SCHEDULE 5 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ5.

BEVERIDGE CENTRAL PRECINCT STRUCTURE PLAN

1.0

The plan

Plan 1 of this schedule shows the future urban structure proposed in the Beveridge Central Precinct Structure Plan. It is a reproduction of Plan 3 in the Beveridge Central Precinct Structure Plan.

Plan 1 to the Schedule to Clause 37.07

Use and development

2.0

The land

The use and development provisions specified in this schedule apply to the land shown within the precinct boundary on Plan 1 of this schedule, and shown as UGZ5 on the planning scheme maps. This schedule must be read in conjunction with the Beveridge Central Precinct Structure Plan (PSP).

2.1

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building, and construction and carrying out of works, by reference to Plan 1 of this schedule.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land shown on Plan 1 of this schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
<tr>
<td>Land shown on Plan 1 of this schedule</td>
<td>Applied zone provisions</td>
</tr>
<tr>
<td>Local Convenience Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
</tbody>
</table>
Specific provisions – Use of land

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>On land where the applied zone is Commercial 1 Zone if the combined leasable floor area of all shops does not exceed:</td>
</tr>
<tr>
<td></td>
<td>3,000 square metres for land shown as Camerons Local Convenience Centre in the incorporated Beveridge Central Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>1,000 square metres for land shown as the Lithgow Street Local Convenience Centre in the incorporated Beveridge Central Precinct Structure Plan.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

Any other use not in Section 1 or 3

Section 3 – Prohibited

| Use        | |
|------------||
| None specified |

Specific provisions - Subdivision

None specified.

Specific provisions - Buildings and works

No permit is required to construct a building or construct or carry out works for the following:

- Construction or extension of 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, August 2014 via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Mitchell Planning Scheme.

A permit is required to construct a building or construct or carry out works for the following:
- Building and works on land known as 44 Kelly Street, Beveridge, or on lots directly abutting 44 Kelly Street, Beveridge. An application pursuant to this provision must address (where relevant) the John Kelly’s Former House – design principles and guidelines at Section 4.6 of the Beveridge Central Precinct Structure Plan, to the satisfaction of the responsible authority.

**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:

**Subdivision – Residential development**

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 *Beveridge Central Precinct Structure Plan*.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated *Beveridge Central Precinct Structure Plan*.
- 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.
- 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 preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

**Public Infrastructure Plan**

An application to subdivide land, or construct a building or construct or carry out works 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.
- What, if any, infrastructure set out in any Infrastructure Contributions Plan applying to the land is sought to be provided as "works in lieu" subject to the written consent of the responsible authority.
- 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.
**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/concept road safety audit, must be prepared to the satisfaction of the responsible authority or the Roads Corporation.

**Subdivide, use or develop land for a sensitive use – Environmental Site Assessment**

An application to subdivide land, use, or develop land for a sensitive use (residential use, child care centre, pre-school centre or primary school) on land at **55 Lewis Street, Beveridge** 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 Central Precinct Structure Plan Area – Phase 1 Environmental Site Assessment – LanePiper, September 2011**’ 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.

**Heritage Places**

An application for subdivision, use or development of land within a Heritage Overlay should:

- Discuss the proposed future use or adaptive reuse of the heritage place.
- Include a draft Conservation Management Plan for the heritage place to the satisfaction of the responsible authority.
- Include the provision of sufficient space around the heritage building to allow its adaptive reuse to comply with other planning requirements, such as car parking and landscaping.

**Conditions and requirements for permits**

**Condition - Subdivision permits that allow the creation of a lot/s 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 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 provision of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Mitchell Planning Scheme.
- 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.

**Condition – Open Space**

Land required for public open space as a local or district park as set out in the **Beveridge Central Precinct Structure Plan** must be transferred to or vested in Council at no cost to Council unless the land is funded by an applicable incorporated Infrastructure Contributions Plan.
**Condition – Environmental site assessment**

Any permit for subdivision, use or development for a sensitive use at 55 Lewis Street, Beveridge must contain the following conditions:

- Before a plan of subdivision is certified under the *Subdivision Act 1988*, the recommendations of the Phase 2 Environmental Site Assessment submitted must be carried out to the satisfaction of the responsible authority.

- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after 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.

**Condition – Hume Freeway noise**

Any permit for use and development adjacent to the Hume Freeway must include the following condition:

- Any use or development of land directly abutting the Hume Freeway boundary must comply with the *VicRoads Traffic Noise Reduction Policy, 2005* to the satisfaction of, and at no cost to, the Roads Authority.

**Condition – Kangaroo Management Plan**

Any permit for subdivision must contain 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, or its successor. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

**Condition – Salvage and translocation**

Any permit for subdivision must contain the following condition:

- Salvage and translocation of flora and fauna, threatened species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning, or its successor.

**Condition – Public Transport**

Any permit for subdivision must contain the following condition:

- 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.

**Condition – Public Infrastructure Plan**

Any permit for subdivision must contain the following condition:
- Prior to the certification of a plan of subdivision or at such other time which is agreed between responsible authority and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provides for:
  - The implementation of the Public Infrastructure Plan approved under this permit.

**Condition – Road network**

Any permit for subdivision, or buildings and 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 the responsible authority at no cost to the acquiring agency unless funded by an Infrastructure Contributions Plan applying to the land.

**Condition – Heritage place**

Any permit for subdivision and/or development of land within a Heritage Overlay must contain the following conditions:

- Prior to the certification of a plan of subdivision for the first stage of the subdivision, a Conservation Management Plan must be prepared for the heritage place, to the satisfaction of the responsible authority.

- Before the commencement of works for any stage of subdivision, the heritage place must be appropriately secured against damage as a result of works, deterioration, the effects of weather, trespassing or vandalism, to the satisfaction of the responsible authority.

**Exemption from notice and review**

None specified.

**Decision guidelines**

None specified.

**Signs**

Sign requirements are at Clause 52.05. All land located within the Beveridge Central Precinct Structure Plan is the category specified in the zone applied to the land at Clause 2.2 of this schedule.