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Proposed
C193yran

SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

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

FORMER LILYDALE QUARRY COMPREHENSIVE DEVELOPMENT PLAN

Land

This schedule applies to land as defined by the *Former Lilydale Quarry Comprehensive Development Plan, October 2020* (the CDP) incorporated in this scheme.

The land and precincts referred to in this schedule are shown on Map 1.

The map is an extract from the incorporated CDP.

Purpose

To provide for the integrated planning, development and subdivision of the land primarily for residential purposes, while encouraging the development of a supplementary mix of community, education, retail, commercial and recreational activities.

To ~~stage development to maintain, long term, create~~ the opportunity for a transit-oriented development that encourages higher density housing within a walkable catchment of ~~the a~~ potential future train station, local retail village and district level open space.

To provide a comprehensive public open space network and public realm that is supported by connections through and into the site, with priority placed on walking, cycling and social interaction.

To provide commercial and community facilities to serve the needs of existing and future residents and at a scale that is complementary to Lilydale Major Activity Centre

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--/--/20--
Proposed
C193yran

Table of uses

Section 1 - Permit not required

Use	Condition
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence
Child care centre	Must be located within precinct 2 or 4
Community care accommodation	Must meet the requirements of Clause 52.22-2
Dependent person's unit	Must be the only dependent person's unit on the lot.
Display home centre	
Domestic animal husbandry (other than Dog breeding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	Must be no more than 3,000 dwellings in the CDP area
Food and drink premises (other than Bar, Hotel)	Must be located within precinct 2 or 4 and must not include a drive-thru facility.

Home based business**Informal outdoor recreation**

Office	Must be located within Precincts 2 or 4.
Place of assembly (other than Carnival, Circus, Nightclub, Place of worship, Restricted place of assembly)	Must be located within Precincts 2 or 4.

Railway**Residential aged care facility**

Rooming house	Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop, Restricted retail premises)	Must be located within Precincts 2 or 4. The combined leasable floor area of all shops in Precinct 2 must not exceed 1,000 square metres. The leasable floor area of a shop in Precinct 4 must not exceed 1,500 square metres. The combined leasable floor area of all shops in Precinct 4 must not exceed 5,000 square metres.

Tramway

Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01
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Section 2 – Permit required

Use	Condition
Accommodation (other than Community care accommodation, Corrective institution, Dependent person's unit, Dwelling, Residential aged care facility, Residential hotel and Rooming house)	
Education centre (other than Child care centre)	
Industry (other than Extractive industry, Materials recycling, Transfer station)	Must be located within Precinct 2 or 4. Must not be a purpose listed in the table to Clause 53.10.
Racing dog husbandry	Must be no more than 2 animals.
Residential hotel	Must be located within Precincts 1, 2 or 4.
Restricted retail premises	Must be located within Precinct 1 or 4.
Service station	The site must have access to a road in a Road Zone Mooroolbark Road
Warehouse	Must be located within Precinct 2 or 4. Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited**Use**

Adult sex product shop

Animal husbandry (other than Animal training, Domestic animal husbandry, Racing dog husbandry)

Brothel

Cemetery

Corrective institution

Crematorium

Extractive industry

Horse stables

Intensive animal production

Materials recycling

Refuse disposal

Rural industry

Saleyard

Transfer station

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--/--/20--
Proposed
C193yran

Use of land

A permit for the use of land must be generally consistent with the incorporated CDP.

Amenity of the Neighbourhood

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

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

Application Requirements

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the type of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse use:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
 - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- If a dwelling:
 - The likely effects of the dwelling on the local and regional traffic network;
 - The works, services or facilities required to cater for those effects so that the efficiency and safety of the traffic network is maintained; and

- The proposed method of funding the required works, services or facilities.
- The availability and capacity of the electricity, drainage, sewer water and digital networks; and
- Any necessary upgrades to those networks and the proposed method of funding the upgrade works.
- An application to use land for a Shop where the combined leasable floor area of all shops exceeds the figure shown in the 'land use table' at section 1.0 of this schedule must be accompanied by a retail economic impact assessment prepared by a suitably qualified professional.

Exemption from Notice and Review

An application for use of land is exempt from the notice requirements of Section 52(1) (a) (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally consistent with the incorporated CDP.

Decision Guidelines

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

- The incorporated CDP
- The interface with adjoining zones, especially the relationship with residential areas.
- The scale and intensity of the use.
- The effect that existing uses may have on the proposed use.
- Whether the use generally serves local community needs.
- The effect of traffic to be generated on roads.
- The local catchment and CDP catchment demand for the additional floor area for an application to use land for Shop floorspace where the combined leasable floor area of all shops exceeds the figure shown in the 'land use table' at section 1.0 of this schedule; and
- The effect on the Lilydale Major Activity Centre for an application to use land for Shop floorspace where the combined leasable floor area of all shops exceeds the figure shown in the 'land use table' at section 1.0 of this schedule.

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Proposed
C193yran

Subdivision

A permit for subdivision must be generally consistent with the incorporated CDP
Subdivision of lots may occur in stages.

Small Lot Housing Code

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Yarra Ranges Planning Scheme; and,
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Infrastructure Contributions Agreement

Unless otherwise agreed to by the responsible authority and the Head, Transport for Victoria, a permit must not be granted to subdivide land until an agreement under section 173 of the *Planning and Environment Act 1987* has been entered into between the owner of the land, the Head, Transport for Victoria and the responsible authority to formalise infrastructure contributions.

The agreement should specify:

- The scope of work and location of infrastructure items required as a result of the development, including any land provision or acquisition
- The expected timing of provision of each infrastructure item and who is responsible for delivery
- The cost of any items that are the subject of financial contributions rather than direct delivery by the owner
- The equitable apportionment of costs between the developer and Council for any items which exceed the needs of the development
- Operational and administrative provisions.

The agreement will apply to the following infrastructure categories:

- Road intersection projects
- Road and foot bridges
- Drainage
- Community facilities
- Active open space
- Passive open space
- Shared trails.

All infrastructure required to directly support the development is to be provided by the developer of the land. The owner will pay all costs and expenses of, and incidental to, the execution and recording of the agreement.

Urban Design Framework – Precincts 2 and 4

Unless otherwise agreed to by the responsible authority, a permit must not be granted to subdivide land within Precinct 2 or Precinct 4 until an urban design framework for the relevant precinct has been prepared to the satisfaction of the responsible authority.

An urban design framework may be submitted in the form of plans, tables and reports and must include the following:

- The proposed urban structure for the precinct, identifying the hierarchy of local streets based on a rationalised street network, pedestrian, cycle and transit networks, and public realm and open space
- Identification of place-making elements and key destinations within the precinct, including a hierarchy of public spaces that provide opportunities for social interaction.
- Location of medium and higher density housing.
- Built form guidance across the precinct, including preferred building heights and setbacks.
- Details of how adverse environmental amenity factors will be avoided or minimised (e.g. wind, excessive overshadowing)
- Details of how the design of all interfaces to surrounding precincts have been addressed.
- Details of how views to public open space and civic spaces have been addressed.
- A public space plan that identifies a hierarchy of public spaces including local parks, pedestrian and cycling links, urban spaces and landscape nodes, showing links to the broader open space network.
- Location and design of active uses throughout the precinct.

- Details of how visual interest at the pedestrian scale will be achieved, with activated façades and the avoidance of long expanses of unarticulated façade treatments.
- Requirements for a variety of building materials and form.

The following additional information must be included as part of an urban design framework for Precinct 2:

- Identification of heritage elements to be retained and / or adapted for community, commercial, tourism and retail uses.
- Demonstration of how the relevant Conservation Policies of the *Cave Hill Quarry Conservation Management Plan* (September 2015), and the principles of the *Former Lilydale Quarry Heritage Interpretation Strategy* (Lovell Chen and Biosis, April 2020) has been achieved

The following additional information must be included as part of an urban design framework for Precinct 4:

- Locations of public transport services, including the rail station, bus stops and commuter parking areas.

Design Strategy (Potential Future Train Station) – Precinct 4

Unless otherwise agreed to by the responsible authority and the Head, Transport for Victoria, a permit must not be granted to subdivide land within Precinct 4 until the Government has confirmed (or otherwise) the provision of a new rail station in the long term. In the event that the Government confirms the provision of a new rail station, the first plan of subdivision must have regard to the station design and access requirements of the Head Transport for Victoria. a design strategy for the potential future train station has been prepared to the satisfaction of the responsible authority and the Department of Transport.

A design strategy may be submitted in the form of plans, tables and reports and must include the following:

- ~~station concept plan, detailing:~~
 - ~~land required for the train station and associated facilities;~~
 - ~~platform type and location;~~
 - ~~access arrangements to the platform;~~
 - ~~station plaza area;~~
 - ~~bicycle facilities and storage;~~
 - ~~layout of administration areas (e.g. ticket office and passenger waiting room);~~
 - ~~how the station interfaces with the remainder of Precinct 4 and Precinct 2; and how changes in levels will be effectively addressed.~~
- ~~role, extent, location and layout/design of station car parking.~~
- ~~details of bus access to the station and bus interchange facilities.~~
- ~~indicative cost estimate for the station and associated works (e.g. station construction, track works, pedestrian access arrangements, shelters, car parking, bus and bicycle facilities).~~

Geotechnical Statement – Precinct 4

Unless otherwise agreed to by the responsible authority, a permit must not be granted to subdivide land within Precinct 4 until a geotechnical statement prepared by a suitably qualified geotechnical engineer has been prepared to the satisfaction of the responsible authority

The statement must confirm that the geotechnical condition of the filled area will support the type and scale of development proposed within the CDP for Precinct 4.

The statement must be accompanied by a peer review and supporting report from a suitably qualified and independent geotechnical engineer.

Precinct Integrated Traffic and Transport Management Plan – all precincts

Unless otherwise agreed to by the responsible authority and the Head, Transport for Victoria, a permit must not be granted to subdivide land within precincts 1, 2, 3 or 4 until a precinct integrated traffic and transport management plan that promotes walking, cycling and public transport has been prepared for the relevant precinct, to the satisfaction of the responsible authority and the Head, Transport for Victoria.

The management plan must be prepared in the context of traffic (all modes) expected to be generated by the entire Comprehensive Development Plan area and may be submitted in the form of plans, tables and reports and should include the following where relevant:

- Location of proposed roads, pedestrian, cyclist and vehicle access points:
- Details of how the objectives of the *Former Lilydale Quarry Integrated Transport Plan, October 2020* have been addressed.
- An assessment of the impact of traffic generated by the precinct and all other precincts upon the surrounding road network.
- Address internal road design requirements.
- Predicted traffic volumes.
- An assessment of potential traffic mitigation works and traffic management measures that may be required within and external to the site, including the staging of the measures and external works.
- Details of proposed connections to the surrounding road network, where relevant
- Details of internal and external intersections, performance and treatments.
- Details of the location of and linkages to public transport
- An assessment of car parking demand
- An assessment of public transport services in the locality, existing stops and any additional stops or infrastructure prepared in consultation with the relevant Victorian public transport authority.
- Details of cycling and pedestrian infrastructure, including links to significant destinations and the potential future train station.

Precinct Stormwater and Integrated Water Management Plan – all precincts

Unless otherwise agreed to by the responsible authority, a permit must not be granted to subdivide land within precincts 1, 2, 3 or 4 until a precinct stormwater and integrated water management plan has been prepared for the relevant precinct, to the satisfaction of the responsible authority and Melbourne Water.

The management plan may be submitted in the form of plans, tables and reports and should include the following where relevant:

- An assessment of how the objectives of the *Former Lilydale Quarry Integrated Water Management Strategy, October 2020* have been addressed.
- An assessment of how the stormwater quantity and treatment performance objectives of the *Former Lilydale Quarry Stormwater Strategy, October 2020* have been addressed
- Specific approaches to capture, treat and reuse stormwater across the Precinct.
- Details of proposed urban water management, including water supply, wastewater, flood resilience, urban waterway health, and management of public spaces.
- Details of potable water use, wastewater and stormwater capture, reuse and discharge processes in accordance with best practice water sensitive urban design principles.

- Design detail to ensure flooding on and off site and downstream is managed and there is no deterioration in water quality in the area surrounding the land as a result of development.

Precinct Landscape Plan – all precincts

Unless otherwise agreed to by the responsible authority, a permit must not be granted to subdivide land within precincts 1, 2, 3 or 4 until a precinct landscape plan has been prepared for the relevant precinct, to the satisfaction of the responsible authority.

The plan may be submitted in the form of plans, tables and reports and should include the following where relevant:

- Existing landscape features of the precinct and immediate surrounding area, such as significant trees, and identifying those proposed to be retained.
- The network of open space within the precinct and how it interfaces with other precincts. Include identification of encumbered and unencumbered open space components.
- Key landscape design principles to be applied in considering species selection throughout road reserves, along the site's key internal and external interfaces and within proposed communal open spaces and car parking areas.

Precinct Sustainability Management Plan – all precincts

Unless otherwise agreed to by the responsible authority, a permit must not be granted to subdivide land within precincts 1, 2, 3 or 4 until a precinct sustainability management plan has been prepared for the relevant precinct, to the satisfaction of the responsible authority.

The plan may be submitted in the form of plans, tables and reports and should include the following where relevant:

- A set of sustainability guidelines for the Precinct which are generally consistent with the sustainability objectives and strategies outlined in the *Former Lilydale Quarry Sustainability Framework, October 2020*.
- Sustainability guidelines are to prescribe the minimum standards proposed for the precinct. Guidelines must cover the following where appropriate: integrated transport and mobility, water efficiency and re-use, community facilities; open space, energy efficiency and greenhouse gas reductions, climate change and community resilience, ecological management practices, materials and waste environmental impacts.
- Precinct climate change risk and vulnerability assessment that identifies key measures to be incorporated into the precinct for climate resilience.
- Identify key sustainability guidelines and strategies to be incorporated within the permit application stage for buildings.

Heritage Interpretation Plan – all precincts

Unless otherwise agreed to by the responsible authority, a permit must not be granted to subdivide land within precincts 1, 2, 3 or 4 until a precinct heritage interpretation plan has been prepared for the relevant precinct, to the satisfaction of the responsible authority.

The plan may be submitted in the form of plans, images, tables and reports and should include the following:

- Precinct level detail with regards to applicable themes, stories and interpretive media.
- A set of interpretation strategies and concepts for the precinct which are generally consistent with the principles outlined in the *Former Lilydale Quarry Heritage Interpretation Strategy, April 2020*.

Environmental Audit – All land to east of the Lilydale-Melbourne railway line

Unless otherwise agreed to by the responsible authority, a permit must not be granted to subdivide land to the east of the Lilydale-Melbourne railway line until the following requirement has been satisfied (as applicable):

Where the *Environment Protection Act 1970* applies:

- A certificate of environmental audit is issued for the affected land in accordance with Part IXD of the *Environment Protection Act 1970*; or
- An environmental auditor appointed under the *Environment Protection Act 1970* makes a statement in accordance with Part IXD of that Act that the environmental conditions of the affected land are suitable for sensitive uses.

Where an Environmental Audit is required after the repeal of the *Environment Protection Act 1970*, this shall be carried out in accordance with the relevant provisions of the *Environment Protection Act 2017*.

Any recommendations in an environmental audit statement required under this provision must:

- Be carried complied with to ensure the land is suitable for the purposes a specified in the statement
- For the subdivision of land, be complied with to ensure the land is suitable for the purposes specified before the issue of a statement of compliance
- Be included as a permit condition when a permit to use, develop or subdivide land for a sensitive use is granted. The permit condition may include the management of contamination before, during and after the construction of the development or commencement of the use.

Performance of filled land – Precinct 4

Unless otherwise agreed to by the responsible authority, a permit must not be granted to subdivide land in Precinct 4 until the owner of the land enters into an agreement under section 173 of *the Act* regarding the performance of filled land in Precinct 4 and its development. The agreement must address:

- Monitoring and reporting obligations.
- Performance specifications to be achieved for land to be transferred to Yarra Ranges Shire Council for public open space and infrastructure.
- Indemnification of Yarra Ranges Shire Council in relation to claims by third parties relating to negligence or non-compliance with the requirements of the agreement by the proponent.

Provision of affordable housing

Prior to the granting of a subdivision permit for the seven hundred and first (701) dwelling, the owner of the land must enter into an agreement under section 173 of the *Planning and Environment Act 1987* that requires the owner of the land to provide for either:

- Delivery of affordable dwellings, or land lots for construction of affordable dwellings, equal to 5% of the total dwellings proposed to be delivered across Precinct 1, Precinct 2, Precinct 3 and Precinct 4, rounded to the nearest whole number, or any lesser number of dwellings as agreed between the owner and the responsible authority; or
- The provision of affordable housing by any agreed alternative method generally consistent with the value of the above provision.
 - Where an alternative method is agreed, and the landowner has met all of its obligations under that method, any obligation of the landowner to provide for affordable housing has been fully discharged.

This requirement does not apply if an affordable housing agreement is registered on the land resulting from a buildings and works permit pursuant to Clause 37.02 (Schedule 1), Section 4.0.

Standard of open space on transfer to municipal council

All public open space which is to be provided to the Yarra Ranges Shire Council must be finished to a standard that satisfies the reasonable requirements of the Yarra Ranges Shire Council prior to the public open space being transferred to Council, including the following where appropriate:

- Landscaping and / or improvements generally consistent with the incorporated CDP
- Clearing of rubbish, environmental weeds and rocks.
- Removal or all existing, disused structures, foundations, pipelines and stockpiles.
- Provision of water tapping, potable, and where available recycled water connection point.
- Sewer, gas and electricity connection points to land.

Works to be provided in association with development

Development must provide and meet the total cost of delivering the following infrastructure internal and external to the site, if and where appropriate, unless provided for in the Infrastructure Contributions Agreement struck between the landowner, the Head Transport for Victoria and the Responsible Authority:

- Connector streets and local streets.
- Local bus stop infrastructure ~~where at~~ locations are agreed in writing determined by the Head, Transport for Victoria.
- Landscaping.
- Intersection works and traffic management measures along arterial roads, connector streets and local streets, to the satisfaction of the Head, Transport for Victoria where appropriate.
- Local shared, pedestrian and bicycle paths along local roads, connector streets, local streets, waterways and wiling local parks.
- Bicycle parking.
- Appropriately scaled lighting along roads, major shared and pedestrian paths and traversing the open space network.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Urban Context Report providing an analysis of the site and surrounding land uses and development in the area, including topography, existing features, title boundaries, services, views into and out of the site, built features, landscape features such as significant trees, open space, adjoining roads, bike paths, pedestrian access, public transport routes and dwellings located on the periphery of the precinct where applicable.
- A response to the Precinct specific vision, objectives and requirements outlined in the incorporated CDP
- A table detailing the proposed dwelling mix and density, and projected resident population.
- Indicative staging plan
- Public open space budget in the form of a table that defines the amount and location of proposed public open space

- Community facility summary in the form of a table detailing what community facilities are to be provided, where they are located and how they will be integrated with other uses, where relevant.

Exemption from Notice and Review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1) (a) (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally consistent with the incorporated CDP.

Decision Guidelines

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

- Whether the application is generally consistent with the incorporated CDP.
- The effect of the subdivision on the redevelopment of the precinct in the long-term.
- The pattern of subdivision and its effect on the spacing of buildings.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- The location and function of public reserves, road reserves and other public spaces.
- How any proposed public roads integrate with the surrounding road network.
- The effect of the findings of an environmental audit, including whether the staging of development appropriately reflects the ability of the land to be used for the intended purpose.

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Buildings and works

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A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

An application for residential development must meet the requirements of Clause 54 and Clause 55. This does not apply to a development of five or more storeys, excluding a basement. An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend one dwelling on a lot greater than 300 square metres.
- Construct or extend one dwelling on a lot with an area of 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 into the Yarra Ranges Planning Scheme.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

A permit is not required for the following where located in a nominated commercial / office area or retail area:

- Alter an existing building façade provided:

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

Infrastructure Contributions Agreement

Unless otherwise agreed to by the responsible authority and the Head, Transport for Victoria, a permit must not be granted to construct a building or construct or carry out works until an agreement under section 173 of the *Planning and Environment Act 1987* has been entered into between the owner of the land, the Head Transport for Victoria and the Responsible Authority to formalise infrastructure contributions.

The agreement should specify:

- The scope of work and location of infrastructure items required as a result of the development, including any land provision or acquisition
- The expected timing of provision of each infrastructure item and who is responsible for delivery
- The cost of any items that are the subject of financial contributions rather than direct delivery by the owner
- The equitable apportionment of costs between the developer and Council for any items which exceed the needs of the development
- Operational and administrative provisions.

The agreement will apply to the following infrastructure categories:

- Road intersection projects
- Road and foot bridges
- Drainage
- Community facilities
- Active open space
- Passive open space
- Shared trails.

All infrastructure required to directly support the development is to be provided by the developer of the land. The owner will pay all costs and expenses of, and incidental to, the execution and recording of the agreement.

Urban Design Framework – Precincts 2 and 4

Unless otherwise agreed to by the responsible authority, a permit must not be granted to construct a building or construct or carry out works within Precinct 2 or Precinct 4 until an urban design framework for the relevant precinct has been prepared to the satisfaction of the responsible authority.

An urban design framework may be submitted in the form of plans, tables and reports and must include the following:

- The proposed urban structure for the precinct, identifying the hierarchy of local streets based on a rationalised street network, pedestrian, cycle and transit networks, and public realm and open space
- Identification of place-making elements and key destinations within the precinct, including a hierarchy of public spaces that provide opportunities for social interaction.
- Location of medium and higher density housing.
- Built form guidance across the precinct, including preferred building heights and setbacks.

- Details of how adverse environmental amenity factors will be avoided or minimised (e.g. wind, excessive overshadowing)
- Details of how the design of all interfaces to surrounding precincts have been addressed.
- Details of how views to public open space and civic spaces have been addressed.
- A public space plan that identifies a hierarchy of public spaces including local parks, pedestrian and cycling links, urban spaces and landscape nodes, showing links to the broader open space network.
- Location and design of active uses throughout the precinct.
- Details of how visual interest at the pedestrian scale will be achieved, with activated façades and the avoidance of long expanses of unarticulated façade treatments.
- Requirements for a variety of building materials and form.

The following additional information must be included as part of an urban design framework for Precinct 2:

- Identification of heritage elements to be retained and / or adapted for community, commercial, tourism and retail uses.
- Demonstration of how the relevant Conservation Policies of the *Cave Hill Quarry Conservation Management Plan* (September 2015), and the principles of the *Former Lilydale Quarry Heritage Interpretation Strategy* (Lovell Chen and Biosis, April 2020) has been achieved

The following additional information must be included as part of an urban design framework for Precinct 4:

- Locations of public transport services, including the potential future train station (if appropriate), bus stops and commuter parking areas, to the satisfaction of the Head, Transport for Victoria.

Design Strategy (Potential Future Train Station) – Precinct 4

Unless otherwise agreed to by the responsible authority and the Head, Transport for Victoria, a permit must not be granted to construct a building or construct or carry out works within Precinct 4 before the Government has confirmed (or otherwise) the provision of a new rail station in the long term. In the event that the Government confirms the provision of a new rail station in the long term, any permit to construct a building or construct or carry out works must have regard to the station design and access requirements of the Head, Transport for Victoria, until a design strategy has been prepared for the potential future train station to the satisfaction of the responsible authority and the Department of Transport.

A design strategy may be submitted in the form of plans, tables and reports and must include the following:

- station concept plan, detailing:
 - land required for the train station and associated facilities;
 - platform type and location;
 - access arrangements to the platform;
 - station plaza area;
 - bicycle facilities and storage;
 - layout of administration areas (e.g. ticket office and passenger waiting room);
 - how the station interfaces with the remainder of Precinct 4 and Precinct 2; and how changes in levels will be effectively addressed.
- role, extent, location and layout/design of station car parking.
- details of bus access to the station and bus interchange facilities.

- ~~indicative cost estimate for the station and associated works (e.g. station construction, track works, pedestrian access arrangements, shelters, car parking, bus and bicycle facilities).~~

Geotechnical Statement – Precinct 4

Unless otherwise agreed to by the responsible authority, a permit must not be granted to construct a building or construct or carry out works within Precinct 4 until a geotechnical statement prepared by a suitably qualified geotechnical engineer has been prepared to the satisfaction of the responsible authority

The statement must confirm that the geotechnical condition of the filled area will support the type and scale of development proposed within the CDP for Precinct 4.

The statement must be accompanied by a peer review and supporting report from a suitably qualified and independent geotechnical engineer.

Precinct Integrated Traffic and Transport Management Plan – all precincts

Unless otherwise agreed to by the responsible authority and the Head, Transport for Victoria, a permit must not be granted to construct a building or construct or carry out works within precincts 1,2,3 or 4 until a precinct integrated traffic and transport management plan that promotes walking, cycling and public transport has been prepared for the relevant precinct, to the satisfaction of the responsible authority and the Head, Transport for Victoria.

- The management plan must be prepared in the context of traffic (all modes) expected to be generated by the entire Comprehensive Development Plan area and may be submitted in the form of plans, tables and reports and should include the following:
 - Locations of proposed roads, pedestrian, cyclist and vehicle access points:
 - Details of how the objectives of the *Former Lilydale Quarry Integrated Transport Plan, October 2020* have been addressed.
 - An assessment of the impact of traffic generated by the precinct and all other precincts upon the surrounding road network.
 - Address internal road design requirements.
 - Predicted traffic volumes.
 - An assessment of potential traffic mitigation works and traffic management measures that may be required within and external to the site, including the staging of the measures and external works.
 - Details of proposed connections to the surrounding road network, where relevant
 - Details of internal and external intersections, performance and treatments.
 - Details of the location of and linkages to public transport
 - An assessment of car parking demand
 - An assessment of public transport services in the locality, existing stops and any additional stops or infrastructure prepared in consultation with the relevant Victorian public transport authority.
 - Details of cycling and pedestrian infrastructure, including links to significant destinations and the potential future train station.

Precinct Stormwater and Integrated Water Management Plan – all precincts

Unless otherwise agreed to by the responsible authority, a permit must not be granted to construct a building or construct or carry out works within precincts 1,2,3 or 4 until a precinct stormwater and integrated water management plan has been prepared for the relevant precinct, to the satisfaction of the responsible authority and Melbourne Water.

The management plan may be submitted in the form of plans, tables and reports and should include the following:

- An assessment of how the objectives of the *Former Lilydale Quarry Integrated Water Management Strategy, October 2020* have been addressed.
- An assessment of how the stormwater quantity and treatment performance objectives of the *Former Lilydale Quarry Stormwater Strategy, October 2020* have been addressed
- Specific approaches to capture, treat and reuse stormwater across the Precinct.
- Details of proposed urban water management, including water supply, wastewater, flood resilience, urban waterway health, and management of public spaces.
- Details of potable water use, wastewater and stormwater capture, reuse and discharge processes in accordance with best practice water sensitive urban design principles.
- Design detail to ensure flooding on and off site and downstream is managed and there is no deterioration in water quality in the area surrounding the land as a result of development.

Precinct Landscape Plan – all precincts

Unless otherwise agreed to by the responsible authority, a permit must not be granted to construct a building or construct or carry out works within precincts 1,2,3 or 4 until a precinct landscape plan has been prepared for the relevant precinct, to the satisfaction of the responsible authority.

The plan may be submitted in the form of plans, tables and reports and should include the following:

- Existing landscape features of the precinct and immediate surrounding area, such as significant trees, and identifying those proposed to be retained.
- The network of open space within the precinct and how it interfaces with other precincts. Include identification of encumbered and unencumbered open space components.
- Key landscape design principles to be applied in considering species selection throughout road reserves, along the site's key internal and external interfaces and within proposed communal open spaces and car parking areas.

Precinct Sustainability Management Plan – all precincts

Unless otherwise agreed to by the responsible authority, a permit must not be granted to construct a building or construct or carry out works within precincts 1,2,3 or 4 until a precinct sustainability management plan has been prepared for the relevant precinct, to the satisfaction of the responsible authority.

The plan may be submitted in the form of plans, tables and reports and should include the following:

- A set of sustainability guidelines for the Precinct which are generally consistent with the sustainability objectives and strategies outlined in the *Former Lilydale Quarry Sustainability Framework, October 2020*.
- Sustainability guidelines are to prescribe the minimum standards proposed for the precinct. Guidelines must cover the following where appropriate: integrated transport and mobility, water efficiency and re-use, community facilities; open space, energy efficiency and greenhouse gas reductions, climate change and community resilience, ecological management practices, materials and waste environmental impacts.
- Precinct climate change risk and vulnerability assessment that identifies key measures to be incorporated into the precinct for climate resilience.
- Identify key sustainability guidelines and strategies to be incorporated within the permit application stage for buildings.

Heritage Interpretation Plan – all precincts

Unless otherwise agreed to by the responsible authority, a permit must not be granted to construct a building or construct or carry out works within precincts 1, 2, 3 or 4 until a precinct heritage interpretation plan has been prepared for the relevant precinct, to the satisfaction of the responsible authority.

The plan may be submitted in the form of plans, images, tables and reports and should include the following:

- Precinct level detail with regards to applicable themes, stories and interpretive media.
- A set of interpretation strategies and concepts for the precinct which are generally consistent with the principles outlined in the *Former Lilydale Quarry Heritage Interpretation Strategy, April 2020*.

Performance of filled land – Precinct 4

Unless otherwise agreed to by the responsible authority, a permit must not be granted to construct a building or construct or carry out works in Precinct 4 until the owner of the land enters into an agreement under section 173 of *the Act* regarding the performance of filled land in Precinct 4 and its development. The agreement must address:

- Monitoring and reporting obligations.
- Performance specifications to be achieved for land to be transferred to Yarra Ranges Shire Council for public open space and infrastructure.
- Indemnification of Yarra Ranges Shire Council in relation to claims by third parties relating to negligence or non-compliance with the requirements of the agreement by the proponent.

Provision of affordable housing

Prior to the granting of a permit for the development of the seven hundred and first (701) dwelling, the owner of the land must enter into an agreement under section 173 of the *Planning and Environment Act 1987* that requires the owner of the land to provide for either:

- Delivery of affordable dwellings, or land lots for construction of affordable dwellings, equal to 5% of the total dwellings proposed to be delivered across Precinct 1, Precinct 2, Precinct 3 and Precinct 4, rounded to the nearest whole number, or any lesser number of dwellings as agreed between the owner and the responsible authority; or
- The provision of affordable housing by any agreed alternative method generally consistent with the value of the above provision.
 - Where an alternative method is agreed, and the landowner has met all of its obligations under that method, any obligation of the landowner to provide for affordable housing has been fully discharged.

This requirement does not apply if an affordable housing agreement is registered on the land resulting from a buildings and works permit pursuant to Clause 37.02 (Schedule 1), Section 4.0.

Works to be provided in association with development

Development must provide and meet the total cost of delivering the following infrastructure internal to the site, if and where appropriate, unless provided for in the Infrastructure Contributions Agreement struck between the landowner, the Head, Transport for Victoria and the Responsible Authority:

- Connector streets and local streets.
- Local bus stop infrastructure ~~where at~~ locations ~~are agreed in writing determined by the Head, Transport for Victoria~~ Department of Transport.
- Landscaping.

- Intersection works and traffic management measures along arterial roads, connector streets and local streets, to the satisfaction of the Head, Transport for Victoria as appropriate.
- Local shared, pedestrian and bicycle paths along local roads, connector streets, local streets, waterways and wiling local parks.
- Bicycle parking.
- Appropriately scaled lighting along roads, major shared and pedestrian paths and traversing the open space network.

Application requirements

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

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- Any application for buildings and works on filled land within Precinct 4 must be accompanied by a statement from a suitably qualified geotechnical engineer that confirms the land is suitable for the proposed development.

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

Decision Guidelines

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

General

- Whether the application is generally consistent with the incorporated CDP
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The traffic impacts generated by the proposal.

For dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

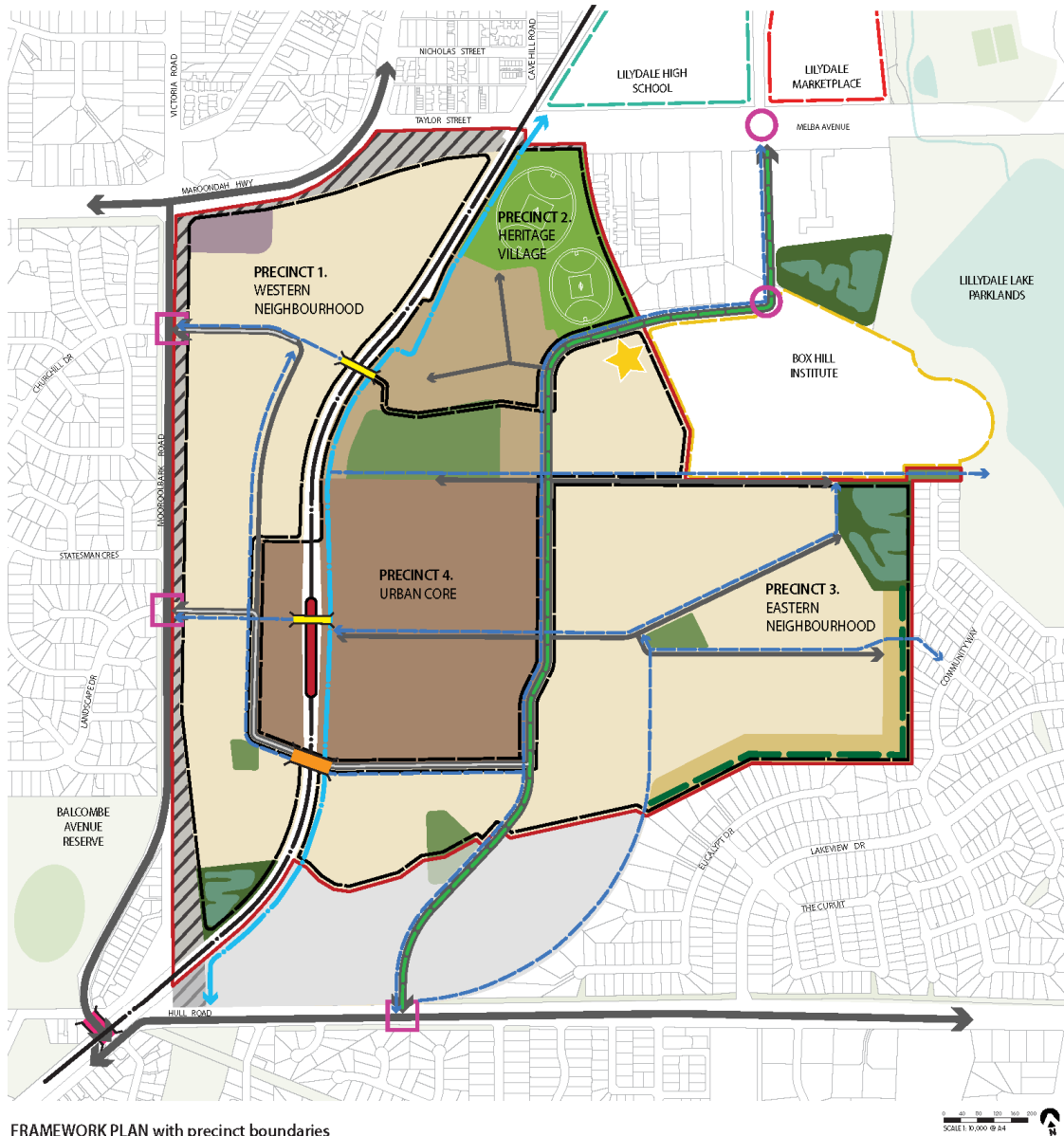
5.0

Signs

--/--/20--
Proposed
C193yan

Sign requirements are at Clause 52.05. All land within Precincts 2 and 4 is Category 1. All other land is in Category 3.

Map 1 to Schedule 1 to Clause 37.02



Delete “Highway frontage commercial/mixed use” shading and legend from plan

Add line adjacent to Maroondah Highway and accompanying text “Access to Maroondah Highway prohibited”

Change “TOD mixed use area” to “Potential TOD mixed use area” in legend