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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

1.0 The Plan

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

Plan 1 to Schedule 3 of Clause 37.07



2.0 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 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.

2.2 Applied zone provisions

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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 *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.

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 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

Local town centre Local convenience centre	Clause 34.01 – Commercial 1 Zone
Residential on a lot wholly within Sensitive Interface Height Control Area	Clause 32.09 – Neighbourhood Residential Zone
Landscape values	Clause 35.06 - Rural Conservation Zone
Mixed use	Clause 32.04 – Mixed Use Zone
Freeway Arterial road	Clause 36.04 – Road Zone Category 1
Residential on a lot wholly within a walkable catchment	Clause 32.07 – Residential Growth Zone
All other land	Clause 32.08 – General Residential Zone
Southern Town Centre Flexible Design Area	<p>Prior to approval of Southern Town Centre Plan required by Requirement R8, section 3.2 of the <i>Beveridge North West Precinct Structure Plan</i>, the following applies:</p> <ul style="list-style-type: none"> ▪ Land shown on Plan 1 of this Schedule as local town centre: Clause 34.01 Commercial 1 Zone ▪ Land shown on Plan 1 of this Schedule as mixed use: Clause 32.04 – Mixed Use Zone ▪ Other land: Clause 32.08 – General Residential Zone <p>From the date of approval of the Southern Town Centre Plan required by Requirement R8, section 3.2 of the <i>Beveridge North West Precinct Structure Plan</i>, the following applies:</p> <ul style="list-style-type: none"> ▪ Land shown on Southern Town Centre Plan as local town centre or employment: Clause 34.01 Commercial 1 Zone ▪ Land shown on Southern Town Centre Plan as mixed use: Clause 32.04 – Mixed Use Zone ▪ Other land: Clause 32.08 – General Residential Zone

2.3 Specific provisions – Use of land

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Section 1 - Permit not required

Child care centre Hall Indoor recreation centre Library Medical Centre Restricted Recreation Facility	The location of these uses 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.
Child care centre	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.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.
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 Local Sports Reserve in the <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"> ▪ 7,000 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>. ▪ 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>.
Office (other than Medical Centre) where the applied zone is Mixed Use	
Research and development centre	On land where the applied zone is Mixed Use Zone. Must not be a purpose listed in the table to Clause 53.10
Emergency services facility	On land shown as Potential Emergency services facility on Plan 7 of the <i>Beveridge North West Precinct Structure Plan</i> .
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

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

Section 3 – Prohibited

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

Approval of Southern Town Centre Plan

Except with the consent of the responsible authority a permit must not be granted to use land in the Southern Town Centre Flexible Design Area until the Southern Town Centre Plan has been prepared and approved to the satisfaction of the Responsible Authority.

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Specific provisions - Subdivision**Approval of Southern Town Centre Plan**

Except with the consent of the responsible authority a permit must not be granted to subdivide land in the Southern Town Centre Flexible Design Area until the Southern Town Centre Plan has been prepared and approved to the satisfaction of the Responsible Authority.

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Specific provisions - Buildings and works**Approval of Southern Town Centre Plan**

Except with the consent of the responsible authority a permit must not be granted to construct a building or carry out works on land in the Southern Town Centre Flexible Design Area until the Southern Town Centre Plan required by Requirement R8, section 3.2 of the *Beveridge North West Precinct Structure Plan* has been prepared and approved to the satisfaction of the Responsible Authority.

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

Bulk Earthworks

A permit is required for bulk earthworks, unless a report has been prepared to the satisfaction of the responsible authority demonstrating that sodic and/or dispersive soils are not present in the works area.

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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.

Southern Town Centre Flexible Design Area

An application for a permit to use land, to construct a building or carry out works or to subdivide land in the Southern Town Centre Flexible Design Area must be accompanied by written assessment demonstrating how the proposed use, development or subdivision is in accordance with the approved Southern Town Centre Plan.

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.

- A landscape master 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;
 - Recognises and responds to sodic or dispersive soils;
 - Shows recreation facilities to be provided within public open space;
 - Shows storm water facilities that are compliant with the relevant approved drainage strategy; and
 - Identifies vegetation to be retained and removed and any re-vegetation.
- A written statement outlining how the proposal will contribute to the delivery of affordable housing in the precinct, including proposed delivery mechanisms.

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 kind" 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 Head, Transport for Victoria or Mitchell Shire Council, as required.

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 subdivision, use or development adjacent to the 'Interface - Hume Freeway' on Plan 5 Image, Character and Housing 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 and at no cost to the responsible authority and the Head, Transport for Victoria, which demonstrates how the proposal will comply with the VicRoads Traffic Noise Reduction Policy 2005.

Sodic and dispersive soils management plan

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

- 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.

Bushfire Management Plan

An application to subdivide land adjacent bushfire hazard areas 1 and 2 shown on Plan 8 Bushfire Hazard Areas of the *Beveridge North West 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 Section 3.4.2 - Bushfire Management, of the PSP, 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 defendable 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.

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Conditions and requirements for permits

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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* (Victorian Planning Authority, November 2019) 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* (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the Responsible Authority.

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 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 Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Head, Transport for Victoria.

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 – 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.

Requirements – 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.

5.0 Exemption from notice and review

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None Specified.

6.0 Decision guidelines

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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 and Clause 65, 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.

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.

7.0 Signs

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None specified.