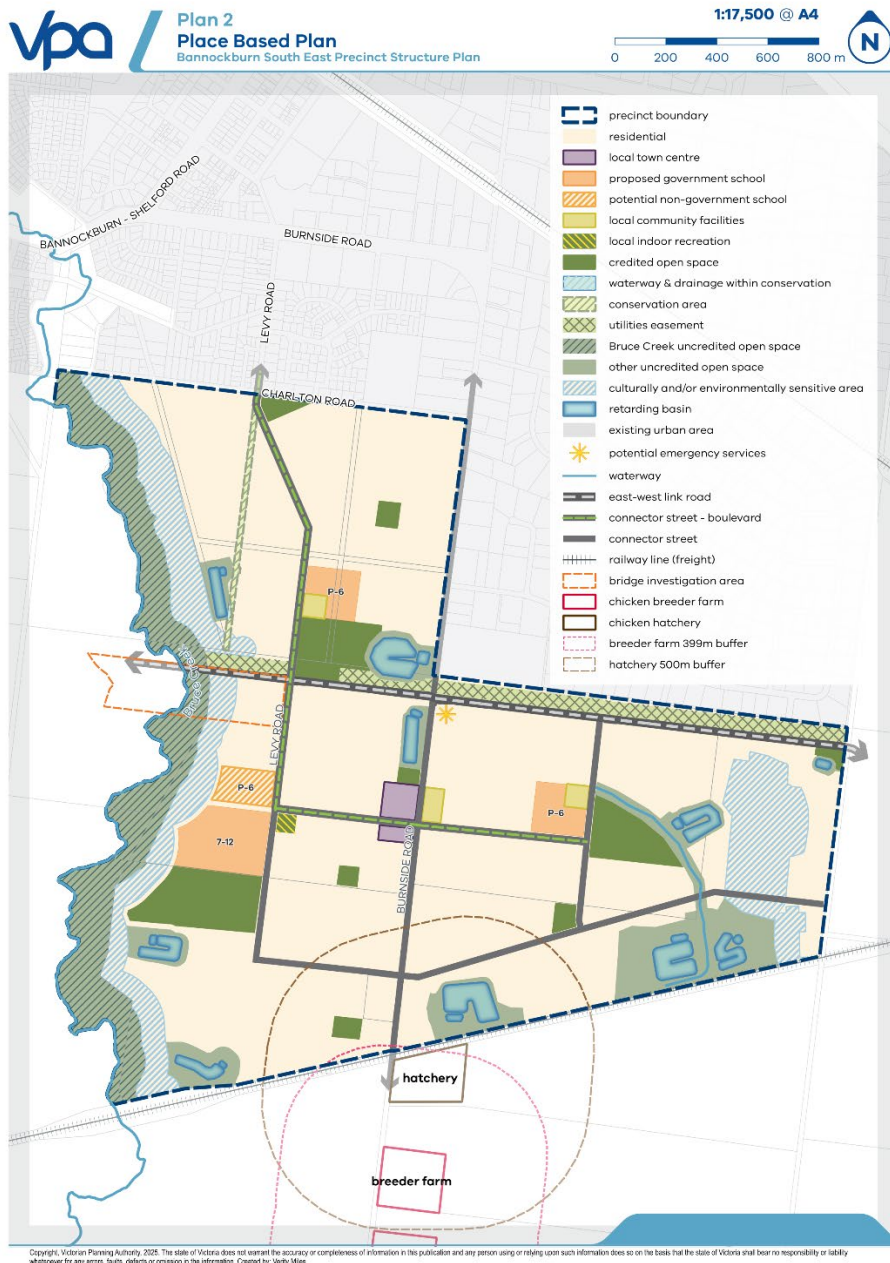


DD/MM/YY
Proposed
C107gpla**SCHEDULE 1 TO CLAUSE 37.07 URBAN GROWTH ZONE**Shown on the planning scheme map as **UGZ1**.**BANNOCKBURN SOUTH EAST PRECINCT STRUCTURE PLAN****1.0****The Plan**

Plan 1 shows the future urban structure proposed in the incorporated *Bannockburn South East Precinct Structure Plan*. It is a reproduction of Plan 2 in the incorporated *Bannockburn South East Precinct Structure Plan*.

Plan 1 to Schedule 1 to Clause 37.07

2.0 Use and development

2.1 The Land

The provisions of this schedule apply to the land within the 'precinct boundary' shown on Plan 1 of this schedule and shown as UGZ1 on the planning scheme maps. This schedule must be read in conjunction with the incorporated *Bannockburn South East Precinct Structure Plan*.

Note: *If land shown on Plan 1 is not zoned UGZ1, the provisions of this schedule do not apply.*

2.2 Applied zone provisions

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

Where the use/development described in the left column is carried out or proposed generally in accordance with the incorporated *Bannockburn South East 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.

The precise boundary of the applied zones will be determined by the designation of land in a relevant plan of subdivision to the satisfaction of the responsible authority.

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: *For example: 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 2 or a Transport Zone 3.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3 or an applied Transport Zone 2 or a Transport Zone 3 in the Urban Growth Zone schedule applying to the land.'*

A reference to the public land manager in the Public Park and Recreation Zone applied to land under this schedule must be read as a reference to Golden Plains Shire Council.

Table 1: Applied zone provisions

Land shown on Plan 1 of this schedule	Applied zone provisions
East-west link road	Clause 36.04 – Transport Zone 3
Local town centre	Clause 34.01 – Commercial 1 Zone
Bruce Creek uncredited open space	Clause 36.02 – Public Park and Recreation Zone
All other land	Clause 32.08 – General Residential Zone

2.3 Specific provisions – Use of land

Table 2: Use of land

Section 1 - Permit not required

Use	Condition
Emergency services facility	Must be generally in accordance with the location shown as 'potential emergency services' on Plan 3 of the incorporated Bannockburn South East Precinct Structure Plan.
Minor sports and recreation facility	<p>Must be generally in accordance with the location shown as 'credited open space' on Plan 3 of the incorporated Bannockburn South East Precinct Structure Plan and with the prior written consent of the responsible authority.</p> <p>Must not be located within 500 metres of the closest chicken hatchery or 399 metres of the closest breeder farm building at 449 Burnside Road, Bannockburn while the chicken hatchery and breeder farm continues to operate.</p>
Primary school	Must be generally in accordance with the location shown as 'potential non-government school' on Plan 3 of the incorporated Bannockburn South East Precinct Structure Plan.
Shop (other than Adult sex product shop) where the applied zone is Commercial 1 Zone	The combined leasable floor area of all shops must not exceed 7,650 square metres.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation Informal outdoor recreation	If located within 500 metres of the closest chicken hatchery or 399 metres of the closest breeder farm building at 449 Burnside Road, Bannockburn while the chicken hatchery or breeder farm continues to operate.

Section 3 – Prohibited

Use	Condition
None specified	

Use of land for local community facilities

A permit is not required to use land for local community facilities provided the use is located and carried out generally in accordance with the incorporated *Bannockburn South East Precinct Structure Plan* and with the prior written consent of the responsible authority.

Chicken hatchery and breeder farm – Avian biosecurity

The keeping of poultry and domestic birds is prohibited on all land within the boundary of the incorporated *Bannockburn South East Precinct Structure Plan*.

Chicken hatchery and breeder farm 449 Burnside Road, Bannockburn

While the chicken hatchery and breeder farm (inclusive of all buildings) at 449 Burnside Road, Bannockburn continues to operate, an application to use land for accommodation, child care centre, primary school, place of assembly, secondary school or minor sports and

recreation facility located within 500 metres of the closest chicken hatchery and 399 metres of the closest breeder farm building (identified on Plan 1 of this schedule) must be accompanied by a Level 3 odour assessment prepared by a suitably experienced and qualified person to the satisfaction of the responsible authority.

- The assessment must be prepared in accordance with:
 - State Environment Protection Policy (Air Quality Management).
 - Guidance for assessing odour, EPA publication 1883 (June 2022)
- Consider the existing chicken hatchery and breeder farm operations; and
- Assess the potential for adverse odour impacts from the chicken hatchery and breeder farm operations on the proposed sensitive use of land within the buffer.

If the responsible authority determines that there are likely to be odour emissions from the chicken hatchery and breeder farm at levels which would have an unacceptable impact on the amenity of the sensitive use, a permit must not be granted for the use.

2.4 Specific provisions - Subdivision

Chicken hatchery and breeder farm - 449 Burnside Road, Bannockburn

While the chicken hatchery and breeder farm (inclusive of all buildings) at 449 Burnside Road, Bannockburn continues to operate, an application to subdivide land for accommodation, child care centre, primary school, secondary school or minor sports and recreation facility located within 500 metres of the closest chicken hatchery and 399 metres of the closest breeder farm building (identified on Plan 1 of this schedule) must be accompanied by a Level 3 odour assessment prepared by a suitably experienced and qualified person to the satisfaction of the responsible authority.

- The assessment must be prepared in accordance with:
 - State Environment Protection Policy (Air Quality Management).
 - Guidance for assessing odour, EPA publication 1883 (June 2022)
- Consider the existing chicken hatchery and breeder farm operations; and
- Assess the potential for adverse odour impacts from the chicken hatchery and breeder farm operations on the proposed sensitive use of land within the buffer.

If the responsible authority determines that there are likely to be odour emissions from the chicken hatchery and breeder farm at levels which would have an unacceptable impact on the amenity of the sensitive use, a permit must not be granted for the subdivision.

Bruce Creek Conservation Area Growling Grass Frog Conservation Management Plan

A permit must not be granted to subdivide land within the 'Bruce Creek uncredited open space' or 'culturally and/or environmentally sensitive area' (shown on Plan 1 of this schedule and Plan 2 of the incorporated PSP) until a Bruce Creek Conservation Area Growling Grass Frog Conservation Management Plan (CMP) has been prepared for the length of the Bruce Creek within the precinct boundary, to the satisfaction of the responsible authority in consultation with the Department of Energy, Environment and Climate Action (DEECA) and the Wadawarrung Traditional Owners Aboriginal Corporation (WTOAC).

The CMP must include the following, unless otherwise agreed with the responsible authority:

- Consolidated information on the existing conditions of the waterway and adjoining land, including Growling Grass Frog survey records.
- An assessment of Growling Grass Frog habitat.
- A response to the relevant objectives, requirements and guidelines in the incorporated PSP.

- A determination of the boundary between land required for conservation and land suitable for urban development. The land required for conservation will be defined as the Bruce Creek Conservation Area.
- Identification of suitable locations for public access points, walking paths/trails, and passive recreation, if appropriate.
- Identification of suitable locations for water management assets and associated infrastructure, if appropriate.
- Guidance on protecting and enhancing terrestrial habitats.
- Actions for the rehabilitation of significant habitat, including future land ownership and commitments.
- Advice regarding approvals under the Flora and Fauna Guarantee Act 1988, Wildlife Act 1975 and Environment Protection and Biodiversity Conservation Act 1999 (Cmlth) and compensatory mechanisms, if required.

A permit granted to subdivide land must be consistent with a CMP approved under this schedule.

The CMP may be amended to the satisfaction of the responsible authority in consultation with DEECA.

2.5 Specific provisions - Buildings and works

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

Buildings and works for a non-government school

A permit is required to construct a building or construct or carry out works associated with a non-government primary school, unless exempt under Clauses 62.02-1 and 62.02-2.

Buildings and works on future public land

A permit is not required to construct a building or construct or carry out works for a minor sports and recreation facility or community facility provided the facility is located and carried out generally in accordance with the incorporated *Bannockburn South East Precinct Structure Plan* and with the prior written consent of Golden Plains Shire Council.

Bulk earthworks

A permit is required for bulk earthworks.

3.0 Application requirements

The following requirements apply to an application for a permit under Clause 37.07-9 to 37.07-16 and must accompany an application, as appropriate, to the satisfaction of the responsible authority. If in the opinion of the responsible authority a requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Note: *A reference to the incorporated PSP should be read as a reference to the incorporated Bannockburn South East Precinct Structure Plan*

Residential subdivision

In addition to the requirements of Clause 56 an application for the subdivision of land into 10 or more lots must include:

- Subdivision and Housing Design Guidelines, which demonstrate how the proposal responds to and achieves the objectives and planning and design requirements and guidelines in the incorporated PSP.
- A land use budget setting out the amount of land allocated to the proposed uses, expected population, dwelling and employment yields.
- A master plan for all land in contiguous ownership showing the proposed uses across the site and the proposed subdivision staging.
- A lot size diversity plan including a colour-coded lot size plan, reflecting the lot size categories outlined in Table 1 - Housing Density and Diversity in the incorporated PSP.
- A risk assessment of the Burnside Road railway crossing prepared by a suitably qualified person (whose appointment and terms of reference are to be approved by the Head, DoT, the Accredited Rail Operator and VicTrack) which assesses the operational and safety impacts the proposed development may have on traffic and pedestrian movements at the level crossing in accordance with Australian Standard AS1742.3-2016, Manual of uniform traffic control devices, Part 7: Railway crossings. The risk assessment must:
 - advise on what operational and safety improvements will need to be made to the crossing should the development be approved.
 - provide a cost estimate of operational/safety improvement works.
 - specify modifications that would need to be made to the subdivision in order to mitigate against adverse operational or safety impacts to the existing level crossing.

The risk assessment must be supported by an independent Australian Level Crossing Assessment Model Report (ALCAM).

- 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.
- An arboricultural report that identifies and assesses all trees on the site in accordance with the Australian Standard AS4970:2009 - Protection of Trees on Development Sites.
- A tree retention plan including:
 - individual trees to be retained.
 - tree protection zones applied consistent with Australian Standard AS4970:2009 - Protection of Trees on Development Sites.
 - a response to Plan 6 – Public Realm & Water and any tree protection requirements and guidelines within the incorporated PSP.
- The location of any potential bus route and bus stop locations prepared in consultation with the Head, Transport for Victoria.
- A hydrogeological report identifying the groundwater conditions on the site that assesses any potential impacts from groundwater on the proposed development and vice versa and includes any measures required to mitigate the potential impacts.
- A stormwater management strategy that addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of the relevant water authority and the responsible authority.

Bushfire Management Plan

An application to subdivide land adjacent to a Bushfire Hazard Area as shown on Plan 8 Bushfire Hazard Areas of the incorporated PSP 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 the Bushfire Management section of the incorporated PSP unless otherwise agreed in writing by the responsible authority and Country Fire Authority.

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 indicates 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 AS3959-2018 will not be altered.

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

Public Infrastructure Plan

A Public Infrastructure Plan which addresses the following:

- Land that may be affected or required for the provision of infrastructure works.
- The provision, staging and timing of stormwater drainage works.
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment.
- What, if any, infrastructure set out in the incorporated *Bannockburn South East Development Contributions Plan* is sought to be provided as "works in kind" subject to the written 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.

Local Town Centre

An application to use or develop land for a Local Town Centre must also include the following information:

- A design response report and plans that:
 - Address any local town centre requirements and guidance in the incorporated PSP.
 - Address any relevant urban design guidelines prepared by the Victorian Government or Golden Plains Shire Council.
 - Demonstrate how the proposal integrates with existing or approved development in the area.
 - Demonstrate site responsive architecture and urban design.
 - Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies such as Department of Transport and Planning.
 - Include environmental sustainability initiatives including integrated water management and energy conservation.
 - Include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre.
 - Address the provision of advertising signs.
 - Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods.

- Demonstrate how opportunities for medium density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments); and
- An overall landscape concept/master plan for the centre including a design of any public spaces.

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 suitability 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.
- The results of intrusive (physical) soil investigations for locations deemed medium to high risk (e.g. along Bruce Creek, steep slopes, or where infrastructure is likely to be placed within the Sandringham Sandstone) to confirm soil conditions and erosion risk (driven by dispersity). The investigations are to be conducted by a certified professional in erosion and sediment control or soil science.
- 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 to inform the preparation of 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.

The recommendations that inform the site management plan may be incorporated into a construction environmental management plan to the satisfaction of the responsible authority.

Preliminary Risk Screen Assessment

An application to subdivide land or to use land for a sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use) or children's playground or secondary school, or construct or carry out buildings and works associated with these uses where the land is identified in Table 3 of this Schedule must be accompanied by either:

- A preliminary risk screen assessment statement issued in accordance with the Environment Protection Act 2017 stating that an environmental audit is not required for the proposal; or
- An environmental audit statement issued under Part 8.3 of the Environment Protection Act 2017 stating that the land is suitable for the proposal; or
- A certificate of environmental audit for the land issued in accordance with Part IXD of the Environment Protection Act 1970; or

- A statement of environmental audit for the land issued in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the proposal.

If an environmental audit statement under Part 8.3 of the Environment Protection Act 2017 has been issued stating that the land is suitable for the proposal, a condition must be included on the planning permit consistent with section 4.0 of this schedule.

Where a preliminary risk screen assessment (or environmental audit) has already been undertaken for the land, a further preliminary risk screen assessment (or environmental audit) may not be required, if the previous preliminary risk screen assessment (or environmental audit) has considered the relevant land uses.

This requirement does not apply to the construction or carrying out of buildings and works if:

- The buildings and works are associated with an existing sensitive use, secondary school or children's playground, included in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;
- The buildings and works are required by the Environment Protection Authority Victoria or an environmental auditor appointed under the Environment Protection Act 2017 to make the site suitable for use; or
- The buildings and works are reasonably required by the environmental auditor appointed under the Environment Protection Act 2017 or the Environment Protection Act 1970 to undertake a preliminary risk screen assessment or environmental audit.

This application requirement does not apply to land where an existing sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use) or children's playground or secondary school is established immediately before the approval date of Amendment C107gpla or to construct or carry out buildings and works associated with these uses, or to any lot where the Environmental Audit Overlay applies.

Table 3 Land subject to PRSA requirement

Address	Legal Description
Levy Road Bannockburn	Lot 1 TP134465
Levy Road Bannockburn	Lot 2 LP6088
Burnside Road Bannockburn	Lot 13 LP6088
430 Burnside Road Bannockburn	Lot 2 LP97121
431 Burnside Road Bannockburn	Lot B PS920570

Preliminary Site Investigations

An application to use, subdivide land (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), construct a building or construct or carry out works on land described in Table 4 must be accompanied by a Preliminary Site Investigation (PSI) prepared by a suitably qualified environmental consultant in accordance with the National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, 1999) to the satisfaction of the responsible authority.

The PSI must make a recommendation as to:

- The likelihood of contamination and its potential to affect the planning proposal.

- Whether a risk-based remediation or management strategy can be derived or further investigation (such as an audit) is recommended.

Table 4 Land subject to PSI requirement

Address	Legal Description
418 Burnside Road, Bannockburn	Lot 1 LP97121

Retail economic 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.

Sustainability assessment**Residential**

An application for the development of land (other than subdivision) under the categories listed below, must be accompanied by a sustainable design assessment using the Built Environment Sustainability Scorecard (BESS), STORM, MUSIC or comparable other methods:

- 3 - 9 dwellings.
- A building used for accommodation (other than dwellings) with a gross floor area between 100 square metres and 1500 square metres.

An application for the development of land (other than subdivision) under the categories listed below, must be accompanied by a sustainability management plan (including an assessment using BESS, STORM, GreenStar, MUSIC or comparable other methods) and a Green Travel Plan:

- 10 or more dwellings.
- A building for accommodation other than dwellings with a gross floor area of 1500 square metres or more.

Non-residential

An application for the development of land (other than subdivision) under the categories listed below, must be accompanied by a sustainable design assessment (including an assessment using BESS, STORM, MUSIC or other comparable method):

- A non-residential building with a gross floor area between 300 square metres and 1500 square metres.
- An extension to an existing non-residential building creating between 300 square metres and 1500 square metres of additional gross floor area.

An application for the development of land (other than subdivision) under the categories listed below, must be accompanied by a sustainability management plan (including an assessment using BESS, GreenStar, STORM, MUSIC or other methods) and a Green Travel Plan:

- A non-residential building with a gross floor area of 1500 square metres or more.
- An extension to an existing non-residential building creating 1500 square metres or more of additional gross floor area.

Acoustic assessment

An application to use, subdivide, and / or construct a building or construct or carry out works for Accommodation, Education centre (other than Tertiary institution and Employment training centre) or Hospital on land within 80 metres of the Gheringhap-Maroon Freight Railway, 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, agriculture 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 impacts by noise emissions; and
- No noise attenuation measures are required.

Victorian Grassland Earless Dragon

An application to use or subdivide land or construct a building or construct or carry out works on a lot containing land shown on Plan 6 of the incorporated PSP as ‘DEECA VGED habitat distribution model’ must be accompanied by an impact assessment for the Victorian Grassland Earless Dragon to the satisfaction of the responsible authority in consultation with the Department of Energy, Environment and Climate Action.

4.0 Conditions and requirements for permits

Conditions - Subdivision permits that allow the creation of a lot less than 300 square metres

A permit issued before 31 December 2026 which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following condition:

- Before the plan of subdivision is certified under the *Subdivision Act 1988*, a plan must be approved and endorsed by the responsible authority, that identifies the lots to which:
 - Type A or Type B of the *Small Lot Housing Code* (Victorian Planning Authority, 2019) applies; or
 - Type A, Type B or Type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies.

to the satisfaction of the responsible authority.

A permit issued on or after 31 December 2026, other than an amendment of a permit issued before 31 December 2026 under section 72 of the *Planning and Environment Act 1987*, which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following condition:

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

Condition - Subdivision or buildings and works permits where land is required for community facilities or public open space

A permit to subdivide land or construct a building or construct or carry out works on land required for community facilities or public open space must include the following conditions:

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

Conditions - Road network

A permit to subdivide land or construct a building or construct or carry out 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 incorporated *Bannockburn South East Development Contributions Plan*.

Condition - Public transport

Unless otherwise agreed by Public Transport Victoria, prior to the issue of 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 Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

Conditions – Environmental audit

Any permit to subdivide land, or to use land for a sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use) or children's playground or secondary school, or to construct or carry out buildings and works associated with these uses, and where an environmental audit statement under Part 8.3 of the Environment Protection Act 2017 has been issued stating that the land is suitable for the use or proposed use subject to recommendations:

- The recommendations that relate to the use and development of the land must be complied with to the satisfaction of the responsible authority before the use or development commences; and
- Written confirmation of compliance with any recommendations in the environmental audit statement must be provided by a suitably qualified environmental professional (with the costs borne by the applicant) to the satisfaction of the responsible authority. Compliance sign-off must be in accordance with any requirements in the environmental audit statement recommendations regarding verifications of works.

Where recommendations of the Environmental Audit Statement require significant ongoing maintenance and/or monitoring, the applicant must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987. The section 173 agreement must be executed on the title of the relevant land prior to the grant of a permit to develop the land, unless otherwise agreed to by the responsible authority. The applicant must meet all costs associated with the drafting and execution of the agreement, including those incurred by the responsible authority.

Condition – Avian biosecurity

A permit granted for residential subdivision must include the following condition:

- The owner must enter into an agreement under section 173 of the Act with the responsible authority covenanting that they will not keep poultry or domestic birds on the lot
The agreement must be registered on the title to every lot created by the subdivision. The preparation and execution of an agreement must be at no cost to the responsible authority.

Condition – Bushfire management plan

A permit granted to subdivide land adjacent to a Bushfire Hazard Area shown on Plan 8 of the incorporated PSP 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.

Condition – Construction environmental management plan

A permit granted to subdivide land, construct a building or construct or carry out works within 50 metres of the 'Bruce Creek Conservation Area' as defined by the Bruce Creek Conservation Area Growing Grass Frog Conservation Management Plan (CMP) required under Clause 2.4 of this schedule must include the following condition:

Unless otherwise approved in writing by the responsibility authority, prior to the commencement of works within 50m of the 'Bruce Creek Conservation Area', a construction environmental management plan must be submitted to and approved by the responsible authority, demonstrating how the 'Bruce Creek Conservation Area' will be protected during works.

The construction environmental management plan must be generally in accordance with the CMP and the document titled *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (November 2020), or any future revision or superseding document. Once approved the construction environmental management plan will form part of the permit and must be implemented to the satisfaction of the responsible authority.

Condition – Land management plan

A permit granted to subdivide land, construct a building or construct or carry out works on a lot containing land within the 'Bruce Creek Conservation Area' as defined by the Bruce Creek Conservation Area Growling Grass Frog Conservation Management Plan (CMP) required under Clause 2.4 of this schedule must include the following condition:

Prior to the commencement of works, a land management plan for the 'Bruce Creek Conservation Area' must be prepared by a suitably qualified person and submitted to and approved by the responsible authority. The land management plan must be generally in accordance with the CMP and outline how the 'Bruce Creek Conservation Area' will be maintained, managed and improved, including:

- How environmental weeds will be managed up until the securing of the 'Bruce Creek Conservation Area' by Golden Plains Shire Council.
- 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 'Bruce Creek Conservation Area' by Golden Plains Shire Council.

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

Requirement – Bruce Creek Conservation Area Growling Grass Frog conservation management plan

A permit granted to subdivide land, construct a building or construct or carry out works within the 'Bruce Creek Conservation Area' as defined by the Bruce Creek Conservation Area Growling Grass Frog Conservation Management Plan (CMP) required under Clause 2.4 of this schedule must be in accordance with an approved CMP to the satisfaction of the responsible authority in consultation with Department of Energy, Environment and Climate Action.

Requirement – Victorian Grassland Earless Dragon impact assessment

A permit granted to subdivide land or to construct a building or construct or carry out works on a lot containing land shown on Plan 1 of the incorporated PSP as 'DEECA VGED habitat distribution model' must be in accordance with an impact assessment for the Victorian Grassland Earless Dragon prepared to the satisfaction of the responsible authority under Clause 3.0 of this schedule.

Requirement – Acoustic assessment

A permit granted to use or subdivide land, construct a building or construct or carry out works where an acoustic assessment report has identified that mitigation from noise sources is required, must implement any recommendations of the acoustic assessment report submitted as part of the application and include any conditions necessary, in the opinion of the responsible authority, to implement noise attenuation measures.

Requirement – Odour Environmental Risk Assessment

A permit granted to use or subdivide land, construct a building or construct or carry out works where an Odour Environmental Risk Assessment was submitted as part of the application must include any conditions necessary, in the opinion of the responsible authority, to implement the recommendations of the Odour Environmental Risk Assessment.

Requirement – Burnside Road railway crossing

A permit granted to subdivide land where a risk assessment of the Burnside Road railway crossing was submitted as part of the application must include any conditions necessary, in the opinion of the responsible authority, to implement the recommendations of the risk assessment report.

Requirement – Sodic and dispersive soil site management plan

A permit granted to subdivide land or to undertake earthworks must include a condition that requires the preparation of a site management plan that implements the recommendations of the sodic and dispersive soil management plan provided as part of the application, to the satisfaction of the responsible authority.

5.0 Exemption from notice and review

None specified.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.07-9 to 37.07-16, in addition to those specified in Clause 37.07-14 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Acoustic Attenuation

If Accommodation, Hospital or Education centre (other than Tertiary institution and Employment training centre) is proposed, whether the proposal minimises the risk of harm from noise exposure (near the transport system and other noise emission sources) to human health and the environment so far as reasonably practicable 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.
- Any relevant recommendations of an Acoustic Assessment Report for the application.

Hatchery buffer

For land located within 500 metres of the chicken hatchery and 399 metres of the breeder farm at 449 Burnside Road, Bannockburn (identified as ‘hatchery buffer’ on Plan 1 of this schedule) where the use or development proposed is for accommodation, child care centre, primary school or minor sports and recreation facility:

- Whether odour emissions from the chicken hatchery and breeder farm achieve levels which would have an unacceptable impact on the amenity of the sensitive use.
- Whether the chicken hatchery and breeder farm has formally indicated that it will cease operations within a specified timeframe.
- The views of the Environmental Protection Authority.

Retail impact

Before deciding on an application to create Shop floorspace above the 7,650 square metres permitted ‘as of right’ for the local town centre, the responsible authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area; and
- Whether the application will jeopardise the primacy of the Bannockburn Town Centre.

Bridge investigation area and culturally and/or environmentally sensitive areas

In assessing applications to subdivide or develop land within the ‘bridge investigation area’ or ‘culturally and/or environmentally sensitive area’, the responsible authority should consider compliance with:

- An approved Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006* (Vic), where applicable. Consideration should be given to any consultations or preliminary advice from the Registered Aboriginal Party that informs the design’s alignment with cultural heritage sensitivities. Approval decisions by the relevant statutory authority cannot be inconsistent with an approved CHMP.
- Any approvals required under the *Environment Protection and Biodiversity Conservation Act 1999*.

7.0 Signs

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