

31/08/2017
C161(Part 1)

SCHEDULE 3 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

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

MARONG BUSINESS PARK COMPREHENSIVE DEVELOPMENT PLAN

Land

This schedule applies to land generally bounded by the Calder Highway to the north, the unmade vegetated road reserve to the west (Carters Lane), and the Sandhurst & Inglewood Railway Line and Yorkshire Road to the south as shown in the *Marong Business Park Comprehensive Development Plan*, November 2016 listed in the schedule to Clause 81.01.

Purpose

To provide for the development of the Marong Business Park generally in accordance with the Marong Business Park Comprehensive Development Plan.

To provide for industry, manufacturing, research and development, warehousing, transport, logistics and distribution and a range of supporting commercial and retail uses.

To provide for a contemporary business park with high standards of urban design and innovative and integrated site planning.

To ensure that the development of the Marong Business Park is staged, having regard to the availability of infrastructure and other services, roads and access, environmental considerations and demand.

To conserve and enhance areas of environmental and heritage significance and integrate them with the Marong Business Park.

To minimise detrimental impacts on surrounding land and the future urban expansion of the Marong township.

1.0

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Table of uses

Section 1 - Permit not required

Use	Condition
Convenience shop Food and drink premises	Must be located in the Service Centre Area as shown on the Marong Business Park Comprehensive Development Plan Must be in accordance with an approved development plan
Industry (other than Materials recycling)	Must not be located in the Service Centre Area as shown on the Marong Business Park Comprehensive Development Plan Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10 Must be in accordance with an approved development plan
Landscape gardening supplies	Must be in accordance with an approved development plan
Manufacturing sales	Must be in accordance with an approved development plan
Research centre	Must be in accordance with an approved development plan

Use	Condition
Service station	Must be located in the Service Centre Area as shown on the Marong Business Park Comprehensive Development Plan Must be in accordance with an approved development plan
Trade supplies	Must be in accordance with an approved development plan
Transport terminal (other than an Airport)	Must be in accordance with an approved development plan
Utility installation (other than Telecommunications facility)	Must be in accordance with an approved development plan
Warehouse (other than Shipping container storage)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10 Must be in accordance with an approved development plan
Any use listed in Clause 62.01 See Section 1 of 37.02-1 for relevant provisions	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a Hospital, Primary school, Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school
Caretaker's house	
Child care centre (other than Kindergarten)	Must be located in the Service Centre Area as shown on the Comprehensive Development Plan
Education centre (other than Primary school or Secondary school)	
Materials recycling	
Motel	Must be located in the Service Centre Area as shown on the Comprehensive Development Plan
Office	
Place of assembly (other than Amusement parlour, Carnival, Cinema, Circus, Drive-in theatre and Nighclub)	
Restricted retail premises	Must be occupied by a single operator with a leasable floor area not exceeding 1,000 square metres
Retail premises (other than Adult sex bookshop, Convenience shop, Department store, food and drink premises, Landscape gardening supplies, Manufacturing sales, Restricted retail premises, Supermarket and Trade supplies)	Must be located in the Service Centre Area as shown on the Comprehensive Development Plan
Shipping container storage	

Use	Condition
Any other use not in Section 1 or 3	
See Section 2 of 37.02-1 for relevant provisions	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker’s house and Motel)
Amusement parlour
Cinema
Department store
Drive-in theatre
Hospital
Kindergarten
Nighclub
Primary school
Secondary school
Supermarket
See Section 3 of 37.02-1 for relevant provisions

2.0

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Use of land

The use of the land must be consistent with the purpose of this schedule and be generally in accordance with the Marong Business Park Comprehensive Development Plan and any relevant development plan(s) to the satisfaction of the responsible authority.

Application requirements

The following application requirements 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 and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The extent to which the use is consistent with the purpose of this schedule and is generally in accordance with the Marong Business Park Comprehensive Development Plan and any relevant development plan(s).
- The purpose of the use and the types of activities that will be carried out.
- The likely effects, if any, on the Marong Business Park, surrounding farming land and land proposed to accommodate future urban expansion of the Marong township, including noise levels, traffic, hours of delivery and dispatch of goods and materials, hours of operation, light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If a retail or office use, an economic impact assessment, demonstrating the impact of the proposed use on the existing retail and office uses in the nearby Marong town centre and the Greater Bendigo commercial centre hierarchy.
- A green travel plan for the use that outlines operational practices that will encourage green travel behaviours and mechanisms to develop and monitor travel mode targets.
- If an industry or warehouse is proposed:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Works Approval or Waste Discharge Licence is required from the Environment 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.
- The likely effects on adjoining land, including air-borne emissions to land and water.
- The location and detail of provision of the alternative water supply infrastructure to adjacent or adjoining land as set out in the relevant approved development plan.

Exemption from notice and review

An application for the use of 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 review rights of Section 82(1) of the Act, if it is generally in accordance with Marong Business Park Comprehensive Development Plan, and any relevant development plan(s).

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:

- Whether the proposed use is consistent with the purpose of this schedule and generally in accordance with the Marong Business Park Comprehensive Development Plan and any relevant development plan(s).
- The impact of the proposed use upon existing uses.
- The impacts that existing uses may have on the proposed use.
- The impact of the proposed use, including dust, odour or any other emissions, on activities within the Marong Business Park and on the Marong township.
- The drainage of the land.
- The availability of and connection to services.
- Whether the proposed use will adversely affect the State significance of the Calder Highway or the Sandhurst & Inglewood Railway Line.
- The interim use and management of those parts of the land not required for the proposed use.
- The need to protect the future urban expansion of the Marong township from uses with adverse amenity potential.
- If a retail or office use, whether the proposed use is likely to result in significant adverse economic impacts on the nearby Marong town centre and Greater Bendigo commercial centre hierarchy.

See 37.02-2 for relevant provisions.

3.0

Subdivision

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An application to subdivide land must be generally in accordance with the Marong Business Park Comprehensive Development Plan and any relevant development plan(s) to the satisfaction of the responsible authority.

Subdivision of lots may occur in stages.

Application requirements

The following application requirements 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 and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report describing the extent to which the subdivision is consistent with the purpose of this schedule and is generally in accordance with the Marong Business Park Comprehensive Development Plan and any relevant development plan(s).
- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - The proposed subdivision, including any areas of common property.
 - Construction details of all drainage works and vehicle cross over points to all lots.
 - The construction level of any road required to provide safe, all weather access and egress to all lots at all times.
 - The location and staging of roads works to be undertaken, either by dates or stages.
 - The stages of proposed development of the land.
 - The proposed internal road layout pattern and traffic management measures, including the provision of traffic control works in existing and proposed roads.
 - The provision of all necessary infrastructure, including access to surrounding roads.
 - The location of all footpaths and pedestrian links within the site and how they link with surrounding areas.
- A drainage strategy and plan, including the extent of:
 - The proposed dewatering during construction.
 - Surface drainage.
 - Subsurface drainage.
 - The interface/interaction of surface and subsurface drainage.
 - The necessary extent of permanent dewatering of the relevant precinct.
- The location and detail of provision of the alternative water supply infrastructure to adjacent or adjoining land as set out in the relevant approved development plan.

Exemption from notice and review

An application for the subdivision of 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 review rights of Section 82(1) of the Act, where it is generally in accordance with Marong Business Park Comprehensive Development Plan, and any relevant development plan(s).

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:

- Whether the proposed subdivision is consistent with the purpose of this schedule, the Marong Business Park Comprehensive Development Plan and any relevant development plan(s).
- The suitability of all the proposed lots for the preferred uses described in the Marong Business Park Comprehensive Development Plan and any relevant development plan(s).
- The effect of the proposed subdivision on any areas of environmental, cultural or heritage significance identified in any relevant development plan.
- The appropriateness of the road layout and integration with the existing road network.
- Whether the proposed subdivision will affect the strategic importance of the Calder Highway or the Sandhurst & Inglewood Railway Line.
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision.
- The effect of the proposed subdivision on the existing or future streetscape and landscape character of Marong Business Park.
- The effect of the proposed subdivision on adjoining precincts within the Marong Business Park.
- The interface with surrounding zones.

See 37.02-3 for relevant provisions.

4.0 Buildings and works

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No permit is required to construct a building or construct or carry out works for the following:

- A building or works which rearrange, alter or renew plant, if the area or height of the plant is not increased.
- A building or works which are used for crop raising, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 4,500 litres if the following requirements are met:
 - The rainwater tank is not located within the building setback from a street (other than a lane).
 - The rainwater tank is no higher than the existing building on the site.
 - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or an accessway.

Buildings and works must be generally in accordance with the Marong Business Park Comprehensive Development Plan and any relevant development plan(s) to the satisfaction of the responsible authority.

Application requirements

The following application requirements 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 and must accompany an application, 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 and railway.
 - The location, height and purpose of proposed buildings and works.
 - Relevant ground levels.
 - Construction materials and construction methods.

- 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.
- Elevation drawings drawn 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 any existing vegetation, 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 drainage strategy and plan, including the extent of:
 - The proposed dewatering during construction.
 - Surface drainage.
 - Subsurface drainage.
 - The interface/interaction of surface and subsurface drainage.
 - The necessary extent of permanent dewatering of the relevant precinct.
- The location and detail of provision of the alternative water supply infrastructure to adjacent or adjoining land as set out in the relevant approved development plan.

Exemption from notice and review

An application to construct a building or 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 review rights of Section 82(1) of the Act, if it is generally in accordance with Marong Business Park Comprehensive Development Plan, and any relevant development plan(s).

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:

- Whether the proposed buildings and works are consistent with the purpose of this schedule, the Marong Business Park Comprehensive Development Plan and any relevant development plan(s).
- The effect of the proposed buildings and works on any areas of environmental, cultural or heritage significance identified in any relevant development plan.
- Whether the proposed buildings or works will affect the strategic importance of the Calder Highway or the Sandhurst & Inglewood Railway Line.
- The effect of the proposed buildings and works on the existing or future streetscape and landscape character of the Marong Business Park.
- The effect of the proposed buildings and works on adjoining precincts within the Marong Business Park.
- The interface with surrounding zones.
- The appropriateness of the proposed building form and its effect on adjoining properties and the streetscape character of the Marong Business Park.
- The appropriateness of the materials and finishes of the proposed buildings and works.

- The appropriateness of the proposed landscaping treatment.
- The appearance of the buildings and works from the Calder Highway.

See 37.02-4 for relevant provisions.

5.0

Advertising signs

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Advertising sign requirements are at Clause 52.05. All land located within the Marong Business Park is in Category 2.

See 37.02-5 for relevant provisions.