

Submission to

Officer South Employment PSP & Amendment C274card

90 Handford Lane, Officer

Client

Mrs J. Hocking

Issued

31 October 2023



Introduction

Beveridge Williams makes this submission to the Officer South Precinct Structure Plan (PSP) and associated Amendment C274card on behalf of the landowner of 90 Handford Lane, Officer, Mrs J. Hocking. The 84 hectare site is located within the northwest corner of the Officer South Employment Precinct (OSEP), with frontage to Princes Freeway, Cardinia Creek, and Lecky Road.

The draft PSP, as it relates to the Hocking land, proposes that approximately half the land be used for industrial purposes (42.05ha), with most of the land in the west of the site being proposed for Conservation and Waterway Reserve (40.03ha). The Waterway Reserve is expanded from its current Floodway Overlay extent to align with the top of bank. The PSP also nominates all land within 200m of the creek for a Cultural Heritage Values reserve, adding a further 0.18ha to the Conservation / Drainage Reserve. A local park (0.5ha) is proposed in the southern part of the site and part of a retarding basin/ drainage reserve (2.33ha) is located in the southeast of the site. Along the southern boundary, part of the site is also set aside for road widening to Lecky Road and for construction of a future bridge (BR-03) across Cardinia Creek. A pedestrian bridge across Cardinia Creek is also proposed further north, with connections proposed via an equestrian trail and shared path along the edge of the conservation / drainage reserve. A connector road and associated intersection to Lecky Road is proposed in the south of the site.

The planning scheme amendment known as C274card principally seeks to implement the draft PSP and Officer South Infrastructure Contributions Plan (ICP). Amendment C274card, seeks to apply a number of planning controls to the site at 90 Handford Lane to facilitate the future use and development in accordance with the PSP Plan 3: Place Based Plan. The proposed controls include applying the:

- Urban Growth Zone - Schedule 7 (UGZ7) which applies the OSEP Precinct Structure Plan, and amending zone mapping to reduce the area of the site subject to UGZ
- Rural Conservation Zone (RCZ) to land within the BCS Conservation Area, Waterway Reserve and land that has been identified as a Cultural Values Investigation Area
- Special Controls Overlay – Schedule 14 (SCO14) to the “developable” area outside the RCZ/IPO3, which has the effect of staging the development of the precinct so that industrial land cannot be developed until State infrastructure is delivered
- Infrastructure Contributions Plan Overlay – Schedule 3 (ICO3) to the whole site to apply the corresponding Officer South Employment ICP
- Environmental Significance Overlay – Schedule 7 (ESO7) to the BCS Conservation Area
- Incorporated Plan Overlay – Schedule 3 (IPO3) to land within the BCS Conservation Area, Waterway Reserve and land that has been identified as a Cultural Values Investigation Area

Extract from PSP Plan 3 – Place based Plan



Executive Summary

The Hocking family is generally supportive of the exhibited PSP and its facilitation of the development of the precinct for industrial purposes. It is the landholder's vision to maximise to its full extent, the development potential of 90 Handford Road for industrial and employment uses as intended by the *Melbourne Industrial and Commercial Land Use Plan* for the State Significant Industrial Precinct (SSIP). This submission advocates for a flexible land use designation of industry across land within the Officer South Employment PSP, with provisions for suitable supporting business/commercial uses.

The PSP objectives clearly promote industrial and employment land as the priority for this precinct, as does the PSP Vision which notes that *'Officer South Employment will become an innovative and sustainable employment precinct that will deliver a high amenity regionally-significant commercial area and state-significant industrial precinct, combined with a modern and diverse urban living hub to form a unique working and living environment'*.

The submissions made within this document seek to ensure that:

- any staging and planning controls are designed to ensure the timely delivery of the PSP, and most importantly the provision of industrial land in this SSIP in the shorter term
- the outcome of the SSIP is not compromised by unresolved and/or unfounded requirements
- the delivery of key internal road connections and intersections can be delivered in a timely manner
- existing constrained land, primarily flood prone / waterway land, is utilised for the conservation of biodiversity values including those associated with Growling Grass Frog along Cardinia Creek, to provide for Cultural Heritage preservation, to maximise the potential of otherwise developable land, and to provide a logical boundary for the protection of future amenity and environmental values.
- the land designated as SSIP land is not compromised through the retention of low value trees or Heritage and drainage areas where a detailed assessment is yet to be completed
- GAIC Works in Kind is considered due to the significant amount of State Infrastructure within the OSEP.

The submissions outlined in this document support development of the site, consistent with the intent of the *Melbourne Industrial and Commercial Land Use Plan* (MICLUP) and responsive to the South-East Economic Corridor Strategic Context Report (SEEC).

This submission identifies challenges presented under Amendment C274card in the delivery of an efficient, timely and financially viable employment and industrial precinct. Accordingly, key issues raised in this submission primarily focus on the following areas:

- Reconfigure staging to facilitate development of industrial land and infrastructure delivery as the priority;
- Re-alignment of the Conservation Area boundary and confirmation of interface treatment;
- Accuracy of an effective Waterway Reserve corridor and the unnecessary of the DSS serviceability line
- Improvements to the efficient designation of land for public open space;
- Cultural Heritage and Cultural Heritage Investigation Area to be clarified;
- Other considerations, as outlined in this submission

Our requested amendments to the PSP, Place Based Plan and draft PSA documentation are proposed to address these concerns and to ensure that a minimally compromised SSIP can be developed as envisioned by numerous State strategic planning policies.

Subject Site and Surrounds

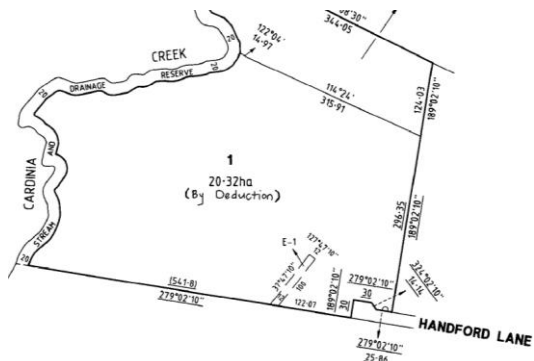
90 Handford Lane, Officer is located approximately 2.3 km south-west of the Officer Railway Station. It is formally known as Lot 4 on Plan of Subdivision 446665, Lot 1 on Plan of Subdivision 549443 and Lot 1 on Plan of Subdivision 549447. The site is irregular in shape, with a total area of approximately 83.67 ha. The property has road frontages to the Princes Freeway (Pakenham Bypass), Handford Lane and an unnamed road abutting the south of the site (Lecky Road). The titles show several electricity easements traversing the site.

The site contains a single dwelling and several outbuildings. The land has long been used primarily for animal grazing. Training paddocks have been constructed including earthworks north of the dwelling. A drainage line extends southeast to northwest through the northwestern part of the site with a constructed dam located along this near the dwelling. The dam is artificially fed with water from Cardinia Creek via pumping. A second dam is located in the south west of the site, and is naturally fed. Several rows of trees are visible on the land, particularly along the property boundaries and internal fence lines. Access is provided to the dwelling via an unsealed driveway.

It is noted that Victorian topographical mapping shows an incorrect alignment of Cardinia Creek extending through the northwest corner of the site, however this is not evident on site, as noted in our previous submissions to the VPA and DEECA. As a result, owing to the erroneous mapping, a larger than necessary Conservation Area has been placed over the site and includes areas with no biodiversity values and areas that have been disturbed through the construction of the house, landscaping, and earthworks for the dam and paddock.

The surrounding area contains a mix of residential and agricultural land. The site is within the north-western corner of the Officer South Employment PSP. Land south-east of the site is currently being used for agricultural purposes such as animal grazing. A number of completed PSPs are near the site, which has allowed development to occur to the north and west. In addition to extensive completed development, sites currently undergoing works are also visible. The Local Town Centre envisioned by the Minta Farm PSP is approximately 974m west of the site.

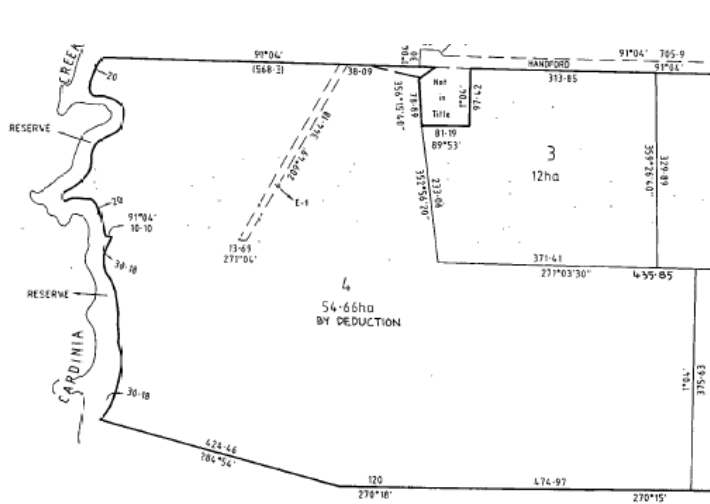
Lot 1 PS549443:



Lot 1 PS549447:



Lot 4 PS446665:



Aerial Imagery



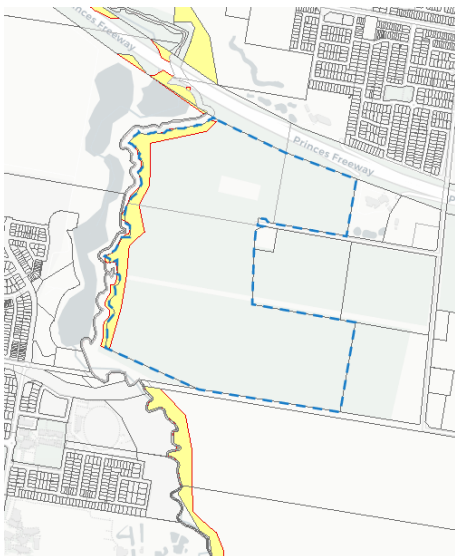
Property Details	
Address	90 Handford Lane, Officer
Formal Description	<ul style="list-style-type: none">Lot 4 PS446665Lot 1 PS549443Lot 1 PS549447
Municipality	Cardinia
Site Area	83.67 ha (approx.)
Existing zoning	<ul style="list-style-type: none">Urban Growth Zone (UGZ)Public Conservation and Resource Zone (PCRZ)
Overlays	<ul style="list-style-type: none">Environmental Significance Overlay - Schedule 3 (ESO3)Public Acquisition Overlay 2 (PAO2)Floodway Overlay (FO)
Contact	Alisanne Boag Manager Planning Beveridge Williams [Redacted] [Redacted]

Existing Planning Controls

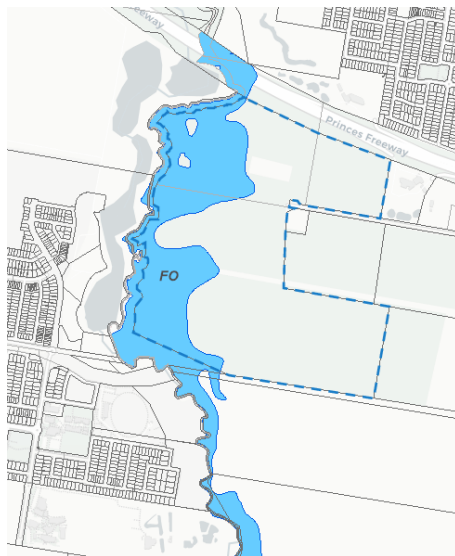
The subject site is located within the Cardinia Shire and is subject to the Cardinia Planning Scheme. The majority of the site is within the Urban Growth Zone (UGZ). The site is also currently subject to the Floodway Overlay (FO), Public Acquisition Overlay (PAO2), and Environmental Significance Overlay - Schedule 3 (ESO3). It is submitted that as part of the planning scheme amendment C74card, existing overlays should be updated as follows:

- The existing FO should be amended to accurately reflect Melbourne Water’s updated flood modelling, as outlined later in this submission.
- The ESO3 should be deleted as the proposed ESO7 will adequately cover the relevant matters, as outlined later in this submission..
- The PAO2 should be adjusted to accurately reflect the extent of land proposed to be acquired for the Cardinia Creek parklands, being the entirety of the Conservation Area.

Public Acquisition Overlay



Floodway Overlay



Environmental Significance Overlay



Staging of the Precinct and Delivery of Infrastructure

The State government's *Melbourne Industrial and Commercial Land Use Plan* (MICLUP) has identified the OSEP as a State Significant Industrial Precinct (SSIP) and a Regionally Significant Commercial Area (RSCA). The MICLUP sets out the future needs for industrial and commercial land and provides the planning framework for state and local government to plan for future employment and industry needs. The policy is clear, and through the PSP preparation process, VPA and DTP have reinforced that this precinct must prioritise the delivery of commercial and industrial land. The draft PSP at section 2 'PSP Outcomes' clearly articulates the PSP Vision and purpose – that is, the primary purpose of this PSP is to deliver commercial and industrial land.

Staging of the precinct as currently proposed prioritises the delivery of residential land over the delivery of regionally significant commercial and state significant industry, when there is an under-supply of industrial land in the south-east. The staging as currently proposed will not deliver the priority employment precinct in the near future due to stages being linked to key infrastructure that cannot be delivered, or is not currently funded, or programmed. The site is proposed to be located in Stage 3 as outlined in the proposed SCO14. Pursuant to the SCO Incorporated Document, Stage 3 cannot be delivered until the following is constructed:

- IN-13 (Officer South Freeway Interchange Intersection ultimate signalised)
- BR-02 (Thompsons Road East Bridge across Lower Gum Scrub Creek interim standard)
- BR-03 (Grices Road Bridge ultimate standard)

We submit that there is no need of nexus for a bridge between residential land parcels, or for the bridge in the south east of the precinct to be in place before the area north of Lecky Road / west of Officer South Road can be developed. Industrial traffic in the north west should not be encouraged to move through those areas and local residents are not reliant on connections through the employment precinct for access.

Traffic generated by this area would not trigger the requirement for any of these intersections/bridges. Officer South Road has existing access to and from the Princes Freeway via an on-ramp to the city and an off-ramp from the city – this would cater for the majority flow of traffic. The GHD traffic modelling indicates that most trips would be generated from the north of the precinct, whereby it is the residential precinct that would generate the greatest volumes of traffic.

There is no set timeline for bridge delivery, and accordingly long term planning and the provision of infrastructure planning cannot proceed with any certainty and will lead to the deferment of ICP contributions.

Restricting future development by mandating that a Planning Permit cannot be issued until such time as specific infrastructure is developed by the State Government with no known timeframe, severely impacts on development finance given the increased risk in asset security from the perspective of a lending institution.

A greater push and commitment needs to be made with the State Government to ensure that the completion of the diamond interchange IN-13 is delivered in a timely manner. GAIC Works-in-Kind should be encouraged to facilitate the delivery of all significant State infrastructure, given the state significance of this precinct for industry.

The servicing advice received from South East Water indicates the major portion of Stage 3 north of Lecky Road can be serviced by the existing Officer South sewer pump station. The drainage for this area needs to drain to the south but can be managed with temporary detention infrastructure until further drainage assets downstream are established.

The early development of this area, which includes large landholdings, would allow for east/west development supported by significant ICP payments plus GAIC payments to support construction of the bridge and road infrastructure over Cardinia Creek at Lecky Road.

A range of servicing infrastructure is required to facilitate the development of the precinct. Early upgrades to infrastructure services are required to support development of the precinct regardless of use (industry or housing).

The currently nominated Stage 1 of the Precinct would require the sewer pump station, located in Stage 4 in the very south at the vicinity of Duncan and Patterson Road, to be constructed. This would require outfall sewer alignments to be negotiated through land that isn't being developed until Stages 2 and 4. From a sewer perspective, it appears logical to alter the staging to incorporate the northern part of Stage 3 as Stage 1 given it is serviceable to existing infrastructure.

Requested changes:

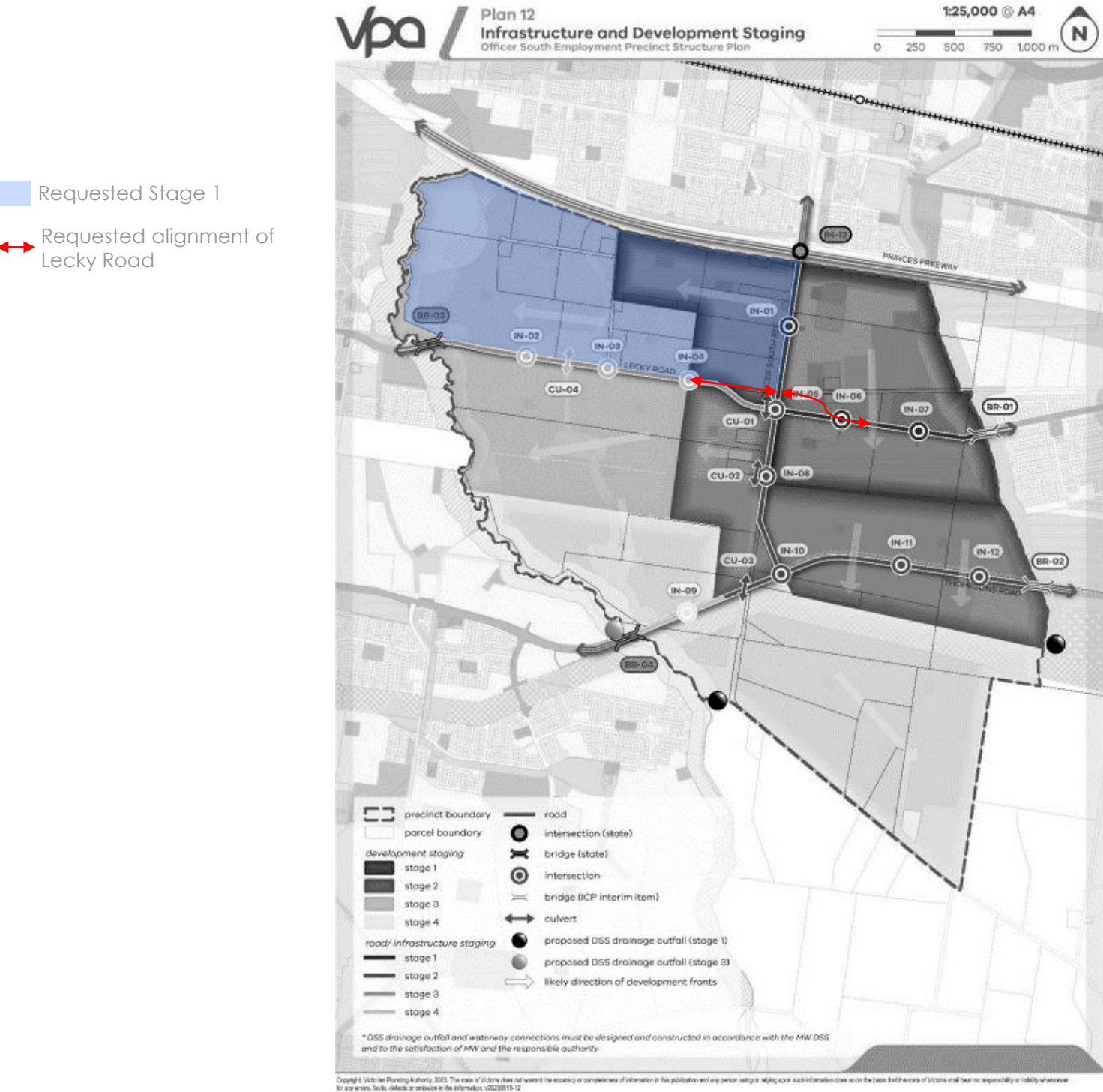
- **The priority for this precinct is to deliver state significant commercial and industrial land, and therefore the PSP should be structured to support industrial land to be delivered ahead of any residential component. Whilst it is submitted that the precinct should not be subject to restrictive staging, if staging is proposed then incorporation of the subject site and land north of Lecky Road/west of Officer South Road into Stage 1 should be considered to facilitate the early delivery of industrial land, aligning with the PSP objectives. The land north of Lecky Road and west of Officer South Road can be delivered unimpeded by significant servicing and access constraints.**

The realignment of Lecky Road west of Officer South Road effectively landlocks the west of the precinct, whereby development of this connection will be reliant on a single landholder to unlock this part of the precinct. It also creates a requirement for unnecessary land acquisition for the land for the road, where a road reserve already exists. It also creates unnecessary curved roads for industrial traffic and inefficiencies to lot layouts through the commercial/ industrial area. It is submitted that the realignment is inefficient and ill conceived, and it should instead occur to the east of Officer South Road, where this road is for primarily commercial / residential traffic, where the road reserve does not already exist, and where it can be more readily accommodated within the future subdivision pattern.

Requested changes:

- **The alignment of Lecky Road west of Officer South to remain within its existing road reserve to facilitate efficient delivery of required infrastructure.**

Requested changes to staging and Lecky Road alignment



Conservation Area Boundary Adjustment and Interface

In March 2022, the landowner applied to DEECA (formerly DELWP) to amend the Conservation Area boundary after having consulted with the VPA and DELWP in the preceding 6 months. All parties supported the application in principle, and DEECA required formal confirmation from the VPA in order to progress the application. The VPA has not yet provided the formal support, noting that they were awaiting the outcomes of the draft PSP. The proposed change to the Conservation Area (CA) boundary has not been shown in the draft PSP but has been appropriately acknowledged in the draft PSP as pending adjustment, and it is submitted that it is now appropriate to finalise the Conservation Area boundary change so that it can be reflected in the final PSP. The background and detailed justification for the amendment to the CA boundary is fully documented in the correspondence to DELWP and VPA dated 22 March 2022.

As a result of the proposed draft DSS exhibited with the PSP, a further amendment to the CA boundary is proposed. It is proposed to adopt the edge of the waterway as the edge of the CA, other than in one location where additional buffer is required to the GGF habitat (the central peninsula) and in the northwest of the site (the alluvial terrace). It is noted that the north western alluvial terrace was also identified as a site of potential Aboriginal Cultural Heritage value. The proposed CA adjustment facilitates a more sustainable and resilient outcome that enables the management of land, biodiversity, and water, in a more integrated way. The adjustment will also offer a more effective developable area which will maximise integration of future urban areas with the conservation open space and responds to site contours and existing site development, and flooding constraints. The proposed adjustment does not impact any areas of strategic importance for Growling Grass Frog, ecological functionality or effective management of the Conservation Area, noting that buffers will be maintained.

In 2022 Biosis was commissioned by Beveridge Williams to assess the extent and quality of Growling Grass Frog habitat within and immediately adjacent to CA36 at 90 Handford Lane, including the areas proposed for inclusion in CA36. Based on the boundary change proposed at that time, Biosis concluded that the exclusion of the higher elevation land from CA 36 (which was mapped as "other terrestrial habitat") and the subsequent protection of the low-lying land (most of which is subject to the flood overlay) would be beneficial to the conservation of the Growling Grass Frog (Biosis 2022). Biosis concluded the change would enable individuals to access sufficient foraging habitat and provide additional capacity to be able to disperse into the surrounding landscape (Biosis 2022). The current proposed changes to the boundary of CA36 at the site are not materially different from the changes that were outlined in 2022, consequently Biosis' position is unchanged from the advice outlined in that letter (Biosis 2022).

Changes in the area of CA36 are outlined in the table opposite. As shown, the total area of CA36 will increase by approximately 2.2 hectares as a result of the proposed boundary alteration. In summary, the addition of low-lying habitat and removal of other terrestrial habitat would be beneficial to the conservation of the Growling Grass Frog. There will be a net increase in the area of CA 36 resulting from the proposed alteration to the boundary of CA 36 at 90 Handford Lane.

Guideline G14 of the PSP is unclear and requires rewording. It states that "Access ways are not an acceptable interface to the BCS conservation area where a 30 m conservation interface is shown on Figures 3–7 in Appendix 2 Conservation area concept plans". This should be reworded to: "Direct frontage and rear access ways are not an acceptable interface to the BCS conservation area where a 30m road reserve frontage should be provided to the conservation interface is as shown on Figures 3–7 in Appendix 2 Conservation area concept plans".

It is also noted that the residential, commercial and industrial areas in the east of the OSEP has incorrectly shown this as just 19m in Figure 2 and 3, not the 30m specified in this guideline. If this is intentional the guideline needs to be amended, and it is not clear why an increased setback of 10m along the interface is required for industry in the west of the precinct. Further why for parts of 90 Handford Lane, a 30m conservation interface is required where land does not abut the conservation area (abuts the drainage reserve a significant distance from the conservation area in the southern part of the site).

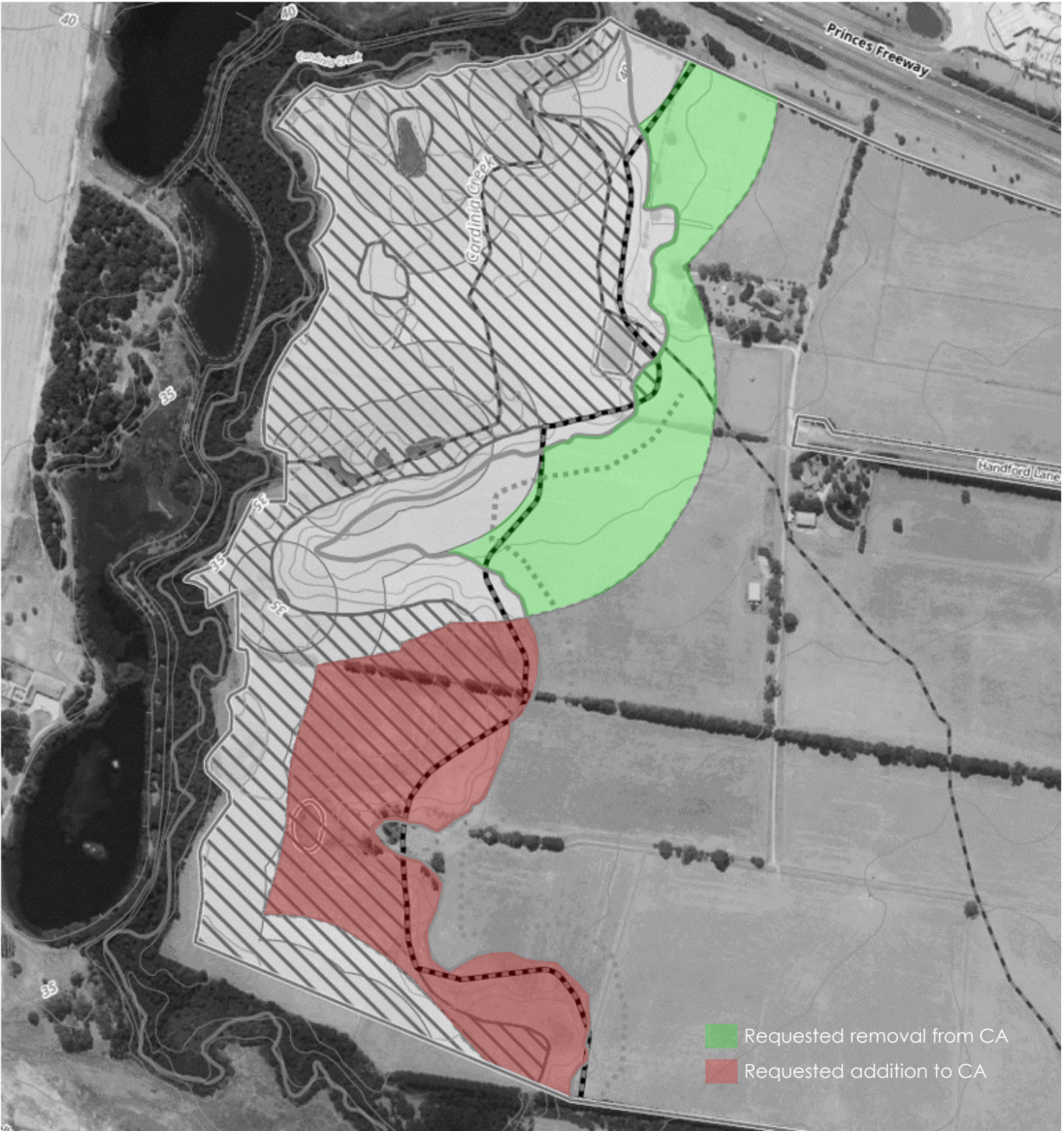
Requested changes:

- It is now appropriate to finalise the Conservation Area boundary change so that it can be reflected in the final PSP. It is submitted that it is appropriate to adopt the edge of the proposed waterway as the edge of the conservation area, other than in two locations where additional buffer is required to the Growling Grass Frog habitat (the central peninsula and the north western alluvial terrace).
- This adjusted Conservation Area boundary should be reflected in amendments to the proposed UGZ / RCZ boundaries, and the SCO14, IPO3, and ESO7 as it meets the requirements of the Growling Grass Frog Conservation Management Plan.
- Amend G14 for clarity regarding the necessary interface treatment to the conservation areas through the precinct.

Proposed changes to the area of Conservation Area 36

Change in Conservation Area extent (m2)	Change in Developable Area extent (m2)	Change (m2)
79,524	57,065	22,459 increase in CA extent

Proposed Conservation Area Adjustment



Proposed Waterway Reserve and DSS Serviceability Line

The DSS shows the location of WLRB partly within the site in the southeast corner. The landowner does not have any objection to this aspect. This asset may also provide for interim detention, enabling this area north of Lecky Road / west of Officer South Road to be developed initially pending the construction of downstream drainage infrastructure.

It is noted that the waterway reserve has been proposed by Melbourne Water, and has been defined as a general setback based on a review of site topography to incorporate Cardinia Creek and the overbank, plus the escarpment and a general setback from the escarpment based on elevation profiles. It is further understood that no development is permitted within the waterway reserve.

The flood mapping contained within the *Pre-development Hydrological Assessment* (Jacobs, 2023) indicates that the flood mapping which informed the waterway corridor is subject to further modelling for the Cardinia Creek catchment before finalising the flood map. Figure 4 of the PSP highlights that “*This plan may be subject to change. The drainage assets/waterways may be further refined by Melbourne Water*”. It is submitted that given that this flood extent is the determining factor of the proposed zone boundary, IPO3 boundary and SCO14 boundary, with significant financial implications for the landholder, that it exceeds the current extent of the Flood Overlay, and that it has a significant effect on the net developable area of this site (33.45ha to be set aside for waterway/drainage), that this work should be finalised and resolved as soon as possible. It is not clear why the extent of the Waterway Reserve is proposed and given that Melbourne Water have not proposed to update the Flood Overlay extent as part of the amendment. The Flood Overlay mapping should be updated as part of this C274card amendment to reflect the updated 1%AEP.

Melbourne Water were not able to confirm whether the establishment of the proposed Waterway Reserve edge was determined based on a current site survey, or whether it was based on outdated cadastral VicMap data. The landowner has confirmed that no fieldwork was undertaken by Melbourne Water to ground-truth the conclusions drawn in the establishment of this waterway reserve extent. It is requested that an accurate site survey be utilised to confirm the waterway extent given that the proposed alignment is intended to be based on topography and given that the impact on the net developable area of this property is already substantial.

It is noted that a “serviceability line” is proposed as part of the DSS and is reflected on the plans. The serviceability line is offset from the waterway reserve, as shown in Plan 2 of the PSP. It appears to adopt a standard set back from the waterway but this setback is not clearly articulated, and appears to have been modified in locations without a clear reasoning for the modifications to its edge/alignment. It is also understood that the serviceability line has also taken account of cultural heritage sensitive areas. It is submitted that this is not related to drainage or flooding serviceability and is a separate matter to be considered as part of a Cultural Heritage Management Plan (CHMP).

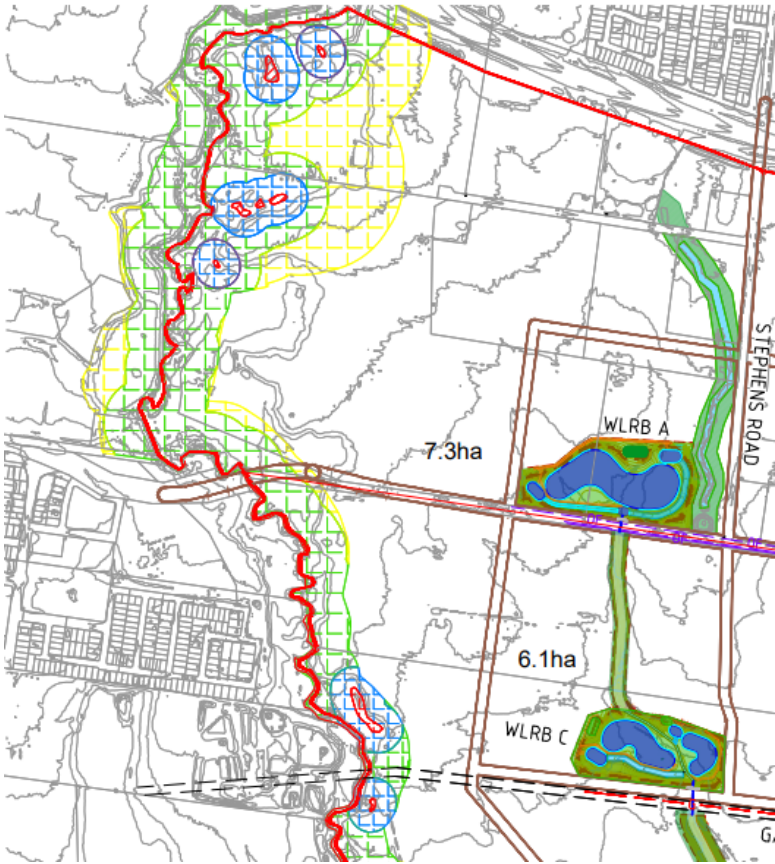
The purpose of the Waterway Reserve is to provide sufficient space for flood protection, drainage and waterway health. It is understood that any development proposed west of the serviceability line must be supported by a drainage strategy which confirms that the land can be drained to the east without impacting on the conservation area to the west. It is submitted that this line is unnecessary, as the whole of the site will need to provide a drainage strategy which demonstrates appropriate drainage to the east without impacting on the Cardinia Creek.

The inclusion of the serviceability line in the PSP is misleading, suggesting that the land west of the line is not developable, but this is not correct and indeed a future development will need to be designed such that it meets the requirements of the DSS regardless of which side of the line it is located. The serviceability line does not serve any practical purpose and is unnecessary and confusing. A 30m road reserve is required along the waterway frontage, incorporating a buffer to the CA, bushfire defendable space, an equestrian trail, and shared path, as well as road and servicing infrastructure. This can be provided along the Waterway Reserve edge, providing for appropriate setback and frontage to the waterway and addressing the necessary drainage requirements in accordance with the DSS.

Requested changes:

- Ensure that the waterway corridor is based on current survey data and complete modelling
- Deletion of serviceability line from the PSP plans
- Provide confirmation of the flood extent and amend the FO if necessary

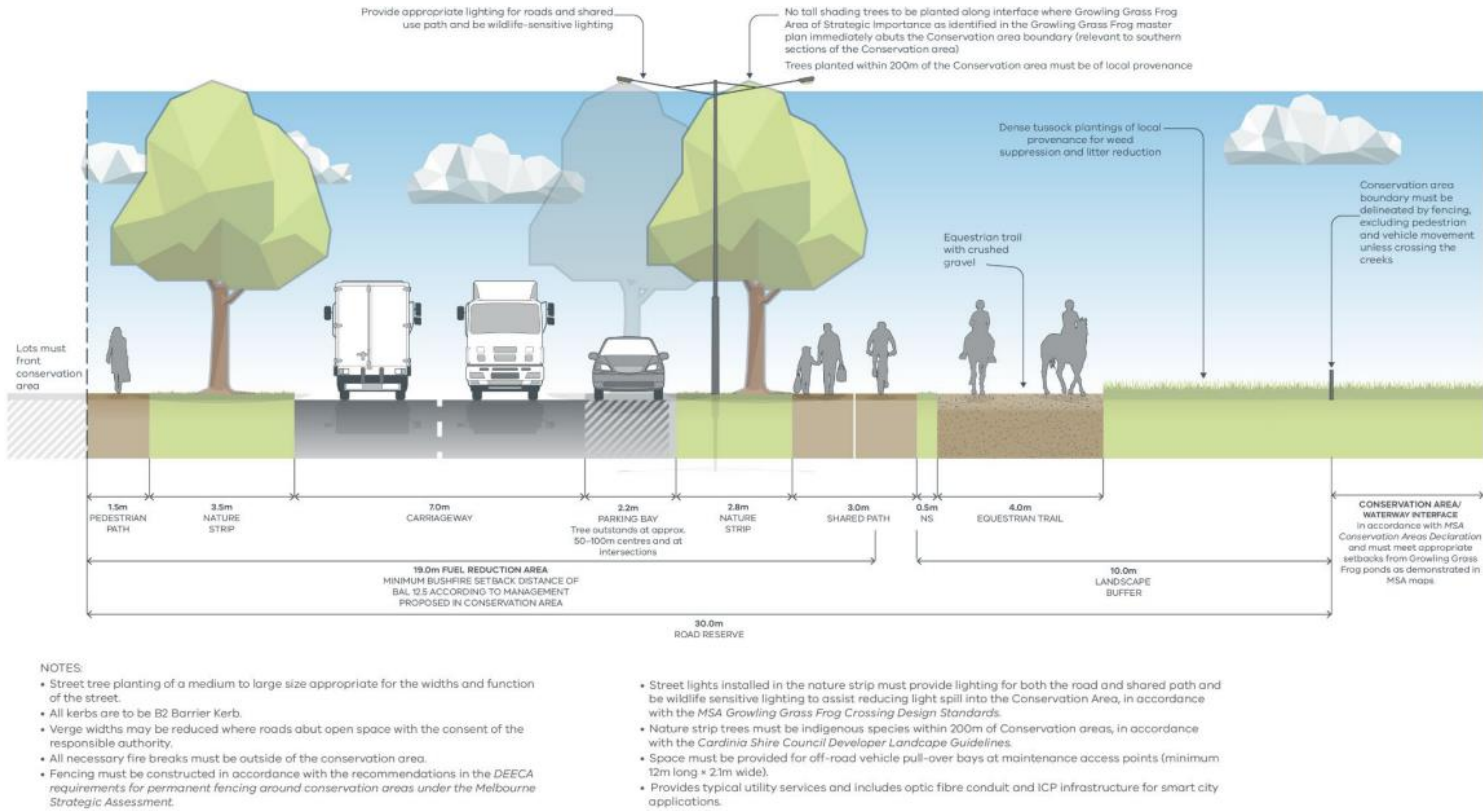
Proposed Drainage Scheme, extract



1% AEP peak floods depth and levels, extract



Proposed Road Cross Section along Conservation / Waterway Frontage (Local Access Street – Industrial – Conservation Interface)



Local Open Space

A local park, LP-06, is proposed centrally within the southern part of the site. It appears that VPA have applied a 400m walkable catchment to the industrial precinct, even though this standard is usually applicable only to residential land. We submit that the extensive areas of open space on this site due to encumbrances (waterway, drainage, conservation, and heritage) mean that additional local open space is unnecessary in this part of the precinct.

It is submitted that the local park should be deleted, or at least moved to be co-located with the conservation area / waterways. A more efficient use of the land would be to provide these parks adjoining the waterway corridor or drainage reserves where there are several locations that would provide a logical place to provide local recreational amenity with views to Cardinia Creek and as a rest stop or gathering place along the bike path and equestrian trail. The suggested revised locations may also enable the retention of some trees identified as high and very high retention value in the Preliminary Tree Assessment (Homewood Consulting 2000).

Indeed this would support proposed G28 of the draft PSP which states that “open space areas should be located adjacent with the conservation area and waterways”. It is also consistent with the PSP Guidelines which state at S3, “In major employment areas, approximately 2% of net developable area as public open space, usually with a passive recreation function”, and at S4 that “encumbered land should be used productively for open space. The network of local and district parks should be efficiently designed to maximise the integration and sharing of space with publicly accessible encumbered land. Encumbered land usually includes land retained for drainage, electricity, biodiversity and cultural heritage purposes. The parkland created by such sharing and integration should be suitable for the intended open space function/s, including maintenance. In this way, encumbered land will be well utilised, while the total amount of open space can be optimised without adversely impacting on the quality and functionality of the network”.

This would make for a more efficient use of the land, take advantage of the topography and natural features of the land, and enable future employees to enjoy the extensive creek amenity. These local parks could also recognise the Aboriginal cultural heritage values and Heritage Inventory site.

Requested change:

- Delete local open space from 90 Handford Lane, where extensive open space is already provided for drainage, conservation, heritage and waterways.
- If local open space is to be provided, co-locate with the waterway and drainage corridors for greater efficiency and to maximise use of amenity.

Retention of Vegetation

It is noted that most trees within the site are proposed to be removed. Most trees have been planted as windrows or around the dwelling and farm buildings and landscaping. Several trees located around the existing dwelling are proposed to be retained within the PSP, despite their not having been assessed as part of the Preliminary Tree Assessment (Homewood Consulting 2020). It is noted that the other trees around the dwelling were generally rated as having no significance in the Preliminary Tree Assessment, though some are considered as having high retention value. It is not clear how it was determined which trees would be retained and which would be removed in the PSP, however it is submitted that those trees around the dwelling must be marked for removal with the proposed adjustment to the CA boundary.

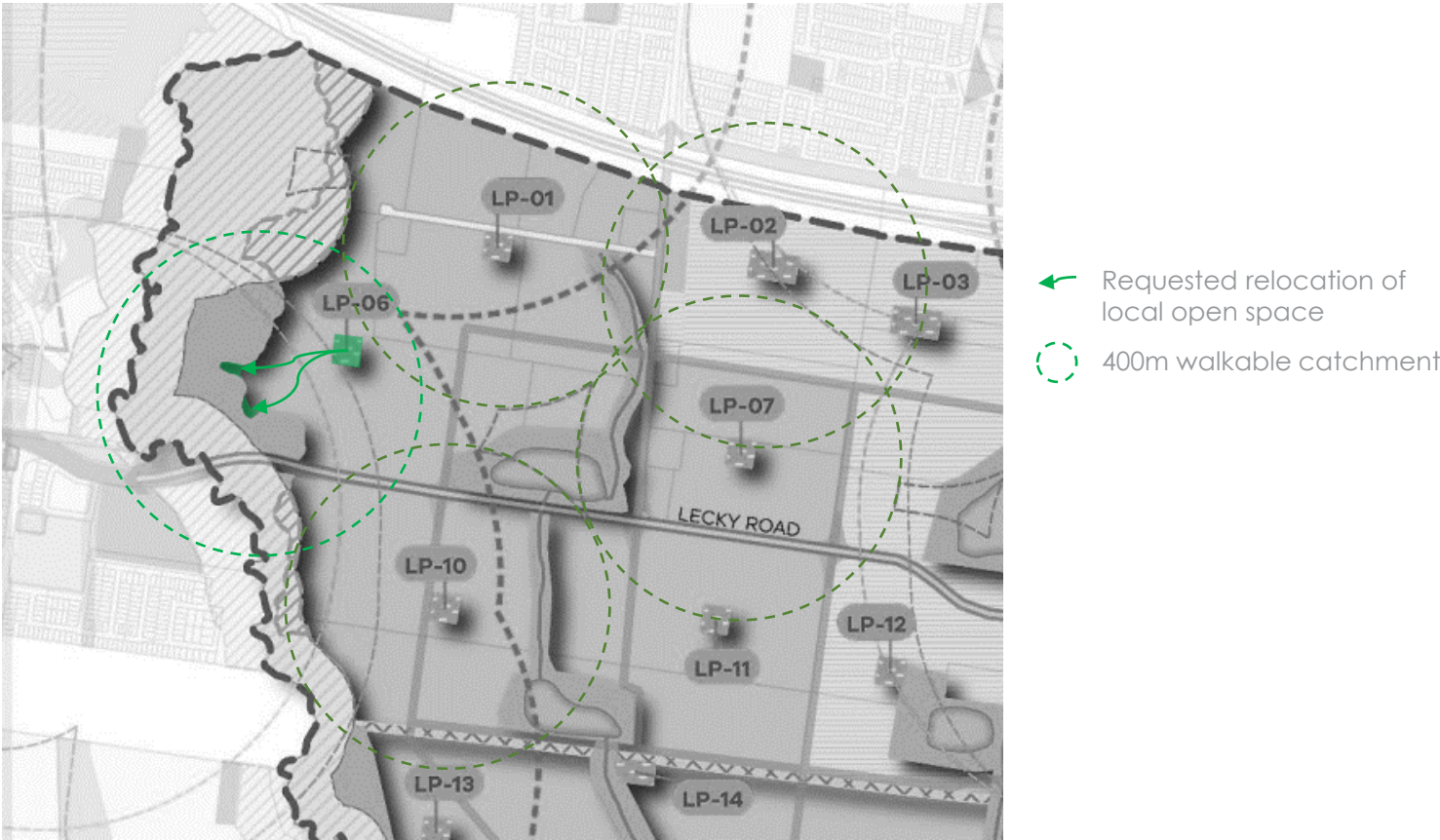
A single tree (appears to be Tree #699, in the Homewood Consulting assessment, and is marked as a timestamped tree) is proposed for retention within Lecky Road road reserve, where the tree was rated as having no significance, and a high retention value. Its retention is not practical, particularly given proposed potable water main, telecommunications, passive irrigation, offroad two way bike path, bus route, proximity to intersection, and its location within a 34m secondary arterial. No consideration has been given to the likely constraints to retaining this tree given earthworks and drainage works to construct this road.

Two trees of very high retention value (Bunya Pines associated with the heritage inventory site) are proposed for removal. With the proposed relocation of local park LP-06, these trees could be considered for retention by providing mutually beneficial open space.

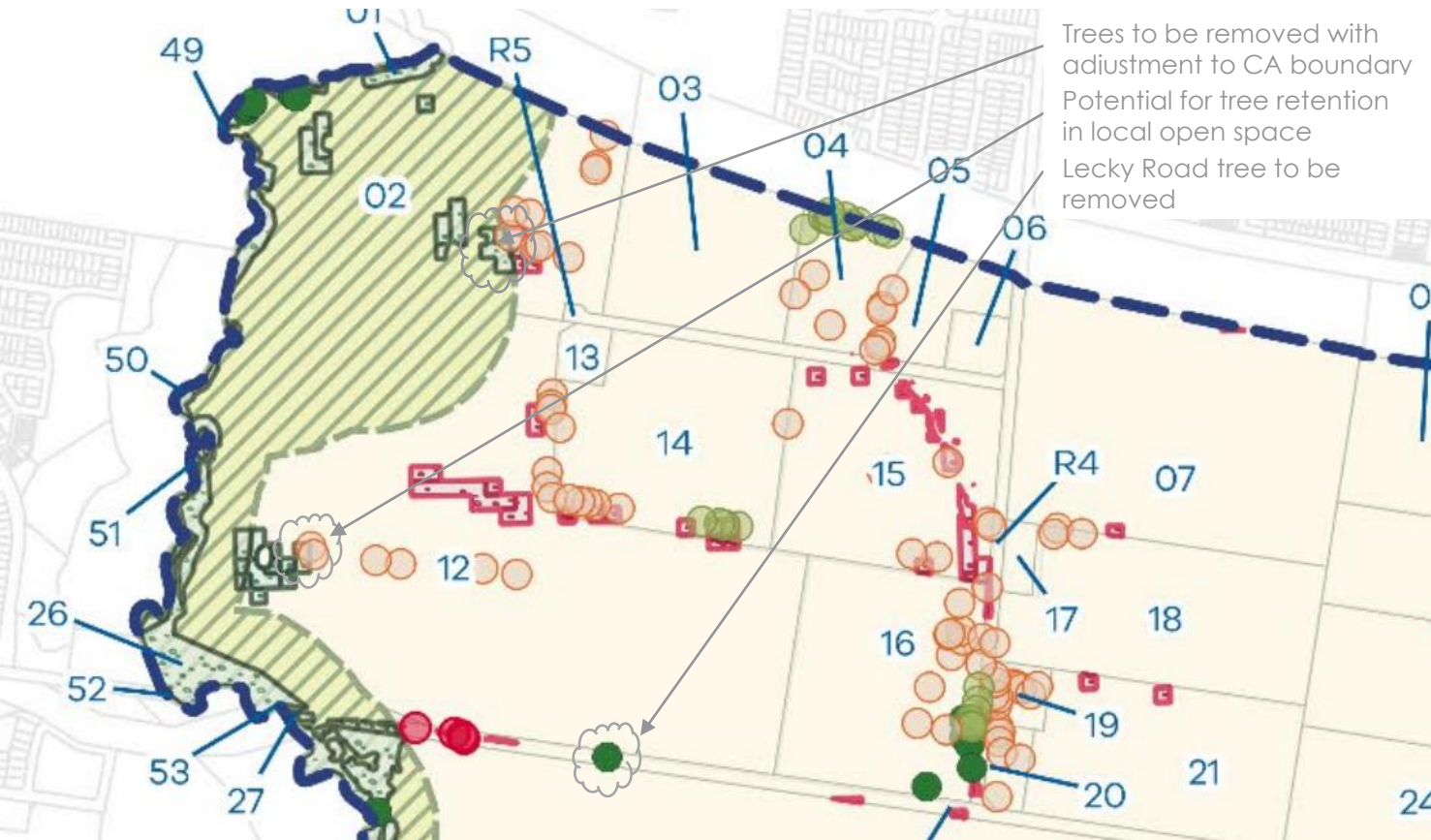
Requested changes:

- Retention of trees planted around the existing dwelling should be reconsidered to reflect the proposed adjustments to the conservation area boundary and to reflect only those trees of retention value.
- Retention of the tree within Lecky Road road reserve should be further considered with regards to the likely earthworks and infrastructure requirements for the construction of the road.

Requested Re-location of Local Open Space – 90 Handford Lane



Native Vegetation Retention and Removal – 90 Handford Lane



Cultural Values Investigation Area

The Bunurong Land Council Aboriginal Corporation have recently been recognised as the Registered Aboriginal Party (RAP) for this area. The Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, and the Boonwurrung Land and Sea Council must also be consulted during the preparation of any future Cultural Heritage Management Plans (CHMPs). The *Aboriginal Cultural Heritage Impact Assessment* (Tardis May 2021) prepared to inform the PSP highlighted the large alluvial terrace adjacent to the current creek line in the northwest of the site, where it is likely further Aboriginal cultural heritage is present in a sub-surface context across the terrace. This area was noted as having high archaeological potential and recommended for inclusion in a conservation zone. Including this section of the terrace within the conservation zone would likely protect what may be a significant archaeological sub-surface deposit at that location. It is noted that this area is predominantly located within the GGF terrestrial habitat buffer area and is therefore already located within a Conservation Area (CA), and will not be impacted by the proposed amendment to the CA.

Through the PSP, the Bunurong Traditional Owners seek to strengthen the response to cultural values and integration in the future 'place'. The Bunurong advise that intangible heritage values exist for land identified along Cardinia Creek, and accordingly an area of 200m along Cardinia Creek is nominated in the PSP as a Cultural Values Investigation Area. Whilst it is aligned with Cardinia Creek, the designation of this area has not considered the topography or natural features or site specific values of the land. Concerningly, this area is proposed by the VPA as Rural Conservation Zone, which does not allow for investigation of cultural values or a site-specific response as part of any future development concept for the site.

The *Cultural Values Assessment* (Tardis, December 2022) identified that "A 100-metre conservation zone is considered appropriate to ensure the protection of intangible heritage within direct proximity to Cardinia Creek, to preserve the cultural flows associated with the creek, and provide an opportunity to enhance the cultural landscape through revegetation of the area with Indigenous species. However, the 200-metre conservation zone requested by the BLCAC would ensure greater protection will also allow the creek to meander over time in a natural fashion without concrete reinforcement, it may also permit some forms of recreational use."

It is acknowledged that this is an area of sensitivity to Aboriginal people by virtue of its proximity to the Creek, however the term "Investigation Area" implies that land within this area should be further investigated on a site-by-site basis to determine particular site values and constraints to inform any development proposal. Indeed this is a process that is usually undertaken via the preparation of a Cultural Heritage Management Plan (CHMP). The designation of this land prematurely as Rural Conservation Zone provides uncertainty for those parts of the site regarding future ownership, lacks justification, and where use and development will be severely constrained and effectively undevelopable through the zoning irrespective of site specific values.

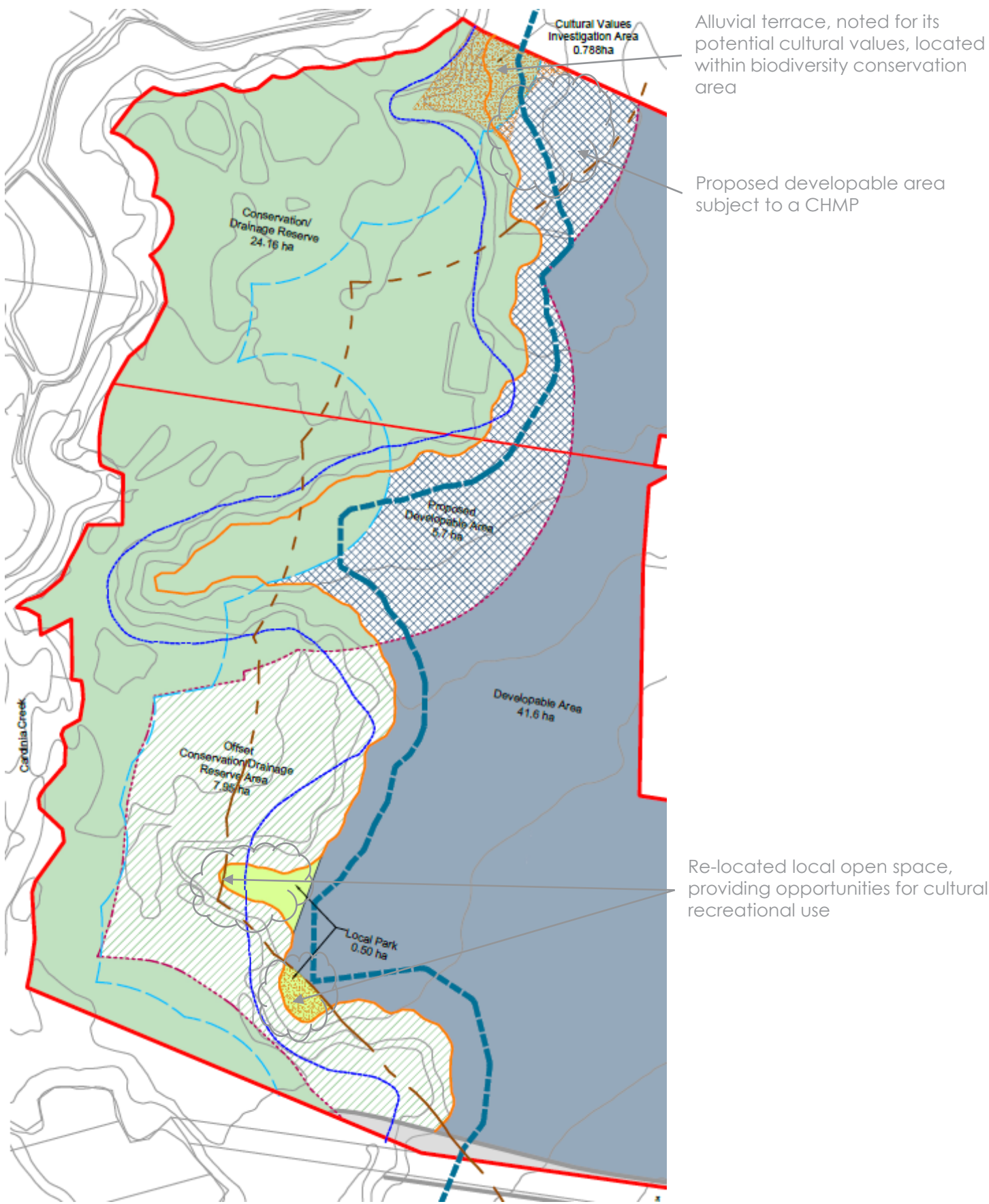
It is submitted that the nominated waterway width by Melbourne Water provides a sufficient waterway corridor to preserve areas of the riparian zone that protect and enhance native vegetation, river health and biodiversity, whilst also providing sufficient land for protecting cultural values and in some locations also to support a level of passive or other recreational use. Melbourne Water's waterway corridor is nominated of a sufficient width beyond the overbank to help ensure a resilient waterway system.

The statement suggests that the additional 100m corridor "may permit some forms of recreational use." It is important to clearly define what those forms of recreation are and how a development concept could be designed to provide for cultural heritage recreational needs. As noted earlier in this submission, it is requested that VPA consider moving local parks to the locations where cultural values have been identified. This may provide the opportunity to provide local open space that provides for cultural recreational use.

Requested changes:

- The application of the RCZ to a 200m corridor for the protection of cultural values is not supported by the Cultural Heritage Assessment, and lacks crucial details and robust site-specific assessment, provides uncertainty for future ownership and misses opportunities to provide for meaningful site-specific responses to cultural values. It is submitted that any Cultural Values Conservation Areas should be nominated on a site-by-site basis through a robust CHMP assessment rather than by a nominal 200m from the Cardinia Creek, and the cultural heritage areas should be deleted from the Place Based Plan.
- It is appropriate to retain the 'investigation area' on the plans noting that a CHMP will be required in these areas.
- The identified sensitive area on the alluvial terrace in the north west of the subject site where there are previously identified Cultural Values, is included in the Biodiversity Conservation Area, and a relocated local open space may also provide the opportunity to promote the desired recreational objectives on this site.

Cultural heritage investigation areas – 90 Handford Lane



Other Matters for Consideration

Other issues identified within the documentation is detailed below, with the requested changes to address the issue identified in bold.

- Specific to the UGZ-7, if a Child Care Centre is prohibited in the C2Z, should it also not be prohibited in the IN1Z area particularly based on the uses that the precinct is trying to capture. It is suggested that a childcare centre is more appropriately located within the C2Z rather than the IN1Z where threshold distances could be applied / required.
Requested change: Amend the UGZ-7 to allow the issuing of a planning permit for a childcare centre in the C2Z and to prohibit the use of a child care centre in the IN1Z.
- PSP Guideline 3 (G3) seeks activation of the streetscape with a maximum setback of 3m. It suggested that a 3m setback within an industrial area is not appropriate particularly in an area where large scale land parcels for heavy industrial enterprises to excel, with strong connections to the principal freight network are encouraged. Uses such as advanced manufacturing and engineering, scientific research and chemical production, aerospace and other uses that require threshold distances from sensitive uses/large parcels) will likely make this setback unachievable.
Requested change: Modify PSP Guideline G3 to: The front setback of commercial and industrial premises should be landscaped with canopy trees and vegetation where practical to promote water sensitive urban design and to help reduce the impact of the urban heat island effect.
- PSP Requirement R14 is limiting and should be a noted as a guideline only. There are multiple examples of industrial development where car parking is located to the front of the building and good design outcomes have been achieved. This also assists in separating visitor and loading/working operations on the site (i.e. improves site safety). The need for those off-street car parking areas to connect to the primary entrances of buildings with pedestrian paths also has the ability to have entrances designed to the side of buildings so as buildings are better integrated with the street.
Requested change: Split PSP R14 into two parts: A Requirement – Commercial, industrial and retail premises loading and storage areas must be provided at either the side or rear of the building; and a Guideline – Commercial, industrial and retail premises at-grade parking should be provided to the side of the building, with direct pedestrian paths connecting off-street car parks to the primary entrances of buildings.
- PSP R17 is prescriptive on the timing for the preparation of a landscape plan where a landscape plan submitted as part of a permit application will determine whether a permit for the proposed use and development will be issued. It is suggested that a landscape plan could be dealt with by way of permit condition, once civil drawings and detailed design are also finalised.
Requested change: Amend the preamble of PSP R17 to: Unless provided with the application, a condition of any permit issued for the subdivision of land within the PSP area must require a Landscape Plan to be submitted to the Responsible Authority for approval. The Landscape Plan must illustrate and quantify canopy tree coverage within the public realm and open space to an average of 30 per cent (excluding areas dedicated to biodiversity or native vegetation conservation).
- PSP R60 only identifies that subdivision of land within the PSP must meet the cost for all local infrastructure unless the items are covered by the ICP or the DSS. Other authorities also ultimately cover the cost for the installation of critical infrastructure. As such, the wording should be general enough to cover such instances. Reference to the provision for gas services is also noted under PSP R60. The utilities report notes that gas is not considered an essential service and the requirement for gas will be determined based on a business case for industry and employment uses. Refence to gas as detailed under R60 should be removed.
Amend the second last dot point in R60 to: Infrastructure as required by utility service provided including water, sewerage, drainage, electricity, and telecommunications except where the item is funded by the utility provider, such as, but not limited to a Development Services Scheme.

Proposed Planning Controls

The majority of the site is within the Urban Growth Zone (UGZ). A draft schedule for this zone has been exhibited with the draft amendment, and will implement the Precinct Structure Plan. Amendment C274card proposes the following planning controls as set out in the draft planning scheme amendment. The following submissions are made in relation to the proposed planning scheme amendment.

Urban Growth Zone – Schedule 7 (UGZ7)

This proposed schedule implements the PSP and applies the Industrial 1 Zone to the entire UGZ7 area site. The schedule also has the effect of prohibiting restricted retail uses and rural industry, and triggering a permit for bulk earthworks. The need to prohibit rural industry and restricted retail is not justified and is not supported. The zoning should be flexible to facilitate a range of industrial uses, particularly given the site’s location proximate to rural areas and the Princes Freeway.

It is noted that the schedule requires a number of plans to be prepared for land within the Conservation Area, however it is noted that the UGZ zoning boundaries proposed do not include any land within the Conservation Area, as land within the CA is proposed to be zoned Rural Conservation Zone with an Incorporated Plan applied. The IPO3 sufficiently covers these matters including an Environmental Management Plan, Land Management Co-operative Agreement, section 173 agreement, and conservation area fencing plan.

Requested changes:

- **Delete the requirements for land within the Conservation Area from this zone schedule, as the CA areas are not located within this zone. The proposed IPO3 adequately provides for these matters.**
- **Amend the UGZ mapping to increase the extent of the site subject to this zone, by reflecting the proposed amended Conservation Area boundary and to remove the Cultural Heritage Values Investigation Area.**
- **Refer also to attached mark ups and queries (Attachment 1).**

Rural Conservation Zone (RCZ)

The RCZ is proposed to apply to the Conservation Area and also to the Cultural Values Area, for its importance to the Bunurong Land Council Aboriginal Corporation. A 40ha minimum lot size applies in this area, and most uses are prohibited or require a permit. Agricultural land use requires a permit and various other low intensity compatible uses are possible noting that most need a permit. Industry, offices, and warehousing is prohibited.

As discussed in this submission, it is proposed to adjust the Conservation Area boundary, and it is submitted that the Cultural Heritage Values Investigation Area is not sufficiently justified. As further outlined in this submission, the establishment of the Waterway Reserve boundary requires survey to confirm its extent. As the RCZ proposes to incorporate these aspects, it is submitted that further work is required to resolve the boundary of the zone and that the extent of the site subject to the RCZ should be reduced.

Requested changes:

- **Amend the RCZ mapping to reduce the extent of the site subject to this zone by reflecting the proposed amended Conservation Area boundary and to remove the Cultural Heritage Values Investigation Area, and to reflect accurate survey of the Waterway Reserve.**

Environmental Significance Overlay – Schedule 7 (ESO7)

This overlay is proposed to apply to the current area of the Conservation Area. As previously noted in correspondence with the VPA and DEECA, it is submitted that the extent of this area has been established based on erroneous mapping of the Cardinia Creek. It is suggested that this area should be realigned to reflect the necessary buffer area to the GGF habitat. This has been supported in principle by the VPA and DEECA and an application has been made to realign the Conservation Area boundary.

Requested changes:

- **Delete the ESO3 from the land as the proposed ESO7 adequately provides for the relevant protection of biodiversity matters and would result in an unnecessary duplication of planning control.**
- **Adjust the ESO7 to reflect the proposed amended Conservation Area boundary.**

Infrastructure Contributions Overlay (ICO3)

This overlay implements the Officer South ICP. It specifies a levy of \$141,107.00 for commercial and industrial development, plus a supplementary levy of \$114,316.30. The overlay applies to the whole site, including the conservation area. It is submitted that the ICP could be refined through the re-consideration of land uses across the PSP area, including improvements to the efficiency of the zoning and land uses and locations of open space as outlined within this submission.

Re-alignment of the conservation area and relocation of the local open space as proposed would increase the net developable area of 90 Handford Lane by approximately 5.3ha from that shown in the draft PSP. The changes proposed support the identified environmental and heritage values, whilst being responsive to the Vision for the OSEP and the affordability of development within this precinct.

Requested changes:

- **GAIC Works-in-Kind should be encouraged to facilitate the delivery of significant State infrastructure, as discussed in this submission.**
- **Changes to the developable area as outlined within this submission.**

Incorporated Plan Overlay Schedule 3 (IPO3)

This overlay is proposed to apply to the Cultural Values Area. This includes the Conservation Area, and all land within 200m of Cardinia Creek. It effectively applies the Officer South Employment PSP to the land. The following plans and documents will be required as part of any permit granted in this area:

- Environmental Management Plan
- Land Management Co-operative Agreement – to outline how conservation areas will be managed and maintained (weed management, revegetation, rubbish control, etc) up until the securing of the conservation area as a reserve
- section 173 agreement which facilitates the transfer ownership of the conservation area to the Minister, Council or Melbourne Water for no or nominal consideration
- Conservation area fencing plan

There is no justification provided for why no compensation would be provided for the transfer of land for conservation reserve. Comprising half of the site in the PSP, it is unreasonable that there would be no payment based on its current productive use, including for agriculture, a dwelling, training paddocks, farm infrastructure, and constructed dams.

Requested changes:

- **Amend the IPO3 to reduce the extent of the site subject to this overlay by reflecting the proposed amended Conservation Area boundary and to remove the Cultural Heritage Values Investigation Area.**
- **Apply the PAO2 to the land to be acquired for the Cardinia Creek Parkland, to facilitates its future acquisition.**

Special Controls Overlay Schedule 14 (SCO14)

This overlay applies an Incorporated Document to the UGZ land, with the effect of staging the development of land consecutively such that residential land is delivered as the first priority, then surrounding commercial land, and ensures that industrial land is not delivered until bridges across Cardinia Creek and Gum Scrub Creek are funded and delivered.

As outlined in this submission, The priority for this precinct is to deliver State significant commercial and industrial land, and therefore the delivery of Industrial land should be delivered ahead of any residential component. Whilst it is submitted that the precinct should not be subject to restrictive staging, if staging is proposed then incorporation of the subject site and land north of Lecky Road/west of Officer South Road into Stage 1 should be considered to facilitate the early delivery of industrial land, aligning with the PSP objectives. The land north of Lecky Road and west of Officer South Road can be delivered unimpeded by servicing and access constraints.

Requested changes:

- **Restrictive staging of the precinct should not be applied, enabling the bringing forward of key infrastructure in strategic locations for the benefit of the wider precinct, and enabling larger landholdings with the capacity to undertake works in kind to proceed early in the development of the precinct.**
- **If restrictive staging is pursued, 90 Handford Lane together with land north of Lecky Road should be included within Stage 1 of the PSP Plan 12 to ensure efficient and timely development of industrial land.**
- **Remove BR-01 from any requirements prior to the development of industrial land in the SCO**
- **Remove the link to development of land west of Officer South Road to BR-02.**

Conclusion

OSEP is a designated State Significant Industrial Precinct (SSIP) and a Regionally Significant Commercial Area (RSCA). The PSP objectives clearly promotes industrial and employment land as the priority, as does the PSP Vision.

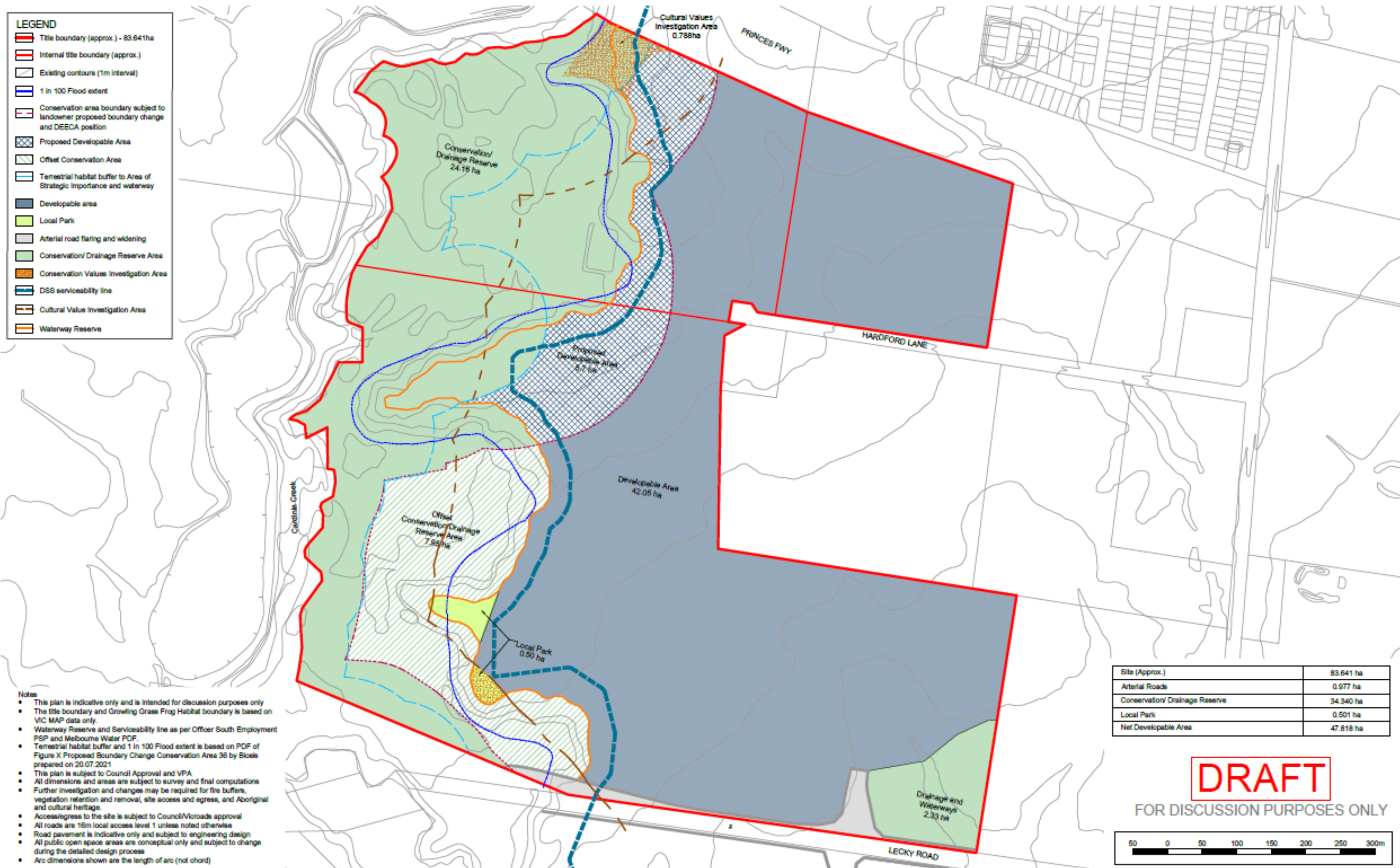
The proposed staging plan and the funding gaps identified will not deliver priority employment precinct in the near future given the lack of a plan for the delivery of bridge infrastructure. On the contrary, the proposed staging advances the delivery of residential land and suspends the construction of any employment land indefinitely. Influences that have seemingly shaped the SSIP have also found to be unfounded, based on high-level desk-top assessments and risk optimising land-use opportunities within the Precinct.

This submission advocates for a land use outcome that maximises to its full extent, the development potential of 90 Handford Lane and the broader Precinct to facilitate Industrial and employment uses. Requested changes are provided to facilitate a more logical subdivision design suitable for large scale industrial uses and superior environmental outcomes.

The key concerns as detailed in this submission are:

- Staging results in inability to deliver any industrial land in the short term, leaving uncertainty and regarding the delivery of state significant industrial land for which there is an urgent demand. It is requested that the staging of the precinct be removed, or if reconfigured that the land north of Lecky Road and west of Officer South Road should be within Stage 1 to ensure that state significant industrial land can be delivered as a priority.
- Restricting future development by mandating that a Planning Permit cannot be issued until such time as specific infrastructure is developed by the State Government with no known timeframe, severely impacts on development finance given the increased risk in asset security from the perspective of a lending institution.
- The definition of the Waterway Reserve has not been based on site survey, and in utilising this for a zone boundary requires careful confirmation. The DSS serviceability line should be deleted from the PSP as it does not serve any practical purpose and is unnecessary and confusing. A 30m road reserve is required along the waterway frontage, incorporating a buffer to the CA, bushfire defendable space, an equestrian trail, and shared path, as well as road and servicing infrastructure. This can be provided along the Waterway Reserve edge, providing for appropriate setback and frontage to the waterway and addressing the necessary drainage requirements in accordance with the DSS.
- Aboriginal Cultural Heritage areas within 90 Handford Lane can be confirmed through a CHMP process and as significant sites could be incorporated into local open space where required, contiguous with the conservation reserve if required.
- Our ecological consultants have confirmed that it is appropriate to realign the conservation reserve to align with the low lying areas on the site. The changes as proposed, namely the addition of low-lying habitat and removal of other terrestrial habitat would be beneficial to the conservation of the Growling Grass Frog. There will be a net increase in the area of CA 36 resulting from the proposed alteration to the boundary of CA 36 at 90 Handford Lane.
- Local open space within the site should be relocated contiguous with the conservation area.

Based on the changes requested within this submission, an indicative development plan has been drafted and is attached in the following pages, to demonstrate the logical subdivision design suitable for large scale industrial uses and superior environmental outcomes.



Indicative Development Plan - PSP Submission

90 Handford Lane, Officer

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										Date: 25.10.2023																	
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Date: 25.10.2023

Version No:

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Job No: 1701482

Scale (A1): 1:2500

(A3): 1:5000

Proposed
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SCHEDULE 7 TO CLAUSE 37.07 URBAN GROWTH ZONE

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

OFFICER SOUTH EMPLOYMENT PRECINCT STRUCTURE PLAN

1.0

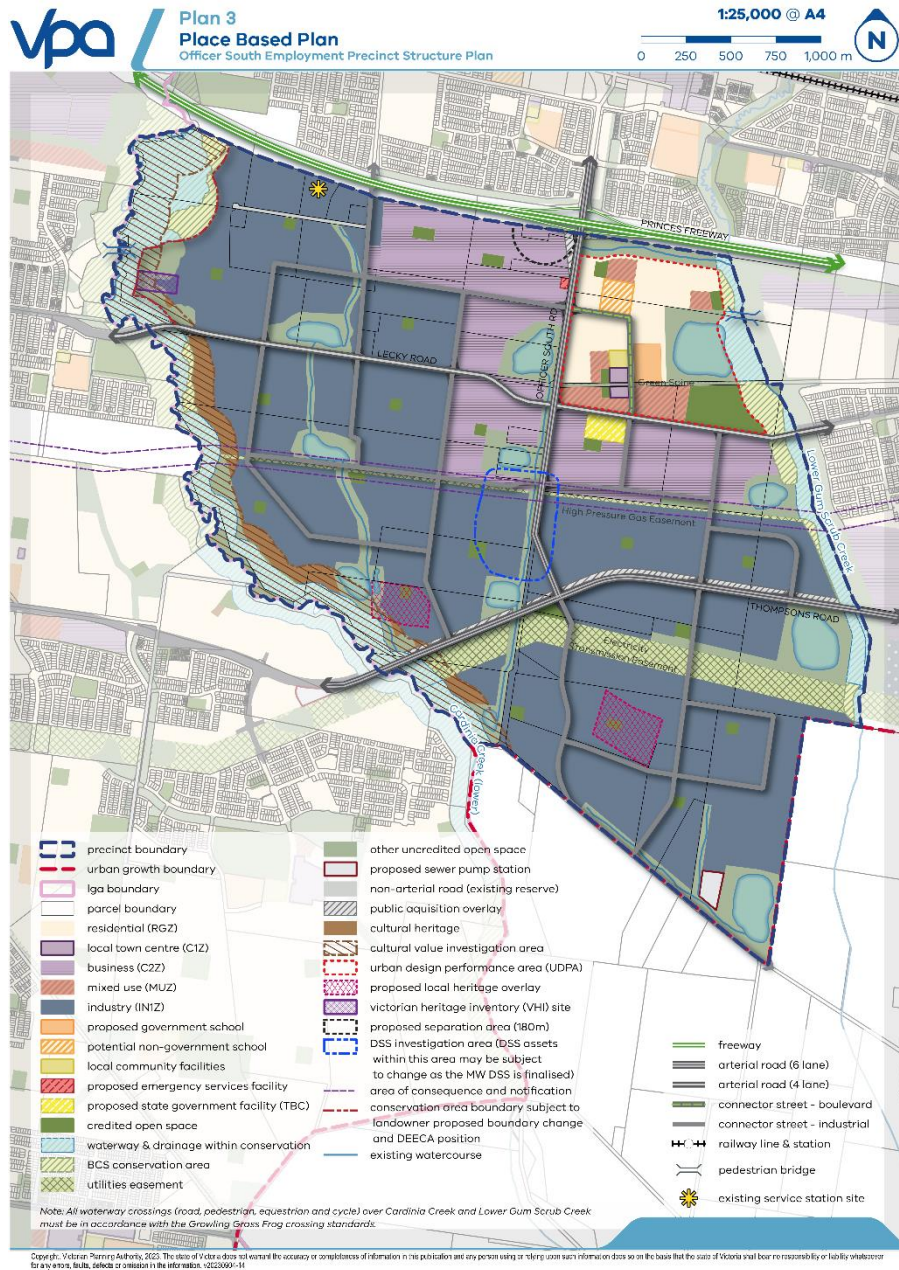
The Plan

Proposed
C274card

Plan 1 shows the future urban structure proposed in the incorporated *Officer South Employment Precinct Structure Plan*.

Plan 1 to Schedule 7 of Clause 37.07

Amend plan as per submissions



2.0 Use and development

Proposed
C274card
2.1

The Land

Proposed
C274card

The use and development provisions specified in this schedule apply to the land within the 'precinct boundary' on Plan 1 and shown as UGZ7 on the planning scheme maps. This schedule must be read in conjunction with the incorporated Officer South Employment Precinct Structure Plan (PSP).

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply

2.2 Applied zone provisions

Proposed
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Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated Officer South Employment Precinct Structure Plan, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

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 'Place of worship' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Transport Zone.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone or an applied Transport Zone in the Urban Growth Zone schedule applying to the land'

Table 1: Applied zone provisions

Land shown on plan 1 of this schedule Local town centre	Applied Zone Provisions Clause 34.01 – Commercial 1 Zone
Land shown on plan 1 of this schedule Business	Applied Zone Provisions Clause 34.02 - Commercial 2 Zone
Land shown on plan 1 of this schedule Industry	Applied Zone Provisions Clause 33.03 - Industrial 1 Zone
Land shown on plan 1 of this schedule Mixed Use	Applied Zone Provisions Clause 32.04 – Mixed Use Zone
Land shown on plan 1 of this schedule Freeway Arterial road	Applied Zone Provisions Clause 36.04 – Transport Zone 2

Land shown on plan 1 of this schedule	Applied Zone Provisions
Residential	Clause 32.07 – Residential Growth Zone
All other land Local parks in industrial areas?	

2.3
xx/xx/xxxx
C274card

Specific provisions – Use of land

Section 1 - Permit not required

Cinema – where the applied zone is Commercial 2 Cinema based facility – where the applied zone is Commercial 2	Must not be on land shown within the 'area of consequence and notification' depicted on Plan 13 - Utilities of the incorporated <i>Officer South Employment Precinct Structure Plan</i> The site must adjoin, or have access to, a road in a Transport Zone 2 or Transport Zone 3.
Child care centre Hall Indoor recreation centre Library Medical centre Restricted recreation facility	The location of the use must generally accord with the location of 'local community facilities' in the <i>Officer South Employment Precinct Structure Plan</i> and with the prior written consent of Cardinia Shire Council.
Dwelling – where the applied zone is Mixed Use	Any frontage at ground floor level must not exceed 2 metres.
Education centre (other than Tertiary institution and Employment training centre)	The location of the use must generally accord with the location of 'potential non-government school' in the incorporated <i>Officer South Employment Precinct Structure Plan</i> and with the prior written consent of Cardinia Shire Council.
Emergency Services Facility	On land identified as 'proposed emergency services facility' on Plan 3 – Place Based Plan of the incorporated <i>Officer South Employment Precinct Structure Plan</i> .
Hospital	On land identified as 'proposed state government facility' on Plan 3 – Place Based Plan of the incorporated <i>Officer South Employment Precinct Structure Plan</i> .
Minor sports and recreation facility	The location of the use must generally accord with the location of 'local sports reserve' in the incorporated <i>Officer South Employment Precinct Structure Plan</i> and with the prior written consent of Cardinia Shire Council.

Service Station – where the applied zone is Industrial 1	<p>Must not be on land shown within the ‘area of consequence and notification’ depicted on Plan 13 - Utilities of the incorporated <i>Officer South Employment Precinct Structure Plan</i></p> <p>The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution.</p> <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. <p>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, was tater, waste products, grit or oil.</p>
Shop - where the applied zone is Commercial 1 Zone	The combined leasable floor area on land identified as ‘local town centre’ in the incorporated <i>Officer South Employment Precinct Structure Plan</i> must not exceed 2,300 sqm.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 – Permit required

Food and drink premises	On land identified within the South East Water ‘proposed separation area (180m)’ on Plan 3 – Place Based Plan of the incorporated <i>Officer South Employment Precinct Structure Plan</i> .
Place of assembly (other than Carnival and Circus)	On land identified within the South East Water ‘proposed separation area (180m)’ on Plan 3 – Place Based Plan of the incorporated <i>Officer South Employment Precinct Structure Plan</i> .
Supermarket – where the applied zone is Commercial 2	The leasable floor area must not exceed 500sqm.
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone	

Section 3 – Prohibited

Use	Condition
Caretaker's house Education Centre	On land identified within the South East Water ‘proposed separation area (180m)’ on Plan 3 – Place Based Plan of the incorporated <i>Officer South Employment Precinct Structure Plan</i> .
Child care centre - where the applied zone is Commercial 2	
Gaming premise - where the applied zone is Commercial 1	
Primary school - where the applied zone is Commercial 2	
Residential hotel - where the applied zone is Commercial 2	
Restricted retail premises - where the applied zone is Industrial 1	Why are these uses prohibited?
Rural industry	Why prohibited. This precinct is located proximate to rural areas and should be able to provide for rural industry.

Secondary school - where the applied zone is
Commercial 2

**Any use listed in Section 3 in the Table of
uses of the applicable applied zone**

2.4 Specific provisions - Subdivision

Proposed
C274card

Urban Design Performance Area

A permit must not be granted to subdivide land within the Urban Design Performance Area on Plan 3 – Place Based Plan of the incorporated Officer South Employment Precinct Structure Plan, until a Concept Masterplan has been prepared to the satisfaction of the responsible authority. The Concept Masterplan must be generally in accordance with the incorporated *Officer South Employment Precinct Structure Plan*.

An application for subdivision on land within the Urban Design Performance Area must be consistent with any masterplan approved under this schedule.

The responsible authority must seek the views of the Department of Transport and Planning and Melbourne Water in relation to how the Masterplan responds to the potential impacts to the Princes Freeway interchange onramp and drainage assets respectively.

2.5 Specific provisions - Buildings and works

Proposed
C274card

Urban Design Performance Area

A permit must not be granted to construct a building or construct and carry out works on land within the Urban Design Performance Area on Plan 3 – Place Based Plan of the incorporated Officer South Employment Precinct Structure Plan, until a Masterplan has been prepared to the satisfaction of the responsible authority. The Concept Masterplan must be generally in accordance with the incorporated *Officer South Employment Precinct Structure Plan*.

An application for development on land within the Urban Design Performance Area must be consistent with any masterplan approved under this schedule.

The responsible authority must seek the views of the Department of Transport and Planning and Melbourne Water in relation to how the Masterplan responds to the potential impacts to the Princes Freeway interchange onramp and drainage assets respectively.

Buildings and works for future local parks and community facilities

A permit is not required to construct a building or construct or carry out works for a local park, sport reserve or community facility provided the use or development is carried out generally in accordance with the incorporated *Officer South Employment Precinct Structure Plan* and with the prior written consent of Cardinia Shire Council.

Dwellings on a lot less than 300 square metres

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* (Victorian Planning Authority, November 2019) via a restriction on title, and it complies with the *Small Lot Housing Code* (Victorian Planning Authority, 2019), incorporated into the Cardinia Planning Scheme.

Buildings and works within the gas pipeline easement

A permit is required to construct a building or construct or carry out works within 50 metres of the boundary of the high-pressure gas easement shown on Plan 3 – Place Based Plan in the incorporated *Officer South Employment Precinct Structure Plan*.

Bulk Earthworks

A permit is required for bulk earthworks.

3.0

Application requirements

Proposed
C274card

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.

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.

Subdivision – Residential development

In addition to the requirements of Clause 56.01-2, a subdivision design response for a residential subdivision of 10 lots or more must be accompanied by the information listed below. An application for the construction of 10 or more dwellings on a lot must be accompanied by the same information:

- A written statement that sets out how the application implements the incorporated *Officer South Employment Precinct Structure Plan*.
- A land use budget setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment including functional layout plans and a feasibility / concept road safety audit that demonstrates how the local street and movement network integrates with adjacent urban development or can integrate with future development on adjacent land parcels.
- A plan showing the proposed road network, that addresses the interface treatments adjacent to arterial roads, open space and environmentally sensitive areas.
- A plan showing access arrangements for properties adjacent to all existing and future arterial roads.
- Potential bus route and bus stop locations prepared in consultation with the Head, Transport for Victoria.
- Subdivision and Housing Design Guidelines, in accordance with the incorporated *Officer South Employment Precinct Structure Plan*, that demonstrates how the proposal responds to and achieves the objectives and planning and design requirements and guidelines within the viable densities section of the PSP.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- An arboricultural report identifying all trees on the site and a tree retention plan identifying how the application responds to Plan 7 Native vegetation retention and removal and any tree protection requirements and guidelines within the incorporated *Officer South Employment Precinct Structure*.
- A landscape master plan prepared by a suitably qualified professional that:
 - Shows natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance;
 - Recognises and responds to sodic or dispersive soils;
 - Shows recreation facilities to be provided within public open space (with the exception of the active open space);

- Shows proposed species, location, approximate height and spread of proposed planting;
- Identifies the retention of existing vegetation and trees based on Plan 7 – Native vegetation retention and removal of the incorporated *Officer South Employment Precinct Structure Plan*;
- Shows storm water facilities that are compliant with the relevant approved drainage strategy; and Integrated Water Management plan.
- Identifies vegetation to be retained and removed and any re-vegetation.
- Written statement outlining how the proposal will contribute to the delivery of affordable and social housing in the precinct, including proposed delivery mechanisms.

Integrated Traffic and Transport Management Plan

An Integrated Traffic and Transport Management Plan must be prepared for all land in contiguous ownership by a suitably qualified professional and may be submitted in the form of plans, tables and reports and must include the following information, as appropriate:

- Whether the capacity of any existing infrastructure requires upgrading (interim or ultimate).
- How the plan responds to the incorporated PSP and ICP, including the Precinct Infrastructure Table.
- The staging of the proposed development.
- How the plan responds to existing approved development within the precinct.
- An assessment of the impact of traffic generated by the precinct upon the surrounding road network.
- The effect of traffic to be generated (including transport modelling as required) by the proposal on the capacity of the local and regional traffic network.
- As 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 how the road design enables the safe movement of a range of emergency vehicles appropriate to the scale of development proposed within the precinct.

All to the satisfaction of the responsible authority.

Environmentally sustainable development

An application for the development of land must be accompanied by a Sustainable Design Assessment (SDA) report or a Sustainable Management Plan (SMP) prepared by a suitably qualified professional that demonstrates how the development will achieve best practice sustainable design. This includes encouraging energy performance, integrated water management, indoor environment quality, transport, waste management and urban ecology. Best practice environmental design for the development can use the Built Environment Sustainability Scorecard (BESS) or other comparable sustainable design tool.

The sustainable design assessment (including an assessment using BESS, STORM or other methods) should consider as relevant to the below:

Residential

- 2-9 dwellings.
- A building used for accommodation other than dwellings with a gross floor area between 100 square metres and 1000 square metres.

Non-residential

- A non-residential building with a gross floor area of 300 square metres to 1000 square metres.
- An extension to an existing non-residential building creating between 300 square metres to 1000 square metres of additional gross floor area (excluding outbuildings).

The Sustainable Management Plan (including an assessment using BESS/Green star, STORM/MUSIC or other methods) and a green travel plan should be applicable to the below:

Residential

- 10 or more dwellings.
- A building used for accommodation other than dwellings with a gross floor area of more than 1000 square metres.

Non-residential

- A non-residential building with a gross floor area of more than 1000 square metres.
- An extension to an existing non-residential building creating more than 1000 square metres of additional gross floor area (excluding outbuildings).

Mixed use

Applicable assessments for the residential and non-residential components of the development.

Consider as relevant the following tools to support a Sustainable Design Assessment or a Sustainability Management Plan:

- *Sustainable Design Assessment in the Planning Process* (IMAP, 2015)
- *Built Environment Sustainability Scorecard 'BESS'* (Council Alliance for a Sustainable Built Environment 'CASBE')
- *Green Star* (Green Building Council of Australia)
- *Model for Urban Stormwater Improvement Conceptualisation 'MUSIC'* (Melbourne Water)
- *Nationwide House Energy Rating Scheme 'NatHERS'* (Department of Climate Change and Energy Efficiency)
- *Stormwater Treatment Objective - Relative Measure 'STORM'* (Melbourne Water)
- *Urban Stormwater Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)
- *Waste Management and Recycling in Multi-Unit Developments - Better Practice Guide* (Sustainability Victoria, 2018).

In determining an application, the responsible authority will consider as appropriate:

- Whether an ESD plan or framework has previously been approved by the responsible authority

Public infrastructure plan

An application for subdivision and/or use and development of land must be accompanied by a public infrastructure plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the infrastructure contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- 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.

A public infrastructure plan must be consistent with any Integrated Traffic and Transport Management Plan approved under this schedule.

Traffic impact assessment

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 and/or concept road safety audit, must be to the satisfaction of Head, Transport for Victoria or Cardinia Shire Council, as required.

Retail impact assessment

An application to use land for a Shop in a local town centre where the combined leasable floor area of all shops exceeds the figure shown in the land use table at 2.3 of this schedule must be accompanied by a retail economic impact assessment prepared by a suitably qualified professional.

Acoustic assessment report

Any application for use or development of land for Accommodation, Education centre (other than Tertiary institution and Employment training centre) or Hospital, must be accompanied by an acoustic assessment report prepared by a qualified acoustic consultant or other suitably skilled person to the satisfaction of the responsible authority which:

- Applies the following noise objectives:
 - Not greater than 35 dB LAeq,8h when measured within a sleeping area between 10pm and 6am.
 - Not greater than 40 dB LAeq,16h when measured within a living area between 6am and 10pm.
 - For areas other than sleeping and living areas, not greater than the median value of the range of recommended designed sound levels of Australian Standard AS/NZ 2107:2016 (*Acoustics – Recommended design sound level and reverberation times for building interiors*).
- Noise levels should be assessed:
 - Considering the cumulative noise from all sources impacting on the proposal including road traffic noise and industry noise, as well as other potential noise sources; and
 - In unfurnished rooms with a finished floor and the windows closed and be based on average external noise levels measured as part of a noise level assessment.
- Identifies lots and/or buildings requiring mitigation from noise from all sources impacting on the proposal, including road traffic noise and industry noise. If lots and/or buildings requiring acoustic mitigation are identified, the report should include recommendations for any noise attenuation measures required to meet the applicable noise level objectives. These recommendations should prioritise measures that benefit both outdoor and indoor spaces, and should address:
 - Noise compatible design for buildings, with siting, orientation, and internal layout, to be considered prior to setting building envelope performance requirements;
 - Potential noise character (tonality, impulsiveness or intermittency);
 - Noise with high energy in the low frequency range;
 - Transient or variable noise; and
 - Vibration.

This requirement does not apply if the permit applicant provides, to the satisfaction of the responsible authority, a statement in writing supported by verifiable evidence from a qualified acoustic consultant or other suitably skilled person and having regard to Clause 13.05. The statement must demonstrate that:

- The proposed development is not prejudiced;

- Community amenity and human health is not adversely impacted by noise emissions; and
- No noise attenuation measures are required.

South East Water Pump Station Amenity Area

An application to use land, or to construct a building or carry out works on land within the South East Water 'proposed separation area (180m)' on Plan 3 – Place Based Plan of the incorporated Officer South Employment Precinct Structure Plan must be accompanied by an amenity impact assessment prepared by a suitably qualified professional which provides for an assessment of the proposed use against the potential for odour and noise impacts to ensure the use within the proposed buildings will experience an appropriate level of amenity.

Sodic and Dispersive Soils Management Plan

An application to subdivide land or construct or carry out bulk earthworks must be accompanied by a sodic and dispersive soils management plan prepared by a suitably qualified professional, that describes:

- The existing site conditions, including:
 - extent of sodic and dispersive soils based on topsoil and subsoil samples in the works area.
 - land gradient.
 - erosion risk mapping
 - the extent of any existing erosion, landslip or other land degradation.
- Soils investigation, undertaken by a soil scientist;
- The extent of any proposed earthworks;
- Recommendations for soil management practices (including fill) with consideration of anticipated sodic and dispersive soil exposure;
- The management of drainage during all stages of development (including run-off);
- The staging of development;
- Any training and supervisions processes proposed for construction contractors to ensure compliance with the sodic and dispersive soils management plan;
- Proposed document monitoring and reporting processes that ensure works are undertaken in accordance with the sodic and dispersive soils management plan;
- Any treatment of soil proposed to be removed from the site;
- Any post-construction monitoring and/or management requirements; and
- Recommendations that inform a site management plan including:
 - The management, volume and location of any stockpiles.
 - Vehicle access and movement within the site area.
 - Any treatment to manage the soil while works are undertaken.
 - Treatments to rehabilitate areas that are disturbed during site works.
 - Any soil treatment to manage the soil to reduce risk to existing or current infrastructure and dwellings.

Integrated Water Management

An application to subdivide land must be accompanied by an Integrated Water Management Strategy, with a focus on drainage servicing, that assesses the existing surface and subsurface drainage conditions on the site, addresses the provision, staging and timing

of stormwater drainage works, including temporary outfall provisions, flow rate and flow volume management, to the satisfaction of Cardinia Shire Council and Melbourne Water.

Bushfire Management Plan

An application to subdivide land adjacent to a Bushfire Hazard Areas shown on Plan 8 Bushfire Hazard Areas of the *Officer South Employment Precinct Structure Plan* must be accompanied by a Bushfire Management Plan that demonstrates how the application will address bushfire risk at the site. The plan must be prepared in accordance with table 4 - Bushfire hazard vegetation management & setback requirements, of the *Officer South Employment Precinct Structure Plan*, unless otherwise agreed in writing by the Responsible Authority and CFA. The plan must include:

- The design and layout of the subdivision, including lot layout, road design and access points, both vehicular and pedestrian.
- The location of any bushfire hazard areas.
- The details of any bushfire protection measures required for individual lots.
- The identification of any areas to form the setback between a bushfire hazard and built form.
- The details of any vegetation management in any area of defensible space including information on how vegetation will be managed and when the vegetation management will occur i.e., annually, quarterly, during the fire danger period.
- Notation that indicated what authority is responsible for managing vegetation within open space areas; and
- Notation that ensures that the areas of classified vegetation in the nominated bushfire hazard areas must be managed to a level that will ensure the vegetation classification under AS3959-2019 will not be altered.

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

4.0

Conditions and requirements for permits

Proposed
C274card

Conditions – Subdivision permits that allow for the creation of a lot of less than 300 square meters

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* (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Cardinia Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the Responsible Authority.

Conditions - Heritage Sites

Any permit for the subdivision of land at 410 and 425 Officer South Road must contain the following conditions:

- Prior to the certification of a stage of the subdivision, a Conservation Management Plan must be approved for the heritage place to ascertain cultural value/significance, appropriate site boundaries, required restoration works, possible future uses and interpretative signage
- Before the commencement of works for any stage of subdivision or development, the heritage place must be appropriately secured against damage as a result of works,

deterioration, and the effects of weather, trespassing or vandalism to the satisfaction of the Responsible Authority

- Prior to the issue of a statement of compliance for the first stage of subdivision the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 which provides for works to the heritage places for the purposes of restoration and repair are in accordance with the timeframes and requirements of the approved Conservation Management Plan.

Condition – Environmental Management Plan

This should be 30m consistent with the road interface cross section, otherwise every application within the industrial lots will trigger this requirement.

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

Before works start, a Construction Environmental Management Plan consistent with *DEECA requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and approved by the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) and the responsible authority, demonstrating how the conservation area will be protected during works.

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

~~Condition – Land Management Co-operative Agreement~~

Delete. No conservation area is within the UGZ given that it is proposed to put all the Conservation Area land in the RCZ. Additionally the IPO3 captures this.

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

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

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

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

Condition – Public transport

Unless otherwise agreed by Head, Transport for Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

- 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 locations approved by the Department of Transport and Planning, at no cost to the Department of Transport and Planning, and to the satisfaction of Head, Transport for Victoria.

Condition – Road network

Any permit for subdivision or buildings and works must contain the following conditions:

- Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.
- Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless funded by the Officer South Employment Infrastructure Contributions Plan.

Condition – Public Infrastructure Plan

Any permit for subdivision must contain the following conditions:

- Prior to the certification of a plan of subdivision or at such other time which is agreed between the council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the *Planning and Environment Act 1987* which provide for:
 - The implementation of the Public Infrastructure Plan approved under this permit.
 - The timing of any payments to be made to a person in respect of any infrastructure project having regard to the availability of funds in the Infrastructure Contributions Plan.

Conditions – Subdivision or buildings and works permits where land is required for community facilities, public open space, or road widening

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be borne by the permit holder.
- Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

Condition – Integrated water management plan

A permit to subdivide land, must include the following condition:

- Unless otherwise agreed by the Responsible Authority and Melbourne Water, before certification of the plan of subdivision the Integrated Water Management Plan must be endorsed by the Responsible Authority.

Condition – Bushfire management plan

A permit to subdivide land adjacent to a Bushfire Hazard Area shown on Plan 8 Bushfire Hazard Areas, must include the following condition:

- Unless otherwise agreed by the Responsible Authority and the Country Fire Authority, before certification of the plan of subdivision the Bushfire Management Plan must be endorsed by the Responsible Authority.

Delete. No Conservation land is within the UGZ7.

Condition – Security of conservation land

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

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

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

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

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

Condition – Fencing of conservation areas

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

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

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

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

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

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

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

Condition – Correct alignment of protective fencing

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

Requirement – Acoustic Report

Any permit for use or development of land where an acoustic assessment report has identified that mitigation from noise sources is required, must implement any recommendations of the acoustic assessment report submitted with the application and include any conditions necessary, in the opinion of the responsible authority, to implement noise attenuation measures.

All to the satisfaction of the responsible authority.

Requirement – Sodic and dispersive soil site management plan

A permit to subdivide land or to undertake earthworks must include a condition that requires a site management plan be prepared that implements the recommendations identified in the sodic and dispersive soil management plan, to the satisfaction of the Responsible Authority.

Gas Pipeline Construction Management Plan

Prior to the construction of a building or the carrying out of works, including demolition, on land within 50 metres of the boundary of the high pressure gas easement shown on Plan 3 – Place Based Plan in the incorporated *Officer South Employment Precinct Structure Plan*, a Construction Management Plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.
- Be endorsed by the operator of the gas transmission pipelines where the works are within or crossing the relevant gas transmission easement.
- Include any other relevant matter to the satisfaction of the responsible authority.
- Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

The responsible authority must be satisfied that the gas transmission pipeline licensee has reviewed and approved the Construction Management Plan.

The Construction Management Plan must be implemented to the satisfaction of the responsible authority.

The Construction Management Plan may be amended to the satisfaction of the responsible authority.

5.0 Exemption from notice and review

Proposed
C274card

None specified.

6.0 Decision guidelines

Proposed
C274card

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:

Integrated Traffic and Transport Management Plan

Before deciding on a permit application under this schedule the responsible authority must consider as appropriate:

- How the application responds to an approved Integrated Traffic and Transport Management Plan.

Local Town Centre

Before deciding on an application to create floorspace in excess of any cap in a local town centre, in addition to the decision guidelines at Clause 37.07-14 and Clause 65, the responsible authority must consider, as appropriate:

- The local catchment and Officer South Employment Precinct Structure Plan catchment demand for the additional floor area; and
- The effect on existing and future town centres within Cardinia Shire Council.

Acoustic Attenuation

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- If Accommodation, Hospital or Education centre (other than Tertiary institution and Employment training centre) is proposed, whether the proposal minimises the impact on human health and amenity from noise exposure near the transport system and other noise emission sources having regard to:
 - whether the impact of potential noise sources have been mitigated through siting, orientation design, layout, and location and whether this reduces the need for acoustic treatment of buildings or compromises the useability of the building by its occupant;
 - any building façade treatments that are required to mitigate noise impacts; and
 - any relevant recommendations of an Acoustic Assessment Report for the application.

Affordable Housing

Before deciding on an application to develop or subdivide land for dwellings, the responsible authority must consider, as appropriate:

- Whether the proposed subdivision application contributes towards the provision of affordable housing
- The Ministerial Notice under 3AA(2) of the Act, as amended from time to time.

South East Water Separation Area

Before deciding on an application to develop land within the South East Water ‘proposed separation area (180m)’ on Plan 3 – Place Based Plan of the incorporated *Officer South Employment Precinct Structure Plan*, the responsible authority must consider, as appropriate:

- Whether the proposed use may be affected by potential unintended odour and noise impacts from the pump station; and
- The view of South East Water Ltd (or their successors).

Princes Freeway Service Station

Before deciding on an application to subdivide or develop land at the ‘existing services station site’ on Plan 3 – Place Based Plan of the incorporated *Officer South Employment Precinct Structure Plan*, the responsible authority must consider, as appropriate:

- Whether the proposed subdivision or use should still benefit from the existing access to the Princes Freeway.

7.0

Signs

Proposed
C274card

None specified.

SCHEDULE 3 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO3**.

OFFICER SOUTH EMPLOYMENT PRECINCT STRUCTURE PLAN**1.0 Requirement before a permit is granted**

--/--/----
Proposed
C274card

None specified.

2.0 Permits not generally in accordance with incorporated plan

--/--/----
Proposed
C274card

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

3.0 Conditions and requirements for permits

--/--/----
Proposed
C274card

Condition – Environmental Management Plans

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

Before works start, a Construction Environmental Management Plan consistent with *DEECA requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and approved by the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) and the responsible authority, demonstrating how the conservation area will be protected during works.

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

Condition – Land Management Co-operative Agreement

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

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

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

- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

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

Bushfire Management Plan

An application to subdivide land adjacent to a Bushfire Hazard Area shown on Plan 8 Bushfire Hazard Areas must be accompanied by a Bushfire Management Plan that demonstrates how the application will address bushfire risk at the site. The plan must be prepared in accordance with table 4 - Bushfire hazard vegetation management & setback requirements, of the incorporated *Officer South Employment Precinct Structure Plan*, unless otherwise agreed in writing by the Responsible Authority and CFA. The plan must include:

- The design and layout of the subdivision, including lot layout, road design and access points, both vehicular and pedestrian;
- The location of any bushfire hazard areas;
- The details of any bushfire protection measures required for individual lots;
- The identification of any areas to form the setback between a bushfire hazard and built form.
- The details of any vegetation management in any area of defensible space including, information on how vegetation will be managed and when the vegetation management will occur i.e. annually, quarterly, during the fire danger period.
- Notations that indicate what authority is responsible for managing vegetation within open space areas.
- Notations that ensure that the areas of classified vegetation in the nominated bushfire hazard areas must be managed to a level that will ensure the vegetation classification under AS3959-2019 will not be altered.

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

Land Management Plan

An application to use or develop land within the Cultural Values Investigation Area shown on Plan 3 Place Based Plan in the incorporated *Officer South Employment Precinct Structure Plan* must be accompanied by a land management plan that demonstrates how the application will manage the intangible cultural heritage values at the site. The plan must be prepared to the satisfaction of the Responsible Authority and Bunurong Land Council Aboriginal Corporation and must:

- Ensure the protection of intangible heritage within direct proximity to Cardinia Creek;
- Provide an opportunity to enhance the cultural landscape through revegetation of the area with indigenous species;
- Allow the creek to meander over time in a natural fashion without concrete reinforcement.

Condition – Security of conservation land

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

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the

plan of subdivision are subject to the prior satisfaction of the Secretary to the Department of Energy, Environment and Climate Action as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987* (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. ~~The transfer or vesting must either be for no or nominal consideration.~~ The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

Note submission discussion.

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

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

Condition – Fencing of conservation areas

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

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

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.

- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

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

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

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

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

Condition – Correct alignment of protective fencing

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

4.0

Decision guidelines

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Proposed
C274card

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

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

5.0 Preparation of the incorporated plan

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None specified.

State Infrastructure OFFICER SOUTH EMPLOYMENT PRECINCT

Draft Incorporated Document
September 2023

1. INTRODUCTION

- 1.1 This document is an incorporated document in the Cardinia Planning Scheme (the **Planning Scheme**) pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.
- 1.2 Despite any provision to the contrary in the Planning Scheme, pursuant to clause 45.12 of the Planning Scheme, the land identified in this document may be developed in accordance with the specific controls contained in this document. If there is any inconsistency between the specific controls contained in this document and the general provisions of the Planning Scheme, the specific controls in this document prevail.
- 1.3 In this document the **Infrastructure Items** are defined as follows:
- a. The **Lecky Road Bridge** means a completed secondary arterial road bridge (interim standard) across Lower Gum Scrub Creek. This item is referred to as BR-01 on Map 1: *Plan 12 Infrastructure and Development and Staging*.
 - b. The **Thompsons Road (East) Bridge** means a completed primary arterial road bridge (interim standard) across Lower Gum Scrub Creek. This item is referred to as BR-02 on Map 1: *Plan 12 Infrastructure and Development Staging*.
 - c. The **Officer South Freeway Interchange Intersection** means a signalised intersection (ultimate) from Officer South Road and the Princes Freeway. This item is referred to as IN-13 on Map 1: *Plan 12 Infrastructure and Development Staging*.
 - d. The **Grices Road Bridge** means a completed secondary arterial road bridge (ultimate standard) across Cardinia Creek. This item is referred to as BR-03 on Map 1: *Plan 12 Infrastructure and Development Staging*.
 - e. The **Thompsons Road (West) Bridge** means a completed primary arterial road bridge (ultimate standard) across Cardinia Creek. This item is referred to as BR-04 on Map 1: *Plan 12 Infrastructure and Development Staging*.
- 1.4 **Officer South Employment PSP** means the Office South Employment Precinct Structure Plan, being an incorporated document under the Planning Scheme.

Why ultimate standard? Why couldnt an interim standard facilitate the commencement of development in the Stahe 3?

2. THE LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

- 2.1 The land is identified as stages 2, 3 and 4 on Map 1 of this document and mapped SCO14 by Clause 45.12 Specific Controls Overlay within the Planning Scheme.

3. BACKGROUND AND PURPOSE

- 3.1. The background to this document is that:
- a. The existing road network does not have sufficient capacity to accommodate the additional traffic demand that is anticipated to be generated from new development within the Officer South Employment PSP.
 - b. The Infrastructure Items will form the basis of a safe and efficient road network, which provides access to the Officer South Employment precinct area from established surrounding areas to the east and west as well as access to the Princes Freeway, one of Victoria's key freight routes.
 - c. The delivery of these Infrastructure Items will ensure development within the Officer South Employment PSP and growth of the South East Growth Corridor is supported by adequate transport infrastructure and avoid inappropriate and unsafe traffic impacts.

3.2. The purpose of this document is to:

- a. Ensure the use and development of land within Stages 2, 3 and 4 of the Officer South Employment PSP does not precede the delivery of the identified Infrastructure Items.
- b. Enable existing uses to continue to operate, and limited development to occur, on the basis that this would not generate the need for the new Infrastructure Items as set out in this document.

4. SPECIFIC CONTROLS
Permit Requirements

A permit must not be granted for use or development of land in stage 1 on Map 1 until the Lecky Road bridge (BR-01) and Officer South Freeway interchange intersection (IN-13) are both delivered to the satisfaction of the Head Transport for Victoria and the Minister for Planning.

- a) A permit must not be granted for use or development of land in stage 2 on Map 1 until the ~~Thompsons Road (east) (BR-02) or the Lecky Road bridge (BR-01) and Officer South Freeway interchange intersection (IN-13) are both~~ delivered to the satisfaction of the Head Transport for Victoria and the Minister for Planning.
- b) A permit must not be granted to use or develop land in stage 3 on Map 1 until the ~~Thompsons Road (east) (BR-02) and the Grices Road bridge (BR-03) are both~~ ^{Officer South Freeway interchange intersection (IN-13) or} is delivered to the satisfaction of the Head, Transport for Victoria and the Minister for Planning.
- c) A permit must not be granted to use or develop land in stage 4 on Map 1 until the Thompsons Road (west) bridge (BR-04) is delivered to the satisfaction of the Head, Transport for Victoria and the Minister for Planning.
- d) Despite the provisions of Section 4(a), 4(b) and 4(c) of this Incorporated Document, a permit may be granted to use or develop land in accordance with the provisions of Clause 37.07-1 to 37.07-8 (Urban Growth Zone Part A) as if no precinct structure plan applied to the land covered by this Specific Controls Overlay.

5. REQUIREMENTS FOR PERMITS

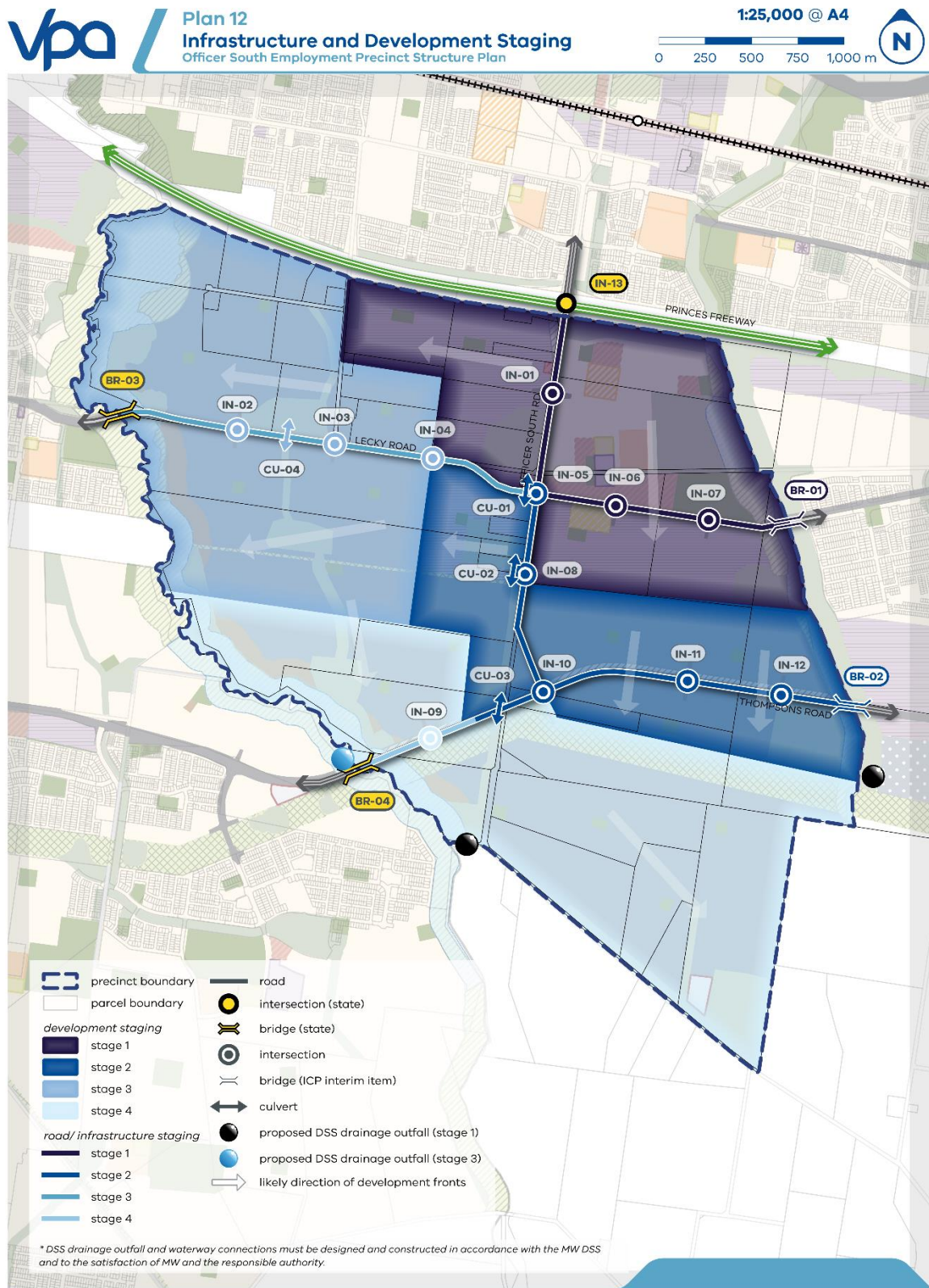
None specified.

6. EXPIRY OF THIS DOCUMENT

6.1. This incorporated document will expire on the earlier of:

- a) Receipt by the Responsible Authority of a letter from the Head, Transport for Victoria confirming that:
 - a. construction of the relevant state infrastructure item/s for the specific stage has commenced; and
 - b. the Head, Transport for Victoria considers the prohibition under Clause 4(a), 4(b) and 4(c) of this document is no longer required; or
- b) Upon the opening of the relevant Infrastructure Item/s for the specific stage to traffic.

MAP 1: Officer South Employment PSP Staging



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