

07/08/2014
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SCHEDULE 2 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ2**.

GREENVALE NORTH R1 PRECINCT STRUCTURE PLAN

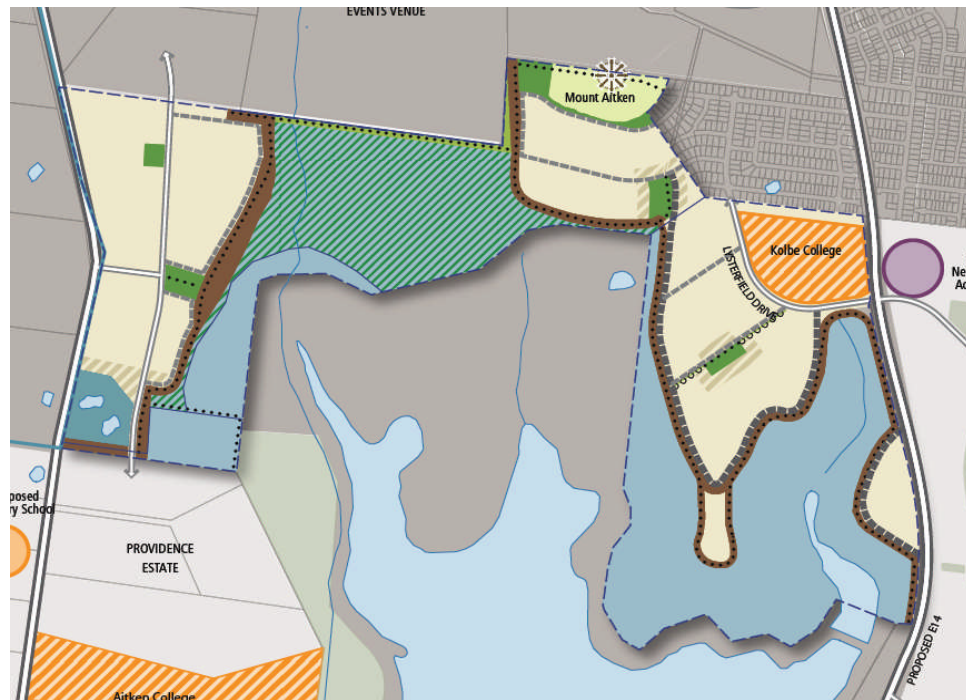
1.0

The plan

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Map 1 shows the future urban structure proposed in the Greenvale North R1 Precinct Structure Plan. It is a reproduction of Plan 7 in the Greenvale North Precinct Structure Plan.

Map 1 to Schedule 2 to Clause 37.07



2.0 Use and development

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2.1 The land

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The use and development provisions specified in this schedule apply to the land shown as the Precinct Structure Plan area on Map 1 to this schedule.

2.2 Applied zone provisions

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

Note 1: If any land shown in Map 1 is not zoned Urban Growth Zone the provisions of applied zone and this schedule do not apply.

Note 2: It is intended that the applied zoning of areas within the Greenvale Reservoir Protection Area will change upon transfer of land in the Greenvale Reservoir Protection Area from private ownership to ownership by Melbourne Water.

Table 1: Applied zone provisions

Land as shown on map 1 of this schedule	Applied zone provisions
Buffer Area	Where land is owned by Melbourne Water: Clause 36.01 – Public Use Zone (Schedule 1) Where land is privately owned: Clause 35.06 – Rural Conservation Zone (Schedule 3)
All other land	Clause 32.08 – General Residential Zone

2.3 Specific provisions – Use of land

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The following provisions apply to the use of land.

Table 2: Use

Use	Requirement
Service Station where the applied zone is General Residential Zone	A service station is prohibited.

2.4 Specific provisions – Construction of single dwellings on small lots

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A permit is not required to construct a single dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is required to construct a front fence within 3 metres of a street unless the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

Or

A permit is not required to construct or extend 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 via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Hume Planning Scheme.

2.510/02/2011
C119**Permit Requirements – Buildings and Works**

A permit is required to construct a building, including fences and carry out works within any waterway management easements shown on the plan of subdivision or title to the land. This does not apply to:

- Buildings and works carried out by or on behalf of Melbourne Water; or
- Removal, destruction or lopping of any vegetation.

3.010/02/2011
C119**Application requirements**

An application for residential subdivision on land shown within the “Greenvale Reservoir Protection Area” as depicted on Plan 5 of the Greenvale North R1 Precinct Structure Plan must be referred to Melbourne Water.

3.110/02/2011
C119**Residential Subdivision**

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

- A site analysis and design response as detailed in Clause 56.01.
- An application for a residential subdivision of 10 lots or more must be accompanied by Subdivision and Housing Design Guidelines, in accordance with the Greenvale North R1 Precinct Structure Plan incorporated in this scheme.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- The anticipated overall staging of the subdivision and the staging of infrastructure to complement the proposed development.
- A preliminary assessment of the potential for contaminated land as a result of previous land uses carried out by a suitably qualified person.
- Potential bus route and bus stop locations prepared in consultation with the Department of Transport.
- An assessment of the existing surface and subsurface drainage conditions on the land by a suitably qualified professional and the potential impacts on the proposed development, including any measures required to mitigate the impacts of springs on the development and the impact of the development on drainage and the protection of the Greenvale Reservoir.
- Reservoir protection mechanisms to the satisfaction of Melbourne Water
- A Public Infrastructure Plan which addresses the following, as applicable:
 - What land may be affected or required for the provision of infrastructure works.
 - The provision, staging and timing of any stormwater drainage works.
 - The provision, staging and timing of any roadworks internal and external to the land consistent with any relevant traffic report or assessment.
 - The landscaping of any land.
 - What, if any, infrastructure set out in the Development Contributions Plan applying to the land is sought to be provided as ‘works in lieu’ subject to the consent of Hume City Council.
 - The provision of public open space and land for any community facilities.
 - Any other matter relevant to the provisions of public infrastructure required by the responsible authority.

- Where appropriate, an Eastern Grey Kangaroo Management Plan. The Plan must include:
 - Staging of subdivision which identifies strategies to avoid land locking Eastern Grey Kangaroos; or
 - Management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The plan must be to the satisfaction of the Department of Sustainability and Environment.

- A Catchment Protection Plan for land within the Greenvale Reservoir Protection Area to the satisfaction of the Melbourne Water which includes as appropriate:
 - A site plan identifying the proposed use and development of the land.
 - A plan of the drainage system showing what protective measures are to be employed to protect the Greenvale Reservoir from any contamination resulting from effluent disposal, stormwater runoff and other off site discharges. The plan must outline details of pre-application discussions which may have occurred with Melbourne Water regarding the design and construction of drainage systems and protective measures. The plan must also show flood levels associated with the 1 in 100 and 1 in 1,000,000 AEP storm event, proposed retarding basins, lakes, wetlands, dams, water storage, watercourses, drainage lines and effluent disposal associated with the development.
 - Construction plans for the drainage systems to be employed, prepared in consultation with Melbourne Water
 - How the proposed subdivision, development and use of the land responds to the current approved version of the *Melbourne Water Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008)*.
 - Plans and details outlining proposed sewerage reticulation and required drainage control mechanisms.
 - Plans and details for the design, establishment, ongoing maintenance and possible transfer to Melbourne Water of the land upon which any proposed reservoir protection mechanisms are located.
 - Plans of subdivision which identify overland flow paths associated with the 1 in 100 and 1 in 1,000,000 AEP storm event by way of a waterway management easement in favour of Melbourne Water to the extent required by Melbourne Water to ensure the flow paths are not unreasonably obstructed.
 - Modelling of the change in flood flows downstream of Greenvale Reservoir attributable to any proposed reservoir protection measures.
 - A plan for the staging of the reservoir protective measures.

The application requirements relating to the Catchment Protection Plan may only be waived by Melbourne Water. Other application requirements may be waived or reduced by the responsible authority.

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Conditions and requirements for permits

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General requirements

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Greenvale North R1 Precinct Structure Plan, including the Greenvale North R1 Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.

Land required for community facilities, public open space or public roads must be shown on a certified plan in favour of Hume City Council.

Prior to the issue of a Statement of Compliance for the subdivision (or a stage of the subdivision) a building envelope plan for each lot between 250 square metres and 300 square metres to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

If an approved building envelope applies to a lot between 250-300 square metres under section 2.4 of this schedule, a planning permit must contain a condition that requires the approved building envelopes be applied as a restriction on the plan of subdivision or an agreement under Section 173 of the *Planning and Environment Act 1987* that is registered on the title to the land. The restriction or the agreement must provide for:

- The building envelope plan to apply to each relevant lot.
- All buildings to conform to the building envelope on the relevant lot.
- The construction of a building outside the building envelope only with the written consent of the responsible authority.
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

The building envelope plan may be approved after the plan of subdivision is certified.

Or

If construction of a single dwelling on a lot is to be assessed against the Small Lot Housing Code under section 2.4 of this schedule, any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the 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 provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Hume 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.

Before the plan of subdivision is certified under the *Subdivision Act 1988* for land to be developed for sensitive uses in the Mickleham Neighbourhood and any land within 75 metres of the former RANAD land further testing in accordance with the recommendations of the preliminary site assessment lodged with the application 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.

Before the plan of subdivision is certified under the *Subdivision Act 1988* for land that is part of the former RANAD land and is to be developed for sensitive uses the applicant must provide.

- A Certificate of Environmental Audit in accordance with Section 53Y of the Environment Protection Act 1970; or
- A Statement of Environmental Audit under Section 53Z of the Environment Protection Act 1970. A Statement must state that the site is suitable for the use and development allowed by the permit.

Prior to the certification of the plan of subdivision for land shown within the Greenvale Reservoir Protection Area on Plan 5 of the Greenvale North R1 Precinct Structure Plan, unless otherwise agreed with Melbourne Water, specific protection measures generally in accordance with Section 6.0 of the Greenvale North R1 Precinct Structure Plan must be designed and constructed to the satisfaction of Melbourne Water.

4.210/02/2011
C119**Biodiversity**

Where an Eastern Grey Kangaroo Management Plan has been prepared as part of the application requirements, the subdivision must implement the Eastern Grey Kangaroo Management Plan by either:

- proceeding in the order of stages as shown on the plan; or
- implementing the management solutions and actions of the Plan.

This plan must be prepared and implemented to the satisfaction of the Department of Sustainability and Environment.

Unless site specific permission exists under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), prior to the commencement of works in respect of any plan of subdivision within which Golden Sun Moth habitat has been identified, offsets for removal of Golden Sun Moth habitat within the land must be provided or agreed to the satisfaction of the Department of Sustainability and Environment.

Unless site specific permission exists under the EPBC Act, prior to the commencement of any buildings or works, a fully costed Striped Legless Lizard translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and submitted to and endorsed by the responsible authority. The endorsed Striped Legless Lizard translocation/salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the responsible authority.

The developer must maintain accurate records substantiating all activities associated with or relevant to the implementation of prescriptions for the Golden Sun Moth and Striped Legless Lizard to the satisfaction of the Department of Sustainability and Environment.

5.010/02/2011
C119**Decision Guidelines**

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

- The view and recommendations of Melbourne Water regarding drainage networks, sewerage reticulation, proposed protective mechanisms and any drainage strategy.
- The impact of the development and subdivision on the Greenvale Reservoir with respect to drainage, water quality and runoff.
- The relationship between the proposal and any other State Government arrangements for achieving coordinated urban development in the locality.
- The current approved version of the Melbourne Water Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008)
- The location of overland flowpaths including flood levels associated with the 1 in 100 and 1 in 1,000,000 AEP storm event.
- The change in flood flows, attributable to reservoir protection measures, adjacent to and downstream of Greenvale Reservoir.
- The design, establishment and ongoing maintenance of the proposed reservoir protection mechanisms.
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.
- The Catchment Protection Plan.

6.010/02/2011
C119**Advertising signs**

The following advertising sign categories in this scheme apply by reference to Map 1 of this Schedule.

Table 3: Advertising signs

Land as shown on map 1 of this schedule	Advertising sign category
Residential	Category 3 (except for a display village)

6.110/02/2011
C119**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The advertisement area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.