SCHEDULE 3 TO THE URBAN GROWTH ZONE

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**Proposed C106**

Shown on the planning scheme map as **UGZ3**

Beveridge North West Precinct Structure Plan

1. The Plan

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Map 1 shows the future urban structure proposed in the *Beveridge North West Precinct Structure Plan*. It is a reproduction of Plan 4 in the *Beveridge North West Precinct Structure Plan*.

Map 1 to Schedule 3 to Clause 37.07



1. Use and development

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2.1 The land

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The use and development provisions specified in this schedule apply to the land as shown on Map 1 and shown as UGZ3 on the planning scheme maps.

2.2 Applied zone provisions

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The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

**Table 1: Applied zone provisions**

|  |  |
| --- | --- |
| **Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (REFER MAP 1)** | **Applied zone provisions** |
| **Local town centre**  **Convenience centre** | Clause 34.01 – Commercial 1 Zone |
| **Commercial/retail expansion** | Clause 34.02 – Commercial 2 Zone |
| **Land, or any lot wholly contained within, 100 metres distance from a town centre** | Clause 32.04 - |
| **Landscape values** | Clause 35.06 – Rural Conservation Zone |
| **Arterial Road** | Clause 36.04 – Road Zone – Category 1 |
| **Connector Street** | Clause 36.04 – Road Zone – Category 2 |
| **All other land** | Clause 32.08s1 – General Residential Zone 1 |

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

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

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

2.4 Specific provisions – Use and development of future public land

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A permit is not required to use or develop land shown in the *Beveridge North West Precinct Structure Plan* as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the *Beveridge North West Precinct Structure Plan* and with the prior written consent of Mitchell Shire Council.

2.5 Specific provisions – Use of land

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Table 2: Use

| USE | REQUIREMENT |
| --- | --- |
| Primary School | A permit is not required to use land for a Primary school on land shown as Potential Non-Government School. |
| Shop in the local town centres and convenience centre. | A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:   * 11,000 square metres for land shown as the central local town centre in the incorporated Beveridge North WestPrecinct Structure Plan. * 4,500 square metres for land shown as the western local town centre in the incorporated Beveridge North West Precinct Structure Plan. * 4,500 square metres for land shown as the eastern local town centre in the incorporated Beveridge North West Precinct Structure Plan. * 1,000 square metres for land shown as a convenience centre in the incorporated Beveridge North West Precinct Structure Plan. |

2.6 Specific Provisions - Dwellings on a lot less than 300 square metres

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

2.7 Specific provisions – Buildings and works for a school

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

* 1. Specific provisions – Referral of applications – Conundrum Holdings Quarry, 175 Northern Highway, Wallan

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An application to develop land for a sensitive use within 500 metres of the limit of extraction approved by Work Authority 1473 (WA1473) under the *Mineral Resources (Sustainable Development) Act 1990*) for the Conundrum Holdings Quarry at 175 Northern Highway, Wallan, must be referred to the Department of State Development, Business and Innovation (DSDBI).

DSDBI may request a risk assessment prepared by a suitably experienced and qualified consultant that acknowledges the existing and future land use at the Conundrum Holdings Quarry and provides sufficient confidence that a sensitive use can be safely developed within 455 metres of the Conundrum Holdings Quarry. The application and risk assessment (if required) must be referred to the Program Manager - Planning in the Earth Resources Regulation Branch at the Department of State Development, Business and Innovation.

3.0 Application requirements

If in the opinion of the responsible authority an application requirement listed at 3.1 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

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3.1 Subdivision - residential development

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

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

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

* + a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water;
  + what land may be affected or required for the provision of infrastructure works;
  + the provision, staging and timing of stormwater drainage works;
  + the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
  + the landscaping of any land;
  + what if any infrastructure set out in the *Beveridge North West* *Contributions Plan* is sought to be provided as "works in lieu" subject to the written consent of Mitchell Shire Council;
  + the provision of public open space and land for any community facilities;
  + any other matter relevant to the provision of public infrastructure required by the responsible authority.

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

An application to subdivide land, use or develop land for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of ‘Beveridge North West Precinct Structure Plan Area – Site Suitability Assessment – Jacobs, July 2014’ and provides information including:

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

4.0 Conditions and requirements for permits

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Refer to the precinct structure plan applying to the land.

5.0 Advertising signs

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

**5.1 Land and home sales signs**

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Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on theland (or on adjoining land in the same ownership) may be displayed without a permitprovided:

* + the advertisement area for each sign does not exceed 10 square metres;
  + only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
  + the sign is not animated, scrolling, electronic or internally illuminated sign;
  + the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
  + the sign is setback a minimum of 750mm from the property boundary.

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