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SCHEDULE 5 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ5** .

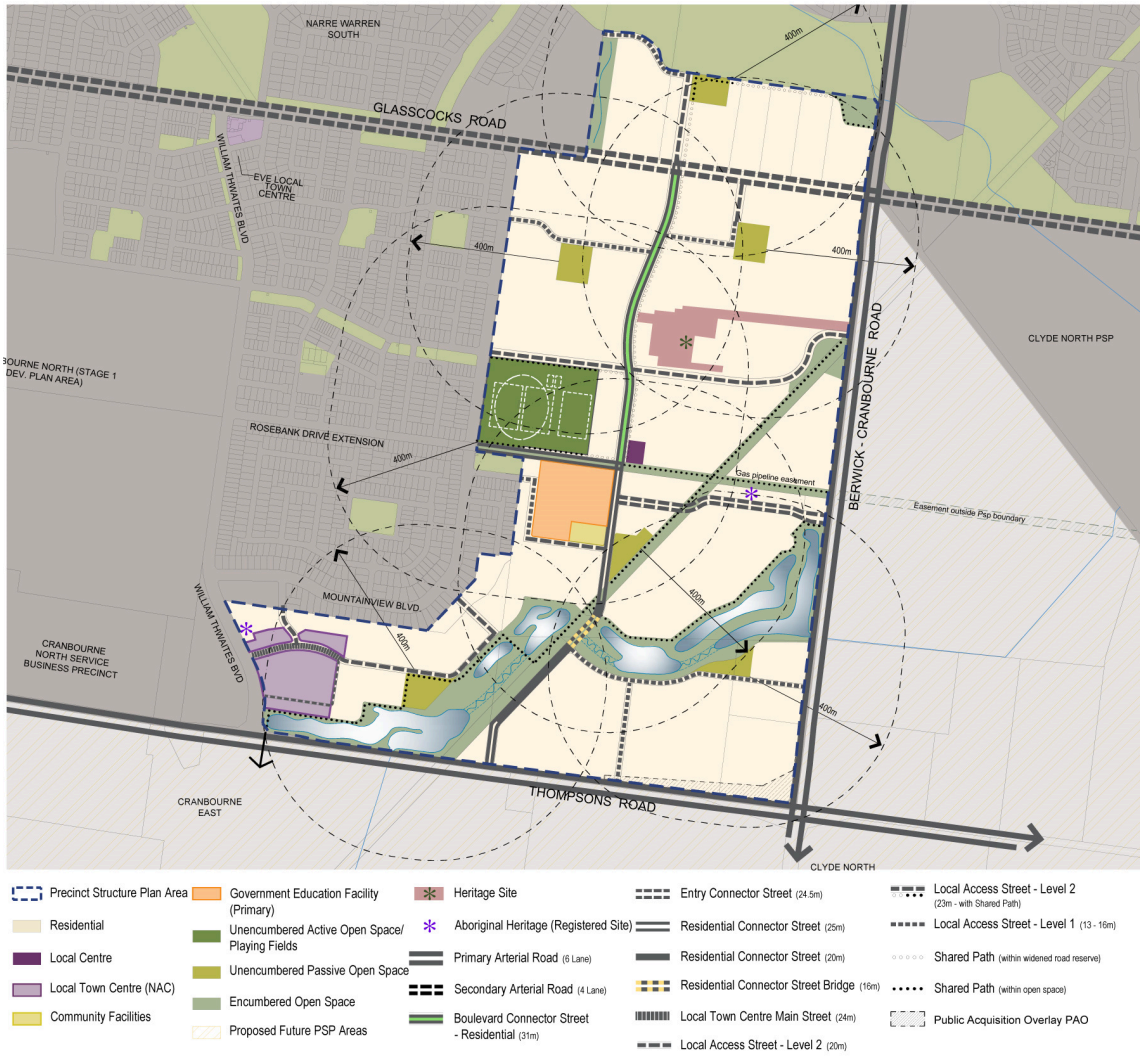
CRANBOURNE NORTH STAGE 2 PRECINCT STRUCTURE PLAN

1.0 The Plan

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Plan 1 to Schedule 5 to Clause 37.07 shows the Future Urban Structure for the *Cranbourne North Stage 2 Precinct Structure Plan* . It is a reproduction of Plan 5 in the *Cranbourne North Stage 2 Precinct Structure Plan* .

Plan 1 to Schedule 5 to Clause 37.07



2.0 Use and development

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2.1 The Land

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The use and development provisions specified in this schedule apply to the land as shown as Cranbourne North Stage 2 Precinct Structure Plan Area in Plan 1 of this Schedule and zoned as Urban Growth Zone 5.

2.2 Applied zone provisions

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The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building, and construction and carrying out of works, by reference to Plan 1 of this schedule.

Table 1: Applied zone provisions

Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land	Applied zone provisions
Local Town Centre/Local Centre	Clause 34.01 – Commercial 1 Zone
All other land in the precinct	Clause 32.08 – General Residential Zone

The precise boundary of the Commercial 1 Zone for the local centre will be determined by the designation of land in a relevant plan of subdivision as a local centre to the satisfaction of the responsible authority.

The precise boundary of the Commercial 1 Zone associated with the Local Town Centre will be determined by the designation of land in a relevant plan of subdivision as a local centre to the satisfaction of the responsible authority.

2.3 Specific provisions – Use of land

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The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Office where the applied zone is General Residential Zone	A permit may be granted to use land for an office if the leasable floor area does not exceed 100 square metres.
Shop where the applied zone is Commercial 1 Zone	A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds: 5400 square metres for the land shown as the Local Town Centre in the incorporated Cranbourne North Stage 2 Precinct Structure Plan. 1000 square metres for the land shown as the Local Centre in the incorporated Cranbourne North Stage 2 Precinct Structure Plan.

2.4 Specific provisions - Subdivision

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None specified.

2.5 Specific provisions - Buildings and works

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Construction of single dwellings on small lots

A permit is not required to construct one dwelling on a lot of between 250 square metres and 300 square metres where an approved building envelope (as defined in Part 5 of the Building Regulations 2018) applies to the lot.

A permit is not required to construct a front fence within 3 metres of a street on a lot of between 250 and 300 square metres provided that the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

Or

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

- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) applies and the development complies with the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) incorporated into this planning scheme.

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

2.6 Specific provisions - Use and development of future public land

A permit is not required to use or develop land shown in the *Cranbourne North Stage 2 Precinct Structure Plan* as local park, local sports reserve or community facilities provided the development is carried out generally in accordance with the *Cranbourne North Stage 2 Precinct Structure Plan* and with the prior written consent of the responsible authority.

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Application requirements

Subdivision Applications - General

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

- Any design response or guidelines adopted for the area by Casey City Council.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- The anticipated overall staging of the subdivision.
- A hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of development on groundwater.
- A Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).

Subdivision Applications – Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works.
- The provision, staging and timing of stormwater drainage works.
- The provision, staging and timing of roadworks internal and external to the land consistent with any relevant traffic report or assessment.
- The landscaping of any land.
- What if any infrastructure set out in the Development Contributions Plan applying to the land is sought to be provided as "works in lieu" subject to the consent of Casey City Council.
- The provision of public open space and land for any community facilities.
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.
- Where the developer does not facilitate the construction of the connector street bridge and associated works, the owner of the land must enter into a Section 173 Agreement to provide for the construction of the bridge and associated works, to the satisfaction of the Responsible Authority.

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

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Conditions and requirements for permits

General requirements

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the *Cranbourne North Stage 2 Precinct Structure Plan* and the Cranbourne North Stage 2 Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must, if required, enter into an agreement, or agreements, under Section 173 of the Act which specifies the infrastructure required to be provided as part of the development. The agreement must give affect to the approved Public Infrastructure Plan.

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

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

- Before the plan of subdivision is certified under the *Subdivision Act 1988* , a plan must be approved and endorsed by the responsible authority, that identifies the lots to which:

  – type A or type B of the *Small Lot Housing Code* (Victorian Planning Authority, 2019) applies; or

  – type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies

  to the satisfaction of the responsible authority.

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

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

Before a plan is certified for a subdivision (or a relevant stage of a subdivision) where building envelopes are proposed, each lot between 250 square metres and 300 square metres in area must contain a building envelope (in accordance with Part 5 of the Building Regulations 2018) to the satisfaction of the responsible authority.

If an approved building envelope applies to a lot between 250 – 300 square metres under section 2.5 of this schedule a planning permit must contain a condition that requires the approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987* that is registered on the title to the land. The restriction or the agreement must provide for:

- The building envelope to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside of a building envelope only with the consent of the responsible authority.
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

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

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

Land required for community facilities, as set out in the *Cranbourne North Stage 2 Precinct Structure Plan* or the *Cranbourne North Stage 2 Precinct Structure Plan Development Contributions Plan* , must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Cranbourne North Precinct Structure Plan Development Contributions Plan* .

Land required for public open space as a local or district park, as set out in the *Cranbourne North Stage 2 Precinct Structure Plan* or the *Cranbourne North Precinct Structure Plan Development Contributions Plan* , must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Cranbourne North Precinct Structure Plan Development Contributions Plan* .

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be referred to or vested in Council at no cost to the acquiring agency unless funded by the *Cranbourne North Precinct Structure Plan Development Contributions Plan* .

Construction of connector road bridge between properties 9 and 11 in the Cranbourne North Stage 2 Precinct Structure Plan

Unless arrangements for the construction of the connector road bridge shown in the *Cranbourne North Stage 2 Precinct Structure Plan* have been made to the satisfaction of the responsible authority, a permit for subdivision of land shown as property 9 or property 11 must provide for the construction of the bridge or include a requirement that the owner of the land under permit enter into an agreement under Section 173 of the *Planning and Environment Act 1987* to contribute towards the construction of the bridge.

Environmental remediation at 1085, 1095 or 1135 Glasscocks Road

Prior to the commencement of any use for a sensitive purpose or prior to any buildings or works or the certification of a subdivision, whichever is earlier, of or in respect of all or that part of the land as the case may be, the following must be provided to the responsible authority, either:

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

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

- Ongoing compliance with all conditions in the State by the Environmental Auditor; and
- The responsible authority's reasonable legal costs and expenses of drafting/reviewing and registering the agreement.

5.0 Exemption from notice and review

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

6.0 Decision guidelines

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None specified.

7.0 Signs

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

A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone provided:

- The application for a permit is lodged concurrently with an application for buildings and works for an office on the same land.
- The sign is not illuminated
- No fittings or wiring are visible from adjacent streets or properties.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.