

SCHEDULE 3 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ3**.

GREENVALE LAKES EAST

Land

The land is known as Greenvale Lakes East. The land is bounded by the Greenvale Rise development to the north, the Roxburgh Park residential development to the east and the Greenvale Reservoir to the south and west. The site comprises approximately 80 ha of land that was previously used by the Royal Australian Navy.

Purpose

To designate land suitable for urban development.

To provide for development of land generally in accordance with the Greenvale Lakes East Comprehensive Development Plan.

To facilitate a mix and range of housing and lot types in sizes to meet a diversity of lifestyle choices.

To ensure that non-residential uses do not cause loss of amenity to residents in areas set aside and used for housing.

To encourage residential development which fosters social interaction and walkable neighbourhoods and creates a sense of place and identity.

To provide for a range of commercial, open space and community facilities of appropriate sizes to serve needs of existing and future residents of the area.

To facilitate the construction of Aitken Blvd (E14) through the site.

To encourage energy efficiency in housing and subdivision design.

To protect and conserve indigenous flora and fauna.

To conserve water quality and watercourse capacity.

Protect Greenvale Reservoir from urban development, particularly storm water runoff from urban development.

Ensure that Melbourne Water has provided written approval of the bund required for protection of Greenvale Reservoir and construction of the Aitken Boulevard (E14) roadway before any development commences in the catchment that falls west of the current (June 2007) natural ridge line, towards the Greenvale Reservoir, within the Greenvale Lakes East site.

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least two car parking spaces must be provided.
Dependant person's unit	Must be the only dependent person's unit on the lot.

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Use	Condition
Dwelling (other than bed and breakfast) Home based business Informal outdoor recreation Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Railway	
Search for stone	Must not be costeaning, sampling or bulk sampling.
Shop	No more than 5,000m ² of retail floorspace.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 – Permit required

Use	Condition
Accommodation (other than Dependant person's unit, Dwelling and Corrective institution and Bed and breakfast) Agriculture (other than Animal keeping, animal training, apiculture, horse stables, and Intensive animal husbandry)	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals
Car park	Must be used in conjunction with another use in Section 1 and 2.
Car wash	Must be used in conjunction with another use in Section 1 and 2. The use must adjoin or have access to a road in a Transport Zone 2 or a Transport Zone 3.
Child care centre	
Convenience shop	Leasable floor area for shop use must not exceed 80 square meters.
Display home Education centre Food and drink premises (other than Convenience restaurant and Take away food premises)	

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Use	Condition
Leisure and recreation (other than Informal outdoor recreation and Motor racing track, Outdoor recreation facility) Hotel Market Medical centre Mineral, Stone or Soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone) Office Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub) Place of worship Plant nursery Postal agency Retail premises	
Service station	The site must not exceed either: <ul style="list-style-type: none"> ▪ 3000 square meters ▪ 3600 square meters if it adjoins on two boundaries of a road in a Transport Zone 2 or a Transport Zone 3.
Store	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.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Veterinary centre Utility Installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal boarding
Animal training
Betting agency
Cinema based entertainment facility
Cemetery
Corrective institution

Use

Crematorium
Department store
Extractive industry
Horse stables
Industry (other than Automated collection point and Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Saleyard
Shop if section 1 condition is not met.
Transport terminal
Warehouse (other than store)

2.0

Historic
27/05/2019
C238hume

2.1

Historic
02/10/2008
C75

Use of land**Comprehensive Development Plan**

A comprehensive development plan is a generalised plan showing the main land use intentions for the area. More detailed intentions and development and use proposals will be prepared and shown in the Greenvale Lakes East Development Plan.

2.2

Historic
02/10/2008
C75

Use of Land

The use of the land must be consistent with the provisions of the Greenvale Lakes East Comprehensive Development Plan.

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

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

2.3

Historic
02/10/2008
C75

Application Requirements

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

- The purpose of the use and the type of activities which will be carried out;
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare;
- For land within the Greenvale Reservoir catchment that falls west of the current (June 2007) natural ridgeline, toward Greenvale Reservoir, written approval from Melbourne Water for the construction of a protective bund for Greenvale Reservoir and construction of Aitken Boulevard (E14) roadway including plans as required. The written approval and plans for the roadway must also be to the satisfaction of the Responsible Authority, and VicRoads.

2.4

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and Planning Policy Framework and local planning policies;
- Any relevant comprehensive development plan or policy affecting the land;
- The effect that existing uses may have on the proposed use;
- The drainage of the land;
- The availability and connection of services; and
- The effect on traffic to be generated on roads.
- Melbourne Water's written approval and approved plans for:

The bund required for protection of Greenvale Reservoir and construction of the Aitken Boulevard/(E14) roadway before any development commences in the catchment that falls west of the current (June 2007) natural ridge line, toward the Greenvale Reservoir, within the Greenvale Lakes East site.

2.5
Historic
24/07/2014
C188

Exemption from notice and appeal

An application for a Section 2 Use 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:

- On a site that is identified for the use in a development plan approved by the responsible authority under Clause 43.04-1; and
- Within an activity centre in a development plan approved by the responsible authority under Clause 43.04-1.

3.0
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Subdivision

The subdivision of the land must be consistent with the provisions of the Greenvale Lakes East Comprehensive Development Plan.

3.1
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Application Requirements

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

- For land within the Greenvale Reservoir catchment that falls west of the current (June 2007) natural ridgeline, toward Greenvale Reservoir, and east of Aitken Boulevard (E14), written approval from Melbourne Water for the construction of a protective bund for Greenvale Reservoir and construction of Aitken Boulevard (E14) roadway including plans as required. The written approval and plans for the roadway must also be to the satisfaction of the Responsible Authority, and VicRoads.
- Prior to the certification of a plan of subdivision, the Owner of the land shall, at its own cost and expense and to the satisfaction of Yarra Valley Water:
 - Ensure the provision and funding of a sewerage flow control facility or alternative works, together with associated pipes to the existing sewerage network to serve the development created by the subdivision of the land, and
 - Grant or cause to be granted any associated easements required by Yarra Valley Water to give effect to the sewerage flow control facility or alternative works.

3.2
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Decision Guidelines

Before deciding on an application for a permit to subdivide land or whether a proposed subdivision is satisfactory in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the Municipal Planning Strategy and Planning Policy Framework, and local planning policies;

- any relevant comprehensive development plan or policy affecting the land;
- the provisions and requirements of any relevant development plan approved by the responsible authority under Clause 43.04-1;
- the provisions of clause 56;
- the requirements of authorities specified as referral authorities in Clause 66;
- the drainage of the land;
- the availability and connection of services; and
- the effect on traffic to be generated on roads.
- the need for financial and other contributions towards the provision of reticulated service infrastructure, community facilities and transport systems as set out in appropriate agreements, conditions or other arrangements to guarantee those contributions; and
- the relationship of the proposed subdivision to the existing and proposed subdivision and use of adjoining land.
- Melbourne Water's written approval and approved plans for:
 - The bund required for protection of Greenvale Reservoir and construction of the Aitken Boulevard/(E14) roadway before any development commences in the catchment that falls west of the current (June 2007) natural ridge line, towards the Greenvale Reservoir, within the Greenvale Lakes East site.

3.3
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Exemption for notice and appeal

An application for subdivision which is generally consistent with the relevant development plan approved by the responsible authority under Clause 43.04-1, 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.

4.0
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Buildings and works

4.1
Historic
29/07/2010
C124

Construction and extension of one dwelling on lots at least 300 squaremetres

A permit is not required to construct or extend one dwelling on a lot of 300 square metres and greater.

4.2
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Construction and extension of medium-density housing and residentialbuildings

Application Requirements

An application:

- To construct a dwelling if there is at least one dwelling on the lot;
- To extend a dwelling if there are two or more dwellings on the lot;
- To construct two or more dwellings on a lot; and
- To construct or extend a residential building.

Must be accompanied by a neighbourhood and site description and design response as described in Clause 55.01.

This does not apply to the construction of one dependant person's unit on a lot.

Satisfactory Neighbourhood and Site Description

The responsible authority:

- Must inform the applicant in writing:

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- Before notice of an application is given; or
 - If notice of an application is not required to be given, before deciding on the application;
 - That the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory or does not meet the requirements of Clause 55.01-1 and is not satisfactory; and
 - If the responsible authority decides that the site analysis is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
- Must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

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

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies; and
- The provisions of Clause 54 and Clause 55.

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Application requirements generally

An application to construct a building or carry out works 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; and
 - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works;
- Construction details of all 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.

4.4
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C75

Exemption from notice and appeal

An application to construct a building or carry out works for a use in Section 1 or Section 2 of this Schedule:

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- On a site that is identified for the use in a development plan approved by the responsible authority under Clause 43.04-1;
- Within an activity centre in a development plan approved by the responsible authority under Clause 43.04-1.

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.

5.0
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Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 except for activity centres on a relevant development plan that are in Category 1.