

SCHEDULE 5 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ5**.

MERENDA VILLAGES NEIGHBOURHOOD CENTRE**Land**

The Mernda Villages Neighbourhood Centre comprises land on the western side of Plenty Road (between Masons Road and Bridge Inn Road), Mernda.

Purpose

To provide for development of the Mernda Villages Neighbourhood Centre generally in accordance with the Mernda Strategy Plan and the Mernda Villages Development Plan.

To provide for a mix of uses including retail, commercial, civic, recreational and residential in a manner that integrates the site with the surrounding uses.

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

To achieve a high standard of urban design, landscaping, public amenity and safety.

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

Use	Condition
Accommodation (other than Corrective institution)	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any other approved masterplan or development plan forming part of or approved under the scheme).
Animal keeping (other than Animal boarding)	Must be no more than two animals.
Car park	
Child care centre	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan. (and any other approved masterplan or development plan forming part of or approved under the scheme).
Education centre	
Function centre	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any other approved masterplan or development plan forming part of or approved under the scheme).
Hall	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any other approved masterplan or development plan forming part of or approved under the scheme).

WHITTLESEA PLANNING SCHEME

Use	Condition
Home based business Informal outdoor recreation Library	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any other approved masterplan or development plan forming part of or approved under the scheme).
Office	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any other approved masterplan or development plan forming part of or approved under the scheme).
Post office	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any other approved masterplan or development plan forming part of or approved under the scheme).
Railway	
Retail premises (other than Adult sex product shop)	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any other approved masterplan or development plan forming part of or approved under the scheme).
Take away food premises	Must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any other approved masterplan or development plan forming part of or approved under the scheme).
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
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	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) Place of assembly (other than Carnival, Circus and Drive-in theatre)	

Use	Condition
Transport terminal (other than Airport and Road freight terminal)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
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
Freeway service centre
Fuel depot
Intensive animal husbandry
Motor racing track
Road freight terminal
Saleyard

2.0

08/05/2008
C95

Use of land

The use of land must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan (and any further Development Plan or Master Plan required under this scheme).

A 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.
- Traffic generated by the use.

2.1

08/05/2008
C95

Exemption from notice and review

An application to use land which is generally consistent with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan 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.

3.008/05/2008
C95**Subdivision****3.1**08/05/2008
C95**Permit requirement**

A permit is required to subdivide land. The subdivision must be generally in accordance with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan.

3.208/05/2008
C95**Exemption from notice and review**

An application to subdivide land which is generally consistent with the Mernda Villages Neighbourhood Centre Comprehensive Development Plan 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.

4.008/05/2008
C95**Buildings and works**

A permit is required to construct a building or construct or carry out works.

This does not apply to a building and works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environmental Protection Act 1970.

4.108/05/2008
C95**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.

5.008/05/2008
C95**Requirement before a permit is granted and exemption from notice and appeal**

A permit must not be granted for the use or development of land until a Master Plan has been approved by the responsible authority unless that:

- The proposed use or development will not prejudice the orderly use and development of land as intended by the Mernda Strategy Plan and the Mernda Villages Development Plan.
- The proposed building or works are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or a Pollution Abatement Notice under the Environment Protection Act 1970.

5.108/05/2008
C95**Requirements for a Masterplan**

A Masterplan must be prepared which is generally consistent with the Mernda Strategy Plan, Mernda Villages Development Plan and the Mernda Villages Neighbourhood Centre Comprehensive Development Plan. The Masterplan must be informed by a detailed site analysis, a design concept plan and a written report.

The Masterplan must show, or address, the following matters to the satisfaction of the responsible authority:

- The general pattern of subdivision.
- The location of various land uses which are proposed within the Masterplan area.
- Buildings located to address the street, with parking located at the side or rear where possible.
- Public open space providing a strong relationship with the surrounding built form.
- A diversity of traditional streetscape conditions, with variation in car parking arrangements, verge widths and streetscape planting.

WHITTLESEA PLANNING SCHEME

- Appropriate transition and interface design treatments between designated land uses (or mixed land uses).
- Establishment of architectural statements and landmarks in key locations.
- Appropriate interaction and relationship between residential and non-residential uses.
- Indicative built form and building setbacks that will define the urban character for the neighbourhood centre.
- Solar access and shade provision.
- The relationship between buildings and footpaths and other pedestrian spaces.
- The legibility of key areas within the Neighbourhood Centre.
- The connection between the Neighbourhood Centre and surrounding land uses.
- The location of public transport facilities.
- The proposed bicycle and pedestrian pathways.
- Service vehicle access.
- Landscape architecture and urban design concept plans for all proposed public open space areas including pedestrian walkways.
- The stages, if any, by which the development of the land is proposed to proceed.