

19/01/2006
VC37**SCHEDULE 6 TO THE SPECIAL USE ZONE**

Shown on the planning scheme map as SUZ 6.

FORMER GREENVALE HOSPITAL**Purpose**

To enable the development of the land contained in Crown Allotment 7G, Section 1, County of Bourke, Parish of Yuroke in Providence Road, Greenvale ('the land') to be used for a place of assembly (such as a conference centre or function centre) or accommodation (such as a residential hotel or group accommodation).

To develop facilities in a manner that respects the high quality environment of the land and its surrounds.

To ensure that development does not adversely affect the heritage significance of the buildings on the land.

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VC37**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Agriculture (other than Animal keeping and Intensive animal husbandry)	
Car park	The land must be used in accordance with a Concept Plan approved by the responsible authority.
Convenience shop	The leasable floor area must not exceed 240 square metres in total. The land must be used in accordance with a Concept Plan approved by the responsible authority.
Education centre	The land must be used in accordance with a Concept Plan approved by the responsible authority. Must be used in conjunction with Agriculture. No more than 20 persons may be accommodated away from their normal place of residence.
Hospital	The land must be used in accordance with a Concept Plan approved by the responsible authority.

USE	CONDITION
Leisure and recreation (other than Major sports and recreation facility and Motor racing track)	The land must be used in accordance with a Concept Plan approved by the responsible authority.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Natural systems	
Place of assembly (other than Amusement parlour, Cinema, Drive-in theatre or Nightclub)	The land must be used in accordance with a Concept Plan approved by the responsible authority.
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	

Section 2 - Permit required

USE	CONDITION
Group accommodation	Must be used in conjunction with Agriculture. No more than 20 persons may be accommodated away from their normal place of residence.
Industry (other than Materials recycling)	Must not be for a purpose listed in the table to Clause 52.10.
Minor utility installation	
Residential hotel	Must be used in conjunction with Agriculture. No more than 20 persons may be accommodated away from their normal place of residence.
Store	
Any use not in Sections 1 or 3	

Section 3 - Prohibited

USE
Accommodation (other than residential hotel or group accommodation)
Adult sex bookshop
Amusement parlour
Animal keeping

USE**Brothel****Fuel depot****Intensive animal husbandry****Major sports and recreation facility****Materials recycling****Mineral, stone or soil extraction (other than Mineral exploration, Mining and Search for stone)****Motor racing track****Office (Other than Electoral office or Medical centre)****Service station****Shop****Warehouse****2.0**19/01/2006
VC37**Concept plan**

A Concept Plan and report, must be prepared and include a plan drawn to scale, showing the overall, integrated use and development of the land and must be approved to the satisfaction of the responsible authority.

The Concept Plan must show:

- The boundaries and dimensions of the site.
- The overall concept for the development and use of the land.
- The uses on all parts of the land.
- Any proposed subdivision of the land.
- Identification of roads and accessways, including an assessment of developer contributions necessary for improvement works required by the development, and in particular any contribution which may be made through a Development Contribution Plan, Section 173 Agreement, or otherwise with respect to Providence Road.
- Any linkages or connections to adjoining land.
- All heritage buildings including proposed alterations, additions and demolition.
- The general location and purpose of existing and proposed buildings and works.
- The location and extent of all existing and proposed car parking areas.
- Vehicle and pedestrian access to and from the site.
- An overall scheme for landscape.
- Environmental considerations including proposed vegetation retention, enhancement and removal.
- That the land can be adequately serviced.
- Indicative staging of the development.
- How the proposal is compatible with and complements the adjoining Woodlands Historic Park.

- Any proposed access from the site to the adjoining Woodlands Historic Park.

The responsible authority may approve a part or parts of the Concept Plan subsequent to the commencement of the use and development. The Concept Plan may be modified on request provided that the modification is approved to the satisfaction of the responsible authority.

In assessing the Concept Plan, or any part or parts of the Concept Plan, the responsible authority must consider:

- The nature and location of uses within the site relative to the surrounding context and environment.
- Whether the proposed use will be compatible with the Woodlands Historic Park particularly with respect to landscaping.
- Whether any proposed buildings and works will be in keeping with the character of the area.
- Whether the location, bulk, form or appearance of the proposed building will adversely impact on the adjoining Woodlands Historic Park.
- The impact of any proposed use and development on the amenity of the area.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision or consolidation will adversely affect the significance of the heritage place.
- Whether the proposed subdivision or consolidation may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Any comments of the operator of Melbourne Airport.

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Potentially contaminated land

Before a sensitive use (such as a residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- a certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
- an environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Section 173 Agreement

Prior to the approval of the concept plan, the owner must enter into and execute an agreement (in a form satisfactory to the Responsible Authority) with the Responsible Authority and the Department of Natural Resources and Environment pursuant to Section 173 of the Planning And Environment Act 1987. This agreement must provide for:

- The protection of the River Red Gums (*Eucalyptus camaldulensis*) on the site.
- The implementation of fire protection and pest plant and pest animal control plans for the site which are coordinated with those same activities on the adjoining Woodlands Historic Park.
- Management of the site to ensure that no environmental weeds as identified by the Department of Natural Resources and Environment are planted on the site or allowed to invade the site.

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Use of land

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, hours of operation, light spill, solar access and glare.
- The means of maintaining areas not required for the proposed use.

Exemption

An application for a use in the table to Clause 1.0 of this Schedule 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 appeal rights of Section 82(1) of the Act, provided the use is consistent with an approved Concept Plan.

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Subdivision

No subdivision may take place before the land to be subdivided is included in a Concept Plan prepared to the satisfaction of the responsible authority.

Exemption

An application to subdivide land 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 appeal rights of Section 82(1) of the Act, provided the proposed subdivision is consistent with an approved Concept Plan.

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Buildings and works

No buildings and works may take place before the land to be developed is included in a Concept Plan prepared to the satisfaction of the responsible authority.

Exemption

An application to construct a building or to construct or carry out works 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 appeal rights of Section 82(1) of the Act, provided the buildings and works are consistent with an approved Concept Plan.

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Referral of Applications

The Concept Plan or any amendments to the plan must be referred to the Department of Natural Resources and Environment including Aboriginal Affairs Victoria under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Department of Natural Resources and Environment and Aboriginal Affairs Victoria.

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Decision Guidelines

Before deciding on an application to use or subdivide the land, construct a building or carry out works, the responsible authority must consider as appropriate:

- The Concept Plan referred to in Clause 2.0 of this Schedule.
- The effect that existing uses may have on any proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The impact of any proposed development on the amenity of the area.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision or consolidation will adversely affect the significance of the heritage place.
- Whether the proposed subdivision or consolidation may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed use will be compatible with the Woodlands Historic Park particularly with respect to landscaping.
- Whether the location, bulk, form or appearance of the proposed building will adversely impact on the adjoining Woodlands Historic Park.
- Any comments of the operator of Melbourne Airport.