

SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

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

CAPE PATERSON ECOVILLAGE

Land

Crown Allotment 38A, Parish of Wonthaggi, Wilsons Road, Cape Paterson

Purpose

To deliver a zero carbon development that will include best practice approaches in respect of environmental, social and economic sustainability.

To establish an integrated environmental, recreational, accommodation and tourism use and development generally in accordance with the Cape Paterson Ecovillage Comprehensive Development Plan 2011.

To encourage ecological restoration, regeneration, revegetation and ongoing maintenance of native vegetation habitat.

To provide for the development of sustainable buildings.

To provide for health and wellbeing and associated leisure and recreation facilities.

To ensure development is compatible with the coastal landscape character of the area and does not dominate the coastal edge of Cape Paterson.

To ensure use and development has regard to the environmental values of the adjacent coastal reserve and the surrounding area.

To maintain locations of highly scenic and natural vistas along roads and at formal lookout points.

To retain clear views of the coastal dunes, cliffs and formations from coastal areas, including the Bunurong Coastal Drive and other coastal roads.

1.0

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Dwelling, Camping and caravan park and Corrective institution)	Must be generally in accordance with the <i>Cape Paterson Ecovillage Comprehensive Development Plan April 2011</i> and must not have a height exceeding 8m from natural ground level.
Agriculture (other than Animal keeping, Animal training, Apiculture, Aquaculture, and Intensive animal husbandry)	
Apiculture	Must meet the requirements of <i>the Apiary Code of Practice, May 2011</i> .
Car Park	Must be generally in accordance with the <i>Cape Paterson Ecovillage Comprehensive Development Plan April 2011</i> .
Carnival	Must meet the requirements of <i>'A Good Neighbour' Code of Practice for a Circus or Carnival, October 1997</i> .
Circus	Must meet the requirements of <i>'A Good Neighbour' Code of Practice for a Circus or Carnival, October 1997</i> .
Convenience shop	Must have a net floor area of not more than 20 square metres and be associated with leisure and recreation or accommodation facilities of the Cape Paterson Ecovillage Development and located in general accordance with the <i>Cape Paterson Ecovillage Comprehensive Development Plan April 2011</i> .

BASS COAST PLANNING SCHEME

Use	Condition
Dwelling (other than Bed and breakfast)	Must be in general accordance with the <i>Cape Paterson Ecovillage Comprehensive Development Plan April 2011</i> . Must not have a height exceeding 8m from natural ground level. Must accord with the provisions of Clause 54.
Education centre	Must be used in conjunction with the Cape Paterson Ecovillage development. Must be generally in accordance with the <i>Cape Paterson Ecovillage Comprehensive Development Plan April 2011</i> .
Food and drink premises	Must be associated with health and wellbeing, leisure and recreation or accommodation facilities and be generally in accordance with the <i>Cape Paterson Ecovillage Comprehensive Development Plan April 2011</i> .
Group accommodation	Must be associated with the Cape Paterson Ecovillage. Must be not more than 20 cabins generally in accordance with the <i>Cape Paterson Ecovillage Comprehensive Development Plan April 2011</i> .
Home based business	
Leisure and recreation (other than Motor racing track, Paintball games facility, and Race course)	Must be generally in accordance with the <i>Cape Paterson Ecovillage Comprehensive Development Plan April 2011</i> .
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2 of this Scheme.
Minor utility installation	
Natural systems	
Office	Must be associated with the management of the health and wellbeing, environmental management, leisure and recreation or the community and accommodation facilities of the Cape Paterson Ecovillage.
Place of assembly (other than Carnival, Cinema, Circus and Drive-in theatre)	Must be associated with health and wellbeing, environmental management, leisure and recreation or the community and accommodation facilities of the Cape Paterson Ecovillage.
Primary produce sales	
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Animal keeping (other than Animal boarding)	
Animal training	
Aquaculture	
Bed and breakfast	
Cinema	
Drive-in theatre	

Use	Condition
Mineral, stone, or soil extraction (other than Extractive Industry, Mineral exploration, Mining, and Search for stone)	
Residential hotel	Must not have a height exceeding 8m from natural ground level.
Rural industry (other than Abattoir)	
Service industry (other than Panel beating)	
Store	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Abattoir
Animal boarding
Brothel
Corrective institution
Extractive industry
Industry (other than Rural industry and Service industry)
Intensive animal husbandry
Motor racing track
Paintball games facility
Panel beating
Race course
Retail premises (other than Convenience shop, Food and drink premises and Primary produce sales)
Saleyard
Warehouse (other than Store)

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Use of land

Use of land must be generally in accordance with the *Cape Paterson Comprehensive Development Plan April 2011*.

Application requirements

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

- A statement explaining how the proposal is consistent with the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011* as well as any design guidelines prepared under the requirements of the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*;
- The purpose of the use and type of activities which will be carried out; and,
- The likely effects, if any, on adjoining land including (where relevant) noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation, light spill, solar access and glare.
- The maintenance of areas not required for immediate use.

Exemption from notice and appeal

An application to use 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 the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.

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Subdivision

Permit requirement

A permit is required to subdivide land.

Any subdivision must be generally in accordance with the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.

Staging

Subdivision of lots may occur in stages.

Subdivision of the stages may occur concurrently with the written approval of the Responsible Authority.

Application requirements

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.
 - Protection of remnant vegetation and habitat.
- A Construction Management Plan for the construction of the subdivision addressing potential impacts on the site and on adjoining areas in terms of:
 - Protection of remnant vegetation and habitat.
 - Management of stormwater drainage.
 - Management of earthworks and soil stockpiles, including control of dust, erosion and sedimentation.
 - Traffic management including access route to the site, site access points and parking area.
 - Management and disposal of any construction waste.
 - Storage of machinery, plant and equipment, and construction materials.
 - Site security and public safety.
- An Environmental Management Plan for the construction of the subdivision addressing potential impacts on the site and adjoining areas in terms of:
 - Vegetation and habitat.
 - Groundwater and drainage.
 - Dust, erosion and sedimentation.
 - Traffic management including access routes to the site and site access points.
 - Disposal of any construction waste.
 - Public safety.

- Any sites of archaeological significance.
- Details of consistency with any design guidelines prepared in accordance with the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.
- Road access and traffic safety on Seaward Drive and the interface with the existing settlement including road and intersection construction to the satisfaction of the Responsible Authority.

Exemption from notice and appeal

An application for subdivision 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 the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.

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Buildings and works

A permit is required to construct a building or construct or carry out works with the exception of the following:

- A permit is not required to construct a single dwelling and associated outbuildings, fences and works if in accordance with design guidelines prepared in accordance with the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.
- A permit is not required to undertake earthworks, construct boardwalks, paths, fences or similar structures where the potential environmental effects of such development is addressed in a Construction Management Plan and is generally in accordance with the provisions of the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.

Application Requirements

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 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 uses;
 - Proposed landscape areas;
 - All external storage and waste treatment areas; and,
 - Areas not required for immediate use.
- Scaled elevation drawings to identify the colour and materials of all buildings and works.
- Details of all 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, maintaining and monitoring the landscape area.
- Details of compliance with the design guidelines prepared in accordance with the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.

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Signs

Sign requirements are at Clause 52.05. All land located within this Schedule is in Category 3.

6.0 Exemption from notice and appeal

An application for buildings and 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 the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, the Responsible Authority must consider, as appropriate:

- The *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.
- Any design guidelines prepared in accordance with the *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.
- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- Whether the visibility of the proposal is minimised in landscapes visible within 500 metres of formal scenic lookouts in the area.
- The conservation of any areas of environmental importance or significance.
- Works to prevent and control drainage and stormwater run-off from any building, works, access road or driveway.
- The availability and provision of utilities, including sewerage, water, drainage, electricity, gas and telecommunications.
- The objectives and standards of Clause 54, Clause 55 or Clause 56 as appropriate to a proposed residential use or subdivision.

7.0 Policy reference

Incorporated document: *Cape Paterson Ecovillage Comprehensive Development Plan April 2011*.