

## OVERLAYS

This section sets out the overlays which apply in this scheme.

41

31/07/2018  
VC148

[NO CONTENT]

**ENVIRONMENTAL AND LANDSCAPE OVERLAYS**

**42.01**

31/07/2018  
VC148

**ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

**42.01-1**

31/07/2018  
VC148

**Environmental significance and objectives**

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

**42.01-2**

14/12/2023  
VC253

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where:	Clause 59.02

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Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</li> </ul>	
Subdivide land into 2 lots if:	Clause 59.02
<ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land:                             <ul style="list-style-type: none"> <li>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>- Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided:	Clause 59.06
<ul style="list-style-type: none"> <li>▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months.</li> <li>▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.</li> </ul>	
Construct a building or construct or carry out works for:	Clause 59.05
<ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A rainwater tank.</li> </ul> <p>The buildings and works must be associated with a dwelling or a small second dwelling.</p>	

### 42.01-3

16/08/2024  
VC262

### Table of exemptions

The requirement to obtain a permit does not apply to:	
<b>Emergency works</b>	Vegetation that is to be removed, destroyed or lopped: <ul style="list-style-type: none"> <li>▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</li> <li>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</li> </ul>
<b>Extractive industry</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
<b>Fire protection</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: <ul style="list-style-type: none"> <li>▪ fire fighting;</li> <li>▪ planned burning;</li> </ul>

## CARDINIA PLANNING SCHEME

### The requirement to obtain a permit does not apply to:

	<ul style="list-style-type: none"> <li>▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</li> <li>▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>);</li> <li>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</li> <li>▪ in accordance with a fire prevention notice issued under either:             <ul style="list-style-type: none"> <li>- section 87 of the <i>Fire Rescue Victoria Act 1958</i>;</li> <li>- section 65 of the <i>Forests Act 1958</i>; or</li> <li>- section 41 of the <i>Country Fire Authority Act 1958</i>.</li> </ul> </li> <li>▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>;</li> <li>▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>.</li> </ul> <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
<b>Geothermal energy exploration and extraction</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
<b>Greenhouse gas sequestration and exploration</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
<b>Land management or directions notice</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
<b>Land use conditions</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
<b>Mineral exploration and mining</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>:</p> <ul style="list-style-type: none"> <li>▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or</li> <li>▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</li> </ul> <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
<b>Noxious weeds</b>	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder ( <i>Cuscuta australis</i> ).
<b>Pest animal burrows</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p> <p>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.</p>

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The requirement to obtain a permit does not apply to:	
<b>Planted vegetation</b>	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
<b>Railways</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ).
<b>Regrowth</b>	<p>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</p> <ul style="list-style-type: none"> <li>▪ bracken (<i>Pteridium esculentum</i>); or</li> <li>▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</li> </ul> <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
<b>Road safety</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ).
<b>Stone exploration</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> <li>▪ 1 hectare of vegetation which does not include a tree.</li> <li>▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</li> <li>▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</li> </ul> <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
<b>Surveying</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i> ) using hand-held tools to establish a sightline for the measurement of land.
<b>Traditional owners</b>	<p>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p> <ul style="list-style-type: none"> <li>▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or</li> <li>▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).</li> </ul>
<b>Tram stops</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
<b>Transport land</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

### 42.01-4

31/07/2018  
VC148

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

**42.01-5**

31/07/2018  
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**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.

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 to 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 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.

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.

**3.0**10/06/2021  
C254card**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:

- Building materials must be non-reflective or subdued colours which complement the environment to the satisfaction of the responsible authority.
- The height of any dwelling must not exceed 7 metres above natural ground level and the height of all other buildings must 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 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%.
- The buildings and works must 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, with the exception of Sweet Pittosporum (*Pittosporum undulatum*).
- If the building is an extension to an existing dwelling that is less than 50 percent of the floor area of the existing building.

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- If the building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land must not exceed 120 square metres.
- 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, 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 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. 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 or 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:

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia decurrens</i>	Early Black Wattle	

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<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Acacia elata</i>	Cedar Wattle	
<i>Acacia floribunda</i>	White Sallow Wattle	
<i>Acacia longifolia</i>	Coast/Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acacia sophorae</i>	Coastal Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus praecox orientalis</i>	African Lily	
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
<i>Berberis darwinii</i>	Darwin's Berberry	
<i>Briza minor</i>	Shivery Grass	
<i>Briza maxima</i>	Quaking Grass	
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	

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<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crococsmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	

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<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himalayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not included <i>Prunus cerasifera</i> (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

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

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 defensible 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 defensible 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

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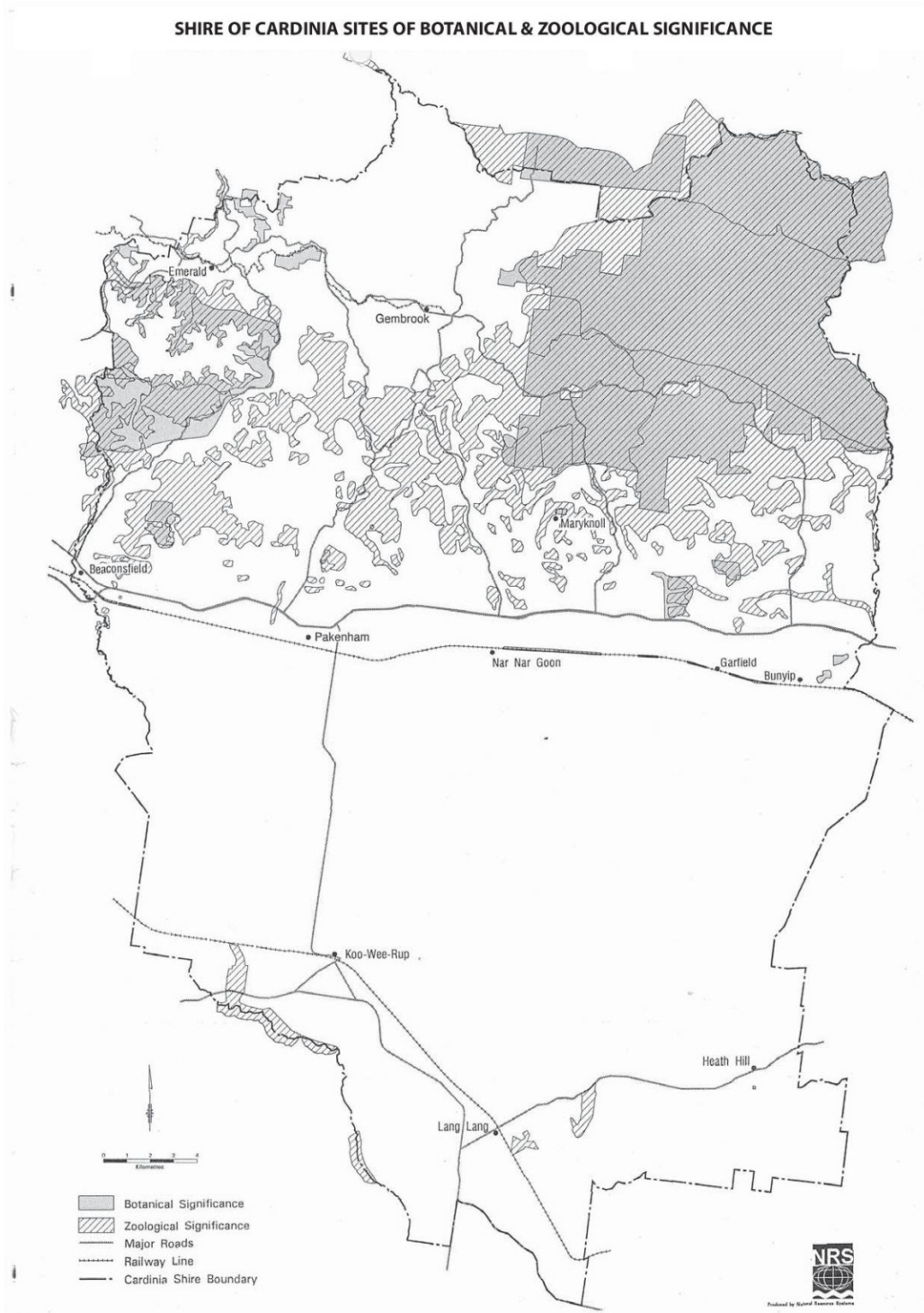
#### Decision guidelines

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

# CARDINIA PLANNING SCHEME

## Map 1 to Schedule 1 to Clause 42.01



10/06/2021  
C254card**SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO2.

**WESTERN PORT COASTAL WETLAND AREAS****1.0**10/06/2021  
C254card**Statement of environmental significance**

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**10/06/2021  
C254card**Environmental objective to be achieved**

To protect the environmentally significant features of Western Port.

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**10/06/2021  
C254card**Permit requirement**

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.

## CARDINIA PLANNING SCHEME

- 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 there is no condition listed in the table:

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

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocasmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	

CARDINIA PLANNING SCHEME

Botanical name	Common name	Condition
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea sauveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himalayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygalia myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not included Prunus cerasifera (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	

## CARDINIA PLANNING SCHEME

Botanical name	Common name	Condition
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus</i> spp. agg.	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix</i> spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa organifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
See Cape Wattle	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum tinus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana</i> var. <i>bulbillifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

### 4.0

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### 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:

## CARDINIA PLANNING SCHEME

- 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 defensible 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 defensible space in conjunction with an application under the Bushfire Management Overlay.

### 5.0

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#### 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:

- 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:

- The desirability of retaining or establishing a buffer of native vegetation adjoining waterways, natural drainage lines, along the coastline and any existing vegetation along roads and property boundaries.
- Whether the vegetation has been identified as being of environmental significance.
- Whether the ecological values and environmental characteristics will be enhanced
- Measures to prevent environmental degradation by noxious and environmental weeds and pest animals.
- Measures to improve the water quality to Western Port.
- The location, extent and levels of any excavation or fill or alteration to the natural surface including potential impacts to coastal acid sulphate soils.
- The provisions of State Environment Protection Policy (Waters of Western Port Bay and Catchment).
- The Port Phillip and Westernport Regional Catchment Strategy and Catchment Action Plans prepared under the *Catchment and Land Protection Act 1994*.
- The Coastal Strategy and any Coastal Action Plans or Management Plans prepared under the *Coastal Management Act 1995*.

## 6.0 Background document

Understanding the Western Port Environment - A summary of current knowledge and priorities for future research (Melbourne Water, 2011)

Victorian Coastal Acid Sulfate Soils Strategy 2009 (CASS Strategy)

Mangroves and Coastal Saltmarsh of Victoria; distribution, condition, threats and management (Boon et al, 2011)

Western Port Ramsar Site Strategic Management Plan (Department of Sustainability and Environment, 2003)

Management of Victoria's Ramsar Wetlands Strategic Directions Statement (Department of Natural Resources and Environment, 2002)

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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**

10/06/2021  
C254card

#### **Statement of environmental significance**

The Department of Sustainability and Environment has 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**

10/06/2021  
C254card

#### **Environmental objective to be achieved**

To ensure that the habitat values of the sites are not diminished by the incremental removal of vegetation 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**

10/06/2021  
C254card

#### **Permit requirement**

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 Department of Sustainability and Environment.

#### **4.0**

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#### **Application requirements**

None specified.

#### **5.0**

10/06/2021  
C254card

#### **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 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  
C254card**SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO4.

**PAKENHAM NORTH RIDGE****1.0**10/06/2021  
C254card**Statement of environmental significance**

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 (*Eucalyptus 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**10/06/2021  
C254card**Environmental objective to be achieved**

To protect and enhance the significant environmental and landscape values of the Pakenham North ridge.

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.

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

**3.0**10/06/2021  
C254card**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.

## CARDINIA 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 there is no condition listed in the table:

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

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocasmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitana</i>	Spanish Heath	
<i>Eucalyptus botryoides</i>	Southern Mahogany Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea sauveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leptospermum laevigatum</i>	Coast Tea Tree	
<i>Leycesteria formosa</i>	Himalayan Honeysuckle	
<i>Ligustrum lucidum</i>	Broad-Leaved Privet	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiate</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Prunus spp.</i>	Plum	Except <i>Prunus cerasifera</i> (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix spp.</i>	Willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa organifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
See Cape Wattle	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaeolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	

Botanical name	Common name	Condition
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum timus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana var. bulbifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	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:

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 defensible 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 defensible space in conjunction with an application under the Bushfire Management Overlay.

**5.0**10/06/2021  
C254card**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:

**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.

**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)

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 woodland and grassy forest are endangered. The bioregional conservation status of damp heathy woodland is of least concern.

**2.0**10/06/2021  
C254card**Environmental objective to be achieved**

To protect, enhance and restore the native vegetation, with emphasis on retaining intact remnant vegetation 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.

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

**3.0**10/06/2021  
C254card**Permit requirement**

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.

**4.0**10/06/2021  
C254card**Application requirements**

None specified.

**5.0**10/06/2021  
C254card**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 has been followed and in particular:
  - 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.
- The means of protecting vegetation during the construction of buildings and works and the on-going protection and management of vegetation post construction.
- The likelihood of the future need to remove ground fuel within 30m of a building.

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**10/06/2021  
C254card**Statement of environmental significance**

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 topography 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**10/06/2021  
C254card**Environmental objective to be achieved**

- To protect the significant environmental and landscape values of the area.
- 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**10/06/2021  
C254card**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:

- Building materials must be non-reflective or subdued colours which complement the surrounding environment.
- The height of any building must not exceed 7 metres above natural ground level.
- The works must 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 percent.
- If the building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land must not exceed 120 square metres.
- If a building envelope is registered on the plan of subdivision, any building must be located within the building envelope.

**4.0**10/06/2021  
C254card**Application requirements**

None specified.

**5.0**10/06/2021  
C254card**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:

- The protection and enhancement of the natural environment and character of the area.

## CARDINIA PLANNING SCHEME

- 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.

**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**27/02/2025  
C274card**Environmental objective to be achieved**

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

**3.0**27/02/2025  
C274card**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. Longifolia*);
    - Coast Wattle (*Acacia longifolia subsp. 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

27/02/2025  
C274card

#### 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:

- 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 removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017).
  - 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.

## 5.0

27/02/2025  
C274card

### 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:

- 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 any proposed 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.

## CARDINIA PLANNING SCHEME

- 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.

**42.02**

31/07/2018  
VC148

**VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as **VPO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas of significant vegetation.

To ensure that development minimises loss of vegetation.

To preserve existing trees and other vegetation.

To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.

To maintain and enhance habitat and habitat corridors for indigenous fauna.

To encourage the regeneration of native vegetation.

**42.02-1**

31/07/2018  
VC148

**Vegetation significance and objectives**

A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

**42.02-2**

28/10/2022  
VC224

**Permit requirement**

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Remove, destroy or lop one tree provided: <ul style="list-style-type: none"> <li>▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months.</li> <li>▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.</li> </ul>	Clause 59.06

**42.02-3**

16/08/2024  
VC262

**Table of exemptions**

The requirement to obtain a permit does not apply to:	
<b>Emergency works</b>	Vegetation that is to be removed, destroyed or lopped:

## CARDINIA PLANNING SCHEME

The requirement to obtain a permit does not apply to:	
	<ul style="list-style-type: none"> <li>▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</li> <li>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</li> </ul>
<b>Extractive industry</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
<b>Fire protection</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> <li>▪ fire fighting;</li> <li>▪ planned burning;</li> <li>▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</li> <li>▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>);</li> <li>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</li> <li>▪ in accordance with a fire prevention notice issued under either:               <ul style="list-style-type: none"> <li>– section 87 of the <i>Fire Rescue Victoria Act 1958</i>;</li> <li>– section 65 of the <i>Forests Act 1958</i>; or</li> <li>– section 41 of the <i>Country Fire Authority Act 1958</i>.</li> </ul> </li> <li>▪ keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>;</li> <li>▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>.</li> </ul> <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
<b>Geothermal energy exploration and extraction</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
<b>Greenhouse gas sequestration and exploration</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
<b>Land management and directions notice</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
<b>Land use conditions</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
<b>Mineral exploration and extraction</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> :

## CARDINIA PLANNING SCHEME

<b>The requirement to obtain a permit does not apply to:</b>	
	<ul style="list-style-type: none"> <li>▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or</li> <li>▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</li> </ul> <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
<b>Noxious weeds</b>	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder ( <i>Cuscuta australis</i> ).
<b>Pest animal burrows</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.  In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
<b>Planted vegetation</b>	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
<b>Railways</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ).
<b>Regrowth</b>	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: <ul style="list-style-type: none"> <li>▪ bracken (<i>Pteridium esculentum</i>); or</li> <li>▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</li> </ul> <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
<b>Road safety</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ).
<b>Stone exploration</b>	Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: <ul style="list-style-type: none"> <li>▪ 1 hectare of vegetation which does not include a tree.</li> <li>▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</li> <li>▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</li> </ul> <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
<b>Surveying</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i> ) using hand-held tools to establish a sightline for the measurement of land.
<b>Traditional owners</b>	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

<b>The requirement to obtain a permit does not apply to:</b>	
	<ul style="list-style-type: none"> <li>▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or</li> <li>▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).</li> </ul>
<b>Tram stops</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
<b>Transport land</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

**42.02-4**

31/07/2018  
VC148

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**42.02-5**

31/07/2018  
VC148

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
  - Where ground slopes exceed 20 percent.
  - Within 30 metres of a waterway or wetland.
  - On land where the soil or subsoil may become unstable if cleared.
  - On land subject to or which may contribute to soil erosion, slippage or salinisation.
  - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
  - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.

## CARDINIA PLANNING SCHEME

- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.

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**10/06/2021  
C254card**Statement of nature and significance of vegetation to be protected**

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**10/06/2021  
C254card**Vegetation protection objectives to be achieved**

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**10/06/2021  
C254card**Permit requirement**

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.

## CARDINIA PLANNING SCHEME

- 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 there is no condition listed in the table:

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

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocasmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himalayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygalia myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not included Prunus cerasifera (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	

## CARDINIA PLANNING SCHEME

Botanical name	Common name	Condition
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus</i> spp. agg.	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix</i> spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa organifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
See Cape Wattle	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum timus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana</i> var. <i>bulbillifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

### 4.0

10/06/2021  
C254card

### Application requirements

The following application requirements apply to an application for a permit under Clause 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

## CARDINIA PLANNING SCHEME

- 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 defensible 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 defensible space in conjunction with an application under the Bushfire Management Overlay.

### 5.0

10/06/2021  
C254card

### Decision guidelines

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**10/06/2021  
C254card**Statement of nature and significance of vegetation to be protected**

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**10/06/2021  
C254card**Vegetation protection objectives to be achieved**

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**10/06/2021  
C254card**Permit requirement**

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.

## CARDINIA 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 there is no condition listed in the table:

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

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocsmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea sauveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himalayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygalia myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not included <i>Prunus cerasifera</i> (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	

## CARDINIA PLANNING SCHEME

Botanical name	Common name	Condition
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa organifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
<i>See Cape Wattle</i>	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaecolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum timus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana</i> var. <i>bulbillifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

### 4.0

10/06/2021  
C254card

### Application requirements

The following application requirements apply to an application for a permit under Clause 42.02, 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.

## CARDINIA PLANNING SCHEME

- 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 defensible 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 defensible space in conjunction with an application under the Bushfire Management Overlay.

### 5.0

10/06/2021  
C254card

### Decision guidelines

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**10/06/2021  
C254card**Statement of nature and significance of vegetation to be protected**

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**10/06/2021  
C254card**Vegetation protection objectives to be achieved**

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**10/06/2021  
C254card**Permit requirement**

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.

## CARDINIA PLANNING SCHEME

- 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 there is no condition listed in the table:

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

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocsmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common (Dolichos)	Dipogon
<i>Dodonea viscosa</i>	Sticky Hop Bush	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himilayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not included Prunus cerasifera (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa organifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
<i>See Cape Wattle</i>	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum timus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	

Botanical name	Common name	Condition
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana</i> var. <i>bulbillifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

#### 4.0

10/06/2021  
C254card

#### Application requirements

The following application requirements apply to an application for a permit under Clause 42.02, 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 defensible 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 defensible space in conjunction with an application under the Bushfire Management Overlay.

#### 5.0

10/06/2021  
C254card

#### Decision guidelines

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.

**42.03**

31/07/2018  
VC148

**SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

**42.03-1**

31/07/2018  
VC148

**Landscape character and objectives**

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

**42.03-2**

14/12/2023  
VC253

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.
- Construct a fence if specified in the schedule to this overlay.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided: <ul style="list-style-type: none"> <li>▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months.</li> <li>▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.</li> </ul>	Clause 59.06
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A rainwater tank.</li> </ul>	Clause 59.05

## CARDINIA PLANNING SCHEME

Class of application	Information requirements and decision guidelines
The buildings and works must be associated with a dwelling.	
Construct a building or construct or carry out works for a small second dwelling.	Clause 59.05

### 42.03-3

16/08/2024  
VC262

### Table of exemptions

The requirement to obtain a permit does not apply to:	
<b>Emergency works</b>	<p>Vegetation that is to be removed, destroyed or lopped:</p> <ul style="list-style-type: none"> <li>▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</li> <li>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</li> </ul>
<b>Extractive industry</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</p>
<b>Fire protection</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> <li>▪ fire fighting;</li> <li>▪ planned burning;</li> <li>▪ making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</li> <li>▪ making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>);</li> <li>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</li> <li>▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> <li>– section 87 of the <i>Fire Rescue Victoria Act 1958</i>;</li> <li>– section 65 of the <i>Forests Act 1958</i>; or</li> <li>– section 41 of the <i>Country Fire Authority Act 1958</i>.</li> </ul> </li> <li>▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>;</li> <li>▪ minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>.</li> </ul> <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
<b>Geothermal energy exploration and extraction</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the <i>Geothermal Energy Resources Act 2005</i>.</p>

## CARDINIA PLANNING SCHEME

The requirement to obtain a permit does not apply to:	
<b>Greenhouse gas sequestration and exploration</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
<b>Land management or directions notice</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
<b>Land use conditions</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
<b>Mineral exploration and extraction</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>:</p> <ul style="list-style-type: none"> <li>▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or</li> <li>▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</li> </ul> <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
<b>Noxious weeds</b>	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder ( <i>Cuscuta australis</i> ).
<b>Pest animal burrows</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p> <p>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.</p>
<b>Planted vegetation</b>	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
<b>Railways</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ).
<b>Regrowth</b>	<p>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is</p> <ul style="list-style-type: none"> <li>▪ bracken (<i>Pteridium esculentum</i>); or</li> <li>▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</li> </ul> <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
<b>Road safety</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ).
<b>Stone exploration</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> <li>▪ 1 hectare of vegetation which does not include a tree.</li> </ul>

The requirement to obtain a permit does not apply to:	
	<ul style="list-style-type: none"> <li>▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</li> <li>▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</li> </ul> <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
<b>Surveying</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i> ) using hand-held tools to establish a sightline for the measurement of land.
<b>Traditional owners</b>	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: <ul style="list-style-type: none"> <li>▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or</li> <li>▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).</li> </ul>
<b>Tram stops</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
<b>Transport land</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

#### 42.03-4

31/07/2018  
VC148

#### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

#### 42.03-5

31/07/2018  
VC148

#### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.

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**10/06/2021  
C254card**Statement of nature and key elements of landscape**

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**10/06/2021  
C254card**Landscape character objectives to be achieved**

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, reforestation and long-term management of vegetation to prevent the incremental loss of vegetation.

To support the biolink along the corridor.

**3.0**10/06/2021  
C254card**Permit requirement**

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 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:

- 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

## CARDINIA PLANNING SCHEME

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 there is no condition listed in the table:

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia decurrens</i>	Early Black Wattle	
<i>Acacia elata</i>	Cedar Wattle	
<i>Acacia floribunda</i>	White Sallow Wattle	
<i>Acacia longifolia</i>	Coast/Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acacia sophorae</i>	Coastal Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus praecox orientalis</i>	African Lily	
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
<i>Berberis darwinii</i>	Darwin's Berberry	
<i>Briza minor</i>	Shivery Grass	
<i>Briza maxima</i>	Quaking Grass	
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crococsmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himilayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygalia myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not included <i>Prunus cerasifera</i> (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa organifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
<i>See Cape Wattle</i>	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaeolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	

Botanical name	Common name	Condition
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum timus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana</i> var. <i>bulbillifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

#### 4.0

10/06/2021  
C254card

#### Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, 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 defensible 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 defensible space in conjunction with an application under the Bushfire Management Overlay.

**5.0**

10/06/2021  
C254card

**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:

- 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 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO2.

**WESTERN PORT****1.0**10/06/2021  
C254card**Statement of nature and key elements of landscape**

The northern coastline of Western Port between Tooradin and Koo-wee-rup has been recognised by the National Trust as a significant landscape. The area includes the outlet channels for Cardinia Creek and the Bunyip River, which were dug as part of the draining of the Koo-wee-rup Swamp, as well as the historic Harewood Homestead, which has also been recognised by the National Trust. Development requires sensitive siting and design to avoid significant intrusion into the landscape of Western Port.

**2.0**10/06/2021  
C254card**Landscape character objectives to be achieved**

To conserve and enhance the landscape quality of Western Port.

To conserve the flora and fauna and associated ecological processes which contribute to the Westernport landscape.

To ensure development is in keeping with the coastal landscape of Western Port.

**3.0**10/06/2021  
C254card**Permit requirement**

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*) or Common Cord grass (*Spartina anglica*).
- 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.
- 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.
- 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.

**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.
- 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 and 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 defensible 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 defensible space in conjunction with an application under the Bushfire Management Overlay.

**5.0**

10/06/2021  
C254card

**Decision guidelines**

None specified.

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**10/06/2021  
C254card**Statement of nature and key elements of landscape**

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**10/06/2021  
C254card**Landscape character objectives to be achieved**

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.

**3.0**10/06/2021  
C254card**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:

- 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.
- 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.
- 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.
- 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:

## CARDINIA 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 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 there is no condition listed in the table:

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia decurrens</i>	Early Black Wattle	
<i>Acacia elata</i>	Cedar Wattle	
<i>Acacia floribunda</i>	White Sallow Wattle	
<i>Acacia longifolia</i>	Coast/Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acacia sophorae</i>	Coastal Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus orientalis</i>	<i>praecox</i> African Lily	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
<i>Berberis darwinii</i>	Darwin's Berberry	
<i>Briza minor</i>	Shivery Grass	
<i>Briza maxima</i>	Quaking Grass	
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocsmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus erogrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common (Dolichos)	Dipogon
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Hypericum perforatum</i>	St.John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himilayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Montery Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	

**CARDINIA PLANNING SCHEME**

<b>Botanical name</b>	<b>Common name</b>	<b>Condition</b>
<i>Polygalia myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not included Prunus cerasifera (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	
<i>Saliz babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa organifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
<i>See Cape Wattle</i>	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	

## CARDINIA PLANNING SCHEME

Botanical name	Common name	Condition
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaeolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum timus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana</i> var. <i>bulbillifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

### 4.0

10/06/2021  
C254card

#### Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, 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 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.

## CARDINIA PLANNING SCHEME

- 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 defensible 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 defensible space in conjunction with an application under the Bushfire Management Overlay.

### 5.0

10/06/2021  
C254card

#### Decision guidelines

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**10/06/2021  
C254card**Statement of nature and key elements of landscape**

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**10/06/2021  
C254card**Landscape character objectives to be achieved**

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**10/06/2021  
C254card**Permit requirement**

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**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:

- 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**10/06/2021  
C254card**Decision guidelines**

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**10/06/2021  
C254card**Statement of nature and key elements of landscape**

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**10/06/2021  
C254card**Landscape character objectives to be achieved**

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**10/06/2021  
C254card**Permit requirement**

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**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:

- 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**10/06/2021  
C254card**Decision guidelines**

None specified.

10/06/2021  
C254card**SCHEDULE 6 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO6.

**CARDINIA ROAD PRECINCT****1.0**10/06/2021  
C254card**Statement of nature and key elements of landscape**

The Cardinia Road Precinct is located within the Casey Cardinia Growth Area along the southern fringe of the foothills to the Dandenong Ranges.

The landscape of the northern section of the Cardinia Road Precinct is characterised by undulating topography with significant east west ridgelines. The ridgelines and hilltops, particularly above the 60 metre contour have been identified as a visually prominent landscape element within the precinct. Patches of remnant vegetation both within the Cardinia Road Precinct and on the hills to the north provide significant contribution to the visual character and quality of the area.

Land within the Cardinia Road Precinct has been designated for urban development as set out in the Cardinia Road Precinct Structure Plan (September 2008). Special consideration needs to be given to the design and siting of development to ensure that the landscape, scenic and environmental qualities of the significant ridgelines and hilltops are protected as a key element of the landscape character in the precinct.

**2.0**10/06/2021  
C254card**Landscape character objectives to be achieved**

To conserve, protect and enhance the environmental, scenic, and landscape values of the ridgelines and hilltops in the Cardinia Road Precinct.

To protect and conserve remnant vegetation which contributes to the landscape significance of the Cardinia Road Precinct.

To encourage development which is of a size and scale that is sympathetic and responsive to the landscape.

To ensure that development is sensitive to the natural characteristics of the landscape including slope, hilltops, ridgelines, and any remnant vegetation.

To ensure a lower density of development and scale of building mass to create a sense of openness and space.

**3.0**10/06/2021  
C254card**Permit requirement**

A permit is required to remove, destroy or lop any native 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.
- 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.

**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:

- A site context plan showing the boundaries of the land, the contours of the land, existing vegetation on the land or surrounding land (if any), existing buildings and works on the land, existing buildings on adjoining land including the location, height and scale of buildings.
- Details of any siting and design guidelines (including building envelopes) approved as part of the subdivision which created the lot which the land forms part of.
- Details of the location of proposed buildings and works.
- Details of elevations, including building heights, external colours, materials and finishes.
- The location of any existing vegetation and proposed to be removed.
- Details of the location and extent of any earthworks.
- Details of landscaping proposed, particularly canopy trees.
- A design response which describes how the proposed buildings and works responds to the context of the site, the landscape character and objectives set out in this schedule, and any siting and design guidelines applying to the land.

## 5.0

10/06/2021  
C254card

### 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:

- The Cardinia Road Precinct Structure Plan (September 2008).
- Any siting and design guidelines (including building envelopes) approved as part of the subdivision which created the lot which the land forms part of.
- The setback of buildings and works from boundaries and buildings on adjoining lots to create a sense of openness and space between buildings.
- The nature and character of buildings on adjoining and nearby land.
- Whether buildings are setback from the tops of significant ridgelines and hilltops.
- Whether the height of new development protrudes beyond existing tree canopies or ridgelines.
- The slope of the land, and in particular, the design of buildings on slopes greater than 20%.
- The effect of any removal of vegetation on the landscape character and tree canopy in the area.
- The reason for removing any vegetation and the practicality of alternative options which do not require the removal of the vegetation.
- Any landscaping proposed as part of the development to reduce the visual impact, particularly revegetation along ridgelines, on hilltops and significant slopes.
- The extent of any cut and fill required.

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**10/06/2021  
C254card**Statement of nature and key elements of landscape**

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 (*Eucalyptus 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 tulipifera*) x 1, Spruce (*Picea abies*) x 5, Radiata Pine (*Pinus radiata*) 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 tomentosa*) 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**10/06/2021  
C254card**Landscape character objectives to be achieved**

- 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**10/06/2021  
C254card**Permit requirement**

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.

## CARDINIA PLANNING SCHEME

- 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 or 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.

Common name	Botanical name
African Lily	<i>Agapanthus praecox</i> ssp. <i>orientalis</i>
Alkante	<i>Pentaglottis serpvirens</i>
American Aspen	<i>Populus tremuloides</i>
Angled Onion	<i>Allium triquetrum</i>
Apple	<i>Malus</i> spp
Arum Lily	<i>Zantedeschia aethiopica</i>
Asparagus Fern	<i>Myrsiphyllum scandens</i>
Banana Passionfruit	<i>Passiflora</i> sp. aff. <i>Mollissima</i> (syn. <i>Jacsonia mollissima</i> )
Belladonna Lily	<i>Amaryllis belladonna</i>
Berry-flower Heath	<i>Erica baccans</i>
Bindweeds	<i>Convolvulus</i> spp.
Blackberry	<i>Rubus fruticosos</i> spp. agg.
Black Locust	<i>Robina pseudacacia</i>
Bloukeur (Pinnate Scurf-Pea)	<i>Psoralea pinnata</i>
Blue-bell Creeper	<i>Sollya heterophylla</i>
Blue Periwinkle	<i>Vinca major</i>

## CARDINIA PLANNING SCHEME

Common name	Botanical name
Bridal Creeper	<i>Myrsiphyllum asparagoides</i>
Boneseed	<i>Chrysanthemoides monilifera</i>
Bulbil Watsonia	<i>Watsonia meriana</i>
Butterfly Bush	<i>Buddleia variabilis</i> (syn. <i>Veitchianus</i> )
Cape Broom	<i>Genista monspessulana</i>
Cape Ivy	<i>Delairea odorata</i>
Cape Wattle	<i>Paraserianthis lapantha</i>
Caster Oil Plant	<i>Ricinus communis</i>
Caucasian Ash	<i>Fraxinus oxycarpa</i>
Cedar Wattle	<i>Acacia elate</i>
Cestrum	<i>Cestrum elegans</i>
Cherry laurel	<i>Prunus laurocerasus</i>
Cherry Plum	<i>Prunus cerasifera</i>
Common Dipogon ( <i>Dolichos</i> )	<i>Dipogon lignosus</i>
Common Evening Primrose	<i>Oenothera stricta</i>
Common Forget-me-not	<i>Myosotis sylvatica</i>
Cootamundra Wattle	<i>Acacia baileyana</i>
Cotoneaster	<i>Cotoneaster</i> spp.
Creeping Buttercup	<i>Ranunculus repens</i>
Darwin's Berberry	<i>Berberis darwinii</i>
Early Black Wattle	<i>Acacia decurrens</i>
English Broom	<i>Cytisus scoparius</i>
English Ivy	<i>Hedra helix</i>
Euryops	<i>Euryops abrotanifolius</i>
Evergreen Dogwood	<i>Cornus capitata</i>
False Wattle	<i>Albizia lapantha</i>
Fennel	<i>Foeniculum vulgare</i>
Firethorns	<i>Pyracantha</i> spp.
Flax Leaf Broom	<i>Genista linifolia</i>
Fragrant Violet	<i>Viola odorata</i>
Giant Honey Myrtle	<i>Melaleuca armillaris</i>
Golden Wreath Wattle	<i>Acacia saligna</i>
Great Mullein	<i>Verbascum thapsus</i>
Hawthorn	<i>Crataegus monogyna</i>
Hemlock	<i>Conium maculatum</i>
Himalayan Honeysuckle	<i>Leycesteria formosa</i>
Holly	<i>Ilex aquifolium</i>

## CARDINIA PLANNING SCHEME

Common name	Botanical name
Honey Myrtle	Melaleuca hypericifolia
Inkweed	Phytolacca octandra
Italian Buckthorn	Rhamnus alaternus
Japanese Honeysuckle	Lonicera japonica
Karamu	Coprosma robusta
Karo	Pittosporum crassifolium
Laurestinus	Viburnum timus
Manna Ash	Fraxinus ornus
Mirror Bush	Coprosma repens
Montbretia	Crocasmia x crocosmiifolia
Monterey Pine	Pinus radiata
Morning Glory	Ipomoea indica
Myrtle Leaf Milkwort	Polygalia myrtifolia
Nasturtium	Tropaeolum majus
Pampas Grass	Cortaderai selloana
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	Myrsiphyllum 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	Cytisis palmensis
Tree Tobacco	Solanum mauritianum

Common name	Botanical name
Tutsan	Hypericum androsaemum
Wandering 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**

None specified.

**5.0**

10/06/2021  
C254card

**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.

**43**

19/01/2006  
VC37

**HERITAGE AND BUILT FORM OVERLAYS**

**43.01**31/07/2018  
VC148**HERITAGE OVERLAY**

Shown on the planning scheme map as **HO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

**Scope**

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

**43.01-1**14/01/2025  
VC237**Permit requirement**

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy system attached to a building that primarily services the land on which it is situated if the system is visible from a street (other than a lane) or public park and if the schedule to this overlay specifies the heritage place as one where solar energy system controls apply.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Buildings or works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria.
  - Street furniture other than:
    - Traffic signals, traffic signs, bus shelters, fire hydrants, parking meters, post boxes and seating.
    - Speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.

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- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
  - An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
  - Services normal to a building other than a dwelling or small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.
- Externally alter a building by structural work, rendering, sandblasting or in any other way.
  - Construct or display a sign.
  - Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
  - Externally paint an unpainted surface.
  - Externally paint a building if the painting constitutes an advertisement.
  - Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
  - Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
  - Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
    - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
    - If the tree presents an immediate risk of personal injury or damage to property.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> <li>▪ Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</li> <li>▪ Subdivide land into lots each containing an existing building or car parking space where:                             <ul style="list-style-type: none"> <li>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</li> </ul> </li> </ul>	<p>Clause 59.07</p>

Class of application	Information requirements and decision guidelines
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- Subdivide land into 2 lots if:
  - The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - The construction or carrying out of the approved building or works on the land has started lawfully.
  - The subdivision does not create a vacant lot.
- Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay.
- Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.
- Externally alter a non-contributory building.
- External painting.
- Construct a fence.
- Construct a carport, garage, pergola, verandah, deck, shed or similar structure.
- Construct and install domestic services normal to a dwelling.
- Construct and install a non-domestic disabled access ramp.
- Construct a vehicle crossover.
- Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construct a rainwater tank.
- Construct or display a sign.
- Lop a tree.
- Construct or install a solar energy system attached to a dwelling or small second dwelling.
- Construct and install an electric vehicle charging station.
- Construct and install services normal to a building other than a dwelling or small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

**43.01-2**

21/11/2017  
VC141

**Places in the Victorian Heritage Register**

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

**Permit requirement**

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

### Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.

#### 43.01-3

14/12/2023  
VC253

#### No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.
- To construct a building or construct or carry out works for a small second dwelling if all the following requirements are met:
  - The building height must not exceed 5 metres.
  - The building must be finished using muted tones and colours.

#### 43.01-4

14/01/2025  
VC237

#### Exemption from notice and review

An application under this overlay for any of the following classes of development 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:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle crossover.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.

- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling or a small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

#### 43.01-5

24/01/2020  
VC160

#### Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.
- A heritage place included in the schedule to this overlay on an interim basis.

#### 43.01-6

31/07/2018  
VC148

#### Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

#### 43.01-7

31/07/2018  
VC148

#### Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

#### 43.01-8

24/01/2020  
VC160

#### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.

- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.

**43.01-9**

31/07/2018  
VC148

**Use of a heritage place**

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

**43.01-10**

31/07/2018  
VC148

**Aboriginal heritage places**

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*.

10/06/2021  
C254card

**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

CARDINIA PLANNING SCHEME

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 <b>Incorporated plan:</b> 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
HO96	Holm Park 237 O'Neil Road, Beaconsfield	Yes	Yes	Yes	Yes	Yes	No	No	No

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
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
<b>BEACONSFIELD UPPER</b>									
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 71 A'Beckett Road, Beaconsfield Upper	Yes	No	Yes	Yes	No	No	No	No
HO19	Victorian Orchardists Coolstore & Fruit Packaging Company Packing Shed	Yes	No	No	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
	24-25 Beaconsfield-Emerald Road, Beaconsfield Upper								
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
HO111	Upper Beaconsfield Post Office 4 Salisbury Road, Beaconsfield Upper	Yes	No	No	Yes	No	No	No	No
HO110	Kincaik 5-9 Salisbury Road, Beaconsfield Upper	Yes	No	Yes	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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?
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
BUNYIP									
HO150	Bunyip, George Street Residential Precinct 3, 5, 7 and 9 George Street, Bunyip <b>Incorporated plan:</b> Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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?
HO46	Bunyip Commercial & Civic Precinct 9-34 Main Street, 2A, 2, and 7-23 High Street, Bunyip <b>Incorporated plan:</b> 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
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

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
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
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
<b>BUNYIP NORTH</b>									
HO122	Woodlands (later Fern Hill) 50 Topp Road, Bunyip North	Yes	No	Yes	Yes	No	No	No	No
<b>CARDINIA</b>									

**CARDINIA PLANNING SCHEME**

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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
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
<b>CATANI</b>									
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	No	No	No	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

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	72 Taplins Road, Catani								
HO162	Catani Soldiers' Memorial Hall 75 Taplins Road, Catani	No	No	Yes	Yes	No	No	No	No
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
<b>COCKATOO</b>									
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

**CARDINIA PLANNING SCHEME**

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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
<b>CORA LYNN</b>									
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
<b>DALMORE</b>									
HO166	Former Dalmore Post Office & Store 280 Dalmore Road, Dalmore	No	No	No	Yes	No	No	No	No
HO167	Glen-Keith Farm complex and trees 250 Peers Road, Dalmore	No	No	Yes	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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?
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 <b>Incorporated plan:</b> 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
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

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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
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	No	No	Yes	Yes	Yes	No	No	No

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	Kilvington Drive, Emerald					Three goods sheds, water tower, picket fencing			
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
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

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HO180	Emerald Post Office and residence 398 Main Street, 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
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 Teloepa Road, Emerald	No	No	No	Yes	Yes Stone dairy	No	No	No
HO295	Three Sequoia sempervirens, Coast Redwood 4 Dewhurst Road, Emerald	No	No	Yes	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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	<p><b>Statement of Significance:</b> Sequoia sempervirens, Coast Redwood, 4 Dewhurst Road, Emerald</p>								
HO296	<p>Sequoia sempervirens, Coast Redwood 44 Beaconsfield-Emerald Road, Emerald</p> <p><b>Statement of Significance:</b> Sequoia sempervirens, Coast Redwood, 44 Beaconsfield-Emerald, Emerald</p>	No	No	Yes	Yes	No	No	No	No
HO297	<p>Fargus sylvatica 'Purpurea', Purple Beech 8 Benson Street, Emerald</p> <p><b>Statement of Significance:</b> Fargus sylvatica 'Purpurea', Purple Beech, 8 Benson Street, Emerald</p>	No	No	Yes	Yes	No	No	No	No
HO299	<p>Angophora costata, Smooth-barked Apple 79 Emerald-Monbulk Road, Emerald</p> <p><b>Statement of Significance:</b> Angophora costata, Smooth-barked Apple, 79 Emerald-Monbulk Road, Emerald</p>	No	No	Yes	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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GARFIELD									
HO85	Garfield Commercial Precinct 33-101 Nar Nar Goon-Longwarry Road (Main Street), Garfield  <b>Incorporated plan:</b> 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
HO88	ANZ Bank 79 Nar Nar Goon-Longwarry Road, Garfield	Yes	No	No	Yes	No	No	No	No

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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
<b>GARFIELD NORTH</b>									
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 71 Garfield Road, Garfield North	Yes	No	No	Yes	No	No	No	No
HO113	Lamble Orchard House 145 Sanders Road, Garfield North	Yes	No	No	Yes	No	No	No	No

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<b>GEMBROOK</b>									
HO189	Gembrook Commercial Precinct 62-72 & 75-97 Main Street and 66A Station Road, Gembrook <b>Incorporated plan:</b> 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 315 Mt Eirene Road, Gembrook	Yes	No	Yes	Yes	No	No	No	No
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

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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
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

CARDINIA PLANNING SCHEME

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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
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  <b>Statement of Significance:</b> Eucalyptus dalrympleana, Mountain White Gum, Road Reserve, 185 Mountain Road, Gembrook	No	No	Yes	Yes	No	No	No	No
HO300	Eucalyptus sieberi, Silvertop Ash	No	No	Yes	Yes	No	No	No	No

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	45 Mentiplay Road, Gembrook <b>Statement of Significance:</b> Eucalyptus sieberi, Silvertop Ash, 45 Mentiplay Road, Gembrook								
HEATH HILL									
HO191	Heath Hill Railway Station residence 1405 Westernport Road, Heath Hill	No	No	No	Yes	No	No	No	No
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	No	No	Yes	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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	935 Murray Road, Iona								
HO120	Iona State School SS3201 Site 430 Thirteen Mile Road, Iona	No	No	Yes	Yes	No	No	No	No
KOO WEE RUP									
HO195	Koo Wee Rup Commercial Precinct 275-297 & 272-300 Rossiter Road and 2-16, 56-86 Station Street, Koo Wee Rup <b>Incorporated plan:</b> 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 <b>Incorporated plan:</b> 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

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HO198	Shepton Mallet 145 Rossiter Road, Koo Wee Rup	No	No	Yes	Yes	No	No	No	No
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

CARDINIA PLANNING SCHEME

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 <b>Statement of Significance:</b> Quercus robur, English Oak,	No	No	Yes	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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?
	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 <b>Incorporated plan:</b> 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 <b>Incorporated plan:</b> 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
HO213	Lang Lang Cemetery & trees McDonalds Track, Lang Lang	No	No	Yes	Yes	No	No	No	No
HO214	Palace Hotel	No	No	No	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
	140 McDonalds Track, Lang Lang								
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
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	No	No	Yes	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
	49 (rear) Westernport Road, Lang Lang								
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
<b>MARYKNOLL</b>									
HO55	Maryknoll Precinct 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,	No	No	Yes	Yes	Yes	No	No	no

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
	Turrumurra Road, Sister Chanel Reserve and Nagle Crescent, Maryknoll  <b>Incorporated plan:</b> Maryknoll Township Heritage Precinct Incorporated Plan.								
HO54	Holy Family Church 6 Koolbirra Road, Maryknoll  <b>Incorporated plan:</b> Maryknoll Township Heritage Precinct Incorporated Plan.	No	Yes	Yes	Yes	No	No	No	No
<b>MONOMEITH</b>									
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
<b>NAR NAR GOON</b>									
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

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
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 England 6-8 Main Street, Nar Nar Goon	Yes	Yes	Yes	Yes	No	No	No	No
<b>NAR NAR GOON SOUTH</b>									
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
<b>NAR NAR GOON NORTH</b>									
HO31	Aringa 40 Clark Road, Nar Nar Goon North	Yes	No	Yes	Yes	Yes	No	No	No
HO132	Wilson Farm Part CA137, Wilson Road, Nar Nar Goon North	Yes	No	Yes	Yes	Yes	No	No	No
<b>OFFICER</b>									
HO90	Kaduna Park 270 Cardinia Road, Officer	Yes	No	Yes	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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?
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 <b>Statement of Significance:</b> 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
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	Yes	Yes	Yes	Yes	No	No	Yes	No

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
	36 Whiteside Road, Officer								
HO262	Hybrid Oaks 13-23 Tivendale Road, Officer	No	No	Yes	Yes	No	No	No	No
<b>PAKENHAM</b>									
HO10	Salvation Army Commandant's & Nurses Barracks 34 Army Settlement Road, Pakenham	Yes	No	No	Yes	No	No	No	No
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

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
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
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	No	No	Yes	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

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	30 metres west of intersection Princes Highway and Oaktree Drive, Pakenham								
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

CARDINIA PLANNING SCHEME

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 <b>Incorporated plan:</b> Cardinia Residential Heritage Precincts Incorporated Plan.	No	No	No	Yes	No	No	No	No

CARDINIA PLANNING SCHEME

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?
HO292	Henty Street Precinct 3-5, 7-10 Henty Street, Pakenham <b>Incorporated plan:</b> 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 <b>Incorporated plan:</b> 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
PAKENHAM SOUTH									
HO25	Snow View	Yes	No	Yes	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

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	300 Bourke Road, Pakenham South								
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
HO48	The Grange 15 Huxtable Road, Pakenham Upper	Yes	Yes	Yes	Yes	Yes	No	No	No
HO69	Gorongong Lot CM, Lot 4, Lot 6 and part Lot 5 PS317138, 20 Matilda Drive, Pakenham Upper	Yes	Yes	Yes	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

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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  In the road reserve adjacent to 75 Hobson Road, Rythdale	Yes	Yes	No	Yes	No	No	No	No
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	No	No	No	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

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	1900 Gembrook-Tonimbuk Road, Tonimbuk								
<b>TYNONG</b>									
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
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
<b>TYNONG NORTH</b>									

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Heritage place</b>	<b>External paint controls apply?</b>	<b>Internal alteration controls apply?</b>	<b>Tree controls apply?</b>	<b>Solar energy system controls apply?</b>	<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	<b>Prohibited uses permitted?</b>	<b>Aboriginal heritage place?</b>
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
<b>YANATHAN</b>									
HO43	Glenafton Stud 210 Heads Road, Yannathan	Yes	No	Yes	Yes	Yes	No	No	No
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
<b>OTHER</b>									
HO2	Bowman's Track Launching Place	No	No	Yes	Yes	No	No	No	No

**CARDINIA PLANNING SCHEME**

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HO4	Upper Ferntree Gully to Gembrook Railway Emerald, Cockatoo and Gembrook	Yes	No	Yes	Yes	Yes	No	No	No

**43.02**

31/07/2018  
VC148

**DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are affected by specific requirements relating to the design and built form of new development.

**43.02-1**

19/01/2006  
VC37

**Design objectives**

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

**43.02-2**

28/02/2025  
VC274

**Buildings and works**

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.
  - To the construction of a building or construction or carrying out of works for a small second dwelling if all the following requirements are met:
    - The building height must not exceed 5 metres.
    - The building must be finished using muted tones and colours.
- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works for: <ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ An outdoor swimming pool.</li> </ul> The buildings and works must be associated with a dwelling.	Clause 59.05
Construct a building or construct or carry out works with an estimated cost of up to \$1,000,000 where the land is in an industrial zone.	Clause 59.05
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 where the land is in a commercial zone or a Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone, Activity Centre Zone or Precinct Zone.	Clause 59.05

**Exemption from notice and review**

A schedule to this overlay may specify that an application 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.

**43.02-3**

31/07/2018  
VC148

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> </ul>	Clause 59.02

Class of application	Information requirements and decision guidelines
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- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

**Exemption from notice and review**

A schedule to this overlay may specify that an application 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.

**43.02-4**

31/07/2018  
VC148

**Signs**

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

**43.02-5**

31/07/2018  
VC148

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**43.02-6**

31/07/2018  
VC148

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

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**10/06/2021  
C254card**Design objectives**

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**04/05/2022  
VC210**Buildings and works**

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

- Any building must be located within the building envelope if one is registered on the plan of subdivision.
- Any building must be 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 must be set back at least 60 metres from a waterway.
- If the building is an extension to an existing dwelling.
- If the building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land must not exceed 120 square metres.
- Building materials must be non-reflective or subdued colours which complement the environment.
- The height of any building must not exceed 7 metres above natural ground level.
- The works must 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 not exceed 20 percent.
- The buildings and works must 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, with the exception of Sweet Pittosporum (*Pittosporum undulatum*).

**3.0**10/06/2021  
C254card**Subdivision**

None specified.

**4.0**10/06/2021  
C254card**Signs**

None specified.

**5.0**10/06/2021  
C254card**Application requirements**

None specified.

**6.0**

10/06/2021  
C254card

**Decision guidelines**

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:

- 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 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**10/06/2021  
C254card**Design objectives**

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**04/05/2022  
VC210**Buildings and works**

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

- Any building must be 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 building or works must be set back at least 60 metres from a waterway.
- If the building is an extension to an existing dwelling.
- If the building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land must not exceed 80 square metres.
- The height of any building must not exceed 7 metres above natural ground level.
- The works must 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%.
- Building materials must be non-reflective or subdued colours which complement the environment.
- If sewerage is not available, the land must be capable of containing on site all wastewater generated by the use or development.

**3.0**10/06/2021  
C254card**Subdivision**

None specified.

**4.0**10/06/2021  
C254card**Signs**

None specified.

**5.0**10/06/2021  
C254card**Application requirements**

None specified.

**6.0**

10/06/2021  
C254card

**Decision guidelines**

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**10/06/2021  
C254card**Design objectives**

- To achieve architectural and urban design outcomes that 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 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.
- 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**10/06/2021  
C254card**Buildings and works**

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**10/06/2021  
C254card**Subdivision**

None specified.

**4.0**10/06/2021  
C254card**Signs**

None specified.

**5.0**

10/06/2021  
C254card

**Application requirements**

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 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**

10/06/2021  
C254card

**Decision guidelines**

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**10/06/2021  
C254card**Design objectives**

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**10/06/2021  
C254card**Buildings and works****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.

## CARDINIA PLANNING SCHEME

- 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**

10/06/2021  
C254card

**Application requirements**

None specified.

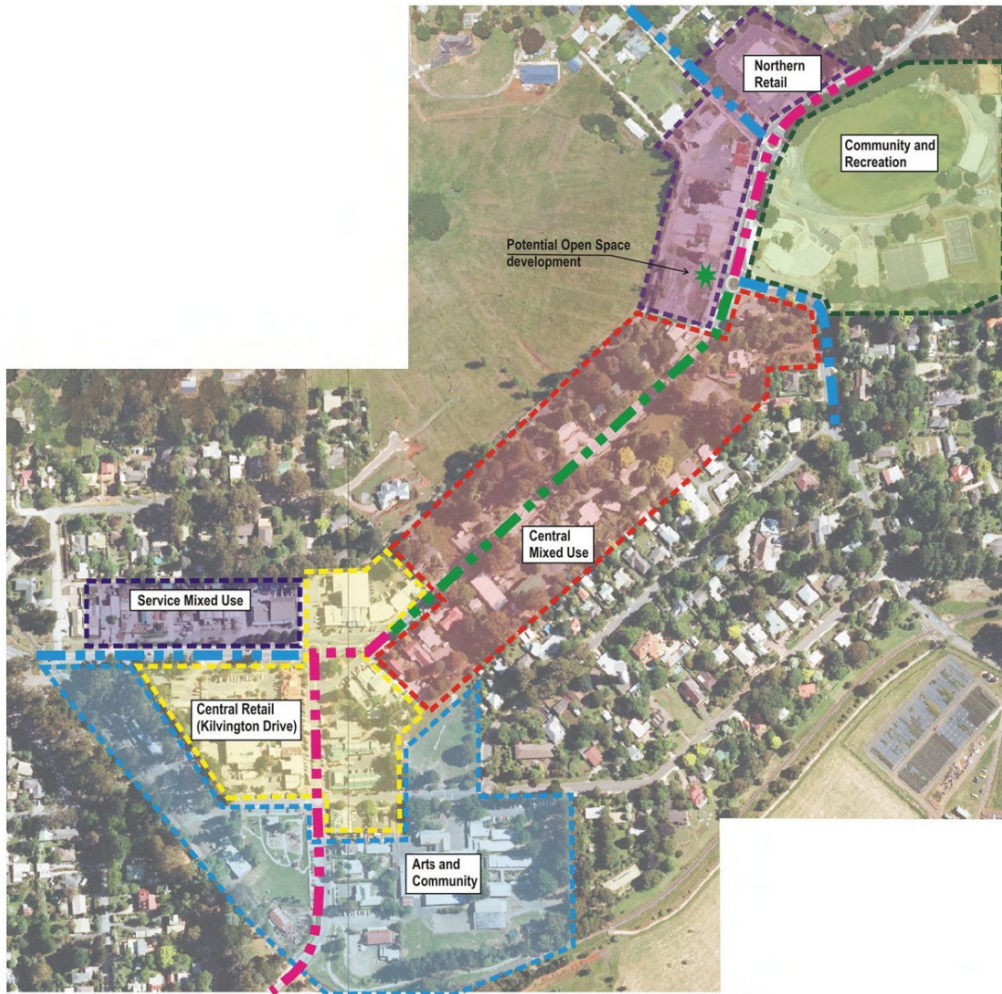
**6.0**

10/06/2021  
C254card







**Decision guidelines**

None specified.




Map 1 to Schedule 4 to Clause 43.02



LEGEND - TOWN CENTRE PRECINCTS

-  Service and Mixed Use Precinct
-  Central Retail Precinct (Kilvington Drive)
-  Central Mixed Use Precinct
-  Arts and Community Precinct (including Puffing Billy)
-  Northern Retail Precinct
-  Community and Recreation Precinct

LEGEND - STREETScape CHARACTER

-  Key Gateway / Entry Avenue
-  Activity Zone
-  Emerald Link



Ref: 06/1562  
Date: September 2008  
not to scale



FIGURE 15 - TOWN CENTRE PRECINCTS

EMERALD DISTRICT STRATEGY REVIEW

**SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO5**.

**BEACONSFIELD PRINCES HIGHWAY GATEWAY PRECINCT****1.0****Design objectives**

- To achieve architectural and urban design outcomes that provide a functional built environment, promotes community and personal safety and contributes positively to the character of the Beaconsfield town centre.
- To establish a high quality built form which reinforces its strategic context as a prominent gateway to Beaconsfield town centre by providing an enhanced sense of arrival to Beaconsfield with a prominent built form in the north west corner of the precinct, consistent setbacks along Princes Highway and integrated car parking.
- To promote development which is sympathetic to the Cardinia Creek and Bob Burgess Reserve and provides passive surveillance of Cardinia Creek Parklands.
- To provide ground floor active frontages along Princes Highway through the provision of entrances and windows with clear glazing.
- To provide a high level of pedestrian amenity through the use of awnings, lighting and passive surveillance.

**2.0****Buildings and works**

The following building and works requirements apply to an application to construct a building or construct or carry out works:

- Buildings and works should be sited generally in accordance with the footprints shown in Figure 2.
- Buildings and works should meet the preferred maximum building heights specified in Table 1 of this Schedule. The preferred maximum building heights in Table 1 do not include a basement level where it projects no more than 1.2 metres above the natural ground level.
- Buildings and works should meet the preferred minimum building heights specified in Table 1 of this Schedule.
- Buildings and works should meet the design standards specified in Table 1.
- Buildings and works should include clear glazing to at least 50% of building façades at street level.
- Buildings and works should provide for articulated facades that provide visual interest and horizontal definition of floor levels.
- Buildings and works which include upper level entrances should be located in the primary street façade.
- Buildings and works with blank walls on front facades should be limited to a width of 2 metres.
- Buildings and works should provide continuous building frontages to the Princes Highway, unless providing a vehicle crossover or pedestrian connection.
- Buildings and works should set back upper floors from the street wall, to avoid the impression of building bulk and the domination of the public spaces.
- Awnings or canopies along building frontages and walkways should be at least three metres in width.
- Buildings and works should not include internalised malls that draw pedestrian movement and activity away from Princes Highway and Woods Street frontages.

## CARDINIA PLANNING SCHEME

- Colours and materials of new developments should complement the natural environment of the Cardinia Creek Parklands environment.
- Buildings and works should include balconies and windows to maximise passive surveillance of public realms and reserves.
- Buildings and works should provide pedestrian links to Bob Burgess Reserve and the Cardinia Creek Parklands.
- Buildings and works should provide pedestrian connectivity through footpaths and visual links between buildings and car parks and through the precinct.
- Buildings and works should provide lighting within car parking and pedestrian areas to improve safety and passive surveillance.
- Car parks should include provision for landscaping, including trees for shade and amenity.
- Vehicle crossovers with a maximum width of 7 metres. Car parking layout should be generally consistent with Figure 2 of this Schedule.

**Table 1 - Built Form Requirements for Specific Areas**

DDO Area	Preferred Maximum Building Height (metres)	Preferred Minimum Building Height (metres)	Design Standards
Precinct A	15m (4 storeys)	11m (3 storeys)	<p>A building should:</p> <ul style="list-style-type: none"> <li>▪ have a zero metre setback to Princes Highway.</li> <li>▪ be designed to address Princes Highway and Bob Burgess Reserve.</li> <li>▪ be orientated at a 90 degree angle between Princes Highway and Cardinia Creek to signify a gateway threshold into Beaconsfield from the north.</li> <li>▪ provide basement car parking.</li> </ul>
Precinct B1 & B2	11m (3 storeys)	8m (2 storeys)	<p>A building should:</p> <ul style="list-style-type: none"> <li>▪ provide an active frontage and passive surveillance to Cardinia Creek and Bob Burgess Reserve.</li> </ul>

**CARDINIA PLANNING SCHEME**

<b>DDO Area</b>	<b>Preferred Maximum Building Height (metres)</b>	<b>Preferred Minimum Building Height (metres)</b>	<b>Design Standards</b>
			<ul style="list-style-type: none"> <li>▪ have a maximum setback of 3 metres to the west boundary.</li> <li>▪ provide for car parking that is integrated with the built form.</li> </ul>
Precinct C	11m (3 storeys)	8m (2 storeys)	<p>A building should:</p> <ul style="list-style-type: none"> <li>▪ have a zero metre setback to Princes Highway.</li> <li>▪ provide for car parking that is located to the rear of the building.</li> </ul>
Precinct D1	8m (2 storeys)	N/A	<p>A building should:</p> <ul style="list-style-type: none"> <li>▪ have a zero metre setback to Princes Highway.</li> <li>▪ provide for car parking that is located to the rear of the building.</li> </ul>
Precinct D2	15m (4 storeys)	11m (3 storeys)	<p>A building should:</p> <ul style="list-style-type: none"> <li>▪ along its frontage to Bob Burgess Reserve provide a 6 metre setback.</li> <li>▪ be orientated at a 90 degree angle between Princes Highway and Cardinia Creek to signify a gateway threshold into Beaconsfield from the north.</li> <li>▪ provided basement car parking.</li> </ul>
Precinct E	11m (3 storeys)	8m (2 storeys)	<p>A building should:</p>

DDO Area	Preferred Maximum Building Height (metres)	Preferred Minimum Building Height (metres)	Design Standards
			<ul style="list-style-type: none"> <li>have a minimal and consistent setback to Princes Highway.</li> <li>provide for car parking that is located to the rear of the building.</li> </ul>

**3.0**

18/07/2019  
C220card

**Subdivision**

None specified.

**4.0**

18/07/2019  
C220card

**Signs**

None specified.

**5.0**

18/07/2019  
C220card

**Application requirements**

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:

- A comprehensive site analysis and urban context report which demonstrates how the proposed buildings or works achieve the design objectives at Clause 1.0, the built form requirements in Clause 2.0 and Figures 1 and 2 of this Schedule.
- If an application is to exceed the preferred maximum building height as specified in Table 1, the application must demonstrate how the development will continue to achieve the design objectives at Clause 1.0 the built form requirements of Clause 2.0 and Figures 1 and 2 of this Schedule.
- If an application does not achieve the preferred minimum building height as specified in Table 1, the application must demonstrate how the development will continue to achieve the design objectives at Clause 1.0, the built form requirements of Clause 2.0 and Figures 1 and 2 of this Schedule.

**6.0**

18/07/2019  
C220card

**Decision guidelines**

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 design, form, layout and scale of the development is consistent with the overall concept for the site as shown in Figure 2.
- Whether a proposal that seeks to vary a built form requirement can still achieve the design objectives of Clause 1.0 of this Schedule.
- Whether the proposal is generally in accordance with the design requirements of Clause 2.0 and the precinct design standards in Table 1 of this Schedule.
- Whether a proposal that seeks to exceed the maximum building height still achieves the design objectives of this Schedule.

## CARDINIA PLANNING SCHEME

- Whether a proposal that does not achieve the minimum building height still achieves the design objectives of this Schedule.
- Whether the proposal has a positive impact on pedestrian amenity, through landscaping, lighting, and passive surveillance from surrounds.

**FIGURE 1 – BEACONSFIELD PRINCES HIGHWAY GATEWAY PRECINCT PLAN**



**FIGURE 2 - BEACONSFIELD PRINCES HIGHWAY GATEWAY CONCEPT PLAN**

CARDINIA PLANNING SCHEME



**SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO6**.

**BEACONSFIELD POINT PRECINCT****1.0****Design objectives**

- To achieve architectural and urban design outcomes that promote visual interest, improve public realm amenity, enhance community and personal safety and contribute positively to the low scale, unique character of the Beaconsfield Point Precinct.
- To promote a landmark building on the corner of Woods Street and Princes Highway with active street frontages and appropriate scale.
- To provide off-street car parking accessed predominately from Princes Highway and located behind the built form interface along Woods Street.
- To encourage street level active frontages with strong built form edges that promote physical and visual permeability along Woods Street and Princes Highway.
- To provide a high level of pedestrian and cycling amenity through landscaping, lighting, connectivity and passive surveillance from surrounds.

**2.0****Buildings and works**

The following building and works requirements apply to an application to construct a building or construct or carry out works:

**Building design**

- Buildings and works should be sited generally in accordance with the footprints shown in Figure 1.
- Buildings and works should meet the preferred minimum building height of 8 metres (2 storeys).
- Buildings and works should have a zero metre building set back to the Woods Street boundary.
- Buildings and works should include clear glazing to at least 50% of building façades should be used at ground floor level street level.
- Buildings and works should include front glazing to Woods Street raised from ground level (to create a stall riser).
- Buildings and works should be designed with articulated facades including horizontal definition of levels.
- Buildings and works which include ground floor access to upper levels should be articulated to provide a sense of entry.
- Buildings and works with blank walls on front facades should be limited to a width of 2 metres.
- Buildings and works should provide shop frontages of 6 – 10 metres to Woods Street.
- Buildings and works should set back upper floors from the street wall to avoid the impression of building bulk and the domination of public spaces and view lines.
- Awnings or canopies along building frontages and walkways should be at least three metres wide.
- Buildings and works should not include internalised malls that draw pedestrian movement and activity away from Princes Highway and Woods Street frontages.
- New developments should complement the heritage character of Woods Street through the use of muted tones.

**Other design requirements**

- Buildings and works should provide pedestrian connectivity through footpaths and visual links between buildings and car parks and through the precinct.
- Buildings and works should provide footpaths that extend from back of kerb to building street frontages.
- Buildings and works should provide for lighting within car parking and pedestrian areas to improve safety and passive surveillance.
- Buildings and works should provide for planting zones along the boundary line between two adjoining driveways.
- Service and loading areas should be landscaped or otherwise screened from view to achieve a maximum of 25% visually permeability.
- Vehicle crossovers and car parking layout should be sited generally in accordance with Figure 1.

**3.0**

18/07/2019  
C220card

**Subdivision**

None specified.

**4.0**

18/07/2019  
C220card

**Signs**

None specified.

**5.0**

18/07/2019  
C220card

**Application requirements**

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:

- A comprehensive site analysis and urban context report which demonstrates how the proposed buildings or works achieve the design objectives and built form requirements of this Schedule, as demonstrated in Figure 1.
- If an application does not achieve the minimum building height as specified in Clause 2.0, the application must demonstrate how the development will achieve the design objectives at Clause 1.0, the built form requirements of Clause 2.0 and Figure 1 of this Schedule.

**6.0**

18/07/2019  
C220card

**Decision guidelines**

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 design, form, layout and scale of the development is consistent with the overall concept for the site as shown in Figure 1.
- Whether a proposal that seeks to vary a built form requirement can still achieve the design objectives of Clause 1.0 of this Schedule.
- Whether the proposal is generally in accordance with the design requirements of Clause 2.0 of this Schedule.
- Whether a proposal that does not achieve the minimum building height still achieves the design objectives of Clause 1.0 of this Schedule.
- The impact the proposal has on pedestrian and cyclist amenity, through landscaping, lighting, connectivity and passive surveillance from surrounds.

**FIGURE 1 - BEACONSFIELD POINT PRECINCT CONCEPT PLAN**

CARDINIA PLANNING SCHEME



24/02/2022  
C240card**SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO8**.

**KOO WEE RUP ESTABLISHED RESIDENTIAL AREAS****1.0**24/02/2022  
C240card**Design objectives**

- To encourage development and subdivision that maintains and enhances the existing township character.
- To ensure new development is responsive to existing building heights and setbacks.

**2.0**24/02/2022  
C240card**Buildings and works**

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

- Buildings are setback at least 7 metres from front boundaries or no less than the average of adjacent two dwellings.
- Buildings are setback at least 2.5 metres from side boundaries.
- The building height does not exceed 7.5 metres above natural ground level.
- The building site coverage does not exceed 40 per cent for single dwellings developments or 50 per cent for multi-unit developments.
- The building is an extension to an existing dwelling.

A permit is required to construct a fence within 3 metres of front street boundary if the height of the fence exceeds 1.5 metres and less than 50 per cent transparent.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

**Built form**

- Avoid repetitive built form and design.
- Upper stories setback from ground floor facades or concealed within pitched roof forms and constructed from a variety of materials.
- Building design to be contemporary, whilst responding to the architectural style of the existing neighbourhood, including any identified heritage buildings, without replicating the building style.
- Dwelling entries clearly defined.
- Garages setback from the front facade and recessive to the built form.
- Any common driveway to be located on one side of the lot and provide landscaping including trees.
- No front fencing or low, open style fencing where fencing can not be avoided.

**Landscaping**

- Existing vegetation that is in good condition and that makes a positive contribution to the existing character to be retained with new landscaping to respond to the landscape character of the surrounding area.
- New street tree species consistent with existing street tree species on adjoining streets unless otherwise specified by the responsible authority.

**3.0**

24/02/2022  
C240card

**Subdivision**

An application to subdivide land should meet the following requirements:

- Subdivision layout to respond to surrounding development and uses on adjoining land.
- Subdivision of land into three or more lots to have at least 70 per cent of new lots with a site area at least 700 square metres.
- Avoid lots less than 600 square metres.
- Minimum lot widths of 18 metres wherever possible.

These requirements do not apply to the subdivision of a lot containing two or more existing dwellings, or a planning permit issued for the construction of multiple dwellings before the approval date of Amendment C240card.

**4.0**

24/02/2022  
C240card

**Signs**

None specified.

**5.0**

24/02/2022  
C240card

**Application requirements**

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 arboricultural assessment prepared by a suitably qualified person(s) that identifies any significant trees or vegetation on the land, and any existing street trees and roadside vegetation.
- A landscaping plan that identifies existing vegetation to be retained and new vegetation to be planted.

**6.0**

24/02/2022  
C240card

**Decision guidelines**

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 a proposal that seeks to vary a built form requirement can still achieve the design objectives of this Schedule.
- The removal of existing vegetation and opportunities for replanting on the site.
- Whether any proposed fencing maintains the sense of openness of the streetscape.

24/02/2022  
C240card

**SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO9**.

**KOO WEE RUP TOWN CENTRE**

**1.0**

24/02/2022  
C240card

**Design objectives**

- To achieve urban design outcomes that create a strong traditional rural character and identity for Koo Wee Rup town centre.
- To establish high quality built form that reinforces Koo Wee Rup’s rural character.
- To provide ground floor active frontages along Station Street and Rossiter Road through the provision of entrances and windows with clear glazing.
- To create an attractive, functional and safe built environment with high level of pedestrian amenity.
- To encourage environmentally sustainable design.

**2.0**

24/02/2022  
C240card

**Buildings and works**

The following building and works requirements apply to an application to construct a building or construct or carry out works:

**Building heights and setbacks**

Precinct	Minimum building height	Maximum building height	Setbacks
1a	nil	10 metres (2 storeys)	Front: 0 metres Side street: 0 metres Side: 0 metres at front boundary
1b	nil	15 metres (3 storeys)	Front: 0 metres Side street: 0 metres Side: 0 metres at front boundary Rear: 18 metres
2	7 metres (2 storeys)	15 metres (3 storeys)	Front: 0 metres Side street: 0 metres
3a & 3b	nil	10 metres (2 storeys)	Front: 0 metres Side street: 0 metres

## CARDINIA PLANNING SCHEME

### Requirements

Precinct	Frontages	Built form	Orientation	Parking and Services
General	<ul style="list-style-type: none"> <li>▪ Articulated building facades with entrances and glazing as the predominant elements.</li> <li>▪ Architectural markers and definition to highlight entries and focal points.</li> <li>▪ Awnings to all front facades for pedestrian amenity and shelter.</li> <li>▪ No front fences.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Buildings to respond to existing notable trees wherever possible, with tree protection zones specified by a suitably qualified person.</li> <li>▪ Raised floor levels required for flood mitigation accommodated within buildings with suitable access for persons of all abilities.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Principal frontages of new buildings to address the street.</li> <li>▪ Highly visible building entries from the street and pathways.</li> <li>▪ Facade treatments wrapped around corners to address all frontages to public land.</li> </ul>	None
Precinct 1a - Former PMP Site	<ul style="list-style-type: none"> <li>▪ Transparent glazing to at least 70% of ground level street facades.</li> <li>▪ Balconies to upper floors for passive surveillance of the public realm.</li> <li>▪ Cantilevered awnings at a consistent minimum height of 3 metres and a width of approximately 2.5 metres.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Buildings to be articulated with a combination of varied building massing, horizontal and vertical detailing.</li> <li>▪ Development scale should be moderated in the context of achieving pedestrian sight lines or protecting heritage settings.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development interfacing with a key shared path orientated to address the open space area and provide passive surveillance.</li> <li>▪ Development integration with the shared rail trail with windows, balconies and building detailing oriented to this interface.</li> <li>▪ Building orientation principally to Station Street.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Car parking, loading and service areas located at the rear away from street views.</li> <li>▪ Screened rear service, loading and storage areas.</li> </ul>

## CARDINIA PLANNING SCHEME

Precinct	Frontages	Built form	Orientation	Parking and Services
Precinct 1b - Traditional town centre	<ul style="list-style-type: none"> <li>▪ Transparent glazing to at least 70% of ground level street facades.</li> <li>▪ Third floor levels setback from second level front facades.</li> <li>▪ Cantilevered awnings at a consistent minimum height of 3 metres and a width of approximately 2.5 metres.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Variation in frontage form with punctuations at corners.</li> <li>▪ New building design and massing to be sympathetic to surrounding heritage buildings without mimicking heritage styles.</li> <li>▪ Separation of built form to provide a shared path connection along the eastern boundary of the precinct from Moody Street to the shared rail trail.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development interfacing with the key shared path to be orientated to address the open space area and provide passive surveillance.</li> <li>▪ Building orientation principally to Station Street.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Car parking, loading and service areas located at the rear away from street views.</li> <li>▪ Screened rear service, loading and storage areas.</li> </ul>
Precinct 2 - Large Format Retail Precinct	<ul style="list-style-type: none"> <li>▪ Transparent glazing to at least 50% of street facades.</li> <li>▪ Cantilevered awnings along Station Street at a consistent minimum height of 3 metres and a width of 2.5 metres.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Definition of the key entrance to Koo Wee Rup town centre at the western corner of precinct 2 with a landmark built form.</li> <li>▪ Articulated front and side elevations with horizontal definition of floor levels.</li> <li>▪ Separation of built form to provide a shared path connection along the eastern</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development interfacing with the key shared path to be orientated to address the open space area and provide passive surveillance.</li> <li>▪ Building orientation principally to Station Street.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Car parking, loading and service areas located at the rear away from street views. Car parking in Precinct 2 may be located at the side.</li> <li>▪ Screened rear service, loading and storage areas.</li> </ul>

## CARDINIA PLANNING SCHEME

Precinct	Frontages	Built form	Orientation	Parking and Services
		boundary of the Timber Sale Yard from Salmon Street to the share rail trail.		
Precinct 3a and 3b - Commercial/ mixed use precinct	<ul style="list-style-type: none"> <li>▪ Transparent glazing to at least 70% of ground level street facades.</li> <li>▪ Cantilevered awnings at a consistent minimum height of 3 metres and a width of approximately 2.5 metres.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Articulated front and side elevations with horizontal definition of floor levels.</li> <li>▪ Horizontal parapets to front elevations in Precinct 3a that match the first floor alignment of Royal Hotel to ensure a continuity of frontage form.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ground level entrances to upper level dwellings to be accessible from the street and well articulated within the street facade.</li> <li>▪ Building orientation in precinct a principally to Station Street.</li> <li>▪ Building orientation in precinct 3b principally to Rossiter Road.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Car parking, loading and service areas located at the rear away from street views.</li> <li>▪ Screened rear service, loading and storage areas.</li> </ul>

### 3.0

24/02/2022  
C240card

#### Subdivision

None specified.

### 4.0

24/02/2022  
C240card

#### Signs

None specified.

### 5.0

24/02/2022  
C240card

#### Application requirements

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:

- A comprehensive site analysis and an urban context report which identifies constraints and opportunities and demonstrates how the design response achieves the design objectives at Clause 1.0 and the built form requirements specified at Clause 2.0 of this schedule.  
If in the opinion of the responsible authority a site analysis and urban context report is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
- If an application proposes a building height that is below the specified minimum building height, or exceeds the specified maximum building height, the application must demonstrate how the development will achieve the design objectives at Clause 1.0 and the built form requirements of Clause 2.0 of the schedule.

6.0

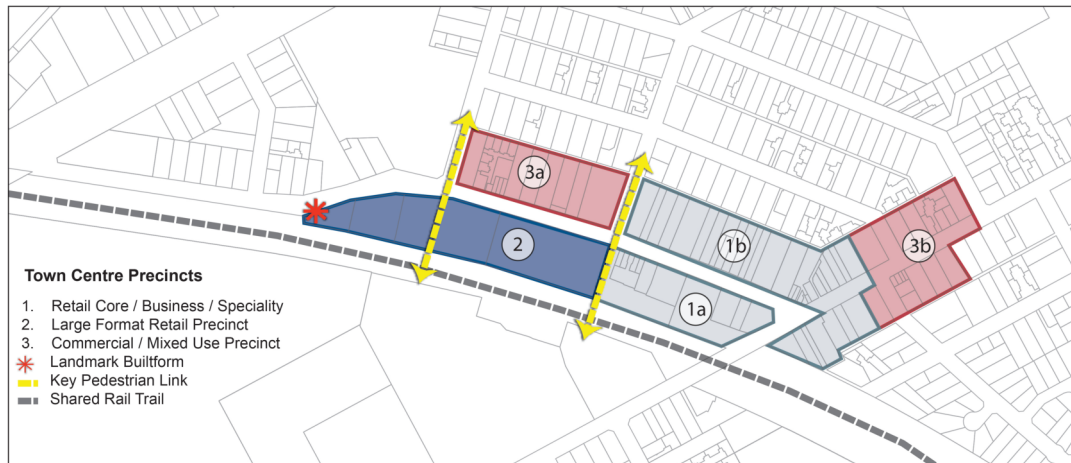
24/02/2022  
C240card

**Decision guidelines**

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 a proposal that is below the minimum building height or exceeds the maximum building height still achieves the design objectives of this schedule.
- Whether a proposal that seeks to vary a built form requirement can still achieve the design objectives of this schedule.
- Any impact the proposal has on pedestrian amenity.

**Figure 1: Precinct Plan**



**43.03**

31/07/2018  
VC148

**INCORPORATED PLAN OVERLAY**

Shown on the planning scheme map as **IPO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require:

- The form and conditions of future use and development to be shown on an incorporated plan before a permit can be granted to use or develop the land.
- A planning scheme amendment before the incorporated plan can be changed.

To exempt an application from notice and review if it is generally in accordance with an incorporated plan.

**43.03-1**

19/01/2006  
VC37

**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 until an incorporated plan has been incorporated into this scheme.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before an incorporated plan has been incorporated into this scheme.

A permit granted must:

- Be generally in accordance with the incorporated plan, unless a schedule to this overlay specifies otherwise.
- Include any conditions or requirements specified in a schedule to this overlay.

**43.03-2**

31/07/2018  
VC148

**Exemption from notice and review**

An application under any provision of this planning scheme which is generally in accordance with the incorporated 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.

**43.03-3**

31/07/2018  
VC148

**Decision guidelines**

Before deciding on an application under any provision of this scheme which is not generally in accordance with the incorporated plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The incorporated plan.
- Any other matters specified in a schedule to this overlay.

**43.03-4**

25/02/2025  
VC257

**Preparation of the incorporated plan**

The incorporated plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

An incorporated plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Housing Choice and Transport Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The incorporated plan must describe:

- The land to which the plan applies.

## CARDINIA PLANNING SCHEME

- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

10/06/2021  
C254card

## **SCHEDULE 1 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY**

Shown on the planning scheme map as **IPO1**.

### **BUNYIP STATE PARK RETARDING BASIN SITES**

#### **1.0**

10/06/2021  
C254card

#### **Requirement before a permit is granted**

A permit may be granted before an incorporated plan has been incorporated into this scheme.

#### **2.0**

10/06/2021  
C254card

#### **Permits not generally in accordance with incorporated plan**

None specified.

#### **3.0**

10/06/2021  
C254card

#### **Conditions and requirements for permits**

None specified.

#### **4.0**

10/06/2021  
C254card

#### **Decision guidelines**

None specified.

#### **5.0**

10/06/2021  
C254card

#### **Preparation of the incorporated plan**

None specified.

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**

01/08/2024  
C265card

#### **Requirement before a permit is granted**

None specified

#### **2.0**

01/08/2024  
C265card

#### **Permits not generally in accordance with incorporated plan**

None specified

#### **3.0**

01/08/2024  
C265card

#### **Conditions and requirements for permits**

None specified

#### **4.0**

01/08/2024  
C265card

#### **Decision guidelines**

None specified

#### **5.0**

01/08/2024  
C265card

#### **Preparation of the incorporated plan**

None specified

27/02/2025  
C274card**SCHEDULE 3 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY**

Shown on the planning scheme map as IPO3.

**OFFICER SOUTH (EMPLOYMENT) PRECINCT STRUCTURE PLAN****1.0**27/02/2025  
C274card**Requirement before a permit is granted****Bushfire management plan**

An application to subdivide land adjacent to a Bushfire Hazard Area shown on Plan 8 Bushfire Hazard Areas must be accompanied by a Bushfire Management Plan that demonstrates how the application will address bushfire risk at the site. The plan must be prepared in accordance with table 3 - Bushfire hazard vegetation management & setback requirements, of the incorporated *Officer South (Employment) Precinct Structure Plan*, unless otherwise agreed in writing by the Responsible Authority and CFA. The plan must include:

- The design and layout of the subdivision, including lot layout, road design and access points, both vehicular and pedestrian;
- The location of any bushfire hazard areas;
- The details of any bushfire protection measures required for individual lots;
- The identification of any areas to form the setback between a bushfire hazard and built form;
- The details of any vegetation management in any area of defendable space including, information on how vegetation will be managed and when the vegetation management will occur i.e. annually, quarterly, during the fire danger period;
- Notations that indicate what authority is responsible for managing vegetation within open space areas;
- Notations that ensure that the areas of classified vegetation in the nominated bushfire hazard areas must be managed to a level that will ensure the vegetation classification under AS3959-2018 will not be altered.

The responsible authority and fire authority may waive this requirement if a plan has been previously approved for the land.

**2.0**27/02/2025  
C274card**Permits not generally in accordance with incorporated plan**

A permit granted must be generally in accordance with the incorporated plan as it applies to the land unless the responsible authority is satisfied that the development will not prejudice the orderly planning of the area having regard to the objectives of the incorporated *Officer South (Employment) Precinct Structure Plan*

**3.0**27/02/2025  
C274card**Conditions and requirements for permits****Condition - Construction environmental management plan**

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a BCS conservation area as shown in Plan 3 in the incorporated *Officer South (Employment) Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be

submitted to and approved by the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

### **Condition - Land management plan for conservation area**

A permit to subdivide land containing a BCS conservation area as shown in Plan 3 in the *Officer South (Employment) Precinct Structure Plan* must include the following condition:

Prior to the commencement of development of land included in the BCS conservation area as shown in Plan 3 in the *Officer South (Employment) Precinct Structure Plan*, a land management plan must be prepared by a suitably qualified consultant, submitted to, and approved by the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013) will be maintained, managed and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any revegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

### **Condition - Security of conversation land**

A permit to subdivide land containing a 'BCS conservation area' as shown in Plan 3 in the *Officer South (Employment) Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'BCS conservation area' as shown in Plan 3 in the *Officer South (Employment) Precinct Structure Plan* as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction of the Secretary to the Department of Energy, Environment and Climate Action as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration:  
or

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

**Condition - Fencing of conservation areas**

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a BCS conservation area as shown in Plan 3 in the *Officer South (Employment) Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and approved by the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Energy, Environment and Climate Action and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be brought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

#### **Condition - Correct alignment of protective fencing**

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor to the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

#### **4.0**

27/02/2025  
C274card

#### **Decision guidelines**

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

- The consistency of the use or development with:
  - The *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment, and Primary Industries, 2013).
  - The incorporated *Officer South (Employment) Precinct Structure Plan*.
  - Any relevant approval under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
  - Any management plan applying to the land under an agreement under section 69 of the *Conservation Forest and Lands Act 1987*.
- *Delivering Melbourne's Newest Sustainable Communities: Program Report* (Victorian Government, 2009).
- Whether use or development protects and enhances the biodiversity and other environmental values of the site and its surrounds.
- Any impacts from the construction or operation of the use or development on biodiversity and other environmental values and the ability for the land to be revegetated or rehabilitated.

#### **5.0**

27/02/2025  
C274card

#### **Preparation of the incorporated plan**

None specified.

**43.04**

31/07/2018  
VC148

**DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

**43.04-1**

31/07/2018  
VC148

**Objectives**

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

**43.04-2**

31/07/2018  
VC148

**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 until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

**43.04-3**

31/07/2018  
VC148

**Exemption from notice and review**

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme 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.

**43.04-4**

25/02/2025  
VC257

**Preparation of the development plan**

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Housing Choice and Transport Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

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

10/06/2021  
C254card**SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO1**.

**FORMER PAKENHAM CONSOLIDATED SCHOOL SITE****11-15 MAIN STREET, PAKENHAM****1.0**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

None specified.

**3.0**10/06/2021  
C254card**Conditions and requirements for permits**

The following conditions and/or requirements apply to permits:

- The Federation Oak Tree must not be cut, lopped, damaged, poisoned, injured, removed or destroyed without the prior written consent of the responsible authority (which consent must not be unreasonably withheld) except in the case of an emergency where there is immediate danger to any person or property so that immediate pruning or removal of a part of the tree is required to prevent death or injury to any person or property.
- Any member of the public must not be prevented from having access to the Federation Oak Tree, provided always that the owner of the land may erect fencing around the tree and construct a defined pathway to the tree from Main Street (or any other road which Council has approved in writing) with the prior written consent of the Council (which consent must not be unreasonably withheld) and, if the Council consents to such fencing and pathway, the owner may restrict members of the public to the area within the fence surrounding the tree and to the pathway.
- The owner of the land must, as soon as reasonably practicable after the date of issue of this permit, carry out a feature site survey in respect of the whole of the land to identify all site features, including trees, which are to be retained on the land and must use all reasonable endeavours to retain the trees identified by that survey wherever practicable.
- A reserve must be created on that part of the land zoned Residential 2. This reserve must be no less than 3 metres wide (which will be included in any plan of subdivision of the land zoned Residential 2 and be shown as a reserve which vests in the Council upon registration of that plan) between the Residential 2 Zone and McGregor Road so as to prevent the owners of any residential land from having direct access from the Residential 2 Zone to McGregor Road, except for one residential street, located approximately halfway between Duncan Drive and Rogers Street, which Council will allow to be created to give access to McGregor Road from the Residential 2 Zone in such position as is first approved by Council in writing, which approval must be expressed as being given pursuant to this condition.
- Vehicle access from Wadsley Avenue to the land zoned Business 1 will not be permitted, except with the written consent of the Council and must only use Wadsley Avenue for the purpose of vehicle access to the part of the land zoned Residential 2.
- The land must be subdivided to accord with the zone boundaries.

**4.0**10/06/2021  
C254card**Requirements for development plan**

A development plan must include the following requirements:

- Building setbacks from the boundaries of the land.

## CARDINIA PLANNING SCHEME

- Appropriate landscape buffer strips along the boundaries of the land.
- Vehicle access to and from the land.

10/06/2021  
C254card

## **SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO3**.

### **13 EMERALD-MONBULK ROAD, EMERALD**

#### **1.0**

10/06/2021  
C254card

#### **Objectives**

None specified.

#### **2.0**

10/06/2021  
C254card

#### **Requirement before a permit is granted**

None specified.

#### **3.0**

10/06/2021  
C254card

#### **Conditions and requirements for permits**

The following conditions and/or requirements apply to permits:

- The land may only be subdivided into eight lots, seven of which must have a minimum area of 1000 square metres with a balance lot of approximately 4600 square metres in accordance with an approved development plan.
- No further subdivision of any lot is permitted.
- All lots created must be connected to reticulated sewerage.
- Developer must contribute to the upgrading of the full length of Cornish Road to include kerb and channel, underground drainage along the entire frontage of the subject land and sealed pavement to a minimum width of 5.5 metres.

#### **4.0**

10/06/2021  
C254card

#### **Requirements for development plan**

A development plan must include the following requirements:

- Retention of St. Joseph's Church on the balance lot with an approximate area of 4600 square metres.

10/06/2021  
C254card**SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO4**.

**O'NEIL ROAD EAST DEVELOPMENT PLAN****1.0**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

None specified.

**3.0**10/06/2021  
C254card**Conditions and requirements for permits**

Any permit granted for the subdivision of the land into residential lots must include the following condition:

The owner must enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987* to:

- Provide for the physical and community infrastructure outlined in the development plan overlay applying to the land.
- Control the further subdivision and development of the larger lots shown on the development plan.

**4.0**10/06/2021  
C254card**Requirements for development plan**

A development plan must include the following requirements:

- 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 lot sizes including larger lots on the northern part of the land.
- Proposed open space and recreation facilities including pedestrian and bicycle linkages.
- Proposed major drainage features.
- The identification of remnant vegetation on the land and measures to retain the vegetation.
- The proposed layout of streets including traffic control infrastructure.
- A street connection between O'Neil Road and May Road.
- 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.
- The provision of a native tree buffer and domestic animal fence along the boundary adjoining the rural properties to the east of the land.

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**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

None specified.

**3.0**10/06/2021  
C254card**Conditions and requirements for permits**

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**10/06/2021  
C254card**Requirements for development plan**

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.
- 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.

## CARDINIA PLANNING SCHEME

- An overall landscaping concept plan.
- Physical and community infrastructure required.
- 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 6 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO6**.

### **GARFIELD TOWNSHIP**

#### **1.0**

10/06/2021  
C254card

#### **Objectives**

None specified.

#### **2.0**

10/06/2021  
C254card

#### **Requirement before a permit is granted**

A permit may be granted before a development plan is prepared to the satisfaction of the responsible authority to use land, construct a building or construct or carry out works.

#### **3.0**

10/06/2021  
C254card

#### **Conditions and requirements for permits**

None specified.

#### **4.0**

10/06/2021  
C254card

#### **Requirements for development plan**

A development plan must include the following requirements:

- The subdivision layout of the land.
- The staging of the development.
- The relationship of the land to existing or proposed development on adjoining land to achieve the integrated subdivision of land in the area.
- A range of lot sizes and lot development criteria consistent with Garfield Township Strategy (August 2002).
- The identification of any remnant vegetation on the land and adjoining road reserve, and measures to provide for the protection and conservation of the vegetation.
- The identification of any noxious and environmental weeds on the land and adjoining road reserve and measures to control the weeds.
- The identification of areas for revegetation with indigenous species as part of the subdivision of the land.
- Infrastructure required to service the development of the land and arrangements for the provision of the infrastructure including access to the development from a sealed road, and provision of pedestrian linkages.

10/06/2021  
C254card**SCHEDULE 7 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO7**.

**PAKENHAM NORTH-EAST RESIDENTIAL PRECINCT (DEEP CREEK)****1.0**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

None specified.

**3.0**10/06/2021  
C254card**Conditions and requirements for permits**

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).

**4.0**10/06/2021  
C254card**Requirements for development plan**

A development plan must include the following requirements:

- The staging of the development.
- The relationship and integration with the surrounding land.
- A subdivision layout that is responsive to opportunities for the enhancement of the Deep Creek corridor for open space linkages and natural values including biodiversity, landscape values and water quality.
- A discussion of how design and siting of buildings and works addresses environmental constraints such as flooding, slope and erosion, and potential impacts on water quality.
- 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 and April to the satisfaction of the Department of Sustainability and Environment.
- Proposed layout and hierarchy of streets including traffic control infrastructure that recognises and connects with the hierarchy of roads proposed or existing on land affected by Development Plan Overlay Schedule 5.
- Connections and continuations to walking and cycling paths proposed or existing on land affected by Development Plan Overlay Schedule 5, particularly through to Deep Creek.
- 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.
- A drainage plan in accordance with the requirements of Melbourne Water and consistent with the Cardinia Stormwater Management Plan.
- A subdivision design which incorporates water sensitive urban design strategies.
- An overall landscaping concept plan.

## CARDINIA PLANNING SCHEME

- Physical and community infrastructure required.
- A neighbourhood sportsground incorporated into the subdivision layout.
- 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 a subdivision layout which allows easy movement through and between neighbourhoods, including links identified in the Cardinia Pedestrian and Bicycle Strategy.
  - 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.
  - Consistent streetscape themes incorporating landscape design and construction as a part of subdivision construction. Themes are to be complementary with those proposed or existing on land affected by Development Plan Overlay Schedule 5.
  - 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.
  - Energy efficiency through orientation of sites.
  - The urban design principles as set out in the Pakenham Township Strategy including energy efficiency through orientation.

10/06/2021  
C254card**SCHEDULE 8 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO8**.

**SYME ROAD, PAKENHAM PRECINCT****1.0**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

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.

**3.0**10/06/2021  
C254card**Conditions and requirements for permits**

None specified.

**4.0**10/06/2021  
C254card**Requirements for development plan**

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 uses on adjoining land.
- Population and household targets.
- The proposed range of housing types and lot sizes.
- Proposed open space and recreation facilities, including a centrally located neighbourhood park with a minimum area of 1 hectare incorporating the area of remnant native vegetation, and proposed pedestrian and bicycle paths.
- Proposed drainage features on the land, including the proposed treatment of Pakenham Creek.
- An assessment of the potential for salinity on the land, and any necessary measures to address salinity.
- The identification of remnant vegetation on the land and measures to retain the vegetation.
- The proposed layout of streets, including the provision of access to Pakenham Road to the satisfaction of the Roads Corporation.
- The proposed interface between Pakenham Road and the proposed development.
- The proposed interface between Toomuc Valley Road and the proposed development to provide a landscape corridor along Toomuc Creek.
- The means by which the impact of the gas transmission pipeline easement and electricity transmission line easement will be addressed as part of the development.
- 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.
- Details of how the neighbourhood design principles in Melbourne 2030 will be addressed as part of the development.

The development plan and any permit must take into account further survey work targeted to Growling Grass Frogs conducted between October and March.

10/06/2021  
C254card**SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO9**.

**PAKENHAM HOMEMAKER PRECINCT PART 1****1.0**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

Before a permit is granted to use or develop the land, the owner must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987* to:

- Provide the physical infrastructure outlined in the development plan, including traffic control works required to support the development that may not be immediately adjacent to the land to be developed, the extent of which is to be apportioned between landowners by negotiation with the responsible authority.
- Provide the landscaping outlined in the development plan.

**3.0**10/06/2021  
C254card**Conditions and requirements for permits**

None specified.

**4.0**10/06/2021  
C254card**Requirements for development plan**

A development plan must include the following requirements:

- The development plan must be generally in accordance with the Pakenham Homemaker Precinct Urban Design Guidelines.
- A traffic report, including:
  - An assessment of traffic impacts associated with the development.
  - A discussion on how heavy vehicle movement will be accommodated effectively with minimal interaction with other road and pedestrian users of the development land.
  - Proposed road layout and access to adjoining roads detailing all access points to the site.
  - Detailed road cross sections.
  - Full intersection design for all intersections required for the development of the land.
- A landscape masterplan for the site, including:
  - An ‘entry park’ on the corner of Princes Highway and the Lakeside Boulevard northern extension reflecting the size and standard of the ‘entry park’ on the south of the highway.
  - All roadsides and carparking areas.
- Details of how the safe, convenient and pleasant use and transit of the site by pedestrians has been accommodated.
- Details of the protection proposed for adjoining uses and future residential uses, including the use of noise attenuation and visual screening where appropriate.
- An urban design response that delivers an active frontage to the northern extension of Lakeside Boulevard.

10/06/2021  
C254card**SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO10**.

**1.0**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

None specified.

**3.0**10/06/2021  
C254card**Conditions and requirements for permits**

None specified.

**4.0**10/06/2021  
C254card**Requirements for development plan**

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 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**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

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**10/06/2021  
C254card**Conditions and requirements for permits**

None specified.

**4.0**10/06/2021  
C254card**Requirements for development plan**

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 mid-point 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.

## CARDINIA PLANNING SCHEME

- 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*;
    - An assessment of the impacts to biodiversity of conducting works on the Gum Scrub Creek and environs and proposed mitigation measures; and

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- 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**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

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**10/06/2021  
C254card**Conditions and requirements for permits**

None specified.

**4.0**10/06/2021  
C254card**Requirements for development plan**

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:

## CARDINIA PLANNING SCHEME

- 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 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.

## CARDINIA PLANNING SCHEME

- A targeted survey for the Dwarf Galaxias (*Galaxiella pusilla*) by a qualified environmental consultant in consultation with the 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 (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**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

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**10/06/2021  
C254card**Conditions and requirements for permits**

None specified.

**4.0**10/06/2021  
C254card**Requirements for development plan**

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.

## CARDINIA PLANNING SCHEME

- 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.
- 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:
  - 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; 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.

26/04/2013  
C182**SCHEDULE 14 TO THE DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO14**.

**170 MCDONALDS TRACK, LANG LANG****1.0**26/11/2009  
C60**Requirement before a permit is granted**

A planning permit may be granted to use land, construct a building or construct or carry out works before a development plan has been approved to the satisfaction of the responsible authority. All proposals must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

**2.0**26/11/2009  
C60**Conditions and requirements for permits**

The following conditions and requirements apply to the subdivision and development of the land.

- A 300 metre buffer zone must be provided from the Lang Lang Sewage Treatment Plant title boundary to any odour sensitive use. Any food and drink premise, café, convenience restaurant, office (other than ancillary to an industry or warehouse), restricted retail (bulky goods), place of assembly, place of worship and childcare centre must not be located in the 300 metre buffer zone unless to the requirements of South East Water and the satisfaction of the responsible authority.
- Prior to the commencement of any use or development, Aquatic surveys, particularly targeting Australian Grayling, Dwarf Galaxias and Growling Grass Frogs must be carried out to the requirements of the Department of Sustainability and Environment and satisfaction of the responsible authority.
- Access to and egress from the site must utilise existing cleared areas along the road reserve. If removal of roadside vegetation is unavoidable, only the minimal amount to allow access to the site may be removed. If minimal clearance of native vegetation on the roadside is deemed necessary, a targeted fauna survey for the Southern Brown Bandicoot must be conducted to the requirements of the Department of Sustainability and Environment and the satisfaction of the responsible authority, (This threatened species is known to occur along roadside vegetation in this area. The proposal may need to be referred to Environment Australia under the *Environment Protection and Biodiversity Conservation Act 1999*, as the Southern Brown Bandicoot is listed as threatened under this Act).
- Best practise sedimentation control and stormwater treatment must be provided during and subsequent to construction to ensure minimisation of impacts on Adams Creek to the satisfaction of the responsible authority.
- Roadway design and the provision of fire services within the residential area must be to the requirements of the Country Fire Authority guideline “Requirements for Water Supplies and Access for Subdivisions in Residential 1 and 2 and Township Zones” and to the satisfaction of the responsible authority.
- Roadway design and the provision of fire services within the industrial area must be to the requirements of the Country Fire Authority’s “Water Supplies and Access for Subdivisions in Industrial Zones” and to the satisfaction of the responsible authority.

**3.0**26/11/2009  
C60**Requirements for development plan**

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:

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- The size and dimensions of lots.
- The location of vehicle crossings.
- The arrangement of the pedestrian/bicycle and road network.
- Suitable provision of public open space to meet the local community needs.
- A subdivision design which creates an effective interface between the industrial zoned land and residential zoned land, including an appropriate buffer that may include open space, visual screening, streetscape or landscaping designs where appropriate.
- A subdivision design which must protect scattered native trees on site.

### 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.
- An explanatory statement illustrating the demand for the range of lots provided.
- The residential subdivision must to the satisfaction of the responsible authority:
  - Maintain 80% of lots with sizes over 700 square metres.
  - Discourage small allotments of less than 600 square metres.
  - Avoid gated street formats.
  - Discourage cul-de-sacs, and if used, they should be connected through to another street by a wide reserve and path for safe pedestrian and bicycle access.
  - Maintain a sense of spaciousness within and between residential buildings by providing a building envelope on each lot that demonstrates a minimum side setback of 2.5 metres, minimum front setback of 7 metres or no less than the average setback of the adjoining two (2) dwellings, maximum building site coverage of 40% of the lot size and minimum lot width of 18 metres.
  - Develop a clear, legible road network that provides a high level of internal connectivity and external linkages for local vehicle, pedestrian and bicycle movements.
  - Maintain generous street, footpath and easement widths. Provide a minimum width for internal streets of 7.3 metres to allow for parking on either side and access for emergency vehicles.
  - Ensure protection and conservation of native vegetation.
- The relationship of the land to existing or proposed developments on adjoining land to achieve the integrated subdivision of the land in the area.

### Transport

- A traffic management plan to be carried out to the satisfaction of the responsible authority, in consultation with Vic Roads showing arrangements for vehicle ingress and egress to the development, including the road layout, construction standards and traffic management.
- Convenient and safe pedestrian pathway networks and bicycle linkages within and leading to the development.
- Setting aside of land for a future 30 metre wide road reserve in consultation with Vic Roads, Cardinia Shire Council and the Department of Sustainability and Environment.

## CARDINIA PLANNING SCHEME

- A subdivision design that addresses amelioration of amenity impacts of the 30 metre wide road reserve on residential and industrial zoned land, including the use of noise attenuation and visual screening where appropriate.
- A noise attenuation plan prepared by a suitably qualified acoustic consultant to the satisfaction of the responsible authority, in consultation with Vic Roads. The plan must provide recommendations for a noise attenuation treatment necessary to protect residential properties/developments from traffic noise from the future 30 metre wide road reserve to a level of 63 dB (A) L10 (18hours) or less, measured at the façade of habitable buildings.

### Landscaping

- An indicative landscape plan must be prepared to the satisfaction of the responsible authority, demonstrating:
  - 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 to be given to the surface finishes of pathways and driveways
  - Consideration needs to be given to using a majority of local indigenous species in all landscape plantings
  - An explanatory statement illustrating landscape maintenance of the site

### Environment

- Investigations by a suitably qualified environmental professional to provide soil sampling and testing to fully assess the soil contamination status of the site.
- An Environmental Management Plan must be prepared and approved by the responsible authority, as a component of the subdivision application, indicating how Adams Creek and the native in-stream and riparian flora and fauna associated with it will be protected from runoff from future subdivision. A schedule for management actions should be included (including how the schedule will be implemented and who will be responsible for implementation).
- Water Sensitive Urban Design must be achieved in any development of the site and a Stormwater Management Plan should be prepared and approved by the responsible authority to show how nutrient, sediment and gross pollution from the development will be minimised and treated so that the water quality of Adams Creek (and subsequently Lang Lang River and Westernport) is not affected.
- Any native vegetation removal must comply with Victoria's Native Vegetation Management – A Framework for Action and Net Gain in extent and quality of vegetation, must be achieved through appropriate offsets and must be in accordance with any requirements of the Department of Sustainability and Environment. (note: a permit to take protected flora under the *Flora and Fauna Guarantee Act 1988* may be required, depending on the species proposed for removal).

### Community Services/Infrastructure

- The provision of utility services infrastructure required to service the development and details of the arrangements for the provision of the infrastructure.
- Any other community services or infrastructure required for the development of the land identified by the responsible authority.

## 4.0

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### Expiry

This schedule expires on 26 January 2014.

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**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

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**10/06/2021  
C254card**Conditions and requirements for permits**

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

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C254card

#### Requirements for development plan

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.

### 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.
  - Applies the 'three step' approach as detailed in Victoria's Native Vegetation Management – A Framework for Action and Net Gain (avoid, minimise and offset). The three step approach must include a flora listing of each habitat patch.

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- 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.

## CARDINIA PLANNING SCHEME

- 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.

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**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

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**10/06/2021  
C254card**Conditions and requirements for permits**

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**10/06/2021  
C254card**Requirements for development plan**

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 Kooweerup-Healesville Road extension.
- A plan indicating the type of existing native vegetation and any areas where it is proposed to remove native vegetation.

## CARDINIA PLANNING SCHEME

- 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, 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**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

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 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**10/06/2021  
C254card**Conditions and requirements for permits**

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**10/06/2021  
C254card**Requirements for development plan**

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 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.

#### **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.

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**10/06/2021  
C254card**Objectives**

None specified.

**2.0**10/06/2021  
C254card**Requirement before a permit is granted**

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**10/06/2021  
C254card**Conditions and requirements for permits**

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 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 Responsible Authority. Unless otherwise agreed in writing by the Department of Sustainability and Environment, any offsets required must be secured prior to the removal of native vegetation.

**4.0**10/06/2021  
C254card**Requirements for development plan**

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).

## CARDINIA PLANNING SCHEME

- 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 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.
  - Applies the three step approach as detailed in 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.

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- 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.

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### 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, and any areas of native trees or vegetation to be retained.
- The views of the Department of Sustainability and Environment.

18/11/2022  
C238card**SCHEDULE 19 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO19**.

**GLISMANN ROAD AREA DEVELOPMENT PLAN (GRADP)****1.0**18/11/2022  
C238card**Objectives**

- To create a residential precinct that delivers high quality urban design outcomes through a variety of lot sizes which respond to the existing natural topography and landscape features of the development plan area.
- To protect and maintain the visual prominence of vegetated hilltops and hillsides when viewed from within and outside of the development plan area.
- To encourage a subdivision layout which maximises the retention of existing vegetation, minimises the overall disturbance to the terrain and ensures that buildings and structures are sited so that they do not visually dominate the landscape.
- To guide an integrated and coordinated design approach to an area with fragmented land ownerships.

**2.0**18/11/2022  
C238card**Requirement before a permit is granted**

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- A minor extension, minor addition or minor modification to an existing building.
- Minor drainage works.
- Minor earthworks.
- The use and development of land provided the use or buildings or works will not prejudice the future use or development of the land in an integrated manner.
- The use, development or subdivision of land by a public authority or utility provider.
- The re-subdivision of existing lots (boundary realignment), provided the number of lots is not increased.
- Development of 11 Mahon Avenue provided a pedestrian link is provided to its eastern boundary that is capable of extension in the balance of the DPO area.

A permit must not be granted to subdivide land until a development plan has been prepared to the satisfaction of the responsible authority.

**3.0**18/11/2022  
C238card**Conditions and requirements for permits****Requirements**

All proposals to use or construct a building or construct or carry out works before a development plan has been prepared must be accompanied by the following:

- A site analysis plan that identifies:
  - the key attributes of the land as well as its relationship with the surrounding area and the future use of adjoining land;
  - the topography of the site, including the location of slope exceeding 20 per cent and visually prominent hilltops/hillsides to be protected and enhanced (as identified in *Hansen Partnership (June 2014) Glismann Road, Beaconsfield Landscape Assessment* and *Hansen Partnership (August 2014) Glismann Road, Beaconsfield Landscape Management Framework*), and

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- the location of vegetation.
- A report demonstrating that:
  - The proposal will not have a detrimental impact on the amenity of the area or prejudice the future development of the land for residential purposes as identified in Figure 1 to this schedule.
  - The proposal responds to existing physical, environmental and visual characteristics of the site and surrounding area by:
    - protecting and enhancing areas of native vegetation;
    - protecting and maintaining the visual prominence of vegetated hilltops and hillsides when viewed from outside the Glismann Road area;
    - demonstrates use of colours and materials that are sympathetic of the natural surrounds;
    - details of proposed batters, cut and fill earthworks, retaining walls, and/or drainage solutions required for the use or development of land; and,
    - prevents development on areas with existing pre-development slope of over 20 per cent.

All proposals to subdivide land must be accompanied by the following:

- An assessment of how the proposal implements the vision, objectives, requirements and guidelines of the approved Development Plan, specifically:
  - existing physical, environmental and visual characteristics of the site and surrounding area, including the use of colours and materials that are sympathetic to the natural surrounds;
  - functional and safe subdivision which incorporates environmentally sensitive design;
  - subdivision layout and the distribution of lot sizes which respond to the visual sensitivity of the area, landscape character, topographical features and retention of significant vegetation and other identified characteristics;
  - site earthworks such as batters, cut and fill and retaining walls designed to have the least visual impact on the environment and landscape;
  - protection and, where necessary, rehabilitation of vegetation, particularly on prominent hill faces/ridgelines and roadsides;
  - strategically positioned building envelopes to respond to the landscape character, native vegetation and the significantly steep topographical features of the area;
  - active interfaces with adjacent streets, open space and key pedestrian locations to increase the sense of safety / surveillance within and surrounding the area; and
  - cohesive development that facilitates connectivity between adjoining lots and minimises court bowls.
- An overall masterplan for all land in contiguous ownership of the landowner demonstrating the:
  - lot yield; density distribution;
  - identify lots affected by a restriction/envelope;
  - and, an indication of staging of subdivision and timing.  
Documentation should clarify the purpose of the restriction/envelope and what buildings and/or works the restriction/envelope restrictions apply to.
- If the subdivision application includes land affected by the access streets located either side of Glismann Road as identified in Figure 1 of this schedule, a staging plan must be prepared that

## CARDINIA PLANNING SCHEME

demonstrates the delivery of the access street connections in the first stage of development and that the access street is constructed to the title boundary of the adjoining property.

- A Transport Impact Assessment Report that responds to *Traffic works (May 2022) Glismann Road Residential Development, Beaconsfield, Traffic Impact Assessment Report* to the satisfaction of the relevant roads authority (be it Department of Transport or Council). If the road network and movement is altered through the preparation of the Development Plan, a new Traffic Impact Assessment Report must be provided to the satisfaction of the relevant roads authority (be it Department of Transport or Council).
- An Infrastructure Plan which addresses the following:
  - what land may be affected or required for the provision of infrastructure works;
  - what, if any, infrastructure set out in the contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
  - any relevant traffic report or assessment;
  - the provision, staging and timing of road works internal and external to the land:
    - the first application to subdivide land with access to Glismann Road (Access Street Level 1.5) must be accompanied by a functional design for the entire length of the road, or a length of road to the satisfaction of Responsible Authority and include plans demonstrating the following:
      - a complete sight lines assessment along the roadway;
      - no vehicle access from individual properties along Glismann Road at the crest of the hill, and 30 m either side of the crest;
      - compliance with sight distance requirements as set out in Australian Standard AS2890.1 and Austroads Guide to Road Design;
      - a road pavement of 6.5 m;
      - no on-street parking at the crest and within the 30 m of the crest of the hill;
      - traffic calming devices as identified in Figure 1 of this Schedule;
      - a 3 m shared path on the western side only;
  - the landscaping of any land;
  - the provision of public open space with
    - the first application to subdivide land containing public open space must be accompanied by an indicative concept master plan for the entire local park; and
    - any other matter relevant to the provision of infrastructure required by the Responsible Authority.
- A Stormwater Management Strategy which provides for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water and the Responsible Authority.
  - An application to subdivide land must, in consultation with Melbourne Water and Cardinia Shire Council address the timing of the delivery of the levee bank shown in Figure 1, unless otherwise agreed by the Responsible Authority.
- An assessment by a suitably qualified cultural heritage professional that addresses the recommendations outlined in *Tardis Enterprises Pty Ltd (November 2010) The Glismann Road, Beaconsfield Structure Plan Cultural Heritage Management Plan (CHMP) 11452*.
- An assessment that responds to the *Meinhardt (March 2015) (updated May 2020 and May 2022), Glismann Road Development Plan Contaminated Land Study*:

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- A Preliminary Risk Screening Assessment (PRSA) in accordance with *DELWP (July 2021) Potentially Contaminated Land General Practice Note 30 (PPN30)* and relevant EPA guidance on PRSAs is required to determine whether to proceed with an Environmental Audit on the following properties:
  - 1 Glismann Road Lot 10 LP3783 Beaconsfield;
  - 2 Glismann Road Lot 2 LP64568 Beaconsfield;
  - 8 Glismann Road Lot 25 LP3783 Beaconsfield; and
  - 10 Glismann Road Lot 24 LP3783 Beaconsfield.
- Should a Preliminary Risk Screening Assessment deem an Environmental Audit to be necessary for any given property, the Audit must be completed prior to the commencement of construction or carrying out intrusive works (other than site investigation works to determine the level of contamination if any on the land) at that property.
- A flora and fauna assessment that responds to *Ecology Partners Pty Ltd (October 2010) Biodiversity Assessment for Area 1, 'Beaconsfield', Beaconsfield, Victoria*.
- A Native Vegetation Information Management (NVIM) report and establish the protection requirements for any vegetation to be retained.
- A Slope Management Plan be prepared by a suitably qualified person generally in accordance with the Slope Management Guidelines approved as part of the Development Plan. The Slope Management Plan must include an assessment of how the plan responds to the Slope Management Guidelines and include:
  - Identification of:
    - natural topography and any earthworks which may have occurred over time;
    - any fill which may have occurred over time; and
    - any works proposed to alter ground levels, where this can reduce areas of substantial slope.
  - Proposed road cross sections and long sections to demonstrate how slopes over 10 per cent are being responded to through the road design.
  - Details of all proposed batters, cut and fill earthworks, retaining walls, driveway crossover locations and drainage solutions required for the subdivision of land that includes an existing pre-development slope of greater than 10 per cent.
  - Detail of how the use of building envelopes (or an alternative design response) responds to the slope management methods utilised.
  - Detail of what works outlined in the Slope Management Plan will be undertaken by the developer prior to the issues of the Statement of Compliance.
- Building design guidelines and fencing controls which addresses the housing planning and design guidelines.
- A Landscape Masterplan which illustrates how the proposed development is responsive to the development including key themes, landscape principles and character that will define the subdivision and/or development.

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

### Conditions

A condition that requires either an envelope/notice of restriction or an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987* on the certified plan of subdivision, and recorded on the Certificate of Title of the land be implemented for the following:

- A restriction/envelope to prevent development on areas within the 'substantial area of slope 20 per cent and over' as shown in Figure 1 to this Clause.
- A restriction/envelope to maintain landscape character, native vegetation and significantly steep topographical features of the site were applicable.
- Allow only one (1) single dwelling on each lot and specify that lots may not be further subdivided for areas within the 'substantial area of slope 20 per cent and over'.
- Building design guidelines and fencing controls.

The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).

If a Preliminary Risk Screening Assessment (PRSA) deems an Environmental Audit to be necessary for any given property, then a permit must include the following conditions:

- Before the commencement of any use for a sensitive purpose; or before any buildings or works; or the commencement of construction or carrying out intrusive works (other than site investigation works to determine the level of contamination if any on the land); or before the certification of a plan of subdivision; whichever is the earlier in respect of all or that part of the land as the case may be an Environmental Audit must be provided to the Responsible Authority. The Environmental Audit must be completed in accordance with *DELWP (July 2021) Potentially Contaminated Land General Practice Note 30 (PPN30)*, the *Environment Protection Act 2017* and relevant EPA guidance on Environmental Audits.
- All the recommendations of the Environmental Audit must be complied with to the satisfaction of the Responsible Authority, prior to commencement of use of the site. Written confirmation of compliance must be provided by a suitably qualified environmental consultant or other suitable person acceptable to the Responsible Authority.
- Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works.
- In the absence of a site management order and where there are recommendations on an environmental audit statement that require significant ongoing maintenance and/or monitoring the owner of the land must enter into a Section 173 Agreement under the *Planning and Environment Act 1987*.
  - The s 173 Agreement must be executed on the title of the relevant land prior to the commencement of the use and prior to the issue of a statement of compliance under the *Subdivision Act 1988*.
  - The owner of the land must meet all costs associated with drafting and execution of the Agreement, including those incurred by the responsible authority.

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### Requirements for development plan

A development plan must be generally in accordance with Figure 1 of this Schedule and must be prepared to the satisfaction of the Responsible Authority for the whole site.

A development plan must include a vision statement, objectives, requirements and guidelines that will guide development in the development plan area.

**Site analysis plan**

- A site analysis plan that:
  - responds to the recommendations and mitigation measures outlined in:
    - *Ecology Partners Pty Ltd (October 2010) Biodiversity Assessment for Area 1, 'Beaconsfield', Beaconsfield, Victoria*
    - *Hansen Partnership (June 2014) Glismann Road, Beaconsfield Landscape Assessment*
    - *Hansen Partnership (August 2014) Glismann Road, Beaconsfield Landscape Management Framework*
    - *Trafficworks (May 2022) Glismann Road Residential Development, Beaconsfield, Traffic Impact Assessment Report*
    - *Meinhardt, (March 2015) (updated May 2020 and May 2022) Glismann Road Development Plan Contaminated Land Study*
    - *Tardis Enterprises Pty Ltd (November 2010) Glismann Road, Beaconsfield Structure Plan Cultural Heritage Management Plan (CHMP) 11452*
    - *Water Technology (July 2014) Glismann Road Drainage Scheme*
    - *Water Technology (May 2016) Additional Flooding and Water Quality Assessments (Memo) (INC1633283)*
  - identifies key interface areas within the site as well as between the site and adjoining development, including Beaconsfield Primary School, open space areas, public transport, walking and cycling connections; and
  - identifies visually prominent hilltops and hillsides, including significant views of the site and views from the site, including:
    - the location of steep slopes of 20 per cent or more; and,
    - the location of vegetation.

**Slope management guidelines**

- Slope Management Guidelines for the subdivision and/or development of land with a predevelopment slope over 10 per cent that provides clarity and consistency for subdivision and development applications.
- The Slope Management Guidelines must include a statement of how the guidelines respond to the visual sensitivity of the area, topographical features and retention of areas with significant vegetation and other identified characteristics identified in the development plan, and include:
- Slope Management Design Principles for:
  - The road network, including typical road cross sections and long sections to demonstrate how slopes over 10 per cent are to respond through the road design.
  - Batters, cut and fill earthworks, retaining walls, driveway crossover locations and drainage solutions.
  - Lot layout and design guidelines.
  - Buildable areas / building envelopes including detail of how the use of building envelopes (or an alternative design response) can be used to respond to slope management.

## CARDINIA PLANNING SCHEME

- Areas of slope over 20 per cent and options of how they could be managed through the implementation of a Slope Management Plan. No development is permitted on areas with existing pre-development slope of over 20 per cent.
- Engaging in discussion with adjoining landowners regarding the treatment of the change in grade between the property boundaries.
- A statement of what works outlined in the Slope Management Plan will need to be undertaken by the developer prior to the issues of the Statement of Compliance.

### Staging

- Details on staging of the subdivision and/or development including the provision of the internal road network.

### Housing requirements and subdivision

- An indicative lot layout that:
  - includes a diverse range of lot sizes generally in accordance with Figure 1;
  - responds to the landscape character, topographical features and visual sensitivity of the area;
  - retains native vegetation; and,
  - provides building envelopes to maintain landscape character, native vegetation and significantly steep topographical features.
- Acknowledgment that, based on the assessment of the road network capacity, the development plan lot yield is a total of 330 lots.
- Design guidelines for buildings and fencing to provide clarity and consistency for subdivision and development applications to ensure:
  - the siting, height, scale, materials, colours and form of proposed buildings and works will be designed to have the least visual impact on the environment and landscape;
  - dwellings and garages do not dominate the streetscape;
  - dwelling design provides for passive surveillance and attractive streetscapes;
  - topography is suitably addressed through dwelling, fencing and retaining wall design;
  - fencing visible from the public realm is minimised and, provides for passive surveillance and attractive streetscapes;
  - and landscaping provides for passive surveillance and attractive streetscapes.
- A housing capacity analysis that assesses how affordable housing will be distributed throughout the site and how the proposed mix and type of housing responds to local housing needs.

### Vegetation, Landscape and views

- A landscape master plan that provides clarity and consistency for subdivision and development applications and:
  - responds to the recommendations and mitigation measures outlined in:
    - *Ecology Partners Pty Ltd (October 2010) Biodiversity Assessment for Area 1, 'Beaconsfield', Beaconsfield, Victoria*
    - *Hansen Partnership (June 2014) Glismann Road, Beaconsfield Landscape Assessment*

## CARDINIA PLANNING SCHEME

- *Hansen Partnership (August 2014) Glismann Road, Beaconsfield Landscape Management Framework*
- *Tardis Enterprises Pty Ltd (November 2010) Glismann Road, Beaconsfield Structure Plan Cultural Heritage Management Plan (CHMP) 11452*
- enhances areas of native vegetation;
- protects and maintains the visual prominence of vegetated hilltops and hillsides when viewed from outside the development plan area;
- includes an indicative plant and materials schedule; and,
- continues adjoining approved landscape themes.

### **Public open space**

- Provide for an area of 0.3 ha of public open space area generally in accordance with Figure 1.

### **Road network and movement**

- Roads must be designed and constructed generally in accordance with Figure 1 and a road network and movement plan must:
  - respond to the recommendations and mitigation measures outlined in *Trafficworks (May 2022) Glismann Road Residential Development, Beaconsfield, Traffic Impact Assessment Report* unless otherwise agreed by the Responsible Authority;
  - respond to the existing topography and encourages an integrated solution that will provide connected street access through the Glismann Road area;
  - provide an efficient, legible and safe internal movement and ensure all properties are development to their maximum potential;
  - locate roads to minimise the extent of cut and/or fill that is visible from areas outside the site; discourage culs-de-sacs gaining access from Glismann Road;
  - provide a shared path along the top of the levee bank proposed along the south border of the development site (Old Princes Highway);
  - ensure there is no vehicular connection through to Patrick Place or Timberside Drive;
  - ensure that roads abutting the proposed local park and the O'Neil Recreation Reserve are designed to achieve slow vehicle speeds, provide on street parking and designated pedestrian crossing points;
  - demonstrate how pedestrian links to the reserves can be provided through the future local street network;
  - show location of the 30 m no access location for Glismann Road; include indicative possible access points for driveways and/or side streets from Glismann Road;
  - and address how the road connection will be facilitated between 111-113 (Lot 1, TP 627007), 115-117 (Lot 1, TP 579082), 119-121 (Lot 8, LP 3783), 123-125 (Lot 9, LP 3783) Old Princes Highway, Beaconsfield and 1 (Lot 10, LP 3783) Glismann Road, Beaconsfield.

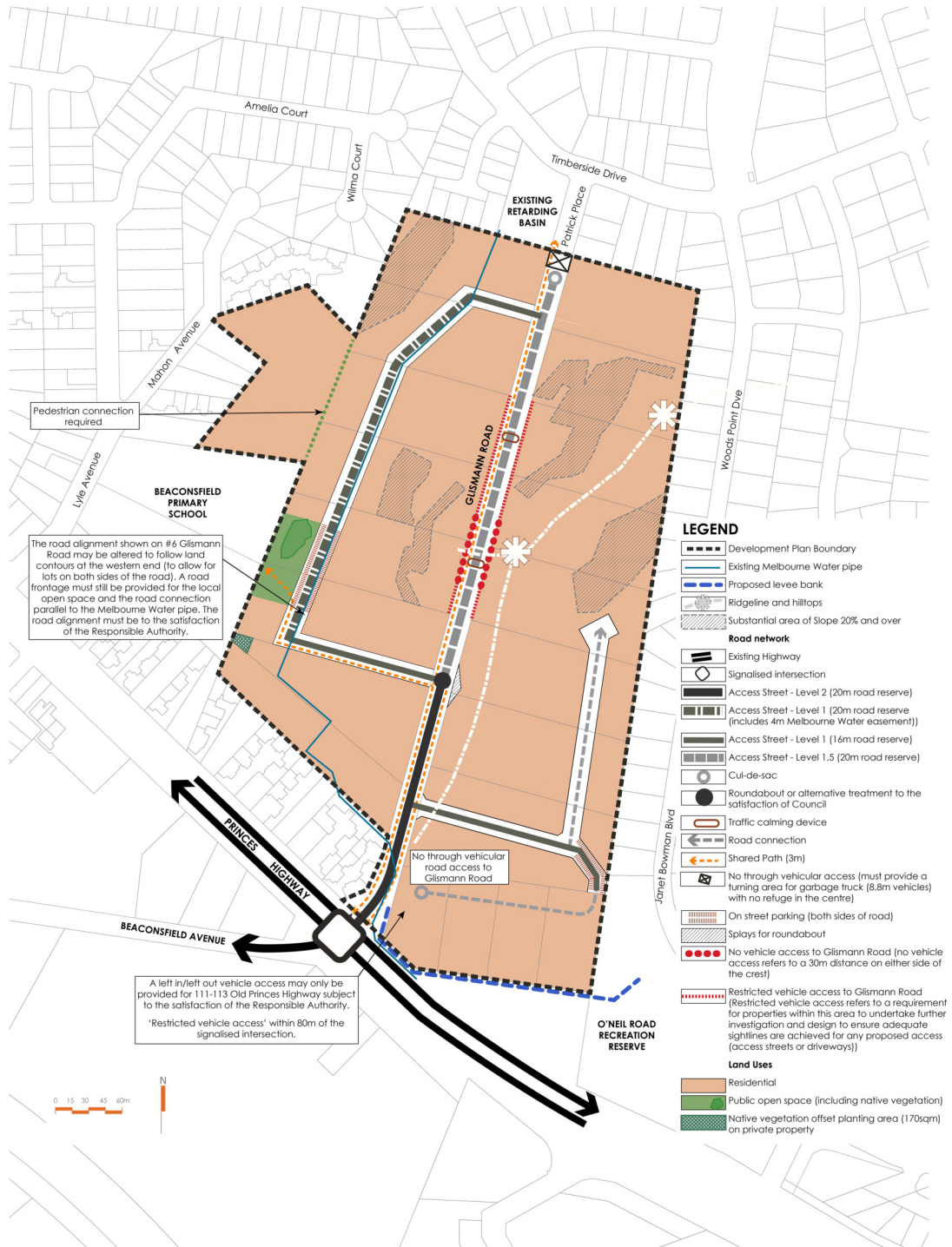
### **Integrated water management and utilities**

- An integrated water management plan that ensures residential developments provide an integrated water management system and:
  - responds to the recommendations and mitigation measures outlined in:

## CARDINIA PLANNING SCHEME

- *Water Technology (July 2014) Glismann Road Drainage Scheme*
- *Water Technology (May 2016) Additional Flooding and Water Quality Assessments (Memo) (INC1633283)*
- includes a levee bank of 450 mm along the frontage of the four existing properties fronting Old Princes Highway and designed to:
  - follow the existing shared path located on Crown land;
  - abut 111-113 (Lot 1, TP 627007), 115-117 (Lot 1, TP 579082), 119-121 (Lot 8, LP 3783), 123-125 (Lot 9, LP 3783) Old Princes Highway, Beaconsfield;
  - allow ingress and egress for the existing residences located along Old Princes Highway;
  - cross the table drain to the east, and in order to provide the greatest protection to the property at the eastern end (123-125 (Lot 9, LP 3783) Old Princes Highway, Beaconsfield) the alignment will need to include a structure to drain the local catchment upstream of the levee.is in accordance with current best practice water quality initiatives.
- An infrastructure plan that ensures all lots have access to potable water, electricity, reticulated sewerage, drainage, gas and telecommunications infrastructure.

Figure 1: Glismann Road Development Plan



04/10/2019  
C205card**SCHEDULE 20 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO20**.

**LANG LANG NORTH-WEST INDUSTRIAL 1 ZONE****1.0**04/10/2019  
C205card**Objectives**

None specified.

**2.0**04/10/2019  
C205card**Requirement before a permit is granted**

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.

**3.0**04/10/2019  
C205card**Conditions and requirements for permits**

The following conditions and/ or requirements apply to permits issued following the approval of a development plan:

- The bushfire protection measures forming part of this permit or shown on the endorsed plans or shown in the development plan, including those relating to construction standards, defensible space and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

**4.0**04/05/2022  
VC210**Requirements for development plan**

A development plan must include the following requirements:

- A treatment that creates an effective buffer between the industrial zoned land and the land to the north. A treatment may include open space, visual screening, streetscape or landscaping design, between the industrial zoned land and the land to the north. The land to the north will be developed for residential uses as nominated in the Lang Lang Township Strategy (2009).
- For land that fronts Westernport Road, no new access to McDonalds Track is permitted.
- Any new road access to Westernport Road must take into account the intersection of Stage 2 of the future Lang Lang Bypass and Westernport Road to ensure that it does not prejudice future access to Westernport Road from the Lang Lang bypass.
- Any subdivision or development of the land must provide or contribute to necessary street lighting and pedestrian access along Westernport Road to the intersection of McDonalds Track including along the southern side of Westernport Road, Lang Lang.
- An Access Strategy that provides for vehicular access to lots abutting a Transport Zone 2 to be from service roads, side streets and internal subdivision roads. The Strategy must also provide the construction of auxiliary lanes on Westernport Road at major access points. The Access Strategy must be to the satisfaction of the responsible authority and VicRoads.
- The nomination of a buffer zone within 300 metres of the property boundary of the South East Water Sewerage Treatment Plant which discourages sensitive uses within this zone due to adverse impacts from odour generated by the South East Water Sewerage Treatment Plant. These uses include; food and drink premise, cafe, convenience restaurant, office, retail premises or shop, education centre, leisure and recreation, caretaker house, service station, restricted retail, place of assembly, place of worship, and childcare centre.
- Design Guidelines for future buildings subject to the development plan. The guidelines must address built form and building features with the intent to minimise the impacts of internal operations on to the amenity of adjoining residential areas. These features may include but are not limited to acoustic measures, air quality treatments and building materials.

## CARDINIA PLANNING SCHEME

- Building envelopes that provide for a 19m wide setback from the northern and western boundary of the Development Plan Overlay area to ensure the risk from bushfire is minimised and radiant heat exposure to new development does not exceed a BAL12.5, unless otherwise notified by the Fire Authority.
- The area within the 19m setback provided for bushfire management purposes must be kept clear of combustible materials and may include a perimeter road, unless otherwise notified by the Fire Authority.
- The development plan must show multiple access points to and from the Development Plan Overlay area.
- A Vegetation Management Plan must be provided to the satisfaction of the responsible authority and fire authority for the management of vegetation within the Development Plan Overlay area that is within 50 metres of the northern and western boundary of the Development Plan Overlay area in accordance with the following:
  - Grass must be short cropped and maintained during the declared fire danger period.
  - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
  - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
  - Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
  - Shrubs must not be located under the canopy of trees.
  - Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
  - Trees must not overhang or touch any elements of the building.
  - The canopy of trees must be separated by at least 5 metres.
  - There must be a clearance of at least 2 metres between the lowest tree branches and ground level

15/06/2023  
C276card**SCHEDULE 21 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO21**.**85 MCNAMARA ROAD, BUNYIP - LOT 1 LP81582****1.0**15/06/2023  
C276card**Objectives**

- To integrate with the surrounding area by responding to existing neighbourhood character, enhancing the public realm and existing open space networks.
- To provide landscaping, open space, recreation and pedestrian/bicycle path facilities that are well connected, sustainable and meet the needs of the local residents.
- To create a subdivision layout and residential dwellings that protects Bunyip's environmental amenity.

**2.0**15/06/2023  
C276card**Requirement before a permit is granted**

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.

**3.0**15/06/2023  
C276card**Conditions and requirements for permits**

The following conditions and/or requirements apply to permits, to the satisfaction of the responsible authority:

## Conditions

- Building envelopes must be provided to achieve front and side building setbacks and setbacks for defensible space, as identified in Section 4.0 of this Schedule. 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 owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the responsible authority).
- Construction of the following sections of road during the first stage of development and/or subdivision:
  - McNamara Road from Wattletree Road to the southern boundary of the site.
  - The intersection of McNamara and Wattletree Road.
  - Wattletree Road from the intersection of McNamara Road to Gwen Meredith Drive, to connect with the existing constructed road.
- Activities carried out on the subject land must comply with the approved *Aboriginal Cultural Heritage Management Plan Number 13227, Jem Archaeology, February 2015* (or updated version).
- Before a statement of compliance is issued for the subdivision, a Bushland Reserve Management Plan must be submitted to and approved by the responsible authority for the whole reserve area that will be vested to Council. The Bushland Reserve Management Plan must be prepared by a qualified Ecologist. When approved, the Bushland Reserve Management Plan will be endorsed and will then form part of the permit. The Bushland Reserve Management Plan must be in accordance with the Landscape Developer Guidelines and include:

## CARDINIA PLANNING SCHEME

- a A site plan drawn to scale with boundaries, vegetation zones, existing and proposed paths and any other assets provided in an approved electronic format (PDF or CAD).
  - b Results from the *85 McNamara Road Bunyip: Flora and Fauna Assessment by Ecology Australia (2017)*. This includes:Vegetation communities.Habitat elements.Native flora and fauna species.Pest plan and animal lists.
  - c Identification of very high and high threat environmental weeds as defined in the *Advisory list of environmental weeds in Victoria, DELWP (2018)*.
  - d Recommended weed control methods and timing for all very high and high threat weeds to remove weeds to less than 1 percent cover.
  - e A list of indigenous plant species, including quantities, needed to revegetate the bushland area in accordance with the EVC Benchmarks for Lowland Forest. Any proposed plantings must be indigenous plants of local provenance.
  - f Planting densities to be calculated in accordance with Native vegetation revegetation standards, Department of Sustainability and Environment (2006).
  - g Paths must no be located within tree protections zones or under canopies of existing trees unless agreed by the responsible authority.
  - h Where paths cannot be avoided under canopies for trees, a Tree Management Plan is required for all trees within falling distance of paths, reserve assets and adjacent properties that details:
    - i. The structural assessment of retained trees.
    - ii. The pruning or other measures to ensure trees are safe.
    - iii. Direction for management activities to improve the health of the retained trees over the long term.
    - iv. Identification of tree protection zones.
  - i Signs must be installed at all entrances that include the reserve name and regulatory signage to the satisfaction of the responsible authority.
  - j Unless exceptional circumstances apply, residential properties must not back onto reserves but will be separated from reserves via a road.
  - k Fuel breaks are to be implemented around the perimeter of all reserves where they back on to residential properties. Firebreaks are not required where a road separates houses from a reserve. The firebreak will be implemented to a standard sufficient for mowing.
- Before a Statement of Compliance is issued for the subdivision, the bushland management works in the approved Bushland Reserve Management must be carried out and completed to the satisfaction of the responsible authority. Once completed there will be no future ongoing obligations.
  - The permit holder must notify Council's Environment Department a minimum of seven (7) days before commencing bushland management works so that surveillance of the works can be undertaken.

### 4.0

15/06/2023  
C276card

#### Requirements for development plan

A single development plan must be prepared for the whole of the land to which this schedule applies.

The development plan must be generally in accordance with Diagram 1 to this Schedule.

A development plan must include the following requirements to the satisfaction of the responsible authority:

### Subdivision layout

- An indicative lot layout showing the size and dimension of lots, and the location of vehicle crossings with no direct access to lots to be provided from McNamara Road.
- A design that provides a minimum 7 metre wide vegetation protection and conservation reserve for the purpose of providing habitat for the Southern Brown Bandicoot, in addition to the road reserve, along McNamara Road and by limiting ingress/egress to the site to a single intersection along McNamara Road.
- A design that provides a minimum 7 metre wide vegetation protection and conservation reserve for the purpose of providing habitat for the Southern Brown Bandicoot, along the western boundary of the site.
- A design that protects the Aboriginal Cultural Heritage site located on the west of the property by providing a 10 metre buffer that surrounds site Bunyip AS 1 (8021□0396 [VAHR]), as identified in the *Aboriginal Cultural Heritage Management Plan Number 13227, Jem Archaeology, February 2015* (or updated version).
- An indicative building envelope for each lot providing:
  - A minimum front setback of 10 metres or no less than the average setback of the adjoining two dwellings.
  - A minimum side setback of 5 metres.
  - A minimum lot width of 20 metres.
  - Provision of only one access way per lot.
  - The protection of remnant vegetation.
  - Setbacks for defensible space as identified in the bushfire management plan.

### Staging

- Details on staging of the subdivision including the provision of the internal road network.

### Open space

- Open space is to be fronted by a street which provides pedestrian linkages with adjacent residential developments.
- The siting and layout of public open space is to be positioned in response to the location of any significant remnant vegetation on site.
- The siting and layout of public open space to be positioned in response to the location of any identified conservation, heritage or archaeological significance on site.
- The provision of open space generally in accordance with Diagram 1 to this schedule, which includes the large patch of remnant Lowland Forest identified in the 85 McNamara Road, Bunyip: Flora and Fauna Assessment, prepared by Ecology Australia, and the Aboriginal Cultural Heritage site Bunyip AS 1 (8021□0396 [VAHR]) as identified in *Aboriginal Cultural Heritage Management Plan Number 13227, Jem Archaeology, February 2015* (or updated version).

### Bushfire

- A bushfire management plan showing the vegetation located along the eastern and western boundary. It must include the following:

The provision of a perimeter road in accordance with Diagram 1 to this schedule:

- a A defensible space setback of 27 metres between the proposed building envelopes and the vegetation and conservation reserve (scrub) bushfire hazard as indicated in Diagram 1 to this schedule.

- b A defensible space setback of 33 metres between the proposed building envelopes from the vegetation and conservation reserve (woodland) bushfire hazard as indicated in Diagram 1 to this schedule.
- c If any defensible space is required on private lots, building envelopes must be provided to ensure defensible space can be achieved, and vegetation within the defensible space must be managed in accordance with Table 6 of Clause 53.02 (Bushfire Planning).

These requirements are to be met, unless otherwise agreed to in writing to the satisfaction of the responsible authority and the satisfaction of the relevant fire 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 above mentioned requirements. The landowner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

#### **Environment and landscaping**

- A Vegetation Management Plan that addresses vegetation and trees to be retained and how vegetation removal on site will be avoided, and if it cannot be avoided, minimised or offset, including roadside vegetation, measures to protect the trees during construction including buffer and tree protection zones.
- A Landscape Plan that protects remnant vegetation, wetlands and manages the Southern Brown Bandicoot habitat and the identified public open space to the satisfaction of the responsible authority, and provides:
  - A plan showing measures to implement Southern Brown Bandicoot protection and habitat enhancement in the vegetation protection and conservation reserve areas, including plant species and densities in accordance with the *Guidelines for Best Practice Management of Modified Habitats for Southern Brown Bandicoots – Revegetation, N. Masters, R. Taylor and S. Maclacgan (2019)*.
  - The location of landscaped areas and landscape themes for the site including the use of majority local indigenous species in all landscape plantings. Tree protection zones within the lots abutting McNamara Road and the western property boundary identified by the Vegetation Management Plan.
  - This plan must be consistent with the requirements of the bushfire management plan and to the satisfaction of the responsible authority.
  - An explanatory statement illustrating landscape maintenance of the site including the Aboriginal Cultural Site and the public open space.
  - The retention of mature remnant native trees within existing road reserves and areas of public space and incorporates a consistent streetscape theme through the new development.
  - The protection and conservation of the remnant vegetation located at the site which includes along the boundary and adjacent road verge.
  - The protection and conservation of the remnant vegetation located at the site which includes along the boundary and adjacent road verge.
  - The tree protection zones within the lots abutting McNamara Road and the western property boundary identified by the Vegetation Management Plan.
  - This plan must be consistent with the requirements of the bushfire management plan and to the satisfaction of the responsible authority.
- A Construction Environment Management Plan which includes the installation of temporary fencing to ensure protection of the bushland reserves area, tree protection zones of all retained trees including the roadside vegetation corridors, the Aboriginal Cultural Heritage site, prior

to and for the duration of any works during construction and weed management measures to be implemented during construction to the satisfaction of the responsible authority.

### **Traffic and transport**

- A functional layout plan for the subdivision, generally in accordance with the standards nominated in the Cardinia Shire Council “Guidelines for the Development & Subdivision of Land”, “Development Construction Specification: and Water Sensitive Urban Design (WSUD) Guidelines showing:
  - A fully dimensioned subdivision layout, including approximate lot areas, lot number and widths of street reservations.
  - Topography and existing features, including contours for the subject land and any affected adjacent land.
  - Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, and traffic controls, including the provision of a shared path adjacent to the road reserve along the western boundary.
- A Southern Brown Bandicoot Underpass Plan for the installation of underpasses beneath the road pavement in the locations nominated in Diagram 1 to this schedule. The Plan must require the design and construction of underpasses to the satisfaction of the responsible authority.
- Design of local roads to the satisfaction of the responsible authority which is generally in accordance with the Concept Plan labelled Diagram 1 to this schedule, ensuring that perimeter roads are provided in accordance with the Bushfire section of this schedule.

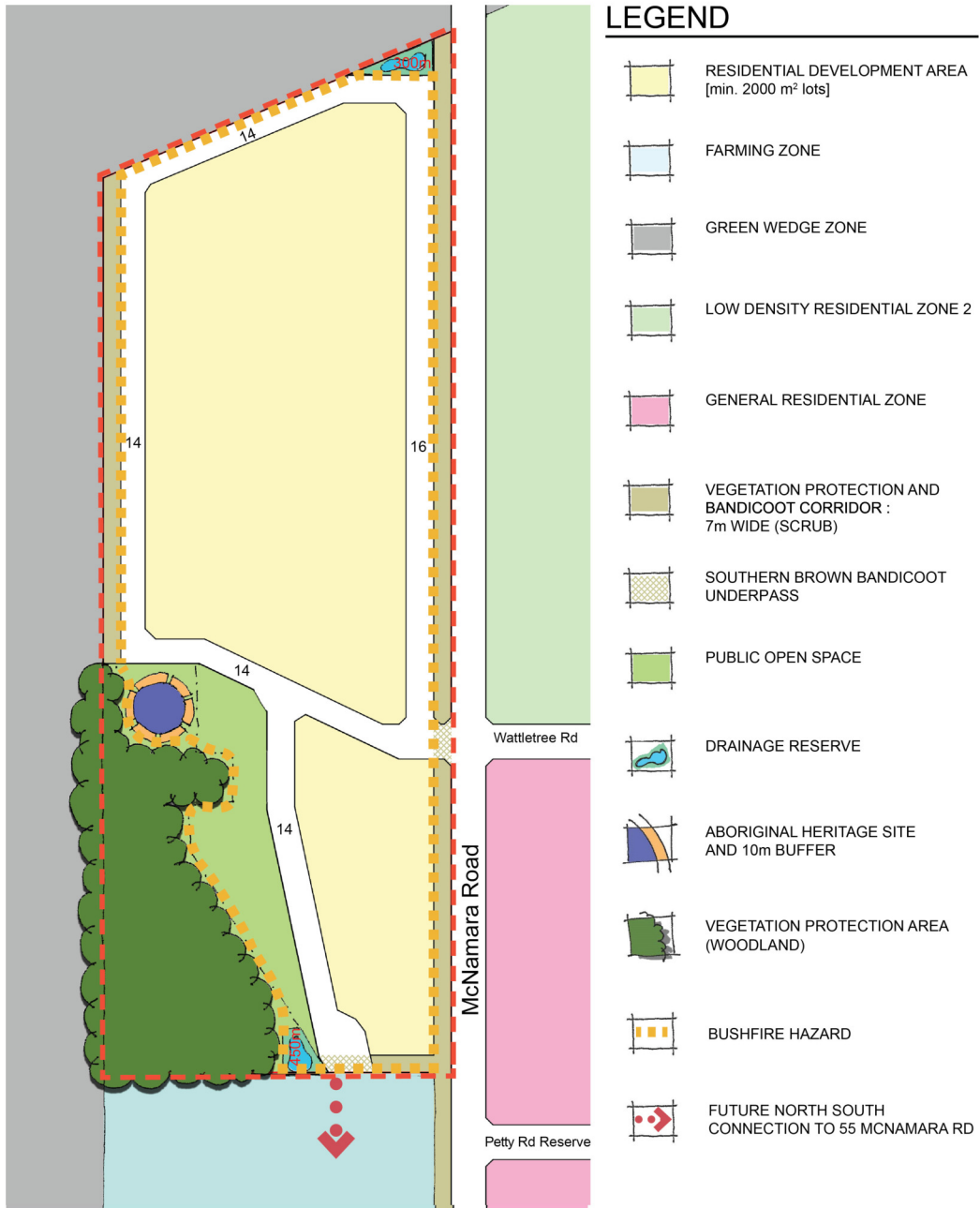
### **Infrastructure and drainage**

- A Stormwater Management Plan prepared to the satisfaction of the water authority incorporating water sensitive urban design principles and a drainage and servicing assessment addressing all relevant drainage, flooding and water quality issues.
- The land must be connected to a reticulated sewerage system to the satisfaction of the responsible authority.

### **Urban design and character**

- Lot boundaries adjoining vegetation protection and bandicoot conservation reserves to be post and wire, or other rural style fencing, with a 100 millimetre gap between the ground surface and the bottom of the fence.
- Avoid front fences to allow gardens and nature strips to merge. If fenced, provide low and transparent fencing, with a 100 millimetre gap between the ground surface and the bottom of the fence.
- Subdivision layouts should avoid battle-axe lots where possible.

Diagram 1 to Schedule 21 to Clause 43.04




**85 McNamara Road, Bunyip**  
 concept site plan
 scale: NTS


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**24/02/2022  
C240card**Objectives**

- 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 pre-development flow rates.

**2.0**24/02/2022  
C240card**Requirement before a permit is granted**

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.

**3.0**24/02/2022  
C240card**Conditions and requirements for permits**

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.

**4.0**24/02/2022  
C240card**Requirements for development plan**

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 defensible 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.
- 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.

## CARDINIA PLANNING SCHEME

- 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 to provide 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 by Council.

### 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.

### 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.

## CARDINIA PLANNING SCHEME

- 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**

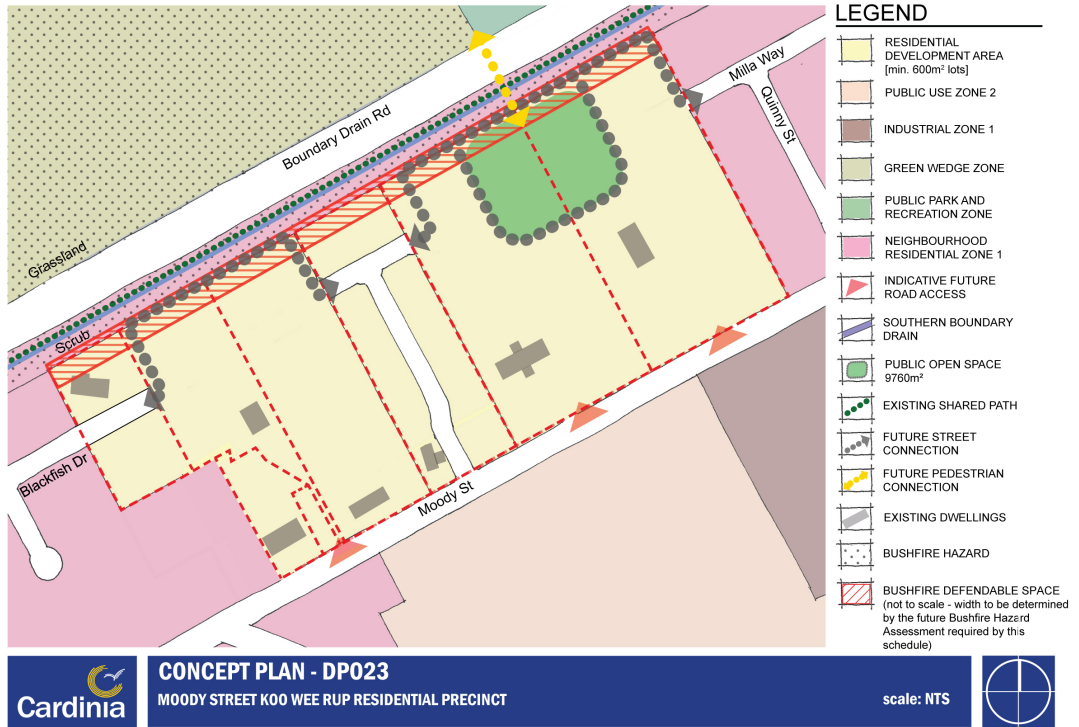
- A high level of quality in the design and construction of new buildings which responds to the existing built form character of the Koo Wee Rup Township.
- Configure dwellings to maximise retention of existing vegetation and allow only one access driveway to a lot.
- Avoid front fences, if lots are 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.

# CARDINIA PLANNING SCHEME



24/02/2022  
C240card**SCHEDULE 24 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO24**.

**SIMS LANE KOO WEE RUP RESIDENTIAL PRECINCT****1.0**24/02/2022  
C240card**Objectives**

- To integrate with the surrounding area by responding to the existing neighbourhood character, enhancing the public realm and existing road networks.
- To ensure choice and diversity of housing appropriate to the setting 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 pre-development flow rates.

**2.0**24/02/2022  
C240card**Requirement before a permit is granted**

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.

**3.0**24/02/2022  
C240card**Conditions and requirements for permits**

The following conditions and/or requirements apply to permits:

- 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 through 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.
- Construction of the internal road network to the satisfaction of the responsible authority, including upgrades to Sims Lane to a local access street with a sealed road, kerb and channel, 7.5 metre wide road pavement between invert of kerbs, and underground drainage.
- 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 bushfire requirements of this schedule and the approved development plan. The land owner must pay the reasonable costs of the preparation, execution, and registration of the Section 173 Agreement.

**4.0**24/02/2022  
C240card**Requirements for development plan**

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.

## CARDINIA PLANNING SCHEME

- 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 the green wedge land to the south through larger lots of greater than 1000 square metres.
- Lots addressing Supreme Close, Townley Road, Sims Lane and the green wedge land to the south.
- 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 defensible space from bushfire where required.
- Provides either a minimum 12 metre wide looped service road or 10 metre wide tree reserve adjacent to the Road Zone 1 (Rossiter Road).
- Provides access to new lots facing Rossiter Road via an internal loop road that connects from Townley Road/Supreme Close to Sims Lane.
- Provides a perimeter road adjacent to the green wedge land to the south.
- Provides driveway access to new lots from Sims lane.
- No new vehicle crossovers or road access from Rossiter Road.

### Staging

- Details on the anticipated sequencing and timing of development of the precinct including the delivery of roads and open space.

### 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 will it 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 prepared to the satisfaction of the responsible authority.
  - 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 road verges.
  - A targeted survey of threatened species (including but not limited to the Southern Brown Bandicoot) must be prepared where suitable habitat is found on site in consultation with the Department of Environment, Land, Water and Planning.
- A **Landscape Plan** showing:

## CARDINIA PLANNING SCHEME

- 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.
- 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 45L 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 should 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 hazard site assessment must be based on hazards proposed to form part of the completed development, including final landscape treatments on the site and along the adjoining grassland, and must include the following:
  - the retention and construction of Sims Lane within the existing 20 metre wide road reserve which will act as a perimeter road along the eastern precinct boundary;
  - the provision of a perimeter road along the southern precinct boundary to form part of minimum 19 metre wide area of defendable space, along the entire southern boundary is preferable; and,
  - if any defendable space is required on private lots, building envelopes must be provided to provide a minimum 19 metre wide area of defendable space, 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.

### **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) 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. The assessment must include but not limited to:
  - Expected number of trips generated by the site, how this would impact on the existing and future operation of nearby intersections on Rossiter Road, and mitigating treatment options if necessary.
- **A Traffic Impact and Design Assessment** prepared 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 Sims Lane and Rossiter Road to connect with the existing path network at Townley Road, 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.
  - Avoids traffic impacts that would generate any significant upgrade to the Denhams Road-Sims Lane, and Rossiter Road-Koo Wee Rup-Longwarry Road intersection. This must be taken into consideration when determining the layout of the local road network within this area.
  - 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 driveway per lot.
  - Includes construction of Sims Lane to a local access street with a sealed road, kerb and channel with at least 7.5 metres between invert of kerbs, and underground drainage.
- 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.

### Public Open Space

- The provision of at least 5,600m<sup>2</sup> of the development plan area as unencumbered public open space for the purpose of a local park, with 1380 square metres provided on No. 30 Sims Lane and the remainder provided on No. 9A Supreme Close and no. 22 Sims Lane.

## CARDINIA PLANNING SCHEME

- 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.
- The public open space (local park) should be bounded by a road on all sides.

### Urban Design and character

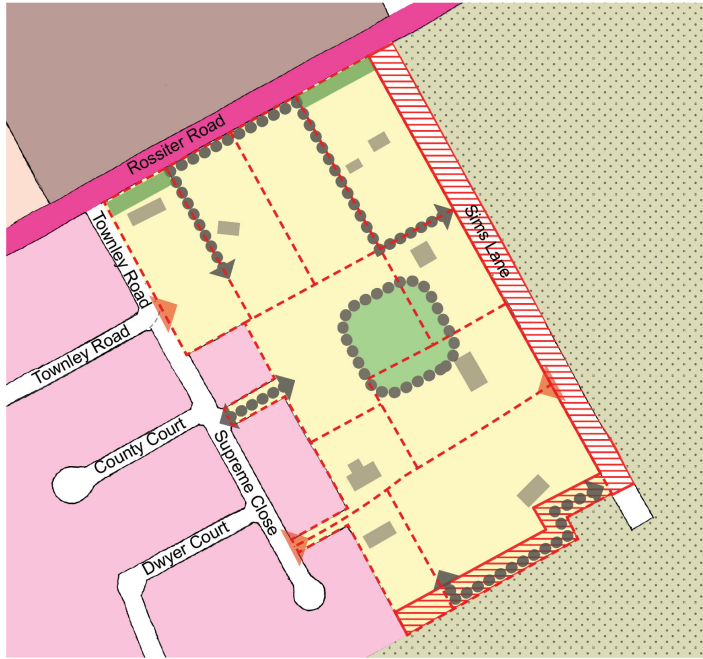
- Configure dwellings to maximise retention of existing vegetation and allow only one access driveway to a lot.
- Avoid front fences. If lots are fenced provide low front fences no more than 1.2 metres high.
- Dwellings interfacing with public open space should give consideration to issues of safety and passive surveillance. Lots adjoining public open space should be avoided. Any lots adjoining public open should provide no, or 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 grassland must be responsive to the bushfire risk.

### Figure 1










The land parcels affected by this schedule are identified as:

- No. 390, 394, 400 and 404 Rossiter Road, Koo Wee Rup.
- No. 22, 30 and 34 Sims Lane, Koo Wee Rup.
- No. 9A, 23 and 25 Supreme Close, Koo Wee Rup.

# CARDINIA PLANNING SCHEME



## LEGEND

-  RESIDENTIAL DEVELOPMENT AREA  
(min. 600m<sup>2</sup> lots)
-  PUBLIC USE ZONE 2
-  INDUSTRIAL ZONE 1
-  GREEN WEDGE ZONE
-  NEIGHBOURHOOD RESIDENTIAL ZONE 1
-  INDICATIVE FUTURE ROAD ACCESS
-  ROAD ZONE
-  TREE RESERVE
-  PUBLIC OPEN SPACE : 5600m<sup>2</sup>
-  FUTURE STREET CONNECTION
-  EXISTING DWELLINGS
-  DEFENDABLE SPACE FROM BUSHFIRE HAZARD (19M WIDE)
-  BUSHFIRE HAZARD (GRASSLAND)



**CONCEPT PLAN DP024**

SIMS LANE KOO WEE RUP RESIDENTIAL PRECINCT

scale: NTS



30/07/2020  
C235card**SCHEDULE 22 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO22**.**145 ROSSITER ROAD KOO WEE RUP (PART) - LOT 2, PS 321029****1.0**30/07/2020  
C235card**Objectives**

- To integrate with the surrounding area by responding to existing neighbourhood character, enhancing the public realm and existing networks.
- To provide landscaping, open space, recreation and pedestrian/bicycle path facilities that is well connected, sustainable and meets the needs of the local residents.
- To create a subdivision layout and residential dwellings that protects Koo Wee Rup's environmental amenity.
- To ensure the stormwater is managed onsite up to the 1 in 100 year Average Recurrence Interval storm event to pre-development flow rates.

**2.0**30/07/2020  
C235card**Requirement before a permit is granted**

A permit may be granted to use 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.

**3.0**30/07/2020  
C235card**Conditions and requirements for permits**

The following conditions and/or requirements apply to permits:

- The internal road network must be constructed to the satisfaction of the responsible authority during the first stage of development, extending from Rossiter Road through Lot 2, PS32129 – 145 Rossiter Road, Koo Wee Rup which is generally in accordance with the Site Development Plan labelled Diagram 1.
- Before the plan of subdivision is certified under the *Subdivision Act 1988*, the commencement of works (other than works required to comply with this condition), the owner of the land must prepare a Preliminary Site Investigation (PSI). The PSI must:
  - Be prepared by an environmental professional with suitable qualifications to the satisfaction of the responsible authority.
  - Be consistent with Schedule B2 of the National Environment Protection (Assessment of Site Contamination) Measure 1999.
  - Include any possible sources of offsite contamination from neighbouring land uses, both current and historical.
  - Confirm a risk ranking (e.g. low, medium and high) to the proposed land uses based on the historical land uses at the site and contaminants of potential concern. The risk ranking must be in accordance with the Department of Sustainability and Environment's Potentially Contaminated Land General Practice Note (June 2005).
  - Make an unequivocal statement that either:
    - The site is not likely to be contaminated to a level which would pose a significant risk to the environment or human health under the proposed use/development scenario. An environmental audit is not required; or
    - The site is potentially contaminated, or there is likelihood of contamination, that would pose a risk to the proposed use/development scenario. There is enough information to classify the site as potentially contaminated and an environmental audit is required.

- If a PSI recommends an environmental audit of all or part of the land is required, either of the following must be provided to the responsible authority prior to the certification of a plan of subdivision:
  - A certificate of environmental audit issued for the relevant land in accordance with Part1XD of the *Environmental Protection Act 1970*, or
  - A statement by an environmental auditor appointed under the *Environment Protection Act 1970*, in accordance with Part1XD 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 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.
- Building envelopes must be in accordance with the requirements contained within this schedule and 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 owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the responsible authority).
- A minimum of 3 metres from the front title boundaries of the lots on the western precinct boundary to be managed for the purposes of defendable space in the event of a bushfire, to 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 owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the responsible authority).
- Before the subdivision is certified, the open space on the subject land must be set aside and be vested in Cardinia Shire Council to the satisfaction of the responsible authority.

#### 4.0

30/07/2020  
C235card

#### Requirements for development plan

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 Site Development Plan labelled Diagram 1 to this Schedule.

#### SUBDIVISION

- An indicative lot layout showing how the subdivision addresses the size, dimension and orientation of lots and includes:
  - The provision of a range of lot sizes.
  - The provision of 80 per cent of the lots greater than 700 square metres.
  - The avoidance of smaller lots of less than 600 square metres.
  - Lots to have a minimum width of 18 metres.

## CARDINIA PLANNING SCHEME

- A transition to the green wedge land to the western property boundary through larger lots of greater than 1000 square metres.
- A landscape buffer of a minimum 10 metres wide along the western boundary abutting green wedge land, a landscape buffer of a minimum 12 metres along the Rossiter Road boundary and a landscape buffer of a minimum 10 metres along the northern boundary and subdivision interface with the constructed wetlands.
- A perimeter road adjacent to the landscape buffers along the western boundary, northern boundary, constructed wetlands and part of the eastern boundary adjoining the Public Park and Recreation Zone.
- A service road internal to the site north of Rossiter Road and the associated landscape buffer to provide vehicular access to lots addressing Rossiter Road.
- A legible and convenient road network and pedestrian/bicycle network demonstrating appropriate road layout, traffic management and construction standards.
- An indicative building envelope for each lot providing:
  - A minimum front setback of 7 metres.
  - Minimum side setbacks of 2.5 metres.
- Incorporate the driveway and boundary of the heritage overlay for 'Shepton Mallet'.
- Subdivision layout to be designed to overlook public spaces.

### STAGING

- Details on the staging of the subdivision and anticipated timing of development.
- Open space to be delivered as part of the first stage.
- Construction of the internal road network to be delivered as part of the first stage of development, extending from Rossiter Road through Lot 2, PS32129 – 145 Rossiter Road, Koo Wee Rup.

### OPEN SPACE

- The provision of land required for drainage by Melbourne Water to be provided in addition to the unencumbered public open space.
- Open space to be designed to adjoin a road reserve, other open space areas or Public Park and Recreation Zone along all boundaries and must avoid any side or rear fences of residential lots abutting reserves.
- Shared paths throughout the development to link the land to existing development to the north and east and to Rossiter Road.
- Provision of a shared pathway that connects with the Koo Wee Rup Rail Trail and Cochranes Park on the north-eastern boundary of the site.
- Multiple unencumbered local neighbourhood parks with minimum areas of 4000 square metres located generally in accordance with the Site Development Plan in Diagram 1 to this Schedule.
- Provision of a 3 metre shared pathway along the 12 metre wide tree reserve adjoining Rossiter Road that leads to Koo Wee Rup Town Centre.

### ENVIRONMENT AND LANDSCAPING

- A **Bushfire Management Assessment** and **Bushfire Management Statement** prepared by a suitably qualified professional including:
  - Details of how the development plan and lot layout responds to the bushfire planning policy in the planning policy framework and results in development that achieves no more than a BAL-12.5 rating under AS 3959-2009.

## CARDINIA PLANNING SCHEME

- An **Environmental Management Plan** that addresses vegetation and trees to be retained and how vegetation removal on site will be avoided, and if it cannot be avoided, minimised or offset, including roadside vegetation, 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 prepared to the satisfaction of the responsible authority.
  - A targeted survey and plan for the Southern Brown Bandicoot and Growling Grass Frog by a suitable qualified environmental consultant during the summer period in consultation with the relevant responsible authority.
- A **Landscape Plan** that protects remnant vegetation and vegetation wetlands, manages defensible space areas and the Southern Brown Bandicoot and Growling Grass Frog habitats, and:
  - Includes a plan showing measures to implement Southern Brown Bandicoot and Growling Grass Frog protection including landscaping.
  - Ensures the protection and conservation of existing vegetation including street trees, landscaped buffers, roadside vegetation and grassed road verges.
  - Ensures that vegetation located within defensible space areas, as identified in Diagram 1 of this schedule, is appropriately managed to ensure that development achieves no more than a BAL-12.5 rating under AS 3959-2009.
  - Ensures the use of native vegetation in developments in all landscape plantings including connecting roads, reserves and roadsides.
  - Ensures the inclusion of street trees for shade and aesthetic quality at an early stage of development.
- A **Construction Management Plan** prepared by a suitably qualified professional that identifies methods to protect open space, remnant vegetation and aboriginal cultural heritage sites during construction.

### TRAFFIC AND TRANSPORT

- An **Integrated Transport and Impact Assessment** prepared to determine the extent of mitigation works required for the development site and Rossiter Road to the satisfaction of the responsible authority and the relevant transport authority.
- A **Traffic Impact and Design Assessment**, showing arrangements for vehicle ingress and egress to the development, including the road layout, construction standards, traffic management, traffic volumes and design vehicle swept paths which includes waste and emergency vehicle access prepared to the satisfaction of the responsible authority and in consultation with the relevant transport authority.
- Design of local roads to provide:
  - A minimum width for paved surfaces for internal streets or carriageways of 7.3 metres to allow for parking on either side and access for emergency vehicles.
  - A minimum width of 16 metres for road reserves or 14 metres for roads adjoining open space reserves.
  - A design that excludes the use of cul-de-sacs.
  - Traffic Management devices required for roads over 180 metres in length.
  - A road network that provides for loading and unloading of vehicles and means of access to them including waste and emergency vehicles.

## CARDINIA PLANNING SCHEME

- A road network that provides a predominantly north-south and east-west road connections to assist with water fall and stormwater catchment to the north and west of the subject site.
- A boulevard entry to the site from Rossiter Road.

### INFRASTRUCTURE AND DRAINAGE

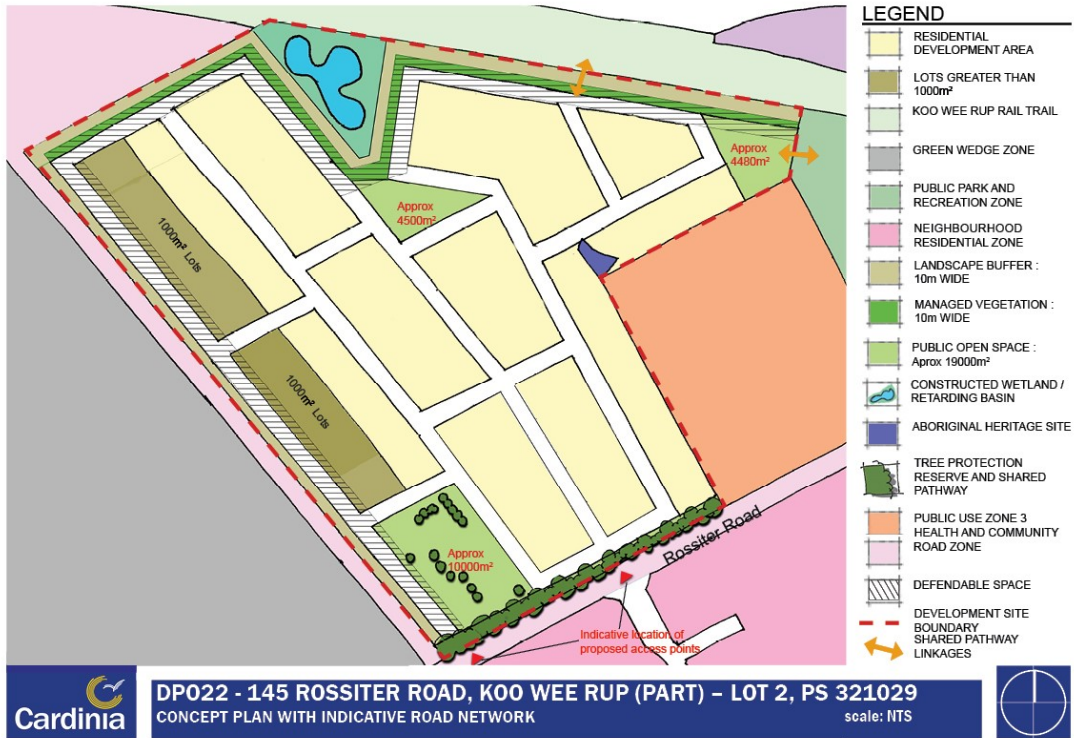
- A **Stormwater Management Plan** prepared to the satisfaction of the relevant water authority that includes a hydrogeological assessment, water sensitive urban design principles and a drainage and servicing assessment addressing all relevant drainage, flooding and water quality issues, and includes:
  - A **Fill Plan** which identifies the depth and fill material, and staging in a manner and in a time designed to minimise any adverse impact on the amenity of nearby areas, and the treatment and mitigation of the created level differences with the adjacent land on the western boundary.
- An **Acoustic Report** prepared by a suitably qualified professional, indicating any impacts of the Koo Wee Rup Bypass on future residential land and includes methods to address the amenity issues identified.
- Provision of utility service infrastructure required to service the development and details on the arrangements for the provision of infrastructure underground.
- Provision of a reticulated sewerage system.
- Provision and location of the gas transmission easement and drainage easement will be accommodated as part of the development.

### URBAN DESIGN AND CHARACTER

- Configure dwellings to maximize retention of existing vegetation and allow only one access driveway to a lot.
- Avoid front fences. If lots are fenced provide low front fences no more than 1.2 metres high.
- Respect and be sympathetic to the existing character consistent with the Koo Wee Rup Township Strategy.
- Provide footpaths with a minimum width of 1.8 metres.
- Lots interfacing Rossiter Road should provide active frontages facing Rossiter Road.

CARDINIA PLANNING SCHEME

Site Development Plan - Diagram 1



13/05/2022  
C257card**SCHEDULE 25 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO25**.

**BEACONSFIELD WOODLAND GROVE PRECINCT****1.0**13/05/2022  
C257card**Objectives**

- To enhance the choice and diversity of housing opportunities and types, that are appropriate to the setting and achieve high quality amenity and urban design.
- To encourage and guide the re-development of land into an integrated medium density residential precinct that responds to the preferred landscaped character and enhances the public realm.
- To create a residential precinct that protects, and is sympathetic to, the Woods Street area environmental values, including the natural environment of the Cardinia Creek.
- To provide a pedestrian and cycling path network that is well connected, sustainable and meets the needs of the local residents.
- To promote development that enhances community and personal safety through interfaces that provide opportunity for passive surveillance of Cardinia Creek parklands and suitable landscaping.

**2.0**13/05/2022  
C257card**Requirement before a permit is granted**

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority. Proposals must be accompanied by a report demonstrating that it will not prejudice the future development of the land in an integrated manner as identified by this schedule.

**3.0**13/05/2022  
C257card**Conditions and requirements for permits**

The following conditions and/or requirements apply to permits:

Conditions:

- For subdivision applications: Before the plan of subdivision is certified, a building envelope plan 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 owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the responsible authority). The building envelope plan must be in accordance with the following building setbacks, as applicable:
  - 30 metre building setback from the top of bank of Cardinia Creek.
  - Within Precinct A, building setbacks from Woods Street of 4 metres are preferred.
  - Within Precinct B, building setbacks from Woods Street that graduate from 3 metres at the southern end to 4 metres at the northern end are preferred.
  - Within Precinct B, a minimum 1 metre building setback from the common boundary with the rail corridor at Lots 33 and 34 on LP2804 and Lots 4 and 5 on SP28567 is required, to allow for ongoing property maintenance without a requirement for access to the rail corridor.
  - Any building setback deemed necessary via the preparation of the Development Plan.
  - Any building setback deemed necessary via the assessment of a subdivision application.
- For development applications: Building must be setback in accordance with the following building setbacks, as applicable:
  - 30 metre building setback from the top of bank of Cardinia Creek.

## CARDINIA PLANNING SCHEME

- Within Precinct A, building setbacks from Woods Street of 4 metres are preferred.
- Within Precinct B, building setbacks from Woods Street that graduate from 3 metres at the southern end to 4 metres at the northern end are preferred.
- Within Precinct B, a minimum 1 metre building setback from the common boundary with the rail corridor at Lots 33 and 34 on LP2804 and Lots 4 and 5 on SP28567 is required, to allow for ongoing property maintenance without a requirement for access to the rail corridor.
- Any building setback deemed necessary via the preparation of the Development Plan.
- Any building setback deemed necessary via the assessment of a development application.
- Before the development starts, a landscape plan prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority and Melbourne Water, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must be generally in accordance with the landscape concept plan contained within the approved Development Plan, and must show:
  - Staging of works, if applicable.
  - That the outcomes of any flora and fauna reports have been addressed.
  - A survey (including botanical names) of all existing vegetation to be retained and/or removed.
  - A weed management program which includes the following information:
    - botanical name of species targeted.
    - location.
    - method of control and timing of control.
  - Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
  - A 30 metre minimum development setback from Cardinia Creek top of bank to the satisfaction of Melbourne Water.
  - Details of surface finishes located on recreational pathways, maintenance access or any other pathways near waterways.
  - A planting schedule of all proposed trees, shrubs and ground covers which includes the following information:
    - botanical names.
    - common names.
    - pot size.
    - life-form.
    - quantities of each plant.
    - planting density (plants per square metre).
    - planting zones/locations (in plan and cross-section form in colour).
    - landscape treatments with specifications of products such as mulching and erosion control matting.

**4.0**13/05/2022  
C257card**Requirements for development plan**

A development plan must include the following requirements to the satisfaction of the responsible authority :

**Environment**

- A **flora and fauna assessment** of the precinct prepared by a suitably qualified person(s), that:
  - Provides a plan drawn to scale showing the boundaries of the precinct, existing vegetation and vegetation to be removed and retained.
  - Provides an assessment of the flora and fauna in the precinct including Ecological Vegetation Classes.
  - Assesses suitable habitat for threatened species in the precinct.
  - Location of any hollow bearing trees.
  - Provides a flora listing of each habitat patch.
- A targeted survey of threatened species prepared by a suitably qualified person(s) where suitable habitat is found in the precinct.
- A written explanation of the steps that have been taken to:
  - Avoid the removal, destruction or lopping of native vegetation and any other significant trees.
  - Minimise impacts from the removal, destruction or lopping of vegetation that cannot be avoided.
- An **arboricultural assessment** prepared by a suitably qualified person(s) in accordance with the methodology of AS4970-2009 that identifies any trees on the land and existing street trees, with descriptions that include species, extent, number, size (diameter at 1.4 metres above natural ground level), tree protection zones, assessment of tree health and retention value.

**Bushfire**

- A **bushfire assessment**, including a bushfire hazard assessment, of the precinct prepared by a suitably qualified person to the satisfaction of the fire authority and the responsible authority, which includes details of how development will respond to bushfire planning policy set-out at Clause 13.02-1S of the planning scheme and demonstrate that development will be exposed to a radiant heat flux less than 12.5 kilowatts/square metre.

**Aboriginal Cultural Heritage**

- An **Aboriginal cultural heritage assessment** prepared by a suitably qualified person(s), which includes recommendations for the protection of significant individual sites, where appropriate. A statement that any identified location(s) of any Aboriginal cultural heritage on the land will be required to be protected in accordance with a Cultural Heritage Management Plan (CHMP) at the planning permit stage, if required by the Aboriginal Heritage Act 2006.

**Traffic and Transport**

- An **Integrated Transport and Impact Assessment** to the satisfaction of Head, Transport for Victoria and the Responsible Authority, providing specific detail on:
  - The impact of the proposed use and development on the operation of the Princes Highway/Beaconsfield Avenue and Princes Highway/Woods Street intersections.
  - The impacts on public safety.
  - Proposed mitigation works to address any unsatisfactory impacts.

## CARDINIA PLANNING SCHEME

- A **Traffic Management Plan** showing arrangement for vehicle ingress and egress to the development area, including the road layout, construction standards, traffic management which includes waste and emergency vehicle access.
- The provision of a clear legible and convenient pedestrian, bicycle and road network that:
  - Connects and integrates with existing networks, including pedestrian connections to Beaconsfield Station, from Woods Street to Cardinia Creek along Trythall Street and the northern east-west road reserve, and create new opportunities for improved pedestrian and cycling permeability in the future.
  - Provides for the construction of the following local roads generally in accordance with Figure 1 and Figure 2, or an alternate internal road layout, to the satisfaction of the Responsible Authority:
    - Precinct B:
      - The 3 metre wide north-south laneway, between the northern boundary of 87 Woods Street and Trythall Street, to be transferred to the front of the following lots to create a minimum 14.35 metre wide road (Brisbane Street):
        - Lots 1 & 2 on TP94444.
        - Lots 1 & 2 on TP121027.
        - Lots 1 & 2 on TP93165.
        - Lots 25, 32 & 33 on LP2804.
      - Bollards to prevent vehicle access to the remaining portion of the laneway must be provided at the Beaconsfield Avenue service lane.
      - A 10 metre wide east-west service lane along the northern side of Beaconsfield Avenue connecting to Brisbane Street from Wood Street.
      - Access from Brisbane Street to the rail corridor must not be granted without prior consent from VicTrack and the rail operator – Metro Trains Melbourne.
      - Provides internal street pavement widths of 7.5 metres between invert of kerb with underground drainage, footpaths and nature strips. Road reserves may need to be widened.
    - Provide only one vehicle crossover or access point per lot that does not exceed 40% of the frontage. An additional driveway can be considered for consolidated lots.
    - Vehicle crossovers must be located from the side streets wherever possible to reduce the number of crossovers from Woods Street. Provide vehicle access to Lot 12 on LP2804 and Lots 13 and 18 on LP2805 from the east-west roads.
    - Provide traffic management devices on roads with lengths over 180 metres, where appropriate.

### Infrastructure and drainage

- The provision of utility services infrastructure required to service the development area 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.
- 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, must be submitted to the satisfaction of the Responsible Authority and Melbourne Water.
- A **drainage strategy** for the development plan area to the satisfaction of Melbourne Water and the Responsible Authority showing:

## CARDINIA PLANNING SCHEME

- Filling of residential lots with roads or accessways providing for overland flows and/or raised minimum floor levels for development.
- A coordinated approach to providing drainage infrastructure which must include stormwater quality treatment to best practice guidelines.
- A 30 metre minimum development setback from Cardinia Creek top of bank or otherwise to the satisfaction of Melbourne Water.
- Within Precinct B, there should be no drainage to the rail corridor without the consent of VicTrack and the rail operator - Metro Trains Melbourne.

### Public Open Space and landscaping

- A **landscape concept plan** to the satisfaction of Melbourne Water and the Responsible Authority showing:
  - Location, preservation and protection of significant trees/vegetation, existing street trees, roadside vegetation and grassed road verges.
  - Location, preservation and protection of any threatened species, where appropriate.
  - Location of landscaped areas.
  - Details of the landscape themes.
  - Landscape design incorporating a consistent streetscape theme.
  - New plantings consistent with existing species of vegetation within connecting roads and reserves.
  - Provision of street trees (minimum pot size of 45L 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.

### Urban Design

- Dwelling facades that address a street or the public realm should provide passive surveillance opportunities from these dwellings to the adjoining streets or public realm.
- Front fences should be avoided, or low or transparent front fences that allow views of front gardens should be provided.
- New road treatments and street furniture should be consistent with the existing styles of road treatments and street furniture found in Beaconsfield town centre.
- New development should not adversely impact the heritage significance of a heritage place.

### Housing

- Lot sizes must support a medium density housing precinct.
- Within Precinct A, building setbacks from Woods Street of 4 metres are preferred.
- Within Precinct B, building setbacks from Woods Street that graduate from 3 metres at the southern end to 4 metres at the northern end are preferred.
- Within Precinct B, a minimum 1 metre building setback from the common boundary with the rail corridor at Lots 33 and 34 on LP2804 and Lots 4 and 5 on SP28567 is required, to allow for ongoing property maintenance without a requirement for access to the rail corridor.
- Within Precinct B, trees/landscaping species are to not overhang onto railway land or have potential to disturb railway operations.
- Within Precinct B, the fencing along the rail corridor should be appropriately designed to address safety and noise concerns.

## CARDINIA PLANNING SCHEME

- Within Precinct B, there should be no drainage to the rail corridor without the consent of VicTrack and the rail operator - Metro Trains Melbourne.

### **Staging**

- Anticipated sequencing and timing of development of the precinct.

### **Figure 1**

The land parcels affected by this schedule are identified as No.s 53-56, 67-71, 73-75, 81, 83, 85, 87 Woods Street

Woodland Grove Precinct - Indicative Concept Plan - DP025

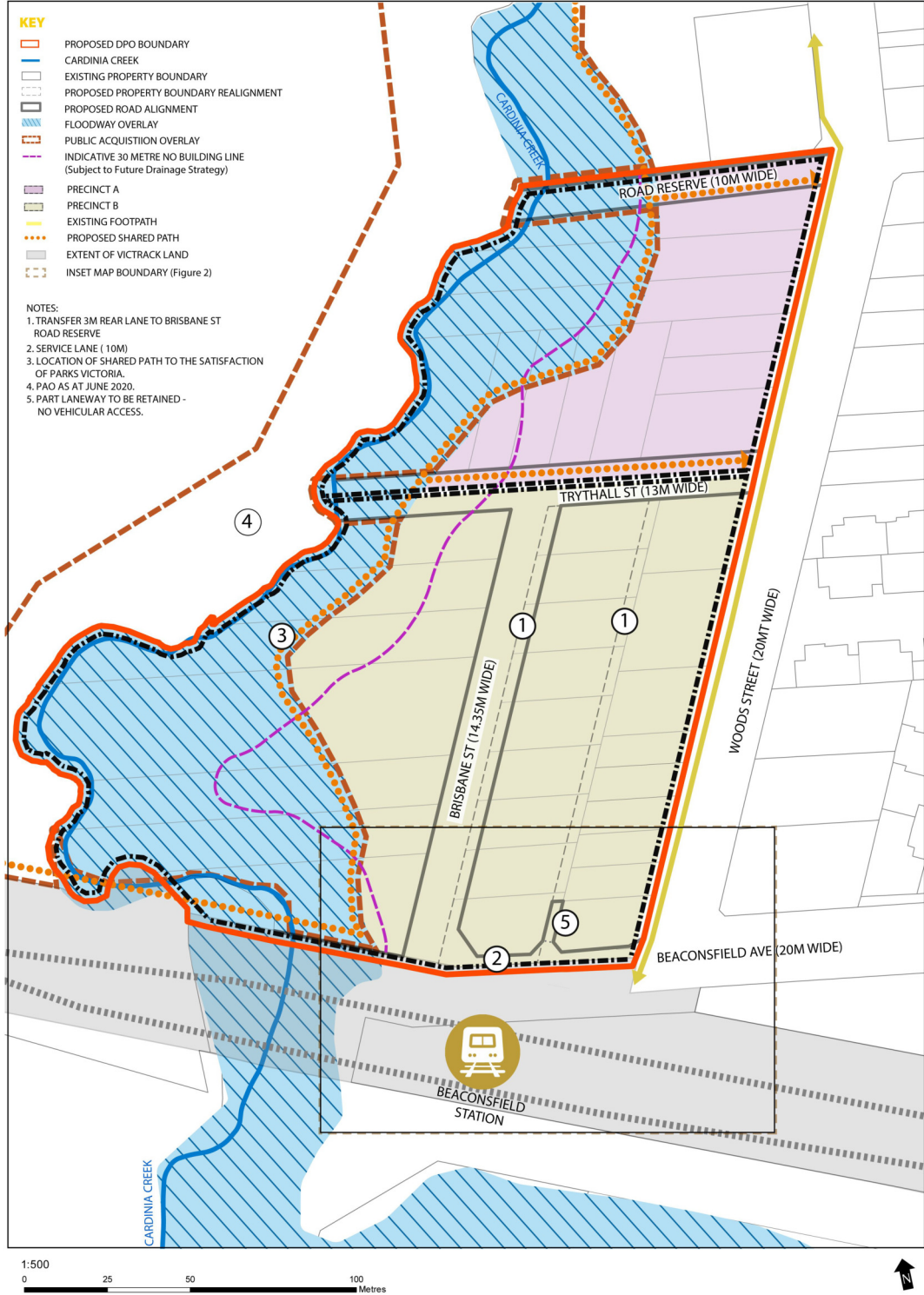
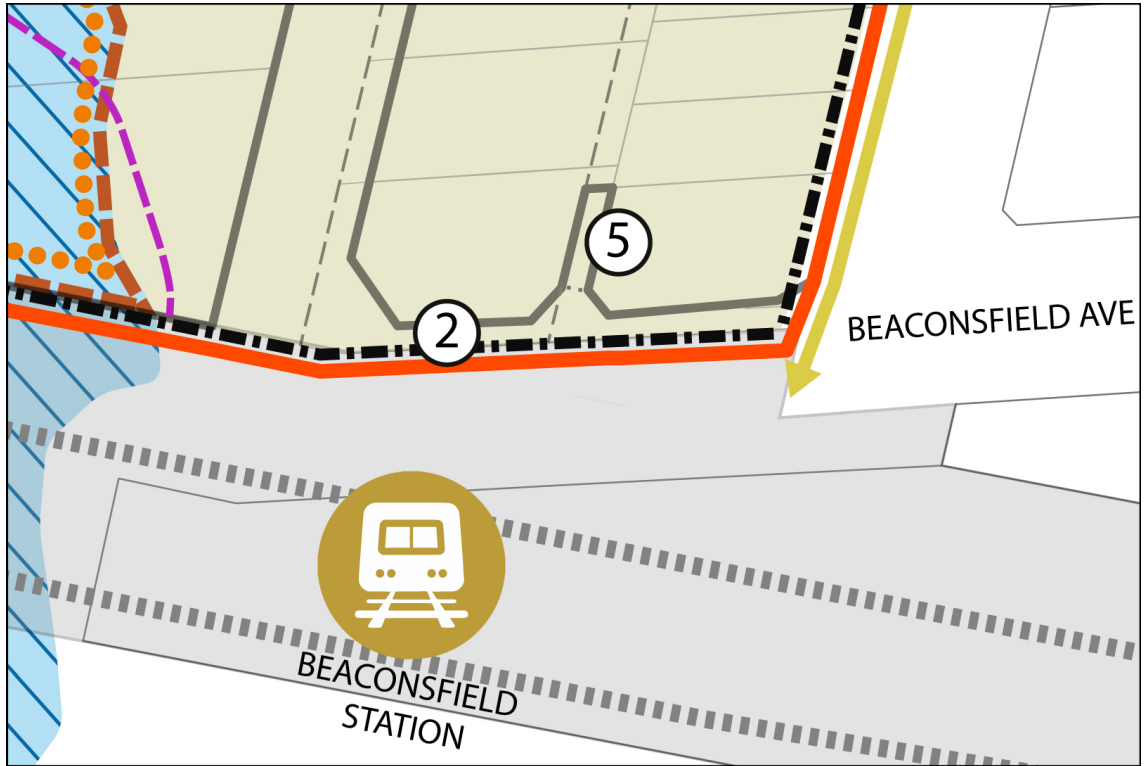


Figure 2



**LAND MANAGEMENT OVERLAYS**

**44.01**

06/09/2021  
VC171

**EROSION MANAGEMENT OVERLAY**

Shown on the planning scheme map as **EMO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

**44.01-1**

31/07/2018  
VC148

**Erosion management objectives and statement of risk**

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

**44.01-2**

14/12/2023  
VC253

**Buildings and works**

A permit is required to construct a building or construct or carry out works, including:

- Roadworks (other than roadworks constructed or carried out by or on behalf of the Head, Transport for Victoria).
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Any other matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05
<ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A rainwater tank.</li> </ul>	
The buildings and works must be associated with a dwelling or a small second dwelling.	

**44.01-3**

31/07/2018  
VC148

**Vegetation removal**

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

Table of exemptions

The requirement to obtain a permit does not apply to:	
<b>Emergency works</b>	<p>Vegetation that is to be removed, destroyed or lopped:</p> <ul style="list-style-type: none"> <li>▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</li> <li>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</li> </ul>
<b>Extractive industry</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</p>
<b>Fire protection</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> <li>▪ fire fighting;</li> <li>▪ planned burning;</li> <li>▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</li> <li>▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>);</li> <li>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</li> <li>▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> <li>– section 87 of the <i>Fire Rescue Victoria Act 1958</i>;</li> <li>– section 65 of the <i>Forests Act 1958</i>; or</li> <li>– section 41 of the <i>Country Fire Authority Act 1958</i>.</li> </ul> </li> <li>▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>;</li> <li>▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>.</li> </ul> <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
<b>Geothermal energy exploration and extraction</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i>.</p>
<b>Greenhouse gas sequestration and exploration</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i>.</p>
<b>Land management or directions notice</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i>.</p>
<b>Land use conditions</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i>.</p>

## CARDINIA PLANNING SCHEME

The requirement to obtain a permit does not apply to:	
<b>Mineral exploration and extraction</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>:</p> <ul style="list-style-type: none"> <li>▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or</li> <li>▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</li> </ul> <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
<b>Noxious weeds</b>	<p>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i>. This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).</p>
<b>Pest animal burrows</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p> <p>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.</p>
<b>Planted vegetation</b>	<p>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</p>
<b>Railways</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).</p>
<b>Regrowth</b>	<p>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</p> <ul style="list-style-type: none"> <li>▪ bracken (<i>Pteridium esculentum</i>); or</li> <li>▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</li> </ul> <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
<b>Road safety</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).</p>
<b>Stone exploration</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> <li>▪ 1 hectare of vegetation which does not include a tree.</li> <li>▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</li> <li>▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</li> </ul> <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
<b>Surveying</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.</p>
<b>Traditional owners</b>	<p>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p>

The requirement to obtain a permit does not apply to:	
	<ul style="list-style-type: none"> <li>▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or</li> <li>▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).</li> </ul>
<b>Tram stops</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
<b>Transport land</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

#### 44.01-5

31/07/2018  
VC148

#### Subdivision

A permit is required to subdivide land.

#### 44.01-6

31/07/2018  
VC148

#### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

#### 44.01-7

15/09/2022  
VC225

#### Exemption from notice and review

An application under this overlay 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.

#### 44.01-8

14/01/2025  
VC237

#### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020).
- *Control of Erosion on Construction Sites* (Michael Ransom and Soil Conservation Authority, 1984).
- *Your Dam: an Asset or a Liability* (Department of Conservation and Natural Resources and Rural Water Corporation Victoria, 1993).
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.

## CARDINIA PLANNING SCHEME

- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
- Whether buildings or works are likely to cause erosion or landslip.
- Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
- Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.
- The need to remove, destroy or lop vegetation to create defensible space to reduce the risk of bushfire to life and property.
- Any technical information or reports required to be provided by a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.

10/06/2021  
C254card

## **SCHEDULE TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY**

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

### **1.0**

10/06/2021  
C254card

#### **Erosion management objectives to be achieved**

None specified.

### **2.0**

10/06/2021  
C254card

#### **Statement of risk**

None specified.

### **3.0**

10/06/2021  
C254card

#### **Permit requirement**

None specified.

### **4.0**

10/06/2021  
C254card

#### **Application requirements**

None specified.

### **5.0**

10/06/2021  
C254card

#### **Decision guidelines**

None specified.

**44.03**01/07/2021  
VC203**FLOODWAY OVERLAY**

Shown on the planning scheme map as **FO** or **RFO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the *Water Act, 1989* if a declaration has been made.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

**44.03-1**31/07/2018  
VC148**Floodway objectives and statement of risk**

A schedule to this overlay may contain:

- Floodway management objectives to be achieved.
- A statement of risk.

**44.03-2**14/12/2023  
VC253**Buildings and works**

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.

- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

**44.03-3**

31/07/2018  
VC148

**Subdivision**

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

**44.03-4**

31/07/2018  
VC148

**Application requirements**

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Flood risk report**

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority, which must consider the following, where applicable:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- An application must be accompanied by any information specified in a schedule to this overlay.

**44.03-5**

31/07/2018  
VC148

**Exemption from notice and review**

An application under this overlay 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.

**44.03-6**

31/07/2018  
VC148

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**44.03-7**

31/07/2018  
VC148

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.
- Any other matters specified in a schedule to this overlay.

10/06/2021  
C254card

## **SCHEDULE TO CLAUSE 44.03 FLOODWAY OVERLAY**

Shown on the planning scheme map as **FO** or **RFO**.

### **1.0**

10/06/2021  
C254card

#### **Floodway objectives to be achieved**

None specified.

### **2.0**

10/06/2021  
C254card

#### **Statement of risk**

None specified.

### **3.0**

10/06/2021  
C254card

#### **Permit requirement**

None specified.

### **4.0**

10/06/2021  
C254card

#### **Application requirements**

None specified.

### **5.0**

10/06/2021  
C254card

#### **Decision guidelines**

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.

**44.04**06/09/2021  
VC171**LAND SUBJECT TO INUNDATION OVERLAY**

Shown on the planning scheme map as **LSIO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

**44.04-1**24/01/2020  
VC160**Land subject to inundation objectives and statement of risk**

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

**44.04-2**14/12/2023  
VC253**Buildings and works**

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.

- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

**44.04-3**

31/07/2018  
VC148

**Subdivision**

A permit is required to subdivide land.

**44.04-4**

31/07/2018  
VC148

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**44.04-5**

31/07/2018  
VC148

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**44.04-6**

31/07/2018  
VC148

**Exemption from notice and review**

An application under this overlay 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.

**44.04-7**

31/07/2018  
VC148

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**44.04-8**

06/09/2021  
VC171

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- Alternative design or flood proofing responses.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:

## CARDINIA PLANNING SCHEME

- The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
- The flood warning time available.
- Tidal patterns.
- Coastal inundation and erosion.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.
- Any other matters specified in a schedule to this overlay.

10/06/2021  
C254card**SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY**

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

**1.0**10/06/2021  
C254card**Land subject to inundation objectives to be achieved**

None specified.

**2.0**10/06/2021  
C254card**Statement of risk**

None specified.

**3.0**10/06/2021  
C254card**Permit requirement**

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**10/06/2021  
C254card**Application requirements**

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**10/06/2021  
C254card**Decision guidelines**

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.

**44.05**01/07/2021  
VC203**SPECIAL BUILDING OVERLAY**

Shown on the planning scheme map as **SBO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify 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.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

**44.05-1**31/07/2018  
VC148**Flooding management objectives and statement of risk**

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

**44.05-2**14/12/2023  
VC253**Buildings and works**

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling or small second dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling or small second dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

## CARDINIA PLANNING SCHEME

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles designed to operate at more than 66,000 volts.
- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an upper storey extension to an existing building.
- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.
- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.
- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.
- To a replacement fence in the same location and of the same type and materials as the existing fence.
- To a pergola or an open deck area with unenclosed foundations.
- To a carport constructed over an existing carspace.
- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.
- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.
- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.
- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.
- To radio masts, light poles or signs on posts or attached to buildings.

### **VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works.	Clause 59.08

**44.05-3**

31/07/2018  
VC148

**Subdivision**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Any of the following classes of subdivision:</p> <ul style="list-style-type: none"> <li>▪ Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</li> <li>▪ Subdivide land into lots each containing an existing building or car parking space where:                             <ul style="list-style-type: none"> <li>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</li> </ul> </li> <li>▪ Subdivide land into 2 lots if:                             <ul style="list-style-type: none"> <li>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>- The construction or carrying out of the approved building or works on the land has started lawfully.</li> <li>- The subdivision does not create a vacant lot.</li> </ul> </li> </ul>	<p>Clause 59.08</p>

**44.05-4**

31/07/2018  
VC148

**Application requirements**

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.
- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

### **Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

#### **44.05-5**

31/07/2018  
VC148

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

An application under this overlay 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.

#### **44.05-6**

31/07/2018  
VC148

### **Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

#### **44.05-7**

31/07/2018  
VC148

### **Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.

10/06/2021  
C254card**SCHEDULE TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY**

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

**1.0**10/06/2021  
C254card**Flooding management objectives to be achieved**

None specified.

**2.0**10/06/2021  
C254card**Statement of risk**

None specified.

**3.0**10/06/2021  
C254card**Permit requirement**

None specified.

**4.0**10/06/2021  
C254card**Application requirements**

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**10/06/2021  
C254card**Decision guidelines**

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.

**44.06**31/07/2018  
VC148**BUSHFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **BMO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

**44.06-1**19/09/2017  
VC132**Bushfire management objectives and application of schedules**

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

**44.06-2**14/12/2023  
VC253**Permit requirement****Subdivision**

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

**Buildings and works**

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a moveable unit as defined under the *Housing Act 1983*)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a small second dwelling that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a small second dwelling) that is less than 10 percent of the gross floor area of the existing building.

- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

#### 44.06-3

20/03/2023  
VC229

#### Application requirements

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

#### 44.06-4

31/07/2018  
VC148

#### Requirements of Clause 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

#### 44.06-5

31/07/2018  
VC148

#### Mandatory condition

##### Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

*“Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:*

- *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [\*insert name of applicable planning scheme] Planning Scheme.*
- *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

*The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”*

This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

#### **Buildings and works**

A permit to construct a building or construct or carry out works must include the following condition:

*“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”*

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

*“Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:*

- *A dwelling constructed in accordance with planning permit [\*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:*
  - *Constructed on the same land as the dwelling.*
  - *Available for use by the occupants of the dwelling at all times.*
  - *Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.*

*The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”*

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

#### **44.06-6**

19/09/2017  
VC132

#### **Referral of applications**

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

#### **44.06-7**

31/07/2018  
VC148

#### **Notice and review**

An application 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, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

#### **44.06-8**

31/07/2018  
VC148

#### **Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any other matters specified in a schedule to this overlay.

**44.06-9**

19/09/2017  
VC132

**Transitional arrangements**

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and
- a static water supply of:
  - 2500 litres on lots of 500 square metres or less
  - 5000 litres on lots of more than 500 square metres,  
is provided to the satisfaction of the responsible authority.
- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.

10/06/2021  
C254card

## **SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **BMO1**.

### **AVONSLEIGH, BEACONSFIELD, BEACONSFIELD UPPER, BUNYIP, COCKATOO, EMERALD, GEMBROOK, MARYKNOLL BAL-12.5 AREAS**

#### **1.0**

10/06/2021  
C254card

#### **Statement of the bushfire management objectives to be achieved**

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

#### **2.0**

10/06/2021  
C254card

#### **Application**

An application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

#### **3.0**

10/06/2021  
C254card

#### **Permit requirement**

None specified.

#### **4.0**

10/06/2021  
C254card

#### **Application requirements**

The following application requirements apply to an application for a permit under Clause 44.06:

- An application must be accompanied by a bushfire management plan that:
  - Shows all of the required bushfire protection measures specified in this schedule,
  - Includes written conditions that implement the required bushfire protection measures,
  - Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
  - Details vehicle access.

#### **5.0**

10/06/2021  
C254card

#### **Requirements to be met**

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

#### **6.0**

10/06/2021  
C254card

#### **Substitute approved measures for Clause 53.02**

None specified.

#### **7.0**

10/06/2021  
C254card

#### **Additional alternative measures for Clause 53.02**

None specified.

**8.0**

10/06/2021  
C254card

**Mandatory Condition**

An application must include the mandatory conditions as specified in Clause 44.06-5.

**9.0**

10/06/2021  
C254card

**Referral of application not required**

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

**10.0**

10/06/2021  
C254card

**Notice and review**

None specified.

**11.0**

10/06/2021  
C254card

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether all of the bushfire protection measures in this schedule have been met.

10/06/2021  
C254card

## **SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **BMO2**.

### **AVONSLEIGH, BEACONSFIELD UPPER, COCKATOO, EMERALD, GEMBROOK, MARYKNOLL BAL-29 AREAS**

#### **1.0**

10/06/2021  
C254card

#### **Statement of the bushfire management objectives to be achieved**

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

#### **2.0**

10/06/2021  
C254card

#### **Application**

An application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

#### **3.0**

10/06/2021  
C254card

#### **Permit requirement**

None specified.

#### **4.0**

10/06/2021  
C254card

#### **Application requirements**

The following application requirements apply to an application for a permit under Clause 44.06:

- An application must be accompanied by a bushfire management plan that:
  - Shows all of the required bushfire protection measures specified in this schedule,
  - Includes written conditions that implement the required bushfire protection measures,
  - Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
  - Details vehicle access.

#### **5.0**

10/06/2021  
C254card

#### **Requirements to be met**

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-29
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
  - The canopy of trees must be separated by at least 5 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

#### **6.0**

10/06/2021  
C254card

#### **Substitute approved measures for Clause 53.02**

None specified.

#### **7.0**

10/06/2021  
C254card

#### **Additional alternative measures for Clause 53.02**

None specified.

**8.0**

10/06/2021  
C254card

**Mandatory Condition**

An application must include the mandatory conditions as specified in Clause 44.06-5.

**9.0**

10/06/2021  
C254card

**Referral of application not required**

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

**10.0**

10/06/2021  
C254card

**Notice and review**

None specified.

**11.0**

10/06/2021  
C254card

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether all of the bushfire protection measures in this schedule have been met.

**44.07**

19/08/2021  
VC196

**STATE RESOURCE OVERLAY**

Shown on the planning scheme map as **SRO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas of mineral, stone and other resources, which have been identified as being of state significance, from use and development that would prejudice the current or future productive use of the resource.

**44.07-1**

19/08/2021  
VC196

**Resource significance and management objectives**

A schedule to this overlay must contain:

- A statement of the significance of the resource.
- The management objectives to be achieved.

**44.07-2**

19/08/2021  
VC196

**Use of land**

Any requirement in a schedule to this overlay must be met.

**44.07-3**

19/08/2021  
VC196

**Subdivision**

Any requirement in a schedule to this overlay must be met.

**44.07-4**

19/08/2021  
VC196

**Buildings and works**

Any requirement in a schedule to this overlay must be met.

**44.07-5**

19/08/2021  
VC196

**Application requirements**

An application under the zone to construct a building or construct or carry out works or subdivide land specified in a schedule to this overlay, or an application under a schedule to this overlay, must be accompanied by the following information:

- A report which explains how the proposed use, building, works or subdivision:
  - Is consistent with the management objective specified in the schedule.
  - Responds to the decision guidelines.
- Any information specified in a schedule to this overlay.

**44.07-6**

19/08/2021  
VC196

**Referral of applications**

An application of a kind specified in a schedule to this overlay must be referred to the specified referral authority in accordance with Section 55 of the Act.

**44.07-7**

15/09/2022  
VC225

**Exemption from notice and review**

A schedule to this overlay may specify that an application under the schedule, or an application under any provision of this planning scheme to use or develop land for extractive industry, 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.

**44.07-8**

19/08/2021  
VC196

**Decision guidelines**

Before deciding on an application of a kind specified in a schedule to this overlay, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

## CARDINIA PLANNING SCHEME

- The statement of resource significance and the management objectives specified in a schedule to this overlay.
- The significance of the future productive use of the resource to the state.
- Any transport network implications related to the proposal.
- When the resource is likely to be required for extraction.
- The desirability of preventing any use, buildings, works, or subdivision which may adversely impact on the future productive use of the resource.
- Any other matters specified in a schedule to this overlay.

19/08/2021  
VC196**SCHEDULE 2 TO CLAUSE 44.07 STATE RESOURCE OVERLAY**

Shown on the planning scheme map as **SRO2**.

**PROTECTING EXTRACTIVE INDUSTRIES****1.0**19/08/2021  
VC196**Statement of resource significance**

Existing extractive industries located around Nyora, which is in the north west of South Gippsland Shire and adjacent to Cardinia Shire, make a significant contribution to Victoria's total sand production. These extractive industries are a large supplier of sand to metropolitan Melbourne, peri-urban areas, as well as locally.

The presence of sand resources in this areas is substantiated by favourable geological characteristics and by a number of existing extractive industry operations. The area also has manageable environmental and planning constraints, is supported by transport networks, and is proximate to demand markets.

There is an opportunity to increase the area's contribution towards the state's resource needs through expansion and intensification of existing extractive industries. It is estimated that extractive resources within South Gippsland Shire can supply 22 per cent of Melbourne's demand for sand and gravel, over the period 2015-2050.

Protecting extractive industries from encroachment by incompatible use and development is critical for maintaining the productivity of existing operations, and for securing the future supply of sand resources to Victoria's markets.

This schedule applies a 250 metre separation distance around land that contains a work authority issued under the *Mineral Resources (Sustainable Development) Act 1990*. This applies to land inside Cardinia Shire Council and ensures that incompatible land use and development do not inhibit the current or future productivity of existing extractive industry operations located in South Gippsland Shire Council.

**2.0**19/08/2021  
VC196**Management objectives**

- To protect extractive industry operations with a work authority issued under the *Mineral Resource (Sustainable Development) Act 1990* from encroachment by incompatible land use and development.
- To ensure that new use and development within 250 metres of an extractive industry do not adversely impact the continued operation or limit the potential future expansion of that industry.
- To ensure that development is appropriately designed and sited to minimise amenity impacts from extractive industry operations, including the transport of materials.
- To ensure that subdivision and fragmentation of land does not prejudice the operation of an extractive industry.

**3.0**19/08/2021  
VC196**Use of land**

A permit is required to use land for:

- Accommodation.
- Crematorium.
- Education centre.
- Funeral parlour.
- Hospital.
- Leisure and recreation.

- Place of assembly.
- Retail premises.
- Veterinary centre.
- Winery.

#### 4.0

19/08/2021  
VC196

#### Subdivision

A permit is required to subdivide land.

This does not apply, if each lot created by the subdivision is at least 40 hectares.

#### 5.0

19/08/2021  
VC196

#### Buildings and works

A permit is required to construct a building or to construct or carry out works. This does not apply to:

- An alteration or extension to an existing building provided the gross floor area of the alteration or extension does not exceed 200 square metres.
- A non-habitable building with a gross floor area not exceeding 200 square metres.
- A building or works associated with the use of land for extractive industry.
- Works with an area not exceeding 200 square metres.
- Works associated with the use of land for agriculture.
- A rainwater tank.

#### 6.0

19/08/2021  
VC196

#### Application requirements

None specified.

#### 7.0

19/08/2021  
VC196

#### Referral of applications

Kind of application	Referral authority	Type of referral authority
Any use listed in Clause 3.0 of this schedule.	Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i>	Determining referral authority

#### 8.0

19/08/2021  
VC196

#### Exemption from notice and review

None specified.

#### 9.0

19/08/2021  
VC196

#### Decision guidelines

Before deciding on an application under this overlay, in addition to the decision guidelines in Clause 44.07 and Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed use or development is compatible with the extractive industry use operating on nearby land.
- The potential for the use or development to limit the operation and expansion of the extractive industry.
- If existing natural features and topography will mitigate potential impacts of existing or future extractive industry use on the proposed use.
- Whether the proposed use or development is a major capital development which may adversely impact on the future productive extraction of the resource.

## CARDINIA PLANNING SCHEME

- Whether the proposed development is designed and sited in a location that minimises amenity impacts from resource extraction operations and transportation.
- Whether the proposed subdivision will lead to land use outcomes that inhibit the use of the land for extractive industries.

**45**

19/01/2006  
VC37

**OTHER OVERLAYS**

**45.01**

31/07/2018  
VC148

**PUBLIC ACQUISITION OVERLAY**

Shown on the planning scheme map as **PAO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land which is proposed to be acquired by a Minister, public authority or municipal council.

To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.

To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

**45.01-1**

14/12/2023  
VC253

**Permit required**

A permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works, including:
  - A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
  - If the vegetation has been planted for pasture, timber production or any other crop.
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To the acquiring authority for the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To an authority or a municipal council if the responsible authority, after consulting with the acquiring authority for the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

**45.01-2**

31/07/2018  
VC148

**Exemption from notice and review**

An application under this overlay 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.

**45.01-3**

28/10/2013  
VC102

**Referral of applications**

An application must be referred under Section 55 of the Act to the acquiring authority for the land.

**45.01-4**

31/07/2018  
VC148

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material of a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

**45.01-5**

19/01/2006  
VC37

**Land not to be spoiled or wasted**

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

**45.01-6**

19/01/2006  
VC37

**Reservation for public purpose**

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the *Planning and Environment Act 1987*, the *Land Acquisition and Compensation Act 1986* or any other act.

**45.01-7**

28/10/2013  
VC102

**Acquiring authority**

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.

## SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

## 1.0

## Public acquisition

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	Roads Corporation	Road
PAO2	The Minister responsible for administering Part 2 of the <i>Crown Land (Reserves) Act 1978</i>	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

**45.03**01/07/2021  
VC203**ENVIRONMENTAL AUDIT OVERLAY**

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

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

**Application**

This provision applies to land in an Environmental Audit Overlay and applies whether or not a permit is required.

**45.03-1**04/05/2022  
VC210**Requirement**

Before a sensitive use (residential use, child care centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences:

- A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use; or
- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
- A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.

**Exemption from requirement**

The requirement for a preliminary risk screen assessment statement, an environmental audit statement, a certificate of environmental audit or a statement of environmental audit in this provision does not apply to the construction or carrying out of buildings and works if:

- The buildings and works are associated with an existing sensitive use, secondary school or children's playground, included in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;
- The buildings and works are required by the Environment Protection Authority or an environmental auditor appointed under the *Environment Protection Act 2017* to make the site suitable for use; or
- The buildings and works are reasonably required by environmental auditor appointed under the *Environment Protection Act 2017* or the *Environment Protection Act 1970* to undertake a preliminary risk screen assessment or environmental audit.

**45.04**

31/07/2018  
VC148

**ROAD CLOSURE OVERLAY**

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

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify a road that is closed by an amendment to this planning scheme.

**45.04-1**

19/01/2006  
VC37

**Road closure**

A road included in this overlay is closed on the date notice of approval of the amendment is published in the Government Gazette.

**45.04-2**

31/07/2018  
VC148

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- That the road is closed.

**45.05**

31/07/2018  
VC148

**RESTRUCTURE OVERLAY**

Shown on the planning scheme map as **RO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify old and inappropriate subdivisions which are to be restructured.

To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.

**45.05-1**

01/07/2021  
VC203

**Subdivision**

A permit is required to subdivide land.

A subdivision must be in accordance with a restructure plan for the land listed in the schedule to this overlay. This does not apply if the subdivision is for one of the following purposes and no additional lots or subdivision potential is created:

- To realign boundaries between lots that have been consolidated in accordance with the restructure plan.
- To consolidate a restructure lot with a section of closed road or other land not included in a proposed restructure lot.

Each lot must be provided with reticulated sewerage if available. If reticulated sewerage is not available, the application must be accompanied by:

- A Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all waste water and the risks to human health and the environment of a on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- A plan which indicates the building envelope and effluent disposal area for each lot.

Before deciding on an application to subdivide land into residential lots, the responsible authority must consider Clause 56.

**45.05-2**

19/01/2006  
VC37

**Dwellings and other buildings**

A permit is required to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay. This does not apply if:

- No restructure plan is listed in the schedule and the permit is required to extend an existing dwelling or other building.
- The land is a lot for which a permit has been granted under Clause 45.05-1.

**45.05-3**

31/07/2018  
VC148

**Exemption from notice and review**

An application under this overlay 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.

**45.05-4**

01/01/2024  
VC250

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

## CARDINIA PLANNING SCHEME

- The objectives of the restructure plan for the area.
- Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.
- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.
- The availability of utility services, including sewerage, water, drainage, electricity, telecommunications, and, where the subdivision is not a residential subdivision, gas.
- The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.
- The effect on surrounding uses, especially agricultural uses and nearby public land.
- The design of buildings.

**SCHEDULE TO CLAUSE 45.05 RESTRUCTURE OVERLAY****1.0****Restructure plan**

PS map ref	Land	Title of restructure plan
RO1	All land identified on the planning scheme map as being within RO1.	Cardinia Shire Council – Subdivision Restructure Plans (Albert Road, Clematis), January 2002
RO2	All land identified on the planning scheme map as being within RO2.	Cardinia Shire Council – Subdivision Restructure Plans (Arthur Road, Cockatoo), January 2002
RO3	All land identified on the planning scheme map as being within RO3.	Cardinia Shire Council – Subdivision Restructure Plans (Auravale Road, Menzies Creek), January 2002
RO4	All land identified on the planning scheme map as being within RO4.	Cardinia Shire Council – Subdivision Restructure Plans (Baker Street, Cockatoo), January 2002
RO5	**DELETED**	
RO6	All land identified on the planning scheme map as being within RO6.	Cardinia Shire Council – Subdivision Restructure Plans (Belgrave Avenue, Cockatoo), January 2002
RO7	**DELETED**	
RO8	All land identified on the planning scheme map as being within RO8.	Cardinia Shire Council – Subdivision Restructure Plans (Bellbird Crescent, Emerald), January 2002
RO9	All land identified on the planning scheme map as being within RO9.	Cardinia Shire Council – Subdivision Restructure Plans (Benson Street, Emerald), January 2002
RO10	All land identified on the planning scheme map as being within RO10.	Cardinia Shire Council – Subdivision Restructure Plans (Bilocla Avenue, Cockatoo), January 2002
RO11	**DELETED**	
RO12	**DELETED**	
RO13	All land identified on the planning scheme map as being within RO13.	Cardinia Shire Council – Subdivision Restructure Plans (Charman Avenue, Emerald), January 2002
RO14	All land identified on the planning scheme map as being within RO14.	Cardinia Shire Council – Subdivision Restructure Plans (Church Street, Emerald), January 2002
RO15	All land identified on the planning scheme map as being within RO15.	Cardinia Shire Council – Subdivision Restructure Plans (Coinda Avenue, Beaconsfield Upper), January 2002
RO16	**DELETED**	

**CARDINIA PLANNING SCHEME**

<b>PS map ref</b>	<b>Land</b>	<b>Title of restructure plan</b>
RO17	All land identified on the planning scheme map as being within RO17.	Cardinia Shire Council – Subdivision Restructure Plans (Fernglade Drive, Emerald), January 2002
RO18	**DELETED**	
RO19	All land identified on the planning scheme map as being within RO19.	Cardinia Shire Council – Subdivision Restructure Plans (Ford Road, Emerald), January 2002
RO20	All land identified on the planning scheme map as being within RO20.	Cardinia Shire Council – Subdivision Restructure Plans (Garden City, Cockatoo), January 2002
RO21	**DELETED**	
RO22	All land identified on the planning scheme map as being within RO22.	Cardinia Shire Council – Subdivision Restructure Plans (Grandview Avenue, Emerald), January 2002
RO23	All land identified on the planning scheme map as being within RO23.	Cardinia Shire Council – Subdivision Restructure Plans (Grieve Road, Avonsleigh), January 2002
RO24	All land identified on the planning scheme map as being within RO24.	Cardinia Shire Council – Subdivision Restructure Plans (Hague Crescent, Cockatoo), January 2002
RO25	All land identified on the planning scheme map as being within RO25.	Cardinia Shire Council – Subdivision Restructure Plans (Haylock Avenue, Cockatoo), January 2002
RO26	**DELETED**	
RO27	**DELETED**	
RO28	**DELETED**	
RO29	All land identified on the planning scheme map as being within RO29.	Cardinia Shire Council – Subdivision Restructure Plans (Mountain Road, Cockatoo), January 2002
RO30	**DELETED**	
RO31	All land identified on the planning scheme map as being within RO31.	Cardinia Shire Council – Subdivision Restructure Plans (Nobelius Street, Emerald), January 2002
RO32	All land identified on the planning scheme map as being within RO32.	Cardinia Shire Council – Subdivision Restructure Plans (Old Beaconsfield Road, Emerald), January 2002
RO33	All land identified on the planning scheme map as being within RO33.	Cardinia Shire Council – Subdivision Restructure Plans (Ozone Avenue, Emerald), January 2002
RO34	**DELETED**	

## CARDINIA PLANNING SCHEME

PS map ref	Land	Title of restructure plan
RO35	All land identified on the planning scheme map as being within RO35.	Cardinia Shire Council – Subdivision Restructure Plans (Paradise Avenue, Clematis), January 2002
RO36	**DELETED**	
RO37	All land identified on the planning scheme map as being within RO37.	Cardinia Shire Council – Subdivision Restructure Plans (Poplar Crescent, Emerald), January 2002
RO38	**DELETED**	
RO39	**DELETED**	
RO40	**DELETED**	
RO41	All land identified on the planning scheme map as being within RO41.	Cardinia Shire Council – Subdivision Restructure Plans (Seaview Road, Cockatoo), January 2002
RO42	All land identified on the planning scheme map as being within RO42.	Cardinia Shire Council – Subdivision Restructure Plans (Station Avenue, Emerald), January 2002
RO43	**DELETED**	
RO44	All land identified on the planning scheme map as being within RO44.	Cardinia Shire Council – Subdivision Restructure Plans (Sydney Avenue, Emerald), January 2002
RO45	All land identified on the planning scheme map as being within RO45.	Cardinia Shire Council – Subdivision Restructure Plans (Tymon Road, Cockatoo), January 2002
RO46	**DELETED**	
RO47	**DELETED**	
RO48	All land identified on the planning scheme map as being within RO48.	Cardinia Shire Council – Subdivision Restructure Plans (Westland Road, Emerald), January 2002
RO49	All land identified on the planning scheme map as being within RO49.	Cardinia Shire Council – Subdivision Restructure Plans (Whiteside Road, Officer), January 2002
RO50	**DELETED**	
RO51	All land identified on the planning scheme map as being within RO51.	Cardinia Shire Council – Subdivision Restructure Plans (Agricultural Land - Tenement), January 2002
RO52	All land identified on the planning scheme map as being within RO52.	Cardinia Shire Council, Subdivision Restructure Plan - 440, 445, 447, 460, 462-464 and 466 Bayles-Cora Lynn Road, 455 and 465 Bunyip River Road and 710 Nine Mile Road, Cora Lynn, October 2011.

## CARDINIA PLANNING SCHEME

PS map ref	Land	Title of restructure plan
RO53	All land identified on the planning scheme map as being within RO53	Cardinia Shire Council Subdivision Restructure Plan 36-38 Beaconsfield – Emerald Road, Upper Beaconsfield, March 2015

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**45.06**

31/07/2018  
VC148

**DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**

Shown on the planning scheme map as **DCPO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

**45.06-1**

19/01/2006  
VC37

**Development contributions plan**

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

**45.06-2**

19/01/2006  
VC37

**Preparation of a development contributions plan**

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.

09/11/2017  
GC75

**SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**

Shown on the planning scheme map as **DCPO1**.

**PAKENHAM TOWNSHIP DEVELOPMENT CONTRIBUTIONS PLAN**

**1.0**

15/01/2024  
VC249

**Area covered by this development contributions plan**

This development contributions plan applies to all land identified on the map to the Pakenham Township Development Contributions Plan, December 2023.

**2.0**

19/01/2006  
VC37

**Summary of costs**

Facility	Total cost \$	Time of provision	Actual cost contribution attributable to development \$	Proportion of cost attributable to development %
Distributor roads	17,696,250	Refer to Development Contributions Plan	16,516,790	93
Traffic management works	3,222,500	Refer to Development Contributions Plan	1,946,890	60
Streetscape & environment	940,500	Refer to Development Contributions Plan	916,685	97
Parks	1,235,000	Refer to Development Contributions Plan	1,123,275	90
Active open space	2,800,000	Refer to Development Contributions Plan	1,396,080	50
Community activity centres	3,366,000	Refer to Development Contributions Plan	3,085,530	92
Drainage	-	-	-	-
Other	-	-	-	-
<b>TOTAL</b>	<b>29,260,250</b>	<b>Refer to Development Contributions Plan</b>	<b>24,985,250</b>	<b>85</b>

## 3.0

10/06/2021  
C254card

## Summary of contributions

Facility	Levies payable by the development (\$)					
	Development Infrastructure		Community infrastructure		All infrastructure	
	Residential	Non-residential	Residential	Non-residential	Residential	Non-residential
Distributor roads	\$1,695 per lot	-	-	-	\$1,695 per lot	-
Traffic management works	\$200 per lot	-	-	-	\$200 per lot	-
Streetscape & environment	\$93 per lot	-	-	-	\$93 per lot	-
Parks	\$115 per lot	-	-	-	\$115 per lot	-
Active open space	\$32 per lot	-	\$112 per lot	-	\$144 per lot	-
Community activity centres	\$45 per lot	-	\$273 per lot	-	\$318 per lot	-
Drainage	-	-	-	-	-	-
Other	-	-	-	-	-	-
<b>TOTAL</b>	<b>\$2,180 per lot</b>	<b>-</b>	<b>\$385 per lot</b>	<b>-</b>	<b>\$2,565 per lot</b>	<b>-</b>

**The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)**

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

**4.0**

15/01/2024  
VC249

**Land or development excluded from development contributions plan**

All non-residential land within the area covered by the Pakenham Township Development Contributions Plan, December 2023 is excluded.

The development of land for a small second dwelling is exempt from the requirement to pay a development infrastructure levy and a community infrastructure levy.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.*

15/01/2024  
VC249

**SCHEDULE 2 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**

Shown on the planning scheme map as **DCPO2**.

**CARDINIA ROAD PRECINCT DEVELOPMENT CONTRIBUTIONS PLAN**

**1.0**

10/06/2021  
C254card

**Area covered by this development contributions plan**

Land in Pakenham and Officer within the DCPO2 area.

**2.0**

10/06/2021  
C254card

**Summary of costs**

Facility	Total cost \$	Time of provision	Actual cost contribution attributable to development \$	Proportion of cost attributable to development %
Community facilities	\$25,380,217	Over 15 years as shown in the Development Contributions Plan	\$20,693,756	82%
Open space	\$41,417,121	Over 15 years as shown in the Development Contributions Plan	\$41,417,121	100%
Trail network	\$8,754,544	Over 15 years as shown in the Development Contributions Plan	\$8,559,362	98%
Public transport facilities	\$2,100,933	Over 15 years as shown in the Development Contributions Plan	\$2,100,933	100%
Roads and traffic management works	\$47,755,332	Over 15 years as shown in the Development Contributions Plan	\$37,534,606	79%
<b>TOTAL</b>	<b>\$125,408,147</b>	<b>-</b>	<b>\$110,305,778</b>	<b>88%</b>

**3.0**

**Equivalence Ratios**

As the Development Contributions Plan relates to all development types, it is necessary to express non-residential development in terms of equivalent dwellings.

Development Type	Equivalent to one hectare (Demand Unit)
Residential	1 hectare = 1 demand unit for the DCP
Core Retail	266.3 m2 of gross floor space = 1 demand unit for the DCP
Peripheral Commercial	1696.0 m2 of gross floor space = 1 demand unit for the DCP

4.0

10/06/2021  
C254card

Summary of contributions

Cell 1

FACILITY	LEVIES PAYABLE BY THE DEVELOPMENT		
	Development Infrastructure		Community Infrastructure
	Residential	Non-Residential	Residential
	Per Hectare	Per Demand Unit	Per Dwelling
Community Facilities	\$17,968	n/a	\$557
Open Space	\$67,662	n/a	\$731
Trail Network	\$3,500	n/a	n/a
Public Transport Facilities	\$3,736	n/a	n/a
Roads and Traffic Management Works	\$70,883	\$70,883	n/a
<b>TOTAL</b>	<b>\$163,749</b>	<b>\$70,883</b>	<b>\$1,150</b>

Cell 2

	Development Infrastructure		Community Infrastructure
	Residential	Non-Residential	Residential
	Per Hectare	Per Demand Unit	Per Dwelling
	Community Facilities	\$23,272	n/a
Open Space	\$55,519	n/a	\$941
Trail Network	\$6,137	n/a	n/a
Public Transport Facilities	\$5,201	n/a	n/a
Roads and Traffic Management Works	\$40,797	\$40,797	n/a
<b>TOTAL</b>	<b>\$130,926</b>	<b>\$40,797</b>	<b>\$1,150</b>

Cell 3

FACILITY	LEVIES PAYABLE BY THE DEVELOPMENT		
	Development Infrastructure		Community Infrastructure
	Residential	Non-Residential	Residential
	Per Hectare	Per Demand Unit	Per Dwelling
Community Facilities	\$19,210	n/a	\$480
Open Space	\$75,007	n/a	\$944
Trail Network	\$20,992	n/a	n/a
Public Transport Facilities	\$5,001	n/a	n/a

**CARDINIA PLANNING SCHEME**

<b>FACILITY</b>	<b>LEVIES PAYABLE BY THE DEVELOPMENT</b>		
	<b>Development Infrastructure</b>		<b>Community Infrastructure</b>
	<b>Residential</b>	<b>Non-Residential</b>	<b>Residential</b>
	<b>Per Hectare</b>	<b>Per Demand Unit</b>	<b>Per Dwelling</b>
Roads and Traffic Management Works	\$37,643	\$37,643	n/a
<b>TOTAL</b>	<b>\$157,853</b>	<b>\$37,643</b>	<b>\$1,150</b>

**Cell 4**

	<b>Development Infrastructure</b>		<b>Community Infrastructure</b>
	<b>Residential</b>	<b>Non-Residential</b>	<b>Residential</b>
	<b>Per Hectare</b>	<b>Per Demand Unit</b>	<b>Per Dwelling</b>
	Community Facilities	\$1,942	n/a
Open Space	\$15,388	n/a	\$692
Trail Network	\$8,244	n/a	n/a
Public Transport Facilities	\$300	n/a	n/a
Roads and Traffic Management Works	\$2,704	\$2,704	n/a
<b>TOTAL</b>	<b>\$28,577</b>	<b>\$2,704</b>	<b>\$1,044</b>

**Cell 5**

<b>FACILITY</b>	<b>LEVIES PAYABLE BY THE DEVELOPMENT</b>		
	<b>Development Infrastructure</b>		<b>Community Infrastructure</b>
	<b>Residential</b>	<b>Non-Residential</b>	<b>Residential</b>
	<b>Per Hectare</b>	<b>Per Demand Unit</b>	<b>Per Dwelling</b>
Community Facilities	\$21,263	n/a	\$499
Open Space	\$80,836	n/a	\$655
Trail Network	\$13,533	n/a	n/a
Public Transport Facilities	\$4,041	n/a	n/a
Roads and Traffic Management Works	\$73,775	\$73,755	n/a
<b>TOTAL</b>	<b>\$193,449</b>	<b>\$73,755</b>	<b>\$1,150</b>

Cell 6

FACILITY	LEVIES PAYABLE BY THE DEVELOPMENT		
	Development Infrastructure		Community Infrastructure
	Residential	Non-Residential	Residential
	Per Hectare	Per Demand Unit	Per Dwelling
Community Facilities	\$22,368	n/a	\$504
Open Space	\$61,256	n/a	\$661
Trail Network	\$22,447	n/a	n/a
Public Transport Facilities	\$4,376	n/a	n/a
Roads and Traffic Management Works	\$76,894	\$76,894	n/a
<b>TOTAL</b>	<b>\$187,340</b>	<b>\$76,894</b>	<b>\$1,150</b>

Land values listed in this DCP are in December 2007 dollars. They will be indexed annually according to the following specified method:

The Development Contribution for each demand unit must be adjusted as follows:

- In relation to the costs associated with all infrastructure items other than land, the cost must be adjusted and the contribution amounts recalculated according to the following method:
  - The capital costs of each infrastructure item must be adjusted by reference to the Producer Price Indexes Australia, General construction (41) Victoria (Tables 15 & 16. Output of the general construction industry, Series 6427.0), published by the ABS.
  - The revised infrastructure costs and the adjustment of the contributions must be calculated as at 1 December in each year.
- In relation to the cost of land required under the Cardinia Road Precinct DCP, the land value must be adjusted by adopting a revised land value determined according to the following method:
  - The adoption of the market value of a hectare of land in the DCP area, to the satisfaction of the Responsible Authority, which is the mid point between a valuation conducted by the Victorian Valuer General and a registered valuer appointed by the President for the time being of the Victorian Division of the Australian Property Institute.
  - The revised land value and the adjustment of the contributions must be calculated as of 1 December in each year.
  - Within 14 days of the adjustments being made, the Responsible Authority must publish a notice of the amended contributions in a newspaper circulating in the municipality.

**The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)**

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

**5.0**

10/06/2021  
C254card

**Land or development excluded from development contributions plan**

None specified.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.*

10/06/2021  
C254card

## **SCHEDULE 3 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**

Shown on the planning scheme map as **DCPO3**.

### **CARDINIA EMPLOYMENT PRECINCT DEVELOPMENT CONTRIBUTIONS PLAN**

#### **1.0**

04/11/2010  
C130

#### **Area covered by this development contributions plan**

Cardinia Road Employment Precinct, which is covered by the DCPO3.

#### **2.0**

04/11/2010  
C130

#### **Summary of costs**

None specified. The preparation and incorporation of a development contributions plan is required.

#### **3.0**

04/11/2010  
C130

#### **Summary of contributions**

None specified. The preparation and incorporation of a development contributions plan is required.

#### **4.0**

04/11/2010  
C130

#### **Land or development excluded from development contributions plan**

A permit may be granted to subdivide or use land, construct a building or construct and carry out works before a development contributions plan has been prepared to the satisfaction of the responsible authority if an agreement under Section 173 of the *Planning and Environment Act 1987* has been entered into with the responsible authority that makes provision for development contributions.

15/01/2024  
VC249

**SCHEDULE 4 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**

Shown on the planning scheme map as **DCPO4**.

**OFFICER DEVELOPMENT CONTRIBUTIONS PLAN**

**1.0**

12/01/2012  
C149

**Area covered by this development contributions plan**

Officer Precinct Structure Plan area within the DCPO4.

**2.0**

12/01/2012  
C149

**Summary of costs**

Facility	Total cost \$	Time of provision	Actual cost contribution attributable to development \$	Proportion of cost attributable to development %
<i>Community facilities (Community Infrastructure levy)</i>	\$15,112,900.00	Over 20 years as shown in the Development Contributions Plan	\$11,535,898.00	76.33%
<i>Community facilities (Development infrastructure levy)</i>	\$26,748,925.39	Over 20 years as shown in the Development Contributions Plan	\$24,587,273.39	91.92%
<i>Open Space</i>	\$31,521,331.90	Over 20 years as shown in the Development Contributions Plan	\$31,105,091.90	98.68%
<i>Open Space (Urban park)</i>	\$1,388,130.68	Over 20 years as shown in the Development Contributions Plan	\$1,388,130.68	100.00%
<i>Road Construction</i>	\$77,764,067.00	Over 20 years as shown in the Development Contributions Plan	\$66,631,571.23	85.68%
<i>Traffic Management</i>	\$46,857,131.05	Over 20 years as shown in the Development Contributions Plan	\$46,857,131.05	100.00%
<i>Trail Network</i>	\$4,714,601.60	Over 20 years as shown in the Development Contributions Plan	\$4,313,876.60	91.50%
<i>Planning</i>	\$1,267,634.40	Over 20 years as shown in the Development Contributions Plan	\$1,267,634.40	100.00%
<b>Total</b>	<b>\$205,374,722.02</b>		<b>\$187,686,607.25</b>	<b>91.39%</b>

**3.0**

15/01/2024  
VC249

**Summary of contributions**

Facility	LEVIES PAYABLE BY THE DEVELOPMENT		
	Development Infrastructure		Community Infrastructure
	Standard	Differential	Standard
	Per Hectare	Per Hectare	Per Dwelling*
<i>Community facilities</i>	\$40,474.56	-	\$1,190.00

**CARDINIA PLANNING SCHEME**

Facility	LEVIES PAYABLE BY THE DEVELOPMENT		
	Development Infrastructure		Community Infrastructure
	Standard	Differential	Standard
	Per Hectare	Per Hectare	Per Dwelling*
<i>Open Space</i>	\$51,599.13	-	\$0.00
<i>Open Space (Urban park)</i>	\$2,212.14	\$2,212.14	\$0.00
<i>Road Construction</i>	\$100,105.08	\$100,105.08	\$0.00
<i>Traffic Management</i>	\$74,849.77	\$74,849.77	\$0.00
<i>Trail Network</i>	\$6,330.79	\$6,330.79	\$0.00
<i>Planning</i>	\$1,977.59	\$1,977.59	\$0.00
<b>Total</b>	<b>\$277,549.07</b>	<b>\$183,497.79</b>	<b>\$1,190.00</b>

The input costs into the development contributions plan and the Development Infrastructure Levy will be adjusted annually in accordance with the *Officer Development Contributions Plan (December 2023)* (incorporated document).

**The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)**

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

**4.0**

10/06/2021  
C254card

**Land or development excluded from the development contributions plan**

None specified.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.*

18/11/2022  
C238card**SCHEDULE 5 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**

Shown on the planning scheme map as DCPO5.

**GLISMANN ROAD DEVELOPMENT CONTRIBUTIONS PLAN****1.0**18/11/2022  
C238card**Area covered by this development contributions plan**

This Development Contributions Plan (DCP) applies to the Glismann Road area, which is covered by DCP05.

**2.0**18/11/2022  
C238card**Summary of costs**

Item	Total cost \$	Time of provision	Actual cost contribution attributable to development \$	Proportion of cost attributable to development %
Roads and intersections	\$5,689,855	Refer to DCP	\$5,689,855	100%
Open space	\$2,472,183	Refer to DCP	\$1,290,182	52%
Planning	\$229,891	Refer to DCP	\$229,891	100%
Community Infrastructure	\$1,980,000	Refer to DCP	\$237,600	12%
<b>TOTAL</b>	<b>\$10,371,929</b>	-	<b>\$7,447,528</b>	-

*Note: Contributions are listed in September 2019 values. Under the DCP the contributions are to be adjusted following annual indexation.*

**3.0**18/11/2022  
C238card**Summary of contributions**

Item	Levies payable by the development (\$)	
	Development infrastructure Levy (DIL)	Community infrastructure Levy (CIL)
	Per Net Developable Hectare	Per Dwelling
Roads and intersections	\$362,045.64	\$0.00
Open space	\$82,094.31	\$0.00
Planning	\$14,627.99	\$0.00
Community Infrastructure	\$0.00	\$889.12
<b>TOTAL</b>	<b>\$458,767.93</b>	<b>\$889.12</b>

*Note: Contributions are listed in September 2019 values. Under the DCP the contributions are to be adjusted following annual indexation.*

*The Development Infrastructure Levy and Community Infrastructure Levy for each demand unit must be adjusted as follows:*

- *In relation to the costs associated with all infrastructure items other than land, the cost of those projects will be adjusted (and then the contribution amounts recalculated) by reference to the Producer Price Indexes Australia, Victoria (Table 17 Output of the Construction industries, Building Construction Victoria (for buildings) and Road and Bridge Construction Victoria (for roads, bridges, trails, etc.) published by the ABS (Series 6427.0) or similar index. The adjusted costings will then produce a recalculated Development Infrastructure Levy.*
- *The revised infrastructure costs and the adjustment of the contributions will be calculated as at June 30th of each year.*
- *In relation to the value of land required under the DCP, a revaluation of all land projects is to be carried out on a biennial basis in accordance with the same principles as the July 2019 valuation report prepared by Westlink. In the non revaluation year, valuations will be indexed in accordance with an index amount to be determined using market transactions of land in the Urban Growth Zone and other residential development land within the Cardinia growth area. The valuations are to be carried out by a qualified valuer and member of the Australian Property Institute to be appointed by Cardinia Shire Council.*
- *The revised land value and then the resulting adjustment of the Development Infrastructure Levy will be calculated as at June 30th of each year.*
- *Within 14 days of the adjustments being made, the Collecting Agency will publish a notice of the amended contributions in a newspaper circulating in the municipality.*

#### 4.0

15/01/2024  
VC249

#### **Land or development excluded from development contributions plan**

The following development is exempt from the requirement to pay development contributions under the *Glismann Road Development Contributions Plan (Urban Enterprise, December 2023)*:

- Development of land for a small second dwelling.
- Development of land for a non-government school, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans of 11 October 2016.
- Development of land for housing provided by or on behalf of the Department of Health and Human Services, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 October 2016.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.*

**45.09**

31/07/2018  
VC148

**PARKING OVERLAY**

Shown on the planning scheme map as **PO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To facilitate an appropriate provision of car parking spaces in an area.

To identify areas and uses where local car parking rates apply.

To identify areas where financial contributions are to be made for the provision of shared car parking.

**45.09-1**

19/04/2013  
VC95

**Operation**

This overlay operates in conjunction with Clause 52.06.

A schedule to this overlay may:

- Vary the requirements of Clause 52.06 as allowed by this overlay.
- Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.
- Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

**45.09-2**

19/04/2013  
VC95

**Parking objectives**

A schedule to this overlay must specify the parking objectives to be achieved for the area affected by the schedule.

**45.09-3**

25/05/2017  
VC133

**Permit requirement**

A schedule to this overlay may specify that:

- The exemption from the requirement for a permit in Clause 52.06-3 does not apply. If the exemption does not apply, a permit is required for any of the matters set out in Clause 52.06-3.
- A permit must not be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or this overlay.
- A permit must not be granted to provide some or all of the car parking spaces required under Clause 52.06-5 or this overlay on another site.
- A permit must not be granted to provide more than the maximum parking provision specified in a schedule to this overlay.
- A permit is not required under Clause 52.06-3.

**45.09-4**

19/04/2013  
VC95

**Number of car parking spaces required**

A schedule to this overlay may:

- Vary the car parking rate and measure for any use listed in Table 1 of Clause 52.06-5.
- Specify the car parking requirements for any use of land not listed in Table 1 of Clause 52.06-5.
- Specify maximum and minimum car parking requirements for any use of land.
- For any use listed in Table 1 of Clause 52.06-5, apply Column B in the Table to that use.

**45.09-5**

25/05/2017  
VC133

**Application requirements and decision guidelines for permit applications**

Before deciding on an application under Clause 52.06-3, in addition to the relevant decision guidelines in Clause 52.06-7, the responsible authority must consider, as appropriate:

- The parking objectives of the relevant schedule to this overlay.
- Any application requirements and decision guidelines specified in a schedule to this overlay.

**45.09-6**

19/04/2013  
VC95

**Financial contribution requirement**

A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.

A schedule must specify:

- The area to which the provisions allowing the collection of financial contributions applies.
- The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.
- When any contribution must be paid.
- The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives in section 4 of the Act.

**45.09-7**

25/05/2017  
VC133

**Requirements for a car parking plan**

A schedule to this overlay may specify additional matters that must be shown on plans prepared under Clause 52.06-8.

**45.09-8**

25/05/2017  
VC133

**Design standards for car parking**

A schedule to this overlay may specify:

- Additional design standards.
- Other requirements for the design and management of car parking.

Plans prepared in accordance with Clause 52.06-8 must meet any design standards and requirements specified in a schedule to this overlay.

**45.09-9**

25/05/2017  
VC133

**Decision guidelines for car parking plans**

Before deciding whether a plan prepared under Clause 52.06-8 is satisfactory, in addition to the decision guidelines in Clause 52.06-10, the responsible authority must consider, as appropriate, any other matter specified in a schedule to this overlay.

14/11/2019  
C244card

## SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY

Shown on the planning scheme map as **PO1**.

### PAKENHAM ACTIVITY CENTRE

#### 1.0

14/11/2019  
C244card

#### Parking objectives to be achieved

- To manage car parking equitably and efficiently across the Pakenham Parking Precinct Plan Area.
- To consolidate and improve existing car parks to maximise the sharing of parking supply between different land uses.
- To encourage and improve public car parking provision, sustainable transport provision and travel within and to the Pakenham Activity Centre.
- To identify and provide for the collection of financial contributions to contribute to the construction of publicly-accessible off-street parking facilities within the Pakenham Parking Precinct Plan Area.
- To spread the cost of providing and upgrading infrastructure on an equitable basis.

#### 2.0

14/11/2019  
C244card

#### Permit requirement

None Specified.

#### 3.0

14/11/2019  
C244card

#### Number of car parking spaces required

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

**Table: Car parking spaces**

Use	Rate	Measure
-----	------	---------

None specified

For all non-residential uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

#### 4.0

14/11/2019  
C244card

#### Application requirements and decision guidelines for permit applications

The following application requirements apply to an application for a permit under Clause 45.09, in addition to those specified in Clause 45.09 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An empirical car parking demand assessment, including the following:
  - A car parking plan including the number of car parking spaces provided currently on the land and wholly within title boundaries.
  - Any existing car parking reduction or waiver granted.
- Total maximum number of staff/patrons.
- Gross and net floor area of the existing use.
- Current hours of operation.
- Proposed hours of operation.

The following decision guidelines apply to an application for a permit under Clause 45.09, in addition to those specified in Clause 45.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Current and proposed hours of operation for the existing or proposed use.
- Gross and net floor area of the existing and proposed use.
- Details of any existing car parking reduction or waiver.

## 5.0

14/11/2019  
C244card

### Financial contribution requirement

Within the precinct defined in Map 1 in this schedule, the responsible authority may consider accepting a financial contribution in lieu of one or more car parking spaces required under Clause 45.09 and/or Clause 52.06.

Residential land uses excepting for camping and caravan parks, corrective institution, residential hotel, motel, hostel and group accommodation are exempt from paying the financial contribution.

The financial contribution rate is \$12,000.00 for each car space. The amount of contribution for each space specified above will be adjusted by the responsible authority on 1 July by applying the *Building Price Index (Melbourne)* in *Rawlinson's Australian Construction Handbook*. If that index is unavailable, an equivalent index will be applied by the responsible authority.

The financial contribution specified above must be made before the use or development commences unless a permit condition allows payments by instalments under the Section 173 agreement provisions of the *Planning and Environment Act 1987*. This agreement may provide for the payment of the contribution in instalments plus an interest component equivalent to the interest payable on unpaid rates and charges under the *Local Government Act 1989* and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.

Until the responsible authority is paid the financial contribution, the permit must contain one of the following two conditions:

Prior to the commencement of the use or development allowed under this permit a payment of \$12,000 (indexed annually by applying the *Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook*) must be paid to the responsible authority for each car parking space required, but not provided on the land.

or alternatively:

Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with the responsible authority in which the owner agrees to a payment of \$12,000 (indexed annually by applying the *Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook*) must be paid to the responsible authority for each car parking space required, but not provided on the land.

All funds collected by the responsible authority must be utilised on any of the following public parking projects contained in the Pakenham Parking Precinct Plan (June 2019):

- Action 7: Upgrade to the Council owned James Street Car Park as Stage 1 (ensuring that the any upgrade allows for the development of the site for commercial, at the ground floor, providing for decked car parking on top) lighting improvements and ongoing maintenance.
- Action 8: Upgrade to the Council owned Drake Place car park, undertaking lighting improvements and ongoing maintenance.
- Action 9: Progress conceptual planning and design for the James Street and Drake Place car park sites and prepare cost estimates for financial contributions.
- Action 10: Deliver improved access to public transport, pedestrian connections and wayfinding signage, cycling paths and lanes, and end of trip facilities.

**6.0 Requirements for a car parking plan**

14/11/2019  
C244card

None specified.

**7.0 Design standards for car parking**

14/11/2019  
C244card

None specified.

**8.0 Decision guidelines for car parking plans**

14/11/2019  
C244card

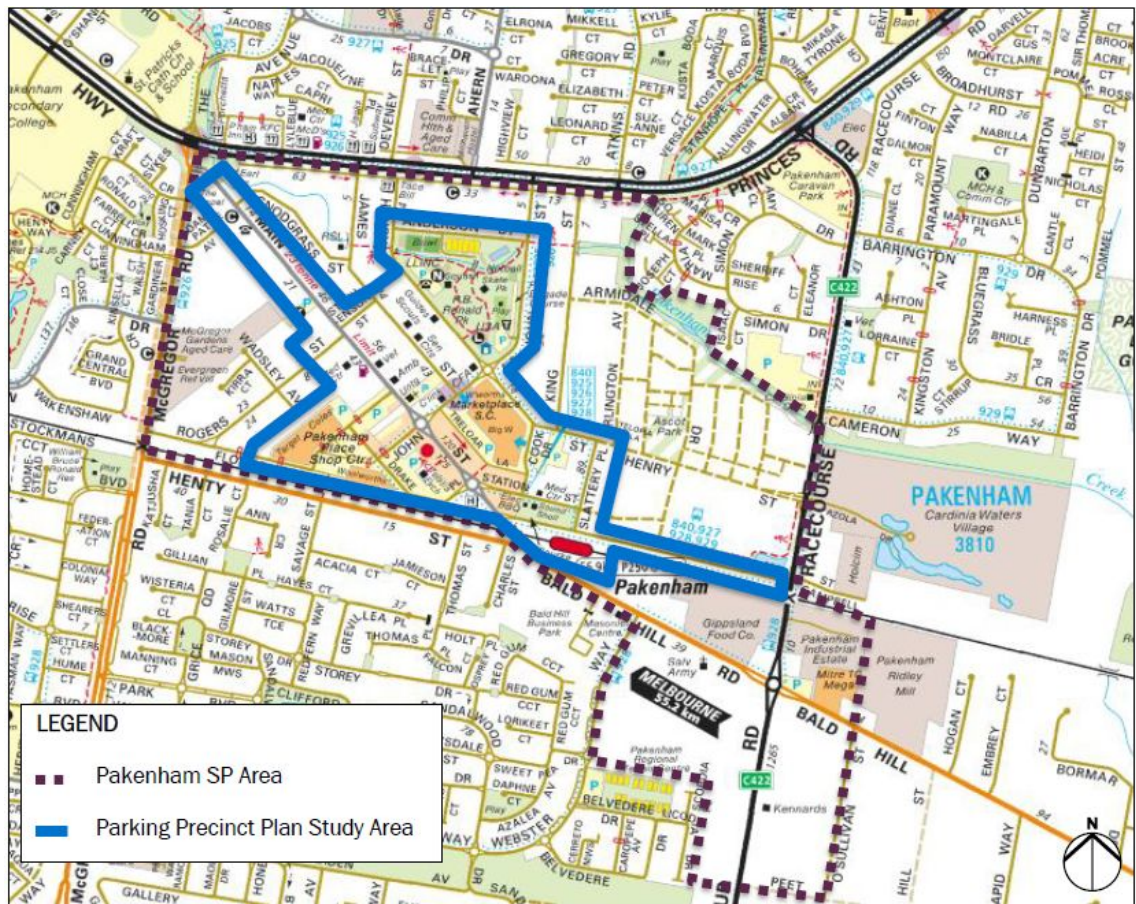
None specified.

**9.0 Background document**

14/11/2019  
C244card

*Pakenham Parking Precinct Plan (2019)*

Map 1 Schedule to Clause 45.09



06/03/2020  
C232card

**SCHEDULE 2 TO CLAUSE 45.09 PARKING OVERLAY**

Shown on the planning scheme map as **PO2**.

**OFFICER TOWN CENTRE**

**1.0**

06/03/2020  
C232card

**Parking objectives to be achieved**

To identify appropriate car parking rates for various uses within the Officer Town Centre.

**2.0**

06/03/2020  
C232card

**Permit requirement**

None specified.

**3.0**

06/03/2020  
C232card

**Number of car parking spaces required**

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

**Table: Car parking spaces**

Use	Rate	Measure
None specified		

For all other uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

**4.0**

06/03/2020  
C232card

**Application requirements and decision guidelines for permit applications**

None specified.

**5.0**

06/03/2020  
C232card

**Financial contribution requirement**

None specified.

**6.0**

06/03/2020  
C232card

**Requirements for a car parking plan**

None specified.

**7.0**

06/03/2020  
C232card

**Design standards for car parking**

None specified.

**8.0**

06/03/2020  
C232card

**Decision guidelines for car parking plans**

None specified.

**9.0**

06/03/2020  
C232card

**Background document**

*Officer Precinct Structure Plan September 2011 (Amended November 2019)* .

**45.11**

31/07/2018  
VC148

**INFRASTRUCTURE CONTRIBUTIONS OVERLAY**

Shown on the planning scheme map as **ICO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify the area where an infrastructure contributions plan applies for the purpose of imposing contributions for the provision of infrastructure.

To identify the infrastructure contribution imposed for the development of land.

**45.11-1**

15/05/2018  
VC146

**Infrastructure contributions plan**

A schedule to this overlay must specify the name of the infrastructure contributions plan to which it applies.

The requirements of the relevant infrastructure contributions plan incorporated into this scheme apply to the development of land covered by this overlay.

**45.11-2**

15/05/2018  
VC146

**Permit requirement**

A permit must not be granted to subdivide land, construct a building or construct or carry out works until an infrastructure contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant infrastructure contributions plan.
- Include any conditions required to give effect to any levies set out in the relevant schedule to this overlay.

**45.11-3**

15/05/2018  
VC146

**Monetary component**

A schedule to this overlay must specify, if applicable:

- The standard levy rate payable.
- The supplementary levy rate payable.

**45.11-4**

15/05/2018  
VC146

**Land component**

A schedule to this overlay must specify, if applicable:

- The infrastructure contributions plan land contribution percentage for each class of development.
- The parcel contribution percentage for each parcel of land in the infrastructure contributions plan area.
- The land credit amount or land equalisation amount in respect of each parcel of land in the infrastructure contributions plan area.

**45.11-5**

15/05/2018  
VC146

**Indexation**

A schedule to this overlay must specify:

- The method and timing of indexation to be applied to the standard levy rate and any supplementary levy rate of the monetary component.
- The method and timing of adjustment to be applied to the land credit amounts and land equalisation amounts of the land component.

**45.11-6**

20/03/2023  
VC229

**Land or development exempt from infrastructure contributions**

The following land or development of land is exempt from an infrastructure contribution:

- A non-government school.
- Housing provided by or on behalf of the Department of Families, Fairness and Housing.
- For any other land or development of land specified in a schedule to this overlay.

21/01/2021  
C251card

## SCHEDULE 1 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as **ICO1**.

### PAKENHAM EAST INFRASTRUCTURE CONTRIBUTIONS PLAN, JULY 2020

#### 1.0

21/01/2021  
C251card

#### Permit requirement

None specified.

#### 2.0

21/01/2021  
C251card

#### Monetary component – Standard levy

Class of development	Infrastructure category	Levy rate payable
Residential development	Community and recreation construction	\$109,361.11
	Transport construction	\$108,401.89
	<b>Total standard levy rate payable</b>	<b>\$217,763.00</b>
Commercial and Industrial development	Community and recreation construction	\$0
	Transport construction	\$126,713.00
	<b>Total standard levy rate payable</b>	<b>\$126,713.00</b>

#### 3.0

21/01/2021  
C251card

#### Monetary component – Supplementary levy

Class of development	Infrastructure category	Levy rate payable
None specified	None specified	None specified
	<b>Total supplementary levy rate payable</b>	<b>None specified</b>

#### 4.0

21/01/2021  
C251card

#### Infrastructure Contribution Plan (ICP) land contribution percentage

Class of development	ICP land contribution percentage
Residential	10.94%
Commercial and industrial	0.61%

#### 5.0

21/01/2021  
C251card

#### Land component

Precinct Structure Plan (PSP) parcel ID	Class of development	Parcel contribution percentage	Land credit amount	Land equalisation amount
1	Residential	0.00%	\$0.00	\$1,438,388.10
2	Residential	0.00%	\$0.00	\$1,548,601.60
3	Residential	0.00%	\$0.00	\$1,248,130.58
4	Residential	0.00%	\$0.00	\$773,351.45
5	Residential	0.00%	\$0.00	\$1,069,988.32
6	Residential	6.38%	\$0.00	\$2,655,152.90
7	Residential	1.17%	\$0.00	\$3,238,645.96

**CARDINIA PLANNING SCHEME**

<b>Precinct Structure Plan (PSP) parcel ID</b>	<b>Class of development</b>	<b>Parcel contribution percentage</b>	<b>Land credit amount</b>	<b>Land equalisation amount</b>
8	Residential	10.65%	\$0.00	\$188,094.27
9	Residential	30.84%	\$11,691,231.49	\$0.00
10	Residential	0.00%	\$0.00	\$501,520.53
11	Residential	0.00%	\$0.00	\$164,966.56
12	Residential	0.00%	\$0.00	\$0.00
13	Residential	0.00%	\$0.00	\$0.00
14	Residential	21.02%	\$10,410,021.35	\$0.00
15	Residential	0.00%	\$0.00	\$0.00
16	Residential	0.92%	\$0.00	\$242,839.75
17	Residential	0.00%	\$0.00	\$229,394.29
18	Residential	0.00%	\$0.00	\$248,307.55
19	Residential	0.00%	\$0.00	\$272,630.87
20	Residential	0.00%	\$0.00	\$296,205.12
21	Residential	0.00%	\$0.00	\$313,646.29
22	Residential	0.00%	\$0.00	\$316,853.87
23	Residential	0.00%	\$0.00	\$198,117.03
24	Residential	0.00%	\$0.00	\$130,788.84
25	Residential	0.00%	\$0.00	\$362,677.39
26	Residential	0.00%	\$0.00	\$301,979.09
27	Residential	0.00%	\$0.00	\$0.00
28	Residential	100.00%	\$2,571,080.55	\$0.00
29	Residential	16.30%	\$1,662,578.58	\$0.00
30	Residential	0.00%	\$0.00	\$3,511,807.52
31	Residential	8.78%	\$0.00	\$725,912.34
32	Residential	9.86%	\$0.00	\$150,336.51
33	Residential	10.06%	\$0.00	\$57,873.40
34	Residential	15.30%	\$5,110,838.51	\$0.00
35-E	Employment	0.00%	\$0.00	\$9,806.43
35-R	Residential	9.01%	\$0.00	\$933,652.10
36	Residential	4.64%	\$0.00	\$5,070,732.49
37	Residential	0.00%	\$0.00	\$200,068.94
38	Residential	3.18%	\$0.00	\$4,474,905.74
39	Residential	5.02%	\$0.00	\$1,931,816.59
40	Residential	45.86%	\$13,099,963.23	\$0.00
41	Residential	0.00%	\$0.00	\$0.00

## CARDINIA PLANNING SCHEME

Precinct Structure Plan (PSP) parcel ID	Class of development	Parcel contribution percentage	Land credit amount	Land equalisation amount
42	Residential	4.38%	\$0.00	\$3,774,128.78
43	Residential	14.57%	\$222,087.39	\$0.00
44	Residential	0.00%	\$0.00	\$558,175.63
45	Residential	0.00%	\$0.00	\$104,717.59
46	Residential	0.00%	\$0.00	\$316,209.01
47	Residential	0.00%	\$0.00	\$5,224,706.18
48	Residential	0.00%	\$0.00	\$100,941.17
49	Residential	8.07%	\$0.00	\$815,190.96
50	Residential	0.00%	\$0.00	\$1,066,539.39
51	Residential	0.00%	\$0.00	\$0.00
52	Residential	0.00%	\$0.00	\$0.00
53	Residential	0.00%	\$0.00	\$0.00
54	Residential	0.00%	\$0.00	\$0.00
R1 (Deep Creek Road)	Residential	0.00%	\$0.00	\$0.00
R2 (Dore Road)	Residential	0.00%	\$0.00	\$0.00
R3 (Mt. Ararat Nth Road)	Residential	0.00%	\$0.00	\$0.00
R4 (Princes Hwy)	Residential	0.00%	\$0.00	\$0.00
R5 (Ryan Road)	Residential	0.00%	\$0.00	\$0.00
R6 (Canty La)	Residential	0.00%	\$0.00	\$0.00
R7 (Unnamed)	Residential	0.00%	\$0.00	\$0.00
R8 (Mt. Ararat Sth Road)	Residential	0.00%	\$0.00	\$0.00

*Notes: Refer to Plan 01 of the incorporated Pakenham East Infrastructure Contributions Plan for PSP parcel ID numbers.*

### 6.0

21/01/2021  
C251card

### Method and timing of indexation – Standard levy rate

Infrastructure category	Indexation method	Timing
Community and recreation construction	Australian Bureau of Statistics Producer Price Index for Non-Residential Building Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year
Transport construction	Australian Bureau of Statistics Producer Price Index for Road and Bridge Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year

**7.0**21/01/2021  
C251card**Method and timing of indexation – Supplementary levy rate**

Infrastructure category	Indexation method	Timing
None specified	None specified	None specified

**8.0**21/01/2021  
C251card**Method and timing of adjustment – Land component**

Adjustment method	Timing
A revised estimate of inner public purpose land value report prepared in accordance with the methodology specified in the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans	1 July each third year
Relevant public land index prepared by Valuer-General Victoria for the 12 month period occurring immediately before the beginning of the financial year in respect of which the indexed rate is being determined	1 July each year a revised estimate is not being prepared

**9.0**21/01/2021  
C251card**Land or development exempt from payment of an infrastructure contribution**

- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Use and development for a non-government school.
- Use and development for accommodation provided by or on behalf of the Department of Health and Human Services.

*Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated Pakenham East Infrastructure Contributions Plan for full details.*

02/08/2024  
C273card

## SCHEDULE 2 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as **ICO2**.

### PAKENHAM SOUTH EMPLOYMENT INFRASTRUCTURE CONTRIBUTIONS PLAN, MAY 2023

#### 1.0

02/08/2024  
C273card

#### Permit requirement

None specified.

#### 2.0

02/08/2024  
C273card

#### Monetary component – Standard levy

Class of development	Infrastructure category	Levy rate payable
Commercial and Industrial development	Community and recreation construction	\$0
	Transport construction	\$129,862
	<b>Total standard levy rate payable</b>	<b>\$129,862</b>

#### 3.0

02/08/2024  
C273card

#### Monetary component – Supplementary levy

Class of development	Infrastructure category	Levy rate payable
None specified	None specified	None specified
	<b>Total supplementary levy rate payable</b>	<b>None specified</b>

#### 4.0

02/08/2024  
C273card

#### Infrastructure Contribution Plan (ICP) land contribution percentage

Class of development	ICP land contribution percentage
Commercial and Industrial	4.77%

#### 5.0

02/08/2024  
C273card

#### Land component

Precinct Structure Plan (PSP) parcel ID	Class of development	Parcel contribution percentage	Land credit amount	Land equalisation amount
1	Industrial	6.14%	\$1,636,465	\$0.00
2	Industrial	8.30%	\$2,936,697	\$0.00
3	Industrial	3.09%	\$0.00	\$70,466
4	Industrial	2.80%	\$0.00	\$2,100,402
5	Industrial	4.19%	\$0.00	\$2,402,292

#### 6.0

02/08/2024  
C273card

#### Method and timing of indexation – Standard levy rate

Infrastructure category	Indexation method	Timing
Transport	Australian Bureau of Statistics Producer Price Index for Road and Bridge Construction Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year

**7.0**

02/08/2024  
C273card

**Method and timing of indexation – Supplementary levy rate**

Infrastructure category	Indexation method	Timing
None specified	None specified	None specified

**8.0**

02/08/2024  
C273card

**Method and timing of adjustment – Land component**

Adjustment method	Timing
A revised estimate of inner public purpose land value report prepared in accordance with the methodology specified in the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans	1 July each third year
Relevant public land index prepared by Valuer-General Victoria for the 12 month period occurring immediately before the beginning of the financial year in respect of which the indexed rate is being determined	1 July each year a revised estimate is not being prepared

**9.0**

02/08/2024  
C273card

**Land or development exempt from payment of an infrastructure contribution**

- None specified.

*Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated Pakenham South Employment Infrastructure Contributions Plan for full details.*

27/02/2025  
C274card

**SCHEDULE 3 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY**

Shown on the planning scheme map as **ICO3**

**OFFICER SOUTH (EMPLOYMENT) INFRASTRUCTURE CONTRIBUTIONS PLAN NOVEMBER 2024**

**1.0**

27/02/2025  
C274card

**Permit requirement**

None specified

**2.0**

27/02/2025  
C274card

**Monetary component – Standard levy**

Class of development	Infrastructure category	Levy rate payable
Residential development	Community and recreation construction	\$109,088.00
	Transport construction	\$147,562.00
	<b>Total standard levy rate payable</b>	<b>\$256,650.00</b>
Commercial and Industrial development	Transport construction	\$147,562.00
	<b>Total standard levy rate payable</b>	<b>\$147,562.00</b>

**3.0**

27/02/2025  
C274card

**Monetary component – Supplementary levy**

Class of development	Infrastructure category	Levy rate payable
Residential development	Transport construction	\$117,632.14
	<b>Total supplementary levy rate payable</b>	<b>\$117,632.14</b>
Commercial and Industrial development	Transport construction	\$117,632.14
	<b>Total supplementary levy rate payable</b>	<b>\$117,632.14</b>

**4.0**

27/02/2025  
C274card

**Infrastructure Contribution Plan (ICP) land contribution percentage**

Class of development	ICP land contribution percentage
Residential development	23.16%
Commercial and Industrial development	5.68%

**5.0**

27/02/2025  
C274card

**Land component**

Precinct Structure Plan (PSP) parcel ID	Class of development	Parcel contribution percentage	Land credit amount	Land equalisation amount
OS-01	Employment	-	-	-
OS-02	Employment	-	-	\$1,489,632.32
OS-03	Employment	-	-	\$1,599,970.96
OS-04	Employment	-	-	-
OS-05	Employment	-	-	\$578,202.37

**CARDINIA PLANNING SCHEME**

<b>Precinct Structure Plan (PSP) parcel ID</b>	<b>Class of development</b>	<b>Parcel contribution percentage</b>	<b>Land credit amount</b>	<b>Land equalisation amount</b>
OS-06	Employment	-	-	\$192,227.65
OS-07	Employment	3.58%	-	\$1,530,854.99
OS-08	Employment	-	-	\$2,036,721.89
OS-09	Employment	-	-	\$233,046.06
OS-10	Employment	-	-	\$375,997.88
OS-11	Residential	10.29%	-	\$7,573,883.15
OS-12	Employment	6.17%	\$648,634.98	-
OS-13	Employment	-	-	\$155,585.52
OS-14	Employment	3.91%	-	\$716,607.93
OS-15	Employment	2.96%	-	\$932,706.98
OS-16	Employment	20.69%	\$4,673,873.00	-
OS-17	Employment	-	-	\$147,505.99
OS-18	Employment	-	-	\$2,321,292.84
OS-19	Employment	-	-	\$192,209.16
OS-20	Employment	16.41%	\$438,244.70	-
OS-21	Employment	2.87%	-	\$1,029,668.73
OS-22	Employment	3.70%	-	\$651,099.45
OS-23	Employment	1.74%	-	\$1,259,337.55
OS-24	Employment	7.48%	\$318,199.99	-
OS-25	Residential	15.10%	-	\$5,821,275.67
OS-26	Employment	100.00%	\$179,217.10	-
OS-28	Employment	6.36%	\$1,480,032.05	-
OS-29	Employment	4.16%	-	\$83,681.88
OS-30E	Employment	8.11%	\$1,819,981.28	-
OS-30R	Residential	38.54%	\$5,769,038.85	-
OS-31E	Employment	12.50%	\$4,961,631.44	-
OS-31R	Residential	62.14%	\$15,166,274.01	-
OS-32	Employment	1.37%	-	\$13,393,146.27
OS-33	Employment	100.00%	\$235,811.97	-
OS-34	Employment	99.12%	\$377,096.56	-
OS-35	Employment	-	-	\$3,987,357.68
OS-36	Employment	12.15%	\$12,432,097.64	-
OS-37	Employment	9.88%	\$2,965,837.45	-
OS-38	Employment	-	-	-
OS-39	Employment	21.62%	\$10,752,549.14	-

**CARDINIA PLANNING SCHEME**

<b>Precinct Structure Plan (PSP) parcel ID</b>	<b>Class of development</b>	<b>Parcel contribution percentage</b>	<b>Land credit amount</b>	<b>Land equalisation amount</b>
OS-40	Employment	26.73%	\$5,766,124.04	-
OS-41	Employment	2.34%	-	\$2,585,142.01
OS-42	Employment	-	-	\$324,025.73
OS-43	Employment	-	-	\$896,293.39
OS-44	Employment	2.85%	-	\$3,367,910.06
OS-45	Employment	-	-	\$4,670,591.55
OS-46	Employment	-	-	\$3,254,548.05
OS-47	Employment	-	-	\$1,202,363.05
OS-48	Employment	2.37%	-	\$4,732,960.57
OS-49	Employment	-	-	-
OS-50	Employment	-	-	-
OS-51	Employment	-	-	-
OS-52	Employment	-	-	-
OS-53	Employment	-	-	-
OS-54	Employment	-	-	-
OS-55	Employment	-	-	-
OS-56	Employment	-	-	-
OS-57	Employment	-	-	-
OS-58	Employment	-	-	-
OS-59	Employment	-	-	-
OS-60	Employment	-	-	-
OS-R1	Employment	-	-	\$524,170.11
OS-R2	Employment	-	-	\$124,626.77
OS-R3	Residential	-	-	-
OS-R4	Employment	-	-	-
OS-R5	Employment	-	-	-
OS-R6	Employment	-	-	-

Note: Refer to Plan 01 of the incorporated Officer South (Employment) Infrastructure Contributions Plan for PSP parcel ID numbers.

**6.0**

27/02/2025  
C274card

**Method and timing of indexation – Standard levy rate**

<b>Infrastructure category</b>	<b>Indexation method</b>	<b>Timing</b>
Community and recreation construction	Australian Bureau of Statistics Producer Price Index for Non-Residential Building Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year

Infrastructure category	Indexation method	Timing
Transport construction	Australian Bureau of Statistics Producer Price Index for Road and Bridge Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year

## 7.0

27/02/2025  
C274card

### Method and timing of indexation – Supplementary levy rate

Infrastructure category	Indexation method	Timing
Transport construction	Australian Bureau of Statistics Producer Price Index for Road and Bridge Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)	1 July each year

## 8.0

27/02/2025  
C274card

### Method and timing of adjustment – Land component

Adjustment method	Timing
A revised estimate of inner public purpose land value report prepared in accordance with the methodology specified in the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans	1 July each year
Relevant public land index prepared by Valuer-General Victoria for the 12 month period occurring immediately before the beginning of the financial year in respect of which the indexed rate is being determined	1 July each year a revised estimate is not being prepared

## 9.0

27/02/2025  
C274card

### Land or development exempt from payment of an infrastructure contribution

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Use and development for accommodation provided by or on behalf of the Department of Health and Human Services.
- Use and development associated with the freeway service centre at 94 Princes Freeway, Officer 3809 (Lot 1 on PS602632 in certificate of title volume 11131 folio 091).

*Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated infrastructure contributions plan for full details.*

**45.12**04/05/2022  
VC210**SPECIFIC CONTROLS OVERLAY**

Shown on the planning scheme map as **SCO** with a number.

**Purpose**

To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

**45.12-1**31/07/2018  
VC148**Use or development**

Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

**45.12-2**31/07/2018  
VC148**Expiry of a specific control**

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

**SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY****1.0****Specific controls**

<b>PS Map Ref</b>	<b>Name of incorporated document</b>
SCO1	Monash Freeway Upgrade Project (Stage 2) Incorporated Document, August 2018
SCO2	Site specific control – Lots 1-3 LP 41796, 100 Beaconsfield-Emerald Road, Beaconsfield, December 2008
SCO3	Site Specific control under the Schedule to Clause 51.01 of the Cardinia Planning Scheme Lot B PS443268J Dixons Road, Cardinia February 2008
SCO4	Site Specific Control – Lot 9 LP65205, 22-30 Downey Road, Dewhurst, October 2011
SCO5	Site specific control CA85, 8 Drake Court, Bunyip September 2013
SCO6	Site Specific Control - Lot 1 PS301568Q No. 322 Brown Road, Officer. September 2014
SCO7	Site specific control - Lot 3 LP90591, 20 Split Rock Road, Beaconsfield Upper, October 2014
SCO8	Site specific control - 16 Beaconsfield-Emerald Road, Emerald (Lot 1 PS 702042V) July 2015
SCO10	Healesville-Koo Wee Rup Road (Princes Freeway to Manks Road) Incorporated Document, December 2019
SCO13	Gippsland Line Upgrade - Corridor Works Incorporated Document, November 2019
SCO14	Officer South Employment Development Staging Incorporated Document, December 2024