

14/05/2015  
C150**SCHEDULE 5 TO THE COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as **CDZ5**.

**GREENVALE NORTH NEIGHBOURHOOD ACTIVITY CENTRE  
COMPREHENSIVE DEVELOPMENT PLAN****Land**

This Schedule applies to the land in the Greenvale North Neighbourhood Activity Centre being the land shown on Map 1 to this schedule which identifies the Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan.

**Purpose**

To provide for the use and development of the land generally in accordance with the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan*.

To complement the residential development provided as part of the Development Plan for 1090 Mickleham Road, Greenvale, the Greenvale West (R3) Precinct Structure Plan and surrounding area by providing for retail and community activities.

To provide for the integrated planning, development and subdivision of the Greenvale North Neighbourhood Activity Centre.

**1.0**14/05/2015  
C150**Table of uses****Section 1 - Permit not required**

<b>Use</b>	<b>Condition</b>
<b>Betting agency</b>	Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.
<b>Caretaker's house</b>	
<b>Dwelling</b>	Must be in the Higher Density Residential Areas as shown in Map 1 to this schedule. or If within the area identified as Retail in Map 1 to this schedule, the frontage at ground floor level must not exceed 2 metres.
<b>Electoral office</b>	Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule. May be used for only 4 months before an election and 2 weeks after an election.
<b>Food and drink premises (other than Convenience restaurant, Hotel, Restaurant and Tavern)</b>	Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<b>Minor utility installation</b>	

<b>Use</b>	<b>Condition</b>
<b>Office (other than Electoral office)</b>	Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  and  Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house), unless the office is a bank, real estate agency, medical centre, or any other office where the floor space adjoining the frontage is a customer service area accessible to the public.
<b>Postal agency</b> <b>Restaurant</b>	Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.
<b>Railway</b>	
<b>Shop (other than Adult sex bookshop)</b>	Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  The combined leasable floor areas of shop must not exceed 5,300 sqm
<b>Take away food premises</b>	Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.
<b>Tramway</b>	
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01

**Section 2 - Permit required**

<b>Use</b>	<b>Condition</b>
<b>Accommodation</b> <b>Agriculture (other than Apiculture, Intensive animal husbandry)</b> <b>Bed and Breakfast</b> <b>Child Care Centre</b> <b>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</b> <b>Place of assembly</b> <b>Retail premises (other than Betting agency, Food and drink premises, Postal agency, and Shop)</b>	
<b>Service station</b>	Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  The site must not exceed 3,000 square metres.

Use	Condition
<b>Store</b>	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
<b>Tavern</b>	
<b>Utility installation (other than Minor utility installation and Telecommunications facility)</b>	
<b>Any other use not in Section 1 or 3</b>	

**Section 3 - Prohibited**

Use
<b>Adult sex bookshop</b>
<b>Animal boarding</b>
<b>Animal training</b>
<b>Brothel</b>
<b>Cinema based entertainment facility</b>
<b>Corrective institution</b>
<b>Extractive industry</b>
<b>Horse stables</b>
<b>Industry (other than Car wash)</b>
<b>Intensive animal husbandry</b>
<b>Major sports and recreation facility</b>
<b>Motor racing track</b>
<b>Saleyard</b>
<b>Transport terminal</b>
<b>Warehouse (other than Store)</b>

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**Urban Design Framework**

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works until an Urban Design Framework for the whole of the land subject to this Schedule has been prepared to the satisfaction of the responsible authority.

A permit must be generally in accordance with the approved Urban Design Framework.

The Urban Design Framework must not be prepared in stages.

The Urban Design Framework may be amended with the approval of the responsible authority.

The responsible authority may grant a permit to use, subdivide land, or to construct a building or construct or carry out works prior to the approval of an Urban Design Framework if it is satisfied that the proposal will not affect the outcomes for the land sought by the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan*.

The Urban Design Framework must be generally in accordance with the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan*.

The Urban Design Framework must include the following information, as appropriate:

- Set out the form and function of the activity centre including the proposed use and development of each part of the activity centre in the short and longer term.
- Include a traffic impact assessment report to the satisfaction of the responsible authority and VicRoads.
- Include a compact urban core which maximises the developable area, mix and intensity of activity and housing within walkable distance of the activity centre heart.
- Set out how the design responds to any activity centre, safer design or other relevant design guidelines incorporated or referenced in the planning scheme.
- Show arrangements for access to the activity centre from adjoining arterial roads to the satisfaction of the relevant roads authority.
- Set out the location of community facilities and public spaces.
- Include an overall landscape concept for the activity centre.
- Set out provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the activity centre.
- Set out guidelines for the provision of advertising signs.
- Set out arrangements for the provision of service areas for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the activity centre and adjoining neighbourhoods.

The Urban Design Framework must respond to the following design objectives, as appropriate:

- A street based activity centre.
- A main street within the activity centre.
- A highly permeable street block structure.
- Minimum heights of buildings.
- A mixture of uses both vertically and horizontally to facilitate a wide range of uses.
- Multi-purpose, mixed-use buildings in the main street.
- How any future subdivision of buildings may be achieved.
- Show the relationship to existing and proposed development surrounding the activity centre.
- Set out building design guidelines to ensure appropriate interface with streets and other public spaces.
- Set out the design of streets including street design and widths, pedestrian access and areas, car parking, paving materials and street furniture.
- Include guidelines to improve environmental sustainability including integrated water management and energy conservation.
- Set out how public transport will be integrated with the activity centre including the provision of suitable bus access, routes and stops in accordance with the Public Transport Guidelines for Land Use and Development to the satisfaction of Public Transport Victoria.
- Show how opportunities for housing are incorporated as an important component of the activity centre.

The Urban Design Framework must address the Neighbourhood Activity Centre role of the centre as defined in Clause 21.07 of the Hume Planning Scheme.

The Urban Design Framework must set out how the design responds to feedback received from consultation with infrastructure agencies, where applicable.

**3.0**14/05/2015  
C150**Use of land****Amenity of the neighbourhood**

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

**Application requirements**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The requirements of this Schedule, the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan* and the approved Urban Design Framework.
- The effect that existing uses may have on the proposed use.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

**4.0**14/05/2015  
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A permit is required to subdivide land.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The requirements of this Schedule, the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan* and the approved Urban Design Framework.
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The interface with adjoining zones, especially the relationship with residential areas.

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

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### Buildings and works

#### Permit requirements

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- The internal rearrangement of a building if the floor area is not increased.
- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

#### Application requirements

An application must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site
  - Adjoining roads
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Identification of proposed bus routes and bus stop locations to the satisfaction of the Public Transport Victoria.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- A traffic impact assessment.

### **Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The requirements of this Schedule, the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan* and the approved Urban Design Framework.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The interface with adjoining zones, especially the relationship with residential areas.
- The streetscape, including the design of verandahs, access from street frontage, protecting active frontages to pedestrian areas, the treatment of the front and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to development of five or more storeys, excluding a basement.

### **Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

### **Neighbourhood and site description and design response**

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

### **Satisfactory neighbourhood and site description and design response before notice and decision**

The responsible authority must inform the applicant in writing:

- Before notice of an application is given, or
- If notice of an application is not required to be given, before deciding the application, that the neighbourhood and site description meets the requirements of Clause 54.01 and is satisfactory or does not meet the requirements of Clause 54.01 and is not satisfactory.

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the *Planning and Environment Act 1987* (the Act).

**6.0 Conditions and requirements for permits**

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A planning permit for the use, development or subdivision of 1090 Mickleham Road, Lot P PS643204W Vol 11320 Fol 009, must include a permit condition which provides for:

- Upgrade works to be carried out along Garibaldi Road to the satisfaction of the Responsible Authority;
- Upgrade works to be carried out at the intersection of Garibaldi Road and Mickleham Road if required, to the satisfaction of the Responsible Authority; and
- Any road widening required to be carried out to upgrade Garibaldi Road is to be undertaken within 1090 Mickleham Road, Greenvale.

**7.0 Advertising signs**

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Advertising sign requirements are at Clause 52.05. All land is in Category 1.

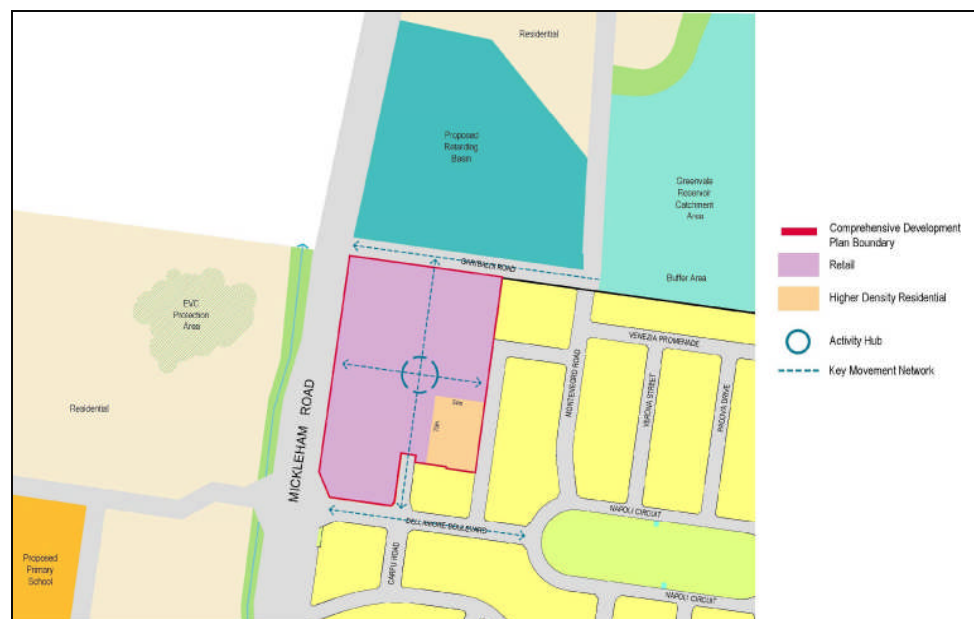
**8.0 Exemption from notice and review**

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An application under any provision of this scheme which is generally in accordance with the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan* is 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.

**9.0 Map 1 to Schedule 5 to Clause 37.02**

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**Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan**