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SCHEDULE 2 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ2**.

LOCKERBIE NORTH PRECINCT STRUCTURE PLAN

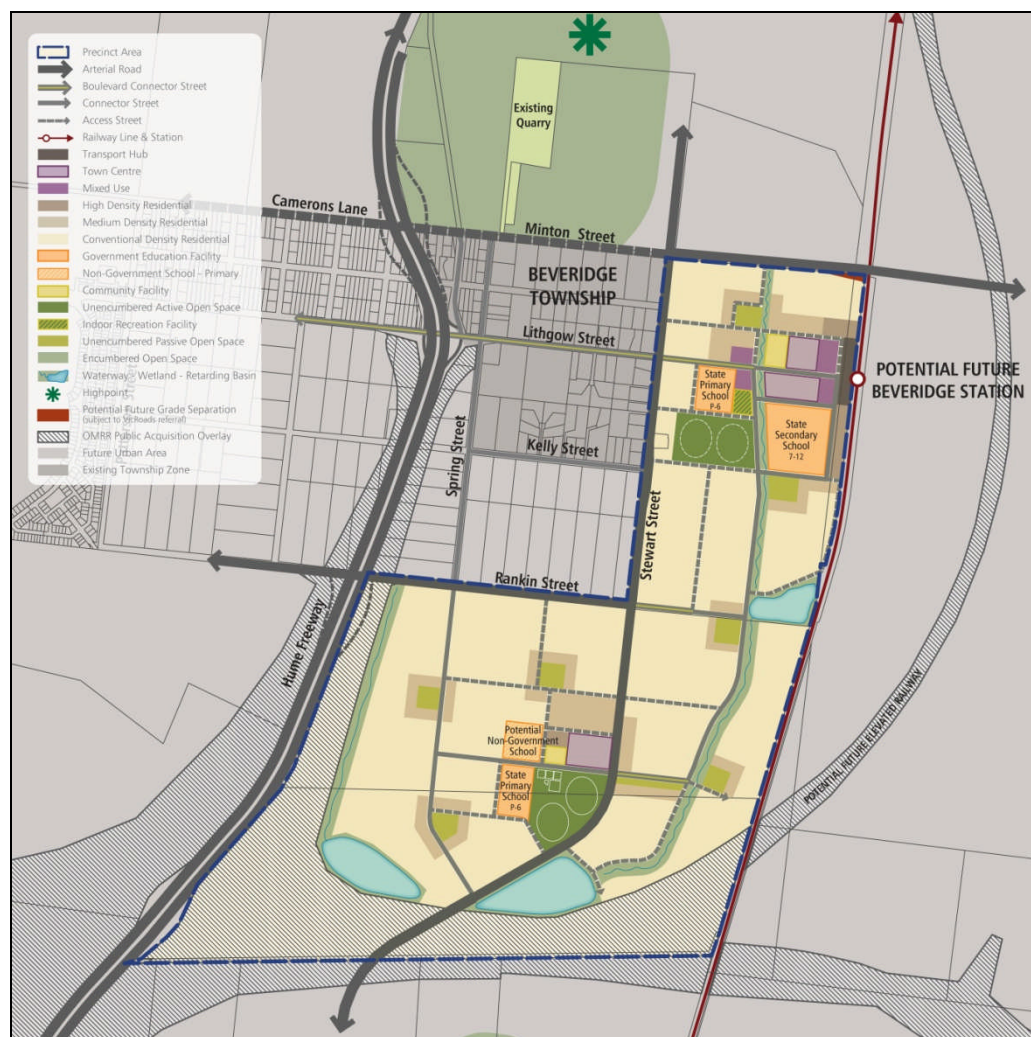
1.0

The Plan

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Map 1 below shows the future urban structure proposed for the *Lockerbie North Precinct Structure Plan (PSP)* area. It is a reproduction of Plan 2 in the Lockerbie North PSP.

Map 1: to Schedule 2 to 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 shown within the 'Precinct Area on Map 1 of this schedule and shown as UGZ2 on the planning scheme maps.

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

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 the land, the construction of a building, 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	Applied zone provisions
Local Town Centre	Clause 34.01 – Commercial 1 Zone
Mixed Use	Clause 32.04 – Mixed Use Zone
All other land	Clause 32.08 – General Residential Zone

2.3 Specific provisions – Use of land

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The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Shop where the applied zone is Commercial 1 Zone	<p>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds the following areas for the relevant centre as described in the Lockerbie North Precinct Structure Plan:</p> <ul style="list-style-type: none"> ▪ 9000 square metres for land shown as the Northern Local Town Centre ▪ 4000 square metres for land shown as the Southern Local Town Centre
Office where the applied zone is General Residential Zone	<p>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</p>

2.4 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.

3.0 Application requirements

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If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2 or 3.3 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.

3.1 Subdivision – residential development

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In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of

each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Lockerbie North PSP
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated Lockerbie North PSP
- A table 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

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared in consultation with the Department of Transport
- An assessment of the existing surface and subsurface drainage conditions on the site including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage.

3.2

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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 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 Lockerbie North Development Contributions Plan 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;

any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

3.3

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Use or develop land for a Local Town Centre

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must be generally in accordance with the role and function of the Local Town Centre set out in the *Lockerbie North Precinct Structure Plan*.

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
 - Address the potential future structure of the whole site;

- Address the Local Town Centre Design Requirements in Section 3.3, the Local Town Centre General Guidelines in Appendix B and the Local Town Centre Concept in figures 1 & 2 of the Lockerbie North Precinct Structure Plan;
 - Address any relevant design guidelines prepared by the Victorian Government or the Mitchell Shire Council;
 - Demonstrate how the proposal relates to existing or approved development in the area;
 - Demonstrate site responsive architecture and urban design;
 - Demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
 - Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies including VicRoads (where appropriate) and the Department of Transport;
 - Include guidelines to positively address environmental sustainability 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;
 - Include design guidelines for 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; and
 - Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments)
- An overall landscape concept/master plan for the centre.

3.4

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Subdivision of land – VicRoads referral

Once the subdivision on land within the precinct reaches a total of 1100 lots, any permit application for subdivision must be referred to VicRoads in accordance with Section 55 of the Planning and Environment Act 1987. VicRoads must consider whether a permit can be issued prior to the construction of a new interchange at Rankin Street.

3.5

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Public transport referral requirements

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the *Lockerbie North Precinct Structure Plan* where the following requirements are met:

- A road nominated on Plan 9– Road Network in the Lockerbie North Precinct Structure Plan as a potential bus route is constructed in accordance with its corresponding cross section in the Lockerbie North Precinct Structure Plan; and
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Lockerbie North Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport; and
- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of the bus stops as agreed with the Department of Transport, including bus stop hard stands with direct and safe pedestrian access to a

pedestrian path (all 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 no cost to the Director of Public Transport all to the satisfaction of the Director of Public Transport.

4.0 Conditions and requirements for permits

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4.1 General requirements

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A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the *Lockerbie North Precinct Structure Plan* and the *Lockerbie North Native Vegetation Precinct Plan* are implemented as part of the planning permit or the plans endorsed under the permit.

4.2 Local town centres

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The boundary of a local town centre with the applied Commercial 1 Zone or Mixed Use area with an applied Mixed Use Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.

4.3 Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening

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Land required for community facilities, as set out in the *Lockerbie North Precinct Structure Plan* or the *Lockerbie North Development Contributions Plan (DCP)* must be transferred to or vested in Council at no cost to Council unless the land is funded by the Lockerbie North DCP.

Land required for public open space as a local park as set out in the Lockerbie North PSP or the Lockerbie North DCP must be transferred to or vested in Council at no cost to Council unless funded by the Lockerbie North DCP.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Lockerbie North DCP.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Mitchell Shire or the relevant agency.

4.4 Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

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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 81 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.

4.528/06/2012
C82**Biodiversity****Eastern Grey Kangaroo**

Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and actions to respond to their containment in an area with no reasonable likelihood of their safe existence.

The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:

- Proceeding in the order of stages as shown on the plan; and
- Implementing the management solutions and actions of the plan;

all to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

Growling Grass Frog

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Biodiversity Plan in the Lockerbie North PSP as Growling Grass Frog Category 2 habitat must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Growling Grass Frog Category 2 habitat on the land must be provided or agreed to the satisfaction of the Secretary of the Department of Sustainability and Environment.
- Prior to the commencement of any buildings or works, a fully costed Growling Grass Frog translocation / salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and be submitted to and approved by the responsible authority. The approved Growling Grass Frog translocation/ salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

Golden Sun Moth

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Biodiversity Plan in the Lockerbie North PSP as Golden Sun Moth habitat must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Golden Sun Moth habitat on the land must be provided to the satisfaction of the Department of Sustainability and Environment.

Striped Legless Lizard

Any permit which would allow subdivision, buildings or works that will impact on an area of land identified as potential habitat for Striped Legless Lizard on the Biodiversity Plan in the Lockerbie North PSP must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Striped Legless Lizard habitat on the land must be provided to the satisfaction of the Department of Sustainability and Environment.
- The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011) and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented to the satisfaction of the Secretary of the Department of Sustainability and Environment before during and after the carrying out of any buildings or works or native vegetation removal and all specifications and requirements of the approved plan must be complied with.

Threatened flora salvage and translocation

Any permit which would allow subdivision, buildings or works that will impact on an area of land where Matted Flax Lily on the Biodiversity Plan in the Lockerie North PSP must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any works, a fully costed Matted Flax Lily translocation and/or propagation and ex situ conservation plan must be prepared to the satisfaction of the Department of Sustainability and Environment. When approved, the plan will be endorsed and will then form part of the permit;
- The approved Matted Flax Lily translocation/propagation plan must be implemented to the satisfaction of the Department of Sustainability and Environment.

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Use or develop land for a sensitive use at 300 Hume Highway, Beveridge (Lot 1 LP79801 and Lot 1 TP215160)

Prior to certification of a Plan of Subdivision under the Subdivision Act 1988, further testing in accordance with the recommendations of the Lane Piper Phase 1 Environmental Site Assessment (8 November 2011) must be carried out to the satisfaction of the responsible authority. Upon completion of the testing the landowner must submit the results and comply with any additional requirements to the satisfaction of the responsible authority, having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

5.0

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Advertising signs

Land is in the category specified in the applied zone.

5.1

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Land and home sales signs

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

- 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.

- The sign is setback a minimum of 750mm from the property boundary.

5.2 Education/community promotion signs

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Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign greater than 2 square metres in area that promotes a community facility or education centre on land identified as education, community and district sports reserve on Map 1 to this schedule.

6.0 Referral of applications

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6.1 Local town centre referral

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An application to subdivide land or construct a building or carry out works (where the value of those works is in excess of \$500,000) on land in a local town centre must be referred to the Growth Areas Authority in accordance with Section 55 of the Act.

7.0 No exemption from notice and review

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An application to use land for a convenience shop or office, on land where the applied zone is General Residential Zone, is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.