SCHEDULE 4 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ4.

OFFICER PRECINCT STRUCTURE PLAN SEPTEMBER 2011 (AMENDED NOVEMBER 2019)
- OFFICER TOWN CENTRE

1.0

The Plan

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

Plan 1 of Schedule 4 to Clause 37.07

2.0

Use and development

The Land

The use and development provisions specified in this schedule apply to the land shown in Plan 2 of this schedule and shown as UGZ4 on the planning scheme maps.
Applied zone provisions

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

Note: e.g. The Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a 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’.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land shown on Plan 2 of this schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation land</td>
<td>Clause 36.03 - Public Conservation and Resource Zone</td>
</tr>
<tr>
<td>Land shown on Plan 2 of this schedule</td>
<td>Applied zone provisions</td>
</tr>
<tr>
<td>Core</td>
<td>Clause 34.01 - Commercial 1 Zone</td>
</tr>
<tr>
<td>Land shown on Plan 2 of this schedule</td>
<td>Applied zone provisions</td>
</tr>
<tr>
<td>Gateway</td>
<td>Clause 34.02 - Commercial 2 Zone</td>
</tr>
<tr>
<td>Land shown on Plan 2 of this schedule</td>
<td>Applied zone provisions</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 - Mixed Use Zone</td>
</tr>
<tr>
<td>Land shown on Plan 2 of this schedule</td>
<td>Applied zone provisions</td>
</tr>
<tr>
<td>Residential</td>
<td>Clause 32.07 – Residential Growth Zone</td>
</tr>
<tr>
<td>Land shown on Plan 2 of this schedule</td>
<td>Applied zone provisions</td>
</tr>
</tbody>
</table>
Local Business Clause 34.01 - Commercial 1 Zone

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

<table>
<thead>
<tr>
<th>Applied zone</th>
<th>Public land manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Conservation and Resource Zone (adjacent to Gum Scrub Creek)</td>
<td>Melbourne Water or Cardinia Shire Council</td>
</tr>
<tr>
<td>Public Conservation and Resource Zone (all other land)</td>
<td>Cardinia Shire Council</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Corrective institution and Rooming house) where the applied zone is Commercial 1 Zone</td>
<td>Must not be on land within the ‘separation distance’ area from the existing HyGain Feeds Mill site at 10-20 Hickson Rd, Officer shown on Plan 2 of this Schedule and Figure 6 in the incorporated Officer Precinct Structure Plan; and</td>
</tr>
<tr>
<td>Child care centre where the applied zone is Commercial 1 Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Education centre (other than Child care centre) where the applied zone is Commercial 1 Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Informal outdoor recreation where the applied zone is Commercial 1 Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Rooming house where the applied zone is Commercial 1 Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Bed and breakfast where the applied zone is Mixed Use Zone</td>
<td>Must not be on land within the ‘separation distance’ area from the existing HyGain Feeds Mill site at 10-20 Hickson Rd, Officer shown on Plan 2 of this Schedule and Figure 6 in the incorporated Officer Precinct Structure Plan; and</td>
</tr>
<tr>
<td>Community care accommodation where the applied zone is Mixed Use Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Dependent person’s unit where the applied zone is Mixed Use Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) where the applied zone is Mixed Use Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Informal outdoor recreation where the applied zone is Mixed Use Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Residential aged care facility where the applied zone is Mixed Use Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Rooming house where the applied zone is Mixed Use Zone</td>
<td>Must meet the conditions associated with these land uses under Section 1 of Clause 34.01-1.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use listed in Section 1 in the Table of uses of the applicable applied zone.</td>
<td></td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Industry (other than Service industry and Research and development centre) where the applied zone is Mixed Use Zone</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Section 3 in the Table of uses of the applicable applied zone</td>
<td></td>
</tr>
</tbody>
</table>

Use of land within HyGain ‘Separation distance’

The use of the land for accommodation, education centre and informal recreation facility within the identified ‘separation distance’ must not be located in areas where their amenity may be detrimentally affected by the HyGain Feeds Mill Site through noise, dust and odour emissions.

2.4

Specific provisions - Subdivision

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

2.5

Specific provisions - Buildings and works

Construction of one dwelling on a lot with an area under 300 square metres

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

Buildings and Works associated with a dwelling:

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

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

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

Modification or removal of Existing Turkeys Nest Dams

A permit is required for buildings and works associated with the modification or removal of any existing waterbody on Lot 1 TP134961.

Urban Design Framework

Except with the consent of the responsible authority and the Victorian Planning Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works until an urban design framework for the area has been prepared to the satisfaction of the responsible authority and the Victorian Planning Authority.

An urban design framework approved under this schedule must be generally in accordance with the incorporated Officer Precinct Structure Plan.
An application for use and/or development on land identified 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 and the Victorian Planning Authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives in the incorporated Officer 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 Victorian Planning Authority.

**Public transport requirements**

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

- A road nominated on Plan 17 – Public Transport in the incorporated Officer Precinct Structure Plan as a potential bus route is constructed in accordance with its corresponding cross section in the incorporated Officer Precinct Structure Plan;
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the incorporated Officer Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport;
- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of the bus stops shown on Plan 16 – Public Transport in the incorporated Officer Precinct Structure Plan, including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002) at no cost to the Director of Public Transport, all to the satisfaction of the Director of Public Transport.

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

**Application requirements**

The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

**General Subdivision**

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

- Details of the proposed use and development of each part of the land.
- A table setting out:
  - the amount of land allocated for the proposed uses; and
  - the mix of lot sizes.
- An indication of staging of subdivision and timing.
- Details of how the road connections, open space, pedestrian and bicycle linkages and drainage networks of the proposed development integrates with and responds to existing and planned developments on adjacent sites.
- Details of how the land use pattern and urban structure provides appropriate buffers between sensitive land uses, in terms of open space, road reserves and landscape treatments.

- Include a Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).

- The proposed road and street network, including pedestrian and cycling routes, intersection treatments, proposed bus routes and the interface treatment with arterial roads.

- A plan showing access arrangements for properties adjacent to all existing and future arterial roads.

- A Public Infrastructure Plan which addresses:
  - The extent of any stormwater drainage works and road works proposed or required under this permit.
  - The land which is required to be set aside for infrastructure identified in the incorporated Officer Development Contributions Plan or the incorporated Officer Precinct Structure Plan including land required for public open space and community facilities and any proposed reconciliation payment in respect of the land having regard to its value set out in the incorporated Officer Development Contributions Plan.
  - An estimate of the extent of equalisation which is required in respect of public open space to be provided having regard to the incorporated Officer Precinct Structure Plan and the incorporated Officer Development Contributions Plan.
  - Subject to the consent of the Collecting Agency, any infrastructure works set out in the incorporated Officer Development Contributions Plan which can be provided “in lieu” of development contributions in accordance with the incorporated Officer Development Contributions Plan.
  - The effects of the provision of infrastructure on the land or any other land.
  - Any other relevant matter related to the provision of infrastructure reasonably required by the responsible authority.

- An overall landscape concept for the development. This should be consistent with best practice Water Sensitive Urban Design techniques.

- A hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development.

- An approved Cultural Heritage Management Plan that is endorsed by the future public land manager/s of any reserve to be created as part of the development or advice from a suitably qualified cultural heritage professional that confirms that a Cultural Heritage Management Plan is not required. This requirement may not be waived.

- A Site Management Plan that addresses bushfire risk during, and where necessary, after construction, which is approved by the responsible authority. The plan must specify, amongst other things:
  - The staging of development and the likely bushfire risks at each stage;
  - An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed to enable the development, on completion, to achieve a BAL-12.5 rating under AS3959-2009;
  - The land management measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape to protect residents and property from the threat of grassfire and bushfire;
  - Demonstrate how the buffer land parcel will be developed/managed at the completion of the development to ensure that any vegetation with the buffer meets the requirements; and
- How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

Residential Subdivision

In addition to the general subdivision requirements, an application that includes subdivision of land shown as ‘Residential’ where the applied zone is Residential Growth Zone, ‘Mixed use’ where the applied zone is Mixed Use Zone, ‘Local Business’ where the applied zone is ‘Commercial 1’ and ‘Core’ where the applied zone is ‘Commercial 1’ on Plan 2 of this Schedule, must:

- include an overall masterplan for all land in contiguous ownership of the landowner demonstrating the lot yield, diversity and distribution across the subject area, consistent with the principles outlined in the incorporated Officer Precinct Structure Plan.

- demonstrate how the proposed subdivision layout meets the requirements of Clause 56 (other than an application to subdivide land into lots each containing an existing dwelling or car parking space).

to the satisfaction of the responsible authority.

Buildings and works

All applications for buildings and works must be accompanied by following information to the satisfaction of the responsible authority:

- A Transport Impact Assessment Report to the satisfaction of the relevant roads authority.

- An overall landscape concept, including location of private open space of surrounding properties and the location of trees, fences and other landscape elements.

All applications for buildings and works (other than dwellings and residential buildings) must be accompanied by a design response report that demonstrates the following:

- how the layout and design of buildings contributes towards an attractive and safe public realm environment and complements adjacent uses, addressing active frontages, site servicing, car parking, lighting, landscaping and signage.

- how the design of buildings, including heights, massing and articulation, contributes to an attractive and cohesive built form environment, a diverse, interesting and complementary architectural form and responds to surrounding land uses.

- location and height of existing and proposed buildings on the site and surrounding properties.

- traffic and pedestrian circulation through and around the site.

- surrounding land uses.

If the responsible authority is satisfied that a requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Sustainability statement requirements

An application for subdivision of 60 or more lots, or to construct a building in the areas shown as ‘Gateway’ and ‘Core’ on Plan 2 of this Schedule must be accompanied by a Sustainability Statement as set out in the incorporated Officer Precinct Structure Plan.

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

Specific requirements – Lot 1 TP134961 (PSP Property Number 217)

Any application to remove and/or modify the existing turkey nest dams on Lot 1 TP134961 (Princes Highway, Officer) shown as ‘Existing Turkeys Nest Dams (Growling Grass Frog Habitat)’ on Plan 13 of the incorporated Officer Precinct Structure Plan must include written approval from the Commonwealth Department of Sustainability Environment Water Population and Communities.
**HyGain separation distance area**

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

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

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

**Buildings and Works associated with the HyGain Feeds facility**

An application for buildings and works associated with the existing HyGain Feeds facility at 10-20 Hickson Road, Officer must be accompanied by a report which identifies all potential adverse amenity impacts to nearby uses and consider, as appropriate:

- Whether the proposed buildings and works are likely to increase the potential for adverse amenity impacts to existing nearby land uses, in particular the impact of:
  - Odour; and / or
  - Dust.
- Whether the proposed buildings and works are likely to cause adverse amenity impacts to future land uses in accordance with the incorporated Officer Precinct Structure Plan, in particular by the impact of:
  - Odour; and / or
  - Dust.

What ameliorative or remedial measures can and will be taken to ensure that HyGain Feeds Mill does not cause off-site amenity impacts.

**HyGain Feeds Mill noise influence area**

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

**Subdivide, Use or Develop Land for a Sensitive Use – Environmental Site Assessment**

An application to subdivide land or 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 prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority. The Environmental Site assessment must include the following information:

- Detail of the nature of the previous and existing land use/activities on the land;
- 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; and
- Recommended remediation actions for any potentially contaminated land.

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Conditions and requirements for permits

Requirement -Native Vegetation Precinct Plan Implementation

Any:

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

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

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

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

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

Where an Offset Plan is approved:

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

Requirement - Subdivide, Use or Develop Land for a Sensitive Use

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

- Before a sensitive use commences; or
- Before the construction or carrying out of buildings and works in association with a sensitive use commences; or
- prior to the certification of a plan of subdivision associated with a sensitive use,

whichever is the 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 conditions on the use of the site);

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

- implementation of and on-going compliance with all conditions in the Statement of Environmental Audit; and

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

**Condition- Construction Environmental Management Plan**

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

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

- 50 metres of any native vegetation to be retained in the Officer Precinct Native Vegetation Precinct Plan (September 2011); and/or

- 100 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek).

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

**Conditions- Conservation Management Plan**

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

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

and the following conditions, where appropriate:

- Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the water body.

- No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.

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

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

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

**Conditions- Subdivision permits**

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

- The setback from the rail reserve and interface between the rail line and the proposed subdivision
  is to be to the satisfaction of the Department of Transport and the approval of the responsible
  authority.

- If any part of the land is shown in the incorporated Officer Precinct Structure Plan as
  unencumbered passive public open space that land must be transferred to Council subject to
  equalisation in accordance with the equalisation provisions in the incorporated Officer Precinct
  Structure Plan. This requirement does not apply if the responsible authority advises the owner
  that it does not require the land.

- Land required for road widening must be transferred to or vested in the relevant roads authority
  at no cost to the relevant road authority unless the land is funded by the incorporated Officer
  Development Contributions Plan.

**Conditions- Small lot housing code**

Any permit for subdivision of land in the area shown as Residential in Plan 2 must contain the
following conditions:

- The Small Lot Housing Code forming part of the incorporated Officer Precinct Structure
  Plan applies to the subdivision of the land under this permit and the application of the Small
  Lot Housing Code must be shown on any endorsed plans which are part of this planning permit.

- Before a plan is certified for a subdivision (or the relevant stage of a subdivision) where a
  building envelope is proposed, the plans endorsed under this planning permit must show a
  building envelope for each lot with an area less than 300 square metres that is in accordance
  with the Small Lot Housing Code forming part of the incorporated Officer Precinct Structure
  Plan to the satisfaction of the Responsible Authority.

- The building envelopes must be applied as a restriction on the plan of subdivision or through
  an agreement under section 173 of the Act that is registered on the title to the land. The
  restriction or the agreement must provide for:
    - the building envelope plan to apply to each relevant lot;
    - all buildings being constructed in accordance with the building envelope on the relevant
      lot;
    - the construction of a building outside the building envelope only with the written consent
      of the Responsible Authority; and
    - a building envelope to cease to apply to any building on the lot affected by the envelope
      after the issue of a Certificate of Occupancy for the whole of a dwelling and any garage or
      carport on the land.
Where a building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the Act, the building envelope plan may be approved after the plan of subdivision has been certified.

**Requirement – Management of bushfire risk during subdivisional works**

A permit for subdivision that contains a condition requiring a construction management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate, to the satisfaction of the responsible authority.

**Exemption from notice and review**

None specified.

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

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

- Before deciding on an application for buildings and works associated with the existing HyGain Feeds Mill site at 10-20 Hickson Road, Officer, the responsible authority must consider whether the proposal includes appropriate mitigation measures to ameliorate any potential offsite amenity impacts to nearby land uses.

**Signs**

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