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C167

## SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ2**.

### MERRIFIELD EMPLOYMENT PRECINCT

#### Land

This Schedule applies to land generally bounded by the Hume Highway to the east, the Merrifield Major Town Centre to the west, the Kalkallo Retarding Basin to the north and Donnybrook Road to the south.

#### Purpose

- To provide for the development of the site as an integrated, contemporary employment node.
- To encourage the development of an intensive employment node.
- To provide for the comprehensively planned development of land, in a way that has efficient linkages with nearby existing and planned urban land.
- To provide for the orderly planning and development of new roads and other physical infrastructure, to complement existing and proposed road networks, and to provide ease of access into and out of the area.
- To provide for the use and development of land generally in accordance with the Merrifield Comprehensive Development Plan, Development Co-ordination Plan and relevant Precinct Concept Plans.
- To protect and conserve areas of environmental and heritage significance.
- To encourage the development of a high amenity business park with high standards of building design in attractively landscaped streetscapes.

#### 1.0

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#### Table of uses

##### Section 1 - Permit not required

Use	Condition
<b>Industry (other than Abattoir, Materials recycling, Refuse disposal and Transfer station)</b>	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 52.10.</li> <li>▪ 30 metres, for a purpose not listed in the table to Clause 52.10.</li> </ul>

Use	Condition
<b>Informal outdoor recreation</b> <b>Minor utility installation</b> <b>Postal agency</b> <b>Railway</b>	
<b>Shipping container storage</b>	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 52.10.</li> <li>▪ 100 metres, for a purpose not listed in the table to Clause 52.10.</li> </ul> <p>The site must adjoin, or have access to, a road in a Road Zone.</p> <p>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</p> <p>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</p>
<b>Tramway</b>	
<b>Warehouse (other than Liquid fuel depot and Shipping container storage)</b>	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 52.10.</li> <li>▪ 30 metres, for a purpose not listed in the table to Clause 52.10.</li> </ul>
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01

**Section 2 - Permit required**

Use	Condition
<b>Agriculture (other than Animal keeping, and Intensive animal husbandry)</b> <b>Caretakers house</b> <b>Child care centre</b>	

<b>Use</b>	<b>Condition</b>
Education centre	
Gambling premises	
Leisure and recreation (other than, Informal outdoor recreation and Motor racing track)	
Office	
Place of assembly (other than Circus and Carnival)	
Restricted retail premises	
Residential Hotel	
Retail premises (other than Adult sex bookshop, Restricted retail premises, and Shop)	
Service Station	
Utility Installation (other than Minor utility installation and Telecommunications facility)	
Veterinary centre	
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Any other use not in Section 1 or 3	
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**Section 3 - Prohibited**

<b>Use</b>
Abattoir
Accommodation (other than Caretaker's house and Residential Hotel)
Adult sex bookshop
Animal keeping
Airport
Brothel
Cemetery
Cinema based entertainment facility
Crematorium
Display home
Home occupation
Hospital
Intensive animal husbandry
Liquid fuel depot
Materials recycling
Motor racing track
Refuse disposal
Shop (other than Restricted retail premises)
Transfer station
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**2.0**

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**Development Co-ordination Plan**

Prior to the approval of any Precinct Concept Plan/s for the site, a Development Co-ordination Plan for the entire site must be prepared and endorsed by the responsible authority, who must have regard to the views and requirements of the Department of Sustainability and Environment, Department of Transport, Public Transport Victoria, VicRoads, the Growth Areas Authority and the Merri Creek Management Committee. The endorsed plan must be generally in accordance with any structure plan approved by the responsible authority or planning authority and the Merrifield Comprehensive Development Plan. The Development Co-ordination Plan may be amended to the satisfaction of the Responsible Authority. This plan must show and include to the satisfaction of the responsible authority:

- The proposed access points into the land from Donnybrook Road and other existing or proposed transport infrastructure taking into account Federal and State Government transport objectives;
- The proposed internal street network including proposed linking points to surrounding land;
- Arrangements for the provision of reticulated infrastructure;
- Arrangements for the provision of water sensitive urban design;
- Indicative staging for development of the site;
- The precinct areas that are to be developed;
- Open space networks to be provided;
- Biolink/habitat corridors to be provided;
- Community infrastructure to be provided;
- Remnant indigenous trees to be removed or retained and, where possible, included in public open space;
- Measures proposed to respond to State Government biodiversity objectives to protect the Kalkallo Creek corridor, in particular, to address the proposed vehicular creek crossing;
- Identify areas of moderate or high salinity risk, where management measures will be required;
- An Integrated Transport Plan (ITP) which must consider and report on the following to the satisfaction of the responsible authority:
  - The proposed street and pedestrian movement network;
  - The needs for non-motorised travel, including access by walking and cycling and links to the Principle Bicycle Network (PBN) and Metropolitan Trail Network (MTN), facilities for cyclists and internal circulation of cyclists and pedestrians;
  - How the proposal makes better use of existing transport assets including arterial roads, public transport or new pedestrian links or cycle paths;
  - The integration of land use with transport provision;
  - How the proposal will promote and facilitate the use of public transport;
  - Linkages between key destinations and trip generating activities for vehicles, pedestrians and cyclists;
  - The requirements of freight and commercial vehicles;
  - How the plan responds to State government transport objectives; and
  - The details relating to the upgrading of Donnybrook Road.

### **3.0 Precinct Concept Plan/s**

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Prior to any use, or other development commencing, other than works required for physical infrastructure to service the land, Precinct Concept Plan/s must be prepared for the site which are generally in accordance with the Merrifield Comprehensive Development Plan and the Development Co-ordination Plan.

A Precinct Concept Plan may be endorsed for a part or whole of the land within the Merrifield Comprehensive Development Plan to the satisfaction of the responsible authority. Before deciding whether to approve a Precinct Concept Plan/s, the responsible authority may consider the views of any relevant authority or agency as appropriate.

Upon application by the owner of the land the precinct concept plan/s may be amended to the satisfaction of the responsible authority.

### **Content of the Precinct Concept Plan/s**

The precinct concept plan/s must show and demonstrate to the satisfaction of the responsible authority the following, where applicable:

- Consistency with any relevant approved Merrifield City Centre Development Co-Ordination Plan for the site;
- The land to which the precinct concept plan applies;
- The proposed development and use of each part of the land;
- Road layout and design, including road reserve widths;
- The proposed arterial and neighbourhood connector street network including proposed linking points to surrounding land;
- Pedestrian and cycle paths;
- The relationship of the precinct to existing public transport facilities and how provision will be made for access to existing or proposed public transport facilities;
- The location of vegetation to be retained;
- General landscape concepts for the development of the land;
- Any sites of environmental, cultural or heritage significance and the means by which they will be managed;
- Open space and recreation facilities/functions;
- Proposed retarding basins, lakes, water features, water courses and drainage lines and the means by which these will be managed and water quality maintained including design and management of the Growling Grass Frog habitat requirements;
- The relationship of the development of the land to the existing and proposed land uses on adjoining land;
- The indicative development sequence for the land;
- Proposed commercial and retail centres and facilities in a sustainable hierarchy having regard to existing and proposed centres in nearby Merrifield Major Town Centre, employment and residential areas; and
- An Environmental Management Plan for the land within 100 metres of the centreline of the Kalkallo Creek, providing for:
  - protection of the waterway corridor contained within the area of the 1:100 year floodplain, from development, except for the purpose of a creek crossing, riparian revegetation and management and creek rehabilitation works;
  - conceptual design of the creek crossing and measures to ensure State biodiversity objectives are met;
  - measures to assist in managing salinity risk;

- the development of habitat for the Growling Grass Frog;
- landscaping of the land within 50 metres of the centreline of the creek, including a shared path for pedestrians and bicycles; and
- management for noxious weed removal, building and subdivision setbacks and revegetation within the Environmental Management Plan area;
- Any other matters that relate to the development of the land.

#### **4.0 Use of land**

06/03/2008  
C92

A use must meet the objectives of the Comprehensive Development Zone and be generally in accordance with any relevant Precinct Concept Plan and the Merrifield Comprehensive Development Plan to the satisfaction of the responsible authority.

A use must not adversely 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, stored goods or materials;
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

#### **4.1 Application requirements**

06/03/2008  
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An application to use land must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out;
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, 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;
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced;
  - Whether a Works Approval or Waste Discharge Licence is required from the Environmental Protection Authority;
  - Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded; and
  - The likely effects on adjoining land including air-borne emissions and emissions to land and water.

#### **4.2 Exemption from notice and review**

06/03/2008  
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An application 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.

#### **4.3 Decision guidelines**

06/03/2008  
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Before deciding on an application, the responsible authority must consider:

- The extent to which the proposal complies with the Merrifield Comprehensive Development Plan and any relevant Precinct Concept Plan;
- The effect that existing uses may have on the proposed use;
- The drainage of the land;
- The availability of and connection to services;
- The strategic importance of the Hume Freeway;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- The interim use and management of those parts of the land not required for the proposed use;
- If an industry or warehouse, the effect that the use may have on nearby or proposed residential areas or other uses which are sensitive to industrial off-site effects.

## 5.0

### Subdivision

06/03/2008  
C92

Subdivision of the land must be generally in accordance with the Development Co-ordination Plan and any relevant Precinct Concept Plan to the satisfaction of the responsible authority. Subdivision of lots may occur in stages.

## 5.1

### Application requirements

06/03/2008  
C92

An application for subdivision must be accompanied by the following information to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site;
  - Adjoining roads;
  - Relevant ground levels;
  - Areas of subdivision, including any areas of common property;
  - Construction details of all drainage works and cross over points to all lots;
  - The constructed level of any road to provide all weather safe access and egress to all allotments at all times;
  - The location and staging of road works to be undertaken either by dates or stages;
  - The stages by which development of the land is proposed to proceed;
  - The proposed internal road layout pattern and traffic management measures including the provision of traffic control works in existing or proposed roads;
  - The provision of all necessary infrastructure including access to surrounding roads; and
  - The location of all footpaths and pedestrian links within the site and how they link with surrounding areas.

## 5.2

### Exemption from notice and review

06/03/2008  
C92

An application 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.

**5.3**06/03/2008  
C92**Decision guidelines**

Before deciding on an application for subdivision, the responsible authority must consider:

- The suitability of all the proposed lots for the uses that are preferred in the precincts described in the Merrifield Comprehensive Development Plan and any relevant Precinct Concept Plan;
- The extent to which the proposal is consistent with the Development Co-ordination Plan;
- The effect the subdivision will have on the potential area to accommodate the uses which will maintain or enhance its competitive strengths;
- The effect of the proposed subdivision on any areas of environmental, cultural or heritage significance identified in any relevant Precinct Concept Plan;
- The appropriateness of the road layout and integration with the existing road network;
- The strategic importance of the Hume Freeway;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- Streetscape character;
- Landscape character;
- The interface with surrounding zones; and
- The comments and requirements of authorities specified as referral authorities in Clause 66.

**6.0**06/03/2008  
C92**Buildings and works**

Buildings and works must generally be in accordance with the Merrifield Comprehensive Development Plan, Development Co-ordination Plan and any relevant Precinct Concept Plan to the satisfaction of the responsible authority.

**6.1**06/03/2008  
C92**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- 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;
  - 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; and
- 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.

## **6.2 Exemption from notice and review**

06/03/2008  
C92

An application 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.

## **6.3 Decision guidelines**

06/03/2008  
C92

Before deciding on an application for buildings and works, the responsible authority must consider:

- The consistency of the proposed works with the objectives of the Merrifield Comprehensive Development Zone, the Development Co-ordination Plan and any relevant Precinct Concept Plan;
- The effect of the proposed buildings and works on any areas of environmental, cultural or heritage significance identified in any relevant Precinct Concept Plan;
- The appropriateness of the proposed building form and its effect on adjoining properties and the streetscape;
- The appropriateness of the materials and finishes of the proposed buildings and works;
- The strategic importance of the Hume Freeway;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- The appropriateness of the proposed landscaping treatment;
- The appearance of the buildings and works from main roads including Donnybrook Road and the Hume Highway.

## **7.0 Advertising signs**

06/03/2008  
C92

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.

## **8.0 Exemptions**

13/08/2009  
C90(Part 1)

No permit is required for works undertaken by or on behalf of VicRoads associated with the proposed Hume Freeway as shown on Drawing No. VR2 included in the Schedule to Clause 81.01.