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SCHEDULE 7 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ7**.

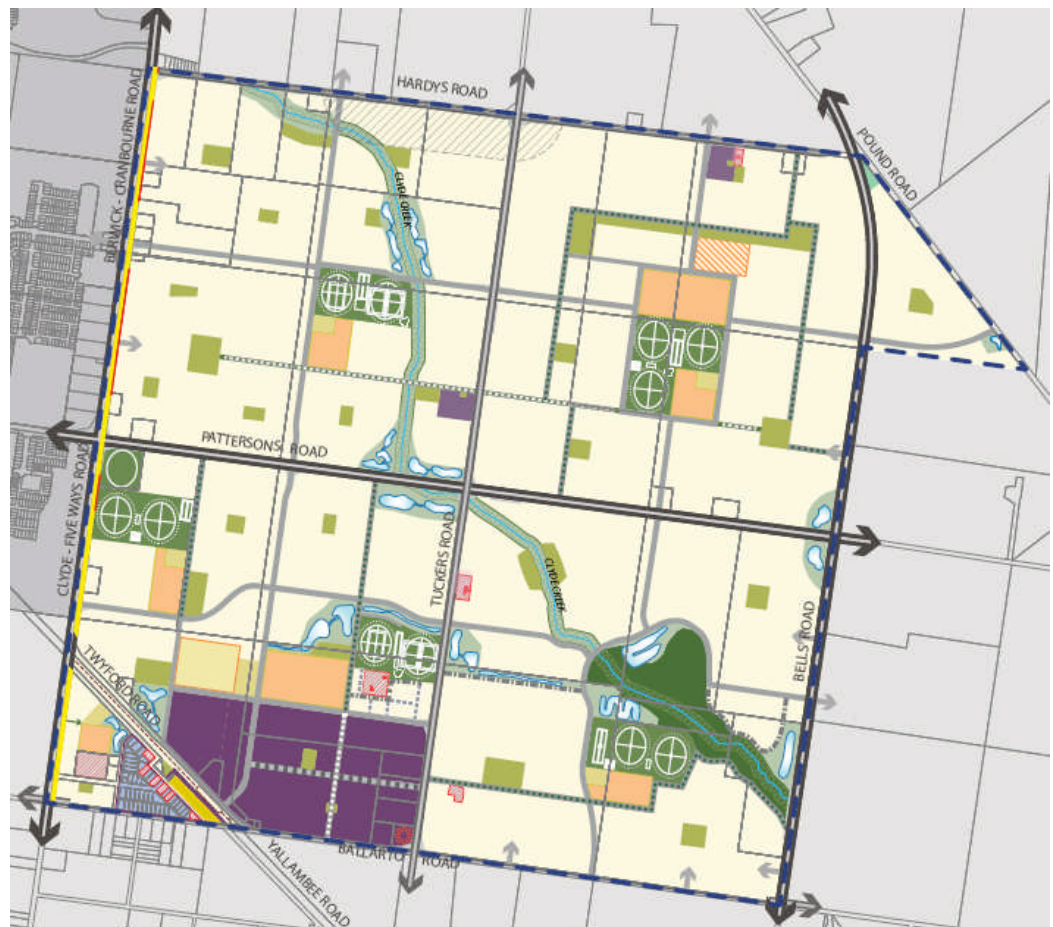
Clyde Creek Precinct Structure Plan

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The Plan

Map 1 shows the future urban structure proposed in the *Clyde Creek Precinct Structure Plan*. It is a reproduction of Plan 2 in the *Clyde Creek Precinct Structure Plan*.

Map 1 to Schedule 7 to Clause 37.07



- | | | | |
|-------------------------------------|-----------------------------------------------|------------------------------------------------------------|--------------------------------------|
| precinct boundary | potential CFA location | tree reserve | access level 1 street |
| property boundaries | local parks (via Clause 52.01) | Clyde Creek | major town centre main street |
| residential | local sports fields (via DCP) | overland flow path | future urban |
| major town centre | waterway corridor 60m | primary arterial road (6 lane) | existing urban |
| local town centre | wetland/retarding basin open space | secondary arterial road (4 lane) | potential future rail line & station |
| potential government school | existing local sports fields | connector street | existing PAO |
| potential non-govt school | GGF conservation area | high street - major town centre | proposed PAO |
| community facility | quarry recommended separation distance (220m) | access level 2 street | intersection flaring |
| indoor sports facility | Clyde township area not included in the PSP | access level 2 street w/ green link | |
| heritage | existing VicTrack land (outside rail line) | access level 2 street w/ green link & wider path | |
| heritage building / existing school | | access level 2 street left in/left out indicative location | |

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 within the 'precinct boundary' on Map 1 and shown as UGZ7 on the planning scheme maps.

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, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

Land use or development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land	Applied zone provisions
Major Town Centre	Clause 34.01 – Commercial 1 Zone
Local Town Centre	
Convenience Centre	
Arterial Road	Clause 36.04 – Road Zone – Category 1
Connector Street	Clause 36.04 – Road Zone – Category 2
All other land	Clause 32.07 – Residential Growth Zone 1

2.3 Reference to a planning scheme zone is a reference to an applied zone

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A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The General Residential Zone specifies 'Car wash' as a Section 2 Use with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land'.

2.4 Specific provision – Use and development of future public land

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A permit is not required to use or develop land shown in the *Clyde Creek Precinct Structure Plan* as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the *Clyde Creek Precinct Structure Plan* and with the prior written consent of City of Casey.

2.5 Specific provisions – Use of land

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Table 2: Use

Use	Requirement
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: <ul style="list-style-type: none"> 50,000 square metres for land shown as a major town centre in the incorporated

Use	Requirement
	<p>Clyde Creek Precinct Structure Plan.</p> <ul style="list-style-type: none"> ▪ 5,000 square metres for land shown as the Hardys Road local town centre in the incorporated Clyde Creek Precinct Structure Plan. <p>5,000 square metres for land shown as the Tuckers Road local town centre in the incorporated Clyde Creek Precinct Structure Plan.</p>
Primary School	<p>A permit is not required to use land for a Primary school on land shown as Potential Non Government Primary School. A permit is not required to use land for a Primary school on land shown as Potential Non Government Primary School.</p>

2.6 Specific provisions – Construction of single dwellings on small lots

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A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Casey Planning Scheme.

Or;

A permit is not required to construct one dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is required to construct a front fence within 3 metres of a street unless the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

2.7 Specific provision – Buildings and works for a school

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A permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a non government school unless exempt under Clauses 62.02-1 and 62.02-2.

2.8 Specific provisions – Major Town Centre Urban Design Framework

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Except with the consent of the responsible authority and the Growth Areas Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as the Clyde Major Town Centre until an urban design framework for the centre has been prepared to the satisfaction of the responsible authority and the Growth Areas Authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land shown as the Clyde Major Town Centre must be consistent with any urban design framework approved under this schedule.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the Responsible Authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives for the Major Town Centre as set out in the Clyde Creek Precinct Structure Plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the responsible authority and the Growth Areas Authority.

2.9 Specific provision – Referral of applications – Clyde Major Town Centre

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An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of \$500,000) on land in the Clyde Major Town Centre and within the local town centres must be referred in accordance with section 55 of the *Planning and Environment Act 1987* to the Growth Areas Authority.

2.10 Specific provisions – Referral of applications – Hardys Road Quarry

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An application to develop land for a sensitive use within 220 metres of the property boundary of the land containing the Hardys Road Quarry, 415 Tuckers Road and 105 Hardys Road, Clyde North subject to Work Authority 190 (WA190) under the *Mineral Resources (Sustainable Development) Act 1990*, must be referred to the Department of State Development, Business and Innovation (DSDBI). DSDBI may restrict or prevent development within 220 metres of the Work Authority 190 boundary whilst Work Authority is current. The application must be referred to the Program Manager - Planning in the Earth Resources Regulation Branch at the Department of State Development, Business and Innovation.

3.0 Application requirements

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

3.1 Subdivision - residential development

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In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields;
- A demonstration of how the property will contribute to the achievement of the residential density outcomes in the Precinct Structure Plan applying to the land;
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories and colours outlined in Table 2 – Lot Size and Housing Type Guide in the *Clyde Creek Precinct Structure Plan*; and
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

3.2 Public Infrastructure Plan

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

- a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water;
- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;

- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what if any infrastructure set out in the Clyde Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of City of Casey;
- the provision of public open space and land for any community facilities; and
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

3.3 Traffic Impact Assessment

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An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or City of Casey, as required.

3.4 Environmental Site Assessment

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An application to subdivide land, use or develop land for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of 'Preliminary environmental contamination assessment - Clyde Creek & Thompsons Road, Clyde (PSP 53 & PSP 54)' (Beveridge Williams, January 2013) and provides information including:

- Further detailed assessment of potential contaminants on the relevant land;
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note June 2005, DSE*;
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and
- Recommended remediation actions for any potentially contaminated land.

3.5 Groundwater Assessment

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An application to subdivide land, use or develop land must be accompanied by 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.

4.0 Conditions and requirements for permits

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Refer to the Precinct Structure Plan applying to the land.

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Advertising signs

The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

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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 advertisement 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; and
- the sign is setback a minimum of 750mm from the property boundary.

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

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Decision guidelines

Before deciding on an application to use land for a shop on land shown as a town centre in the incorporated Clyde Creek Precinct Structure Plan the responsible authority must consider:

- The local catchment and PSP catchment demand for the proposed increase of retail floor area; and
- The affect on existing and future major town centres within Clyde and Clyde North.