

**SCHEDULE 1 TO CLAUSE 37.06 PRIORITY DEVELOPMENT ZONE**

Shown on the planning scheme map as **PDZ1**.

**MELBOURNE WHOLESALE MARKET PRECINCT INCORPORATED PLAN (JULY 2008)****Land**

The land comprises an area of approximately 133.5 hectares and is generally bounded by the Hume Freeway to the west, Cooper Street to the north and includes land on both sides of Edgars Road more particularly described in the Melbourne Wholesale Market Precinct Incorporated Plan (July 2008).

**Objective**

To recognise the role of the Melbourne Wholesale Market as a major fresh food, flower and produce trading, warehousing, packaging, logistics and distribution resource of State and Metropolitan significance.

To develop the Melbourne Wholesale Market precinct for a value adding wholesale fresh food, flower and produce trading, warehousing, packaging, logistics and distribution resource.

To facilitate a range of associated uses which service, supply and support the operation of the Melbourne Wholesale Market.

To facilitate commercial activity, research, education and other uses which are consistent with the operation of the Melbourne Wholesale Market.

To ensure that the combination of uses, their operation, and the scale and character of any development does not unreasonably impact on the amenity of the surrounding area.

To ensure that land uses do not adversely impact on the role and function of the Melbourne Wholesale Market.

To manage the environmental, cultural and heritage values of the Precinct.

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

<b>Use</b>	<b>Condition</b>
<b>Car park</b>	Must be in accordance with a development plan approved by the responsible authority under this schedule.
<b>Child care centre</b>	
<b>Convenience shop</b>	Must be within the Core Melbourne Wholesale Market Land as identified on the Land Use Framework Plan forming part of the development plan approved by the responsible authority under this schedule.
<b>Education centre</b>	Must be in accordance with a development plan approved by the responsible authority under this schedule.  Must not be primary or a secondary school.
<b>Industry (other than Refuse disposal, Research and development centre and Transfer station)</b>	Must be in accordance with a development plan approved by the responsible authority under this schedule.  Must not be a purpose shown in the table to Clause 53.10 with a threshold distance greater than 500 metres, or for any of the following purposes:  Abattoir  Poultry processing works

## WHITTLESEA PLANNING SCHEME

Use	Condition
	<p>Dying or finishing of cotton, linen and woollen yarns and textiles</p> <p>Wool scouring</p> <p>Paper or pulp production:</p> <ul style="list-style-type: none"> <li>▪ from semi processed materials</li> <li>▪ from prepared cellulose and rags</li> <li>▪ by other methods than above</li> </ul> <p>Formaldehyde production</p> <p>Paints and inks blending and mixing only</p> <p>Briquette production</p> <p>Chemical products other than above</p> <p>Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year</p> <p>Cement production in amounts up to 5,000 tonnes a year</p> <p>Works producing iron or steel products in amounts up to 1,000,000 tonnes per year</p> <p>Rendering and casing works</p> <p>Fibreglass production</p> <p>Sanitary and garbage disposal in</p> <ul style="list-style-type: none"> <li>▪ Landfill</li> <li>▪ Recycling and composting centre</li> </ul> <p>Sanitary and garbage storage and treatment in transfer station</p> <p>Temporary storage of industrial wastes</p> <p>Treatment of aqueous waste</p> <p>Waste incinerator for:</p> <ul style="list-style-type: none"> <li>▪ Woodwaste</li> <li>▪ Chemical, biomedical or organic waste.</li> </ul>
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<b>Mineral exploration</b>	
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<b>Mining</b>	Must meet the requirements of Clause 52.08- 2
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<b>Office</b>	Must be in accordance with a development plan approved by the responsible authority under this schedule.
<b>Place of assembly (other than Carnival and Circus)</b>	
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<b>Railway</b>	
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<b>Research and development centre</b>	Must be in accordance with a development plan approved by the responsible authority under this schedule.
<b>Research centre</b>	
<b>Retail premises (other than Gambling premises, Hotel, Shop and Tavern)</b>	

## WHITTLESEA PLANNING SCHEME

Use	Condition
<b>Search for stone</b>	Must not be costeaning or bulk sampling.
<b>Shop (other than Convenience shop and Restricted retail premises)</b>	Must be within the Core Melbourne Wholesale Market Land as identified on the Land Use Framework Plan forming part of the development plan approved by the responsible authority under this schedule.  Must not be a department store or supermarket.
<b>Tramway</b>	
<b>Transfer station</b>	Must be in accordance with a development plan approved by the responsible authority under this schedule and used in conjunction with the Melbourne Wholesale Market.
<b>Transport terminal</b>	Must be in accordance with a development plan approved by the responsible authority under this schedule.  Must not be an Airport.
<b>Warehouse</b>	Must be in accordance with a development plan approved by the responsible authority under this schedule.  Must not be used for a purpose shown in the table to Clause 53.10 with a threshold distance greater than 500 metres.
<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 Apiculture and Timber production)</b>	
<b>Gambling premises (other than Gaming premises)</b>	
<b>Group accommodation</b>	
<b>Hotel</b>	
<b>Industry (other than Refuse disposal, Research and development centre and Transfer station) – if the Section 1 condition is not met</b>	Must not be a purpose shown in the table to Clause 53.10 with a threshold distance greater than 500 metres, or for any of the following purposes:  Abattoir  Poultry processing works  Dying or finishing of cotton, linen and woollen yarns and textiles  Wool scouring  Paper or pulp production: <ul style="list-style-type: none"> <li>▪ from semi processed materials</li> <li>▪ from prepared cellulose and rags</li> <li>▪ by other methods than above</li> </ul> Formaldehyde production  Paints and inks blending and mixing only

## WHITTLESEA PLANNING SCHEME

Use	Condition
	Briquette production Chemical products other than above Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year Cement production in amounts up to 5,000 tonnes a year Works producing iron or steel products in amounts up to 1,000,000 tonnes per year Rendering and casing works Fibreglass production Sanitary and garbage disposal in <ul style="list-style-type: none"> <li>▪ Landfill</li> <li>▪ Recycling and composting centre</li> </ul> Sanitary and garbage storage and treatment in transfer station Temporary storage of industrial wastes Treatment of aqueous waste Waste incinerator for: <ul style="list-style-type: none"> <li>▪ Woodwaste</li> </ul> Chemical, biomedical or organic waste.
<b>Leisure and recreation</b>	Must not be a zoo.
<b>Residential hotel</b>	
<b>Restricted retail premises</b>	Must be in one occupation with a leaseable floor area of at least 1000 square metres.
<b>Service station</b>	
<b>Tavern</b>	
<b>Utility installation (other than Minor utility installation and Telecommunications facility)</b>	
<b>Warehouse – if the Section 1 condition is not met</b>	Must not be used for a purpose shown in the table to Clause 53.10 with a threshold distance greater than 500 metres.
<b>Any other use not in section 1 or 3</b>	

### Section 3 - Prohibited

Use
<b>Accommodation (other than Group accommodation and Residential hotel)</b>
<b>Airport</b>
<b>Cemetery</b>
<b>Crematorium</b>
<b>Display home</b>

**Use****Education centre – if the Section 1 condition is not met****Freeway service centre****Funeral parlour****Gaming premises****Home based business****Hospital****Refuse disposal****Saleyard****Shop (other than Convenience shop and Restricted retail premises) - if the Section 1 condition is not met****Timber production****Transfer station – if the Section 1 condition is not met****2.0**27/05/2019  
C239wsea**Use of land**

None specified.

**3.0**27/05/2019  
C239wsea**Subdivision**

None specified.

**4.0**27/05/2019  
C239wsea**Buildings and works**

No permit is required to construct a building or construct or carry out works if the buildings and works are to the satisfaction of the responsible authority, are within the Core Melbourne Wholesale Market Land as identified on the Land Use Framework Plan and are generally consistent with an approved development plan.

**5.0**27/05/2019  
C239wsea**Application requirements****Use of land**

An application to use land must be accompanied by the following information, as appropriate:

- the purpose of the use and types of activities that will be carried out.
- the extent to which the use is consistent with any development plan approved in accordance with this schedule.
- an assessment of the impact of the proposed use including dust, odour, or any other emission or activities on the Melbourne Wholesale Market and the integrity of the produce handled by that Market.
- the likely effects, if any, on adjoining land including noise levels, traffic impact, light spill, odour and dust and emission to land, air or water.
- whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

**Subdivision**

An application to subdivide land 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.
  - relevant ground levels.
  - areas of subdivision, including any areas of common property.
- Details of the management of open space or community areas including, where appropriate, any proposed body corporate rules.

### **Buildings and works**

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

A plan drawn to scale which shows:

- The location, height, dimensions, elevations and floor area of all proposed buildings and works including signs.
- The acoustical performance characteristics of each building, works and associated plant.
- Points of vehicular and pedestrian access to and from the land.
- The location, height and use of buildings and works on adjoining land.
- Landscaping.
- Provision for the loading and unloading of vehicles and storage areas.
- The stages, if any, in which the land is to be developed.

A report on the impact of the buildings and works on surrounding properties, including on the operation of the Melbourne Wholesale Market.

## **6.0**

27/05/2019  
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### **Exemption from Notice and Appeal**

The exemption from notice and appeal set out in clause 37.06-6 is varied as follows:

Within the Core Melbourne Wholesale Market Land or the Market-related Activities Land as identified on the Land Use Framework Plan, an application under any provision of this scheme which is generally in accordance with any development plan approved in accordance with this schedule 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.

Within the Commercial Land as identified on the Land Use Framework Plan, the exemption from notice and appeal set out in Clause 37.06-6 does not apply.

## **7.0**

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### **Decision guidelines**

#### **Use of land**

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

- The objectives specified in this schedule.
- Any development plan approved in accordance with this schedule.
- The effect the proposal will have on the development of the Melbourne Wholesale Market and Melbourne Wholesale Market precinct.
- The impact of dust, odour or any other emissions, on activities on the Melbourne Wholesale Market and the integrity of the produce handled by that Market.

### **Subdivision**

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

- The objectives specified in this schedule.
- Any development plan approved in accordance with this schedule.
- The effect the subdivision will have on the development of the Melbourne Wholesale Market and Melbourne Wholesale Market precinct.

### **Buildings and works**

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

- The objectives specified in this schedule.
- Any development plan approved in accordance with this schedule.
- The impact of the proposed buildings and works on activities on the Melbourne Wholesale Market and the integrity of the produce handled by that Market.

## **8.0**

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### **Development Plan**

Until a development plan to the satisfaction of the responsible authority has been approved for that part of the Melbourne Wholesale Market site on which the land is located:

- No buildings may be constructed and no works may be carried out.
- A permit must not be granted to use or subdivide land, construct a building or construct or carry out works.

This does not apply if the responsible authority is satisfied that the subdivision, use or development will not prejudice the future use or development of the land for the purpose of the Melbourne Wholesale Market.

### **Requirement before a permit is granted**

Prior to approval of a development plan a permit may be granted under any provision of the planning scheme to use or subdivide land, construct a building or construct or carry out works provided that the responsible authority is satisfied that the subdivision, use or development will not prejudice the future use or development of the land for the purpose of the Melbourne Wholesale Market.

### **Requirements for development plan**

A development plan prepared pursuant to this schedule must be to the satisfaction of the responsible authority and must be generally in accordance with the Melbourne Wholesale Market Precinct Incorporated Plan (July 2008) forming part of this schedule.

A development plan may with the agreement of the responsible authority be prepared for part or all of the Melbourne Wholesale Market precinct or for any stage of the proposed use or development of part or all of that land provided that the responsible authority is satisfied that the proposed use, development or staging will not prejudice the future use or development of the Melbourne Wholesale Market precinct in an integrated manner for the purpose of the Melbourne Wholesale Market.

Any development plan prepared for part of the Melbourne Wholesale Market precinct or for any stage of the proposed use or development of part of that land need only provide the detail or relevant information required by this schedule relevant to that proposed use, development or staging to the satisfaction of the responsible authority.

### **Site Analysis, Design and Layout**

The development plan must include a detailed site analysis of the natural, cultural and strategic context of the Melbourne Wholesale Market precinct, and address the following matters to the satisfaction of the responsible authority:

- The relationship with other key planning strategies/developments approved for the locality.
- Adjacent uses and proximity to sensitive uses.
- Existing access points and the surrounding transport network.
- The topography of the land.
- The location of relevant utility services.
- Native flora and fauna on the land and on adjacent land.
- Any areas of heritage or cultural significance on or adjacent to the land.

### **Site Development Framework Plan**

The development plan must include a Site Development Framework Plan to the satisfaction of the responsible authority showing:

- The proposed primary access points to the Melbourne Wholesale Market precinct along Cooper Street having regard to the requirements of the Roads Corporation;
- Any other proposed access points to the Melbourne Wholesale Market precinct having regard to the requirements of the Roads Corporation and the City of Whittlesea which may include a requirement for a contribution for intersection upgrades and any necessary upgrades of access roads required to accommodate traffic generated by such access points;
- The provision of a strip of land providing for the extension of Childs Road west of Edgars Road having regard to the requirements of the City of Whittlesea;
- Key wetland and retarding basin locations having regard to the requirements of Melbourne Water;
- The location of areas which will be accessible to the public (including any open space, pedestrian or bicycle paths) and those areas which will not be publicly accessible; and
- The location of areas proposed for environmental or heritage purposes.

### **Land Use Framework Plan**

The development plan must include a Land Use Framework Plan to the satisfaction of the responsible authority that is consistent with the Site Development Framework Plan, and which identifies the proposed use and development of each part of the land, including:

#### **Core Melbourne Wholesale Market Land**

This part (or parts) of the Melbourne Wholesale Market precinct will be used by land uses that are integral to the use, development and operation of the Melbourne Wholesale Market as a trading, logistic, distribution and warehousing resource for the handling and marketing of wholesale produce. Land uses in this category will generally but not necessarily be located within the restricted access area of the Melbourne Wholesale Market and will include core market activities, such as the market trading floor, parking and unloading areas, and a variety of supporting activities including, but not limited to:

- warehousing, offices, industry, service industry, transport and logistics activities associated with the operation of the market,
- cafes, gymnasiums, child care, retail premises and the like designed to provide services for users and employees of the market,
- areas where the sale and consumption of alcohol may be permitted, and



- educational institutions, conference facilities, research and development facilities which are undertaken in conjunction with the Melbourne Wholesale Market.

### **Market-related Activities Land**

This part (or parts) of the Melbourne Wholesale Market precinct will be used by commercial activities that develop synergistic relationships with the Melbourne Wholesale Market or that service and supply Melbourne Wholesale Market activities. Land uses will include, but are not limited to:

- warehousing, offices, industry, service industry, retail, transport and logistics activities consistent with the operation of the market;
- retail activities associated with handling and packaging of fresh food, flowers and produce or manufacturing carried out within the Melbourne Wholesale Market precinct; and
- education, research and development, accommodation, convention facilities and commerce.

### **Commercial Land**

This part (or parts) of the Melbourne Wholesale Market precinct will be used by commercial activities and other land uses that are unrelated to Melbourne Wholesale Market provided that such activities and uses:

- are primarily servicing the site's population, or
- are selling product generated by a use carried out in the precinct; or
- do not compromise the retail or activity centre hierarchy set out in the Local Planning Policy Framework, or
- do not compete with the Melbourne Wholesale Market as a wholesale provider of fresh food products, or
- do not compromise the Melbourne Wholesale Market's availability to provide fresh food products.

The location and siting of uses other than the Melbourne Wholesale Market itself should have regard to the following principles:

- Commercial activity uses such as corporate headquarters, offices and commercial buildings, high technology, information technology, research and development, restricted retail and convenience shop are generally expected to locate along the major arterial road abutments of Cooper Street and Edgars Road. These uses should incorporate high quality urban design and have active street frontages.
- Industrial uses, such as general manufacture and assembly and associated offices, research and development, warehouse, self storage, transport and distribution that are compatible with the use of the Melbourne Wholesale Market are generally expected to locate within the precinct abutting internal roads.

### **Traffic Management, Car Parking and Access Plan**

The development plan must include a Traffic Management, Car Parking and Access Plan to the satisfaction of the responsible authority which addresses the following matters:

- Major and minor road layouts and a detailed analysis of traffic movements that are likely to occur (both short term and long term) on the surrounding road network and on local (internal) roads.
- Proposals for the orderly management of vehicular traffic on the land and at the entrances to it.
- Proposed vehicle ingress and egress points generally in accordance with the Site Development Framework Plan.

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- The impact of the development on the surrounding road network, and the identification of any road and/or traffic control works that may be required on nearby roads as a consequence of the development, including a description of works that are likely to be undertaken by nominated parties, and the arrangements and timing for their implementation.
- Access arrangements for commercial, service and emergency vehicles.
- Management of issues associated with the provision of 24 hour per day access to the Melbourne Wholesale Market.
- The provision of car parking, or the specification of appropriate parking rates for the various proposed land uses.
- Car parking generated by a particular development to be provided on site and generally located to the side and rear of buildings.
- Details of pedestrian and bicycle networks.
- Proposals for links to public transport, in particular Epping Station and proposed Epping North Railway Station, and the Epping Central Metropolitan Activity Centre.

The Traffic Management, Car Parking and Access Plan should address any other relevant matters normally addressed in:

- A Traffic Impact Assessment prepared for consideration by the Roads Corporation; and
- An Integrated Transport Plan prepared in accordance with Clause 12.08-2 of the State Planning Policy Framework.

One of the purposes of the Plan is to set out the car parking requirements. Despite the provisions of Clause 52.06 the parking requirement for particular uses in the Core Melbourne Wholesale Market Land is as set out in the Traffic Management, Car Parking and Access Plan forming part of the approved development plan.

### **Environmental Management Plan**

The development plan must include an Environmental Management Plan to the satisfaction of the responsible authority which includes:

- A plan for managing flora, fauna and cultural heritage features to be retained within the Melbourne Wholesale Market precinct;
- Details of construction management measures to avoid or minimise impacts on flora, fauna and cultural heritage features and protect stormwater quality and residential amenity during construction activities;
- Details of the management of contamination;
- Details of the handling, storage and management of construction materials and construction waste and litter;
- Details of the management of stormwater and wetland issues;
- Details of the establishment and management of landscaping and open space;
- Details of the mitigation and management measures proposed to protect and enhance habitat for the Growling Grass Frog on and off site to the requirements of the Department of Sustainability and Environment to the satisfaction of the responsible authority.
- Details of measures to offset the project impacts on the Golden Sun-Moth to the requirements of the Department of Sustainability and Environment to the satisfaction of the responsible authority.

### **Sustainability Plan**

The development plan must include a Sustainability Plan to the satisfaction of the responsible authority which includes:

- Details of measures to retain and re-use water collected from roof or hardstand areas;
- Details of energy efficiency and any energy generation measures to be incorporated in the design, construction or operation of uses on the site;
- Market residue recycling and waste management details.

### Urban Design Plan

The development plan must include an Urban Design Plan to the satisfaction of the responsible authority which includes detailed design principles, requirements and guidelines to ensure integrated use and high quality development within the Melbourne Wholesale Market Precinct.

The Urban Design Plan must:

- Recognise the gateway location of the site, and the iconic nature of the Melbourne Wholesale Market as a land use;
- Guide the design, layout and management of each development in a way that serves to enhance each site and the overall appearance of the Melbourne Wholesale Market precinct;
- Integrate with buffer management, environmental and heritage management plans; and
- Include landscaping which enhances and complements site features and architecture.

Specifically, the Urban Design Plan will:

- Ensure that development along Cooper Street and Edgars Road contribute to the urban design importance of the Melbourne Wholesale Market precinct by demonstrating excellence of design and attention to construction quality. Buildings along Cooper Street and Edgars Road are to be attractive and of a modern, contemporary architecture.
- Ensure that development along the Hume Freeway is of a high quality design and construction, and recognises the opportunity created by the location to promote an awareness of the Melbourne Wholesale Market on this site.
- Ensure that the interface to the south is appropriately treated.
- Promote Cooper Street and, if access is proposed, Edgars Road and internal streets as active site frontages.
- Provide guidelines or requirements for landscaping within developments, streetscapes and the Melbourne Wholesale Market precinct generally;
- Provide consistency with the existing landscape treatments being implemented by the Roads Corporation along the Hume Freeway.
- Design site lighting to maximise staff safety and building security, and minimise impacts on the Hume Freeway having regard to the requirements of the Roads Corporation, noting that such lighting may need to operate continuously.
- Provide guidelines for fencing around the perimeter of each site, seeking to minimise fencing to Cooper Street and Edgars Road.
- Ensure that service areas for garbage and recycling, plant and equipment, car parking, loading and unloading are suitably located and screened to minimise visibility from the street.
- Provide a strategy for advertising and signage to allow for:
  - the identification of premises that is compatible with the scale and character of the development and its locality, having particular regard to the advertising standards suggested in the Cooper Street Employment Area Design and Use guidelines
  - the identification of the Melbourne Wholesale Market, recognising the iconic nature of the land use, and
  - promotional signage having regard to the site's frontage to the Hume Freeway.

- having regard to the requirements of the Roads Corporation to the satisfaction of the responsible authority.
- Provide guidelines or requirements for major promotional signage along the frontage to the Hume Freeway.

### **Services Provision Plan**

The development plan must include a Services Provision Plan to the satisfaction of the responsible authority which shows or includes the following matters:

- Servicing requirements to the Melbourne Wholesale Market Precinct, including the provision of power, water, drainage and sewerage and gas infrastructure in consultation with the relevant service authorities.
- Details of security lighting, fencing and other measures to protect the safety and integrity of the Melbourne Wholesale Market and related uses, access and activities.

### **Amenity Management Plan**

The development plan must include an Amenity Management Plan which addresses the following matters:

- The development of land near the Hume Freeway is undertaken with appropriate noise attenuation measures to address the impact of traffic noise on any noise sensitive activities.
- Details of design and operational measures to protect residential amenity from light spill and litter;
- The potential effects of noise emissions from the Melbourne Wholesale Market or proposed uses on surrounding land uses;
- The potential effects of noise emissions from surrounding land uses on the Melbourne Wholesale Market; and
- Appropriate design and management measures, including measures to be undertaken on adjacent land and any remedial works, to ensure the use and development of the Melbourne Wholesale Market precinct complies with the requirements of State Environment Protection Policy N-1.

### **Amendment to the development plan**

Any approved development plan may be amended to the satisfaction of the responsible authority.

### **Decision Guidelines**

In assessing a development plan or an amendment to a development plan, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies and the provisions of the PDZ zone.
- The views of the Whittlesea City Council, if received within 28 days of the date that Council is provided with the proposed development plan or any proposed amendment to the approved development plan.
- Whether the development plan facilitates the use and development of the Melbourne Wholesale Market precinct in a planned and orderly manner.
- The particular requirements of a market to protect the integrity of the produce which it handles from adverse impacts arising from surrounding activities.
- Whether wetlands and retarding basins are appropriately located having regard to the views of Melbourne Water.
- The views of other relevant servicing and statutory authorities.

- The adequacy of the proposed car parking provision.

**9.0**

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**Signs**

Sign requirements are at Clause 52.05. The land included in this schedule is in Category 1.

**10.0**

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**Other provisions of the scheme**

None specified.

Map 1 to the Schedule to Clause 37.06

