

## **SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as **CDZ1**.

### **MERENDA TOWN CENTRE COMPREHENSIVE DEVELOPMENT PLAN**

#### **Land**

Land to the north and south of Bridge Inn Road and east and west of Plenty Road as designated in the Mernda Strategy Plan and defined in the Comprehensive Development Zone 1.

#### **Purpose**

To designate land suitable for a compact, pedestrian-orientated and traditional mixed use town centre.

To facilitate an appropriate employment/ housing balance for the northern catchment of the Plenty Valley Growth Area.

To implement and support the Plenty Valley Strategic Plan and Mernda Strategy Plan.

To incorporate and integrate a dynamic range of land uses including retail, office, education, human services, community facilities, recreation, entertainment and residential uses, in accordance with a Comprehensive Development Plan.

To demonstrate best practice in urban design.

To provide a viable and attractive public realm which enhances the livability, diversity, amenity and safety of the town centre.

To support and preserve opportunities for an accessible future train station and public transport modal interchange within the town centre.

To provide good accessibility by all modes of transport (particularly public transport, cycling and pedestrian access) to and within the town centre.

To ensure that new development respects, interprets and sensitively integrates the area's natural and cultural heritage, including the Plenty Gorge Parklands, for the benefit of the wider community.

To provide an appropriate interface to adjoining residential areas, main roads open spaces and the future rail corridor and to ensure that non-residential uses do not cause a loss of amenity to nearby residents.

To encourage residential development within defined locations and at medium or higher densities to make optimum use of the facilities and services available within the town centre.

To allocate an appropriate level of retail, office and other commercial floorspace for the town centre.

To provide attractive sites for anchor stores (including at least one full line supermarket) and designate the appropriate locations for commercial development along selected main road frontages.

To designate suitable locations for light industry which meet appropriate design and amenity standards and are consistent with the preferred character of the area.

To preserve opportunities for large 'one-off' land uses such as a research centre of higher education campus or other institution/ organisation which would benefit from close proximity to a town centre.

To manage the quantity and quality of urban stormwater entering local waterways through water sensitive urban design and the provision, where required, of drainage retarding basins.

## Table of uses

## Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than two animals.
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Railway	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

## Section 2 - Permit required

Use	Condition
Accommodation (other than Corrective institution)	
Agriculture (other than Animal keeping, Apiculture, and Intensive animal husbandry)	
Animal boarding	
Animal keeping (other than Animal boarding) – if the section 1 condition is not met	
Industry (other than Fuel depot and Saleyard)	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Office	
Place of assembly (other than Carnival, Circus and Drive-in theatre)	
Retail premises (other than Adult sex product shop)	
Transport terminal (other than Airport and Road freight terminal)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Fuel depot)	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in 1 or 3	

## Section 3 - Prohibited

**Use****Adult sex product shop****Airport****Brothel****Cemetery****Corrective institution****Crematorium****Drive-in theatre****Extractive industry****Freeway service centre****Fuel depot****Intensive animal husbandry****Motor racing track****Road freight terminal****Saleyard****2.0**19/10/2017  
C206**Use of land**

All use of land, including open space and the use of land for residential purposes, must be generally in accordance with the Mernda Town Centre Comprehensive Development Plan (and any further Incorporated Plan and Development Plan required under this scheme).

A non-residential land use must not detrimentally affect the amenity of the neighbourhood, including through the:

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

**Permit requirement – non-residential land uses**

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 purpose of the use and the types of activities which will be carried out.
- The type and quantity of materials and goods to be stored, process or produced.
- How land which is not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land or water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

**Decision guidelines – non-residential land uses**

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 effect that existing or designated uses on adjoining or nearby land may have on the proposed use.
- The drainage of the land.
- The design of buildings, including the provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

### 3.0

19/10/2017  
C206

## Subdivision

### Permit requirement

A permit is required to subdivide land. 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 subdivision must be generally in accordance with the Mernda Town Centre Comprehensive Development Plan (and any further Incorporated Plan and Development Plan required under this scheme).

### 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. This exemption does not apply to land within 30m of land (not a road) which is in a residential zone.

### 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 objectives and standards of Clause 56 if the subdivision is for residential purposes.
- Provision of vehicles providing for supplies, waste removal and emergency services and public transport.
- The interface with adjoining zones, especially the relationship with surrounding residential areas.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land
- Streetscape character.
- Landscape treatment.

### 4.0

19/01/2006  
VC37

## Construction and extension of one dwelling on a lot

### Permit requirement

A permit is required to construct or extend one dwelling on a lot. The location of a new dwelling must be generally in accordance with the Mernda Town Centre Comprehensive Development Plan (and any further Incorporated Plan and Development Plan required under this scheme).

A development must meet the requirements of Clause 54.

The construction or extension of a dwelling includes the front fence within 3 metres of a street if the fence exceeds the maximum height specified in Clause 54.06-2.

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

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. This exemption does not apply to land within 30m of land (not a road) which is in a residential zone.

#### **Decision Guidelines**

Before deciding on an application the responsible authority must consider the objectives, standards and decision guidelines of Clause 54.

### **5.0**

19/01/2006  
VC37

## **Construction and extension of two or more dwellings on a lot or residential buildings**

### **Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a residential building.

The location of new dwellings or residential buildings must be generally in accordance with the Mernda Town Centre Comprehensive Development Plan (and any further Incorporated Plan and Development Plan required under this scheme).

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

The construction or extension of a dwelling or a residential building includes a front fence within 3 metres of a street if the fence exceeds the maximum height specified in Clause 55.06-2.

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

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. This exemption does not apply to land within 30m of land (not a road) which is in a residential zone.

#### **Decision Guidelines**

Before deciding on an application the responsible authority must consider the objectives, standards and decision guidelines of Clause 55.

### **6.0**

19/01/2006  
VC37

## **Buildings and works other than dwellings or residential buildings**

### **Permit requirements**

A permit is required to construct a building or construct or carry out works for a use in section 2 of this schedule (other than buildings and works associated with one or more dwellings or residential buildings). The buildings and works must be generally in accordance with the Mernda Town Centre Comprehensive Development Plan (and any further Incorporated Plan and Development Plan required under this scheme).

An application 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.
  - 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.

## 7.0

27/05/2019  
C239wsea

### Signs

Land used and developed for one or more dwellings or residential buildings is in Category 3. All other land is in Category 1.

#### Exemption from notice and review

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. This exemption does not apply to land within 30m of land (not a road) which is in a residential zone.

#### Decision Guidelines

Before deciding on an application the responsible authority must consider, as appropriate:

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The interface with adjoining zones, especially the relationship with residential areas.
- The streetscape, including the conservation of buildings and, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or the immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- The design of buildings to provide for solar access.