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SCHEDULE 3 TO CLAUSE 37.07 URBAN GROWTH ZONE

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

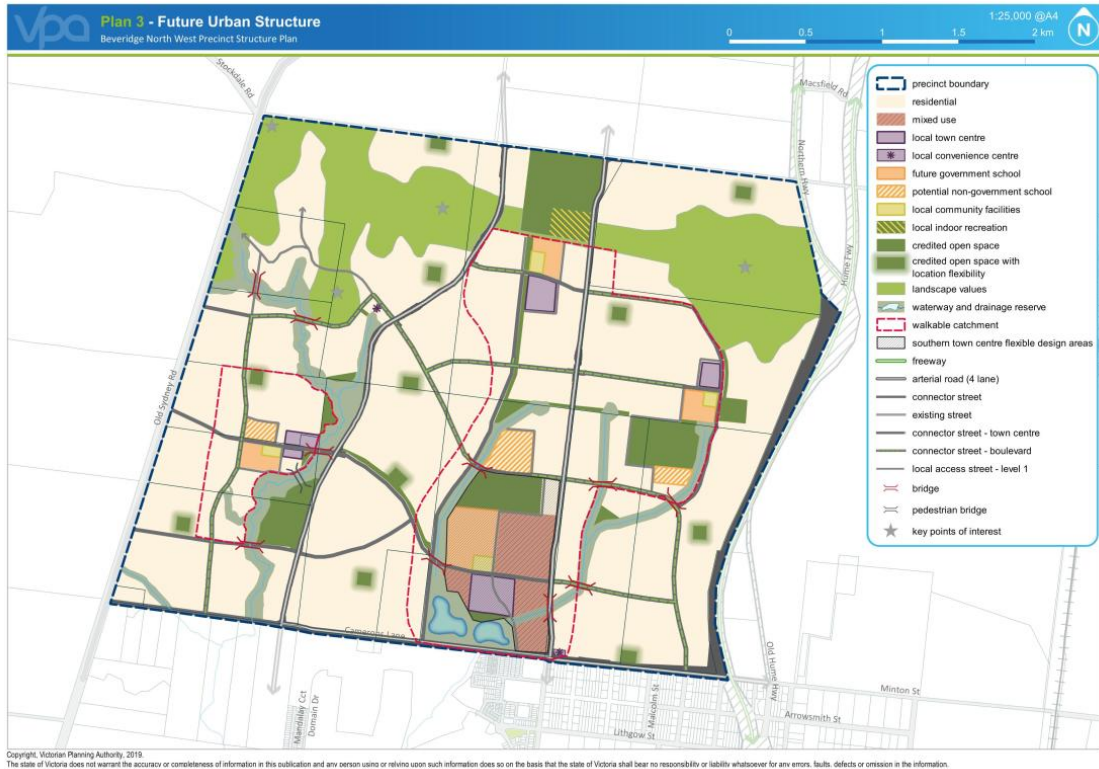
BEVERIDGE NORTH WEST PRECINCT STRUCTURE PLAN

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The Plan

Plan 1 shows the future urban structure proposed in the incorporated *Beveridge North West Precinct Structure Plan*.



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Use and development

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The Land

The use and development provisions specified in this schedule apply to the land within the ‘precinct boundary’ on Plan 1 and shown as UGZ3 on the planning scheme maps. This schedule must be read in conjunction with the incorporated *Beveridge North West Precinct Structure Plan* (PSP).

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

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Applied zone provisions

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 *Beveridge North West 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.

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Note: The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land'

Table 1: Applied zone provisions

Land shown on map 1 of this schedule	Applied zone provisions
Local town centre	Clause 34.01 – Commercial 1 Zone
Local convenience centre	
Land shown on map 1 of this schedule	Applied zone provisions
Mixed use	Clause 32.04 – Mixed Use Zone
Land shown on map 1 of this schedule	Applied zone provisions
Freeway	Clause 36.04 – Road Zone Category 1
Arterial road	
Land shown on map 1 of this schedule	Applied zone provisions
Residential on a lot wholly within a walkable catchment	Clause 32.07 – Residential Growth Zone
Land shown on map 1 of this schedule	Applied zone provisions
All other land	Clause 32.08 – General Residential Zone

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Specific provisions – Use of land

Section 1 - Permit not required

Use	Condition
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 community facilities in the <i>Beveridge North West Precinct Structure Plan</i> and with the prior written consent of Mitchell Shire Council.
Primary school Secondary school	On land shown as Potential Non-Government School on Plan 3 of the <i>Beveridge North West Precinct Structure Plan</i> .
Minor sports and recreation facility	The location of the use must generally accord with the location of <i>Beveridge North West Precinct Structure Plan</i> and with the prior written consent of Mitchell Shire Council.
Shop - where the applied zone is Commercial 1 Zone or Mixed Use Zone	The combined leasable floor area of all shops in the relevant centre must not exceed: <ul style="list-style-type: none"> ▪ 6,300 sqm on land shown as the Southern Local Town Centre (LTC-1) in the <i>Beveridge North West Precinct Structure Plan</i>. ▪ 3,300 sqm on land shown as the Eastern Local Town Centre (LTC-2) in the <i>Beveridge North West Precinct Structure Plan</i>.

Use	Condition
	<ul style="list-style-type: none"> ▪ 6,300 sqm on land shown as the Northern Local Town Centre (LTC-3) in the <i>Beveridge North West Precinct Structure Plan</i>. ▪ 6,300 sqm on land shown as the Western Local Town Centre (LTC-4) in the <i>Beveridge North West Precinct Structure Plan</i>.
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Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone	

Section 3 – Prohibited

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

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Specific provisions - Subdivision

None specified.

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Specific provisions - Buildings and works

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 *Beveridge North West Precinct Structure Plan* and with the prior written consent of Mitchell 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 via a restriction on title, and it complies with the *Small Lot Housing Code*, incorporated into the Mitchell Planning Scheme.

Buildings and works for a school

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 Potential Non-Government School unless exempt under Clauses 62.02-1 and 62.02-2.

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Application requirements

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

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.

Land use layout plan

An application for subdivision and/or use and development of land at the 'southern town centre flexible design area' of the incorporated *Beveridge North West Precinct Structure Plan* must be accompanied by a land use layout plan for the 'southern town centre flexible design area', to the satisfaction of the Responsible Authority, in accordance with the *Beveridge North West Precinct Structure Plan, Section 3.2.1*. The application must respond to any previously submitted land use layout plan to the satisfaction of the Responsible Authority.

Slope management

An application to subdivide land or to construct a building or construct or carry out works for land shown on Plan 6 of the incorporated *Beveridge North West Precinct Structure Plan* as having a pre-development slope of greater than 10%, must include a Slope Management Plan that responds to Section 3.1.3 - Topography – of the *Beveridge North West Precinct Structure Plan*.

A Slope Management Plan submitted with an application for subdivision must also include a building envelope plan demonstrating that the outcomes sought by Section 3.1.3 - Topography – of the incorporated *Beveridge North West Precinct Structure Plan* have been achieved.

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 *Beveridge North West 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 Report to the satisfaction of the relevant road management authority.
- A plan showing access arrangements for properties adjacent to all existing and future arterial roads.
- 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.
- A drainage and integrated water management plan.
- A Stormwater Management Strategy 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, to the satisfaction of Mitchell Shire Council and Melbourne Water.
- For subdivision adjacent to a 'sensitive interface area' on Plan 5 of the *Beveridge North West Precinct Structure Plan*, Subdivision and Housing Design Guidelines, in accordance with the incorporated *Beveridge North West Precinct Structure Plan*, that demonstrate how the proposal responds to and achieves the objectives and planning and design requirements and guidelines within the *Housing* section of the PSP.
- A landscape master plan.
- A Site Management Plan that addresses bushfire risk during, and where necessary, after construction, which is approved by the Responsible Authority. The plan must specify, amongst other things:

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- The staging of development and the likely bushfire risks at each stage;
- An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2018, where bushfire risk is managed to enable the development, on completion, to achieve a BAL-12.5 *construction standard in accordance with AS 3959-2018*;
- The land management measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape to protect residents and property from the threat of grassfire and bushfire; and
- How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

Kangaroo management

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:

- Strategies to avoid land locking kangaroos, including staging of subdivision;
- Strategies to minimise animal and human welfare risks;
- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location; and
- Actions to address the containment of kangaroos and to ensure adequate animal welfare.

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.

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 Roads Corporation or Mitchell Shire Council, as required.

Subdivide, use or develop land for a sensitive purpose - Environmental site assessment, phase 2

An application to subdivide land or to use or develop land identified in Table 2 of this schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an environmental site assessment prepared by a suitably qualified environmental

professional to the satisfaction of the responsible authority which takes account of the report titled ‘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;
- How the site assessment responds to the ‘Preliminary Site Investigation’ process outlined in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) (NEPM); and
- 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;

Address	Legal Description	PSP Parcel Number
180 Camerons Lane, Beveridge	Lot 2 LP214034	9
1010 Old Sydney Road, Beveridge	Lot 1 LP130356	7
55 Northern Highway, Beveridge	Lot 2 TP841310	6

Retail impact assessment

An application to use land for a Shop in a local town centre or local convenience 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

An application for use or development adjacent to the ‘interface - Hume Freeway’ on Plan 5 of the incorporated *Beveridge North West Precinct Structure Plan* must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and the Roads Corporation, which includes:

- An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Hume Freeway;
- Recommendations for noise attenuation measures designed to ensure internal bedroom noise levels will not exceed:
 - 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am
 - 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm;
- Recommendations for limiting the impact of freeway noise on future buildings within the proposed subdivision; and
- A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.

Development applications on land containing or abutting a Kalkallo Creek

An application on land containing or abutting Kalkallo Creek Corridor as shown on Plan 2 of the incorporated *Beveridge North West Precinct Structure Plan* must be accompanied by a plan 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;
- Recreation facilities to be provided within public open space;
- Storm water facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation.

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Conditions and requirements for permits

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

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

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

Conditions – Environmental site assessment

Any permit for the use and development of land, listed in Table 2 of this schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) and where the phase 2 environmental site assessment advised that an environmental audit was required, must contain the following conditions:

- Prior to the commencement of the use or buildings and works associated with the use (or the certification or issue of a statement of compliance under the Subdivision Act 1988) the applicant must provide: (a) A Certificate of Environmental Audit in accordance with Section 53Y of the *Environment Protection Act 1970*; or (b) A Statement of Environmental Audit under Section 53Z of the *Environment Protection Act 1970*. A Statement must state that the site is suitable for the use and development allowed by this permit.
- All the conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the responsible authority, prior to commencement of use of the site. Written confirmation of compliance must be provided by a suitably qualified environmental professional or other suitable person acceptable to the responsible authority. In addition, sign off must be in accordance with any requirements in the Statement conditions regarding verification of works.

Condition – Kangaroo management plan

A permit for subdivision of land must include the following conditions:

- Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning (DELWP). The approved plan will form part of the permit;
- The submitted Kangaroo Management Plan must include:
 - Strategies to avoid land locking kangaroos, including staging of subdivision;
 - Strategies to minimise animal and human welfare risks;

- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location;
- Actions to address the containment of kangaroos and to ensure adequate animal welfare.
- The approved Kangaroo Management Plan must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Condition – Salvage and translocation

The Salvage and Translocation Protocol for Melbourne’s Growth Corridors (Department of Environment, Land, Water and Planning, 2017) must be implemented in the carrying out of development to the satisfaction of the secretary to the Department of Environment, Land, Water and Planning.

Condition – Public transport

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

Requirement – Management of bushfire risk during subdivisional works

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

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.

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Exemption from notice and review

None specified.

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Decision guidelines

Retail impact

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

- The local catchment and *Beveridge North West Precinct Structure Plan* catchment demand for the additional floor area; and
- The effect on existing and future town centres within the Shire of Mitchell.

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Signs

None specified.

System Note: The following schedule will be inserted after Sub-Clause:43.03 INCORPORATED PLAN OVERLAY, Schedule:SCHEDULE 3 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY