS) conservation area' in the incorporated *Officer South (Employment) Precinct Structure Plan* .	Secretary to the Department of Energy, Environment, and Climate Action (as constituted under part 2 of the Conservation, Forests And Lands Act 1987).	Determining referral authority

Clause	Kind of application	Referral authority	Type of referral authority
Clause 52.05	A permit to put up for display an electronic or animated sign within 60m of a road if the road is identified as future arterial road in an approved Precinct Structure Plan.	Head, Transport for Victoria	Recommending referral authority
Schedule to Clause 45.12 (SCO9) Victorian Desalination Project – Infrastructure Protection Incorporated Document, Minister for Planning, January 2026	All applications.	Melbourne Water Corporation	Determining referral authority
Schedule to Clause 45.12 (SCO9) Victorian Desalination Project – Infrastructure Protection Incorporated Document, Minister for Planning, January 2026	All applications.	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
Clause 52.29	A permit to create or alter access to a road in a Transport Zone 2 or land in a public acquisition is for a Transport Zone 2 road and to subdivide land adjacent to a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the purpose of the acquisition is for a Transport Zone 2 road if the road is identified in an approved precinct structure plan as a future arterial road.	Head, Transport for Victoria	Recommending referral authority

10/06/2021
C254card

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0
24/04/2026
GC263

Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
Clause 3.0 of Schedule 1 to Clause 42.03 (SLO)	An application to construct a building or construct or carry out works (including a sign).	~~Emerald Tourist Railway Board~~Puffing Billy Railway Board
Clause 3.0 of Schedule 2 to Clause 42.03 (SLO)	An application to construct a building or construct or carry out works (including a sign).	National Trust of Australia (Victoria)
Clause 3.0 of Schedule 3 to Clause 42.03 (SLO)	An application to construct a building or construct or carry out works (including a sign).	National Trust of Australia (Victoria)
Clause 3.0 of Schedule 4 to Clause 42.03 (SLO)	An application to construct a building or construct or carry out works (including a sign).	National Trust of Australia (Victoria)
Clause 3.0 of Schedule 5 to Clause 42.03 (SLO)	An application to construct a building or construct or carry out works (including a sign).	National Trust of Australia (Victoria)
Schedule 5 to Clause 37.07 (UGZ)	An application to use land or construct a building or carry out works associated with any of the following uses within the 'high pressure gas transmission pipeline notification zone' depicted on *Plan 10 Utilities* in the incorporated Pakenham East Precinct Structure Plan. ▪ Accommodation (other than dwelling) ▪ Child care centre ▪ Cinema based entertainment facility ▪ Corrective institution ▪ Education centre ▪ Hospital ▪ Place of assembly ▪ Service station	The licensee and/or operator of the gas transmission pipeline
Schedule 7 to Clause 37.07 (UGZ)	An application to use land or construct a building or carry out works associated with any of the following uses within the 'area of consequence and notification' depicted on Plan 13 Utilities in the incorporated *Officer South (Employment) Precinct Structure Plan* ▪ Caretaker's house	The licensee and/or operator of the gas transmission pipeline

Clause	Kind of application	Person or body to be notified
	▪ Child care centre ▪ Cinema based entertainment facility ▪ Corrective institution ▪ Education centre ▪ Place of assembly ▪ Service station	
Schedule 1 to Clause 35.04 (GWZ1)	An application under the zone to use or develop land for extractive industry on land in Schedule 1 to the State Resource Overlay.	The Registered Aboriginal Party of the identified Country as assessed and registered by the Victorian Aboriginal Heritage Council in accordance with the *Aboriginal Heritage Act 2006* .
Schedule 1 to Clause 35.06 (RCZ1)	An application under the zone to use or develop land for extractive industry on land in Schedule 1 to the State Resource Overlay.	The Registered Aboriginal Party of the identified Country as assessed and registered by the Victorian Aboriginal Heritage Council in accordance with the *Aboriginal Heritage Act 2006* .

13/03/2026
C271card

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0
13/03/2026
C271card

Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- Green Wedge Zone and Green Wedge A Zone to support agricultural uses and to protect environmental and cultural values of green wedge land.
- Rural Conservation Zone to areas of high biodiversity value.
- Farming Zone to undeveloped farmland within the Urban Growth Boundary or township boundaries that has been identified for future rezoning for urban uses.
- Residential Growth Zone to encourage a diversity of housing types in locations offering good access to services and transport.
- General Residential Zone to encourage a diversity of housing types that respect the neighbourhood and landscape character of the area.
- Neighbourhood Residential Zone for to ensure that development respects the identified character, heritage and landscape characteristics of the area.
- Low Density Residential Zone to land located within the urban growth boundary and within townships where bushfire exposure is not higher than 12.5 kw/sqm and development can be adequately serviced.
- Mixed Use Zone to designate activity centres with a mixed-use function and community activity clusters.
- Urban Growth Zone to manage the transition of non-urban land to urban land in accordance with a precinct structure plan.
- Comprehensive Development Zone to substantial development and re-development sites with a mix of uses.
- Special Use Zone:
  - Schedule 1 (Horticultural Preservation) to land of high agricultural quality for horticultural preservation.
  - ~~Schedule 2 (Recreation and Tourism) to land to preserve and enhance the establishment of tourism and recreation facilities.~~
  - Schedule 3 (Tynong Racecourse and Training Facility) to land containing the Tynong Racecourse and Training Facility.
  - Schedule 4 (Special Use Zone Growth Areas (Cardinia Road Employment Precinct)) to land containing the Cardinia Road Employment Precinct.
  - Schedule 5 (Cardinia Motor Recreation and Education Park) to land containing the Cardinia Motor Recreation and Education Park.
  - Schedule 6 (Private Education Facility) to land in private ownership to be used for an education centre to ensure that the use and development of these facilities takes place in an orderly and proper manner and does not cause loss of amenity to the neighbourhood.
  - Schedule 7 (South East Food Production, Export and Employment Node) to land containing the South East Food Production, Export and Employment Node.
  - Schedule 8 (Officer South (Employment) Precinct Structure Plan- Electricity Easement to land within the Officer South (Employment) Precinct Structure Plan that is within the high voltage power line electricity easement.
  - Schedule 9 (Extractive Industry) to land within the Lang Lang Strategic Extractive Resource Area.
- Activity Centre Zone to encourage a mix of uses and more intensive development in high

order activity centres.

- Commercial 1 Zone:
  - to encourage the intensive development of business centres for retaining and other complementary commercial, entertainment and community uses.

  - to encourage the development of offices and associated commercial uses.
- Commercial 2 Zone to encourage the development of a mix of bulky goods retailing and manufacturing industry and their associated business services.
- Industrial 1 Zone to land identified for industrial use and development.
- Public Use Zone to publicly owned community facility sites to facilitate their development.
- Public Park and Recreation Zone to areas for public recreation and open space.
- Public Conservation and Resource Zone to areas of high biodiversity value.
- Transport Zone 1 to State transport infrastructure.
- Transport Zone 2 to Principal Road network.
- Transport Zone 3 to significant municipal roads.
- Transport Zone 4 to other transport uses.
- Urban Floodway Zone to waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.
- Environmental Significance Overlay to allow for development that is compatible with identified environmental values.
- Vegetation Protection Overlay to protect areas of significant vegetation.
- Significant Landscape Overlay to conserve and enhance the character of significant landscapes.
- Heritage Overlay to identified heritage places and associated parcels of land to conserve and enhance heritage places of natural or cultural significance.
- Design and Development Overlay to implement urban design frameworks and guidelines.
- Incorporated Plan Overlay ~~Schedule 1~~ to ensure appropriate development and design principles are employed and to guide and facilitate development of land in accordance with an incorporated plan.
- Development Plan Overlay to ensure appropriate development and design principles are employed and to guide and facilitate development of land in accordance with a development plan.
- Erosion Management Overlay to areas prone to erosion, landslip or other land degradation processes.
- Floodway Overlay to waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.
- Land Subject to Inundation Overlay to land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- Special Building Overlay to land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.
- Bushfire Management Overlay to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- State Resource Overlay to protect areas of sand and stone resources which have been identified as being of state significance from use and development that would prejudice the use of the resource.
- Public Acquisition Overlay to land required for road improvements such as widening and realignments, [and land required for future public transport and associated use.
- Environmental Audit Overlay to potentially contaminated land.
- Road Closure Overlay to a road that is closed by an amendment to this planning scheme.

- Restructure Overlay to facilitate the restructuring of old and inappropriate subdivisions within rural townships.

- Development Contributions Plan Overlay to facilitate the levying of contributions for the timely provision of works, services and facilities for identified areas within the Urban Established Area and the Urban Growth Area.
- Parking Overlay to land within activity centres where financial contributions are to be made towards the provision of public car parking and where different car parking requirements are appropriate.
- Infrastructure Contributions Overlay to facilitate the levying of contributions for the timely provision of works, services and facilities for identified areas within the Urban Established Area and the Urban Growth Area.

13/03/2026
C271card

1.0
13/03/2026
C271card

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

Further strategic work

~~Review the Comprehensive Development Zone and rezone to standard zones where development is complete.~~

~~In consultation with the local community, prepare a policy statement for all small rural townships that will establish a basis for future strategic planning decisions in each township.~~

Develop a settlement hierarchy that defines the role of each settlement and provides direction for housing and update the Municipal Planning Strategy and Planning Policy Framework to reflect these directions ~~and activity centres~~.

Track and report annual planning permit dwelling approvals for established and greenfield areas to ensure we are meeting our housing targets obligations set by Plan for Victoria.

Develop an activity centre hierarchy and employment land policy, that defines the role of each activity centre and employment area and provides direction for activity centres and employment areas and updates the Municipal Strategy and Planning Policy Framework to reflect these directions.

Review the local policy at Clause 13.03-1L (Floodplain management) following amendments to State level policy as part of the State Government flood reforms expected to be implemented by the end of 2026~~Prepareing Township Strategies for large rural townships where one has not yet been prepared.~~

Audit the status of the current Development Plan Overlays in the planning scheme to determine what Development Plan are complete and can be removed from the planning scheme.

Assist the State Government Departments to develop the remaining precinct structure plans as per the 'A 10-year plan for industrial land November 2025.

~~Develop a policy for the provisions of open space in commercial and industrial areas for inclusion in the schedule to Clause 53.01 seeking a contribution rate of 2%.~~

~~Finalise the draft Developer Landscape Guidelines and implement appropriate planning policy.~~

Development of a policy for replacement planting ratios for the removal of vegetation in an Environmental Significance Overlay, Significant Landscape Overlay and Vegetation Protection Overlay.

~~Prepare local policies to address the siting and design of horticultural structures, and the siting and design of large sheds in rural areas, and investigate whether a single policy can address both issues.~~

Identify and map areas of endangered flora and fauna such as Growling Grass Frog and Southern Brown Bandicoot for inclusion in the Environmental Significance Overlay or Vegetation Protection Overlay.

~~Review the Lang Lang Township Strategy and Preparing~~ Pprepare a strategy for the Lang Lang region to outline the preferred adaptive re-use of land once sand extraction has been completed.

~~Prepare a local policy providing Design Guidelines for Industrial Development and the application of a Design and Development Overlay to existing and future industrial land, including the industrial land on Bald Hill Road and around Purton Road.~~

~~Review the application of all industrial zones to identify land that is appropriate to rezone to the Commercial 2 Zone, Commercial 3 Zone, or Industrial 3 Zone.~~

Prepare Green Wedge Management Plans for the ~~Northern Ranges~~Dandenong Ranges Green Wedge and the Southern Ranges Green Wedge areas. In developing the Green Wedge Management Plans, consider opportunities for tourism, the need for policy guidance for discretionary uses and boundary alignments in green wedge areas. ~~-~~

Review the Western Port Green Wedge Management Plan.

~~s that are required to be in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery, and sets out parameters of how these uses are to be established.~~

~~Prepare a local policy to provide guidance on boundary realignments in green wedge areas, including policy to ensure new dwellings are associated with agricultural or horticultural uses farm.~~

Progressively undertake reviews of each Large Rural Township Strategy.

Review the Comprehensive Development Zone and rezone to standard zones where development is complete.

Review the Pakenham Major Activity Centre Structure Plan and the content and application of the Activity Centre Zone – Schedule 1.

~~Develop a local policy that addresses uses in the Green Wedge Zone~~

~~Prepare Precinct Structure Plans, Activity Centre Structure Plans and Infrastructure Contribution Plans for precincts within the Urban Growth Boundary where one has not been prepared. Develop local sustainable buildings guidelines.~~

~~Develop local sustainable building guidelines.~~

~~Include Puffing Billy Railway land in a Public Use Zone to allow the operation of the railway as provided for under the Emerald Tourist Railway Act.~~

In partnership with State Government Departments develop a strategy and finalise a preferred site for a possible future airport should demand warrant this beyond 2030 and apply zones and overlays to protect:

- the preferred site for use as a general aviation airport.
- flight paths and noise contours in the proposed airport environs.

-
- associated industrial and commercial land.
- a rail alignment between the preferred site and the rail line at Clyde.

~~Support the progressive development of the Cardinia Creek Regional Parklands as a regional passive recreation resource and for the protection of the creek environs as outlined in the *Cardinia Creek Parklands Future Direction Plan, 2002* .~~