

19/01/2006  
VC37**SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as CDZ1

**NERANA RESORT & MARINA CONCEPT PLAN****Land**

Land comprising Lot 1 on Plan of Subdivision No. 336041H and being the whole of the land more particularly described in Certificate of Title Volume 10376 Folio 999.

**Purpose**

To provide for a tourist resort and marina adjacent to the Nicholson River, at Nicholson.

To provide for a range of uses and the development of land generally in accordance with the Nerana Resort and Marina Concept Plan, dated 5 June 1997.

To ensure that the tourist resort and marina is sympathetic with the landscape and the environment of the locality.

**1.0**19/01/2006  
VC37**Table of uses****Section 1 - Permit not required**

<b>USE</b>	<b>CONDITION</b>
Boat and caravan storage	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence.  At least two car parking spaces must be provided.
Child care centre	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Crop raising (other than Timber production)	
Dwelling (other than Bed and breakfast)	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Exhibition centre	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Extensive animal husbandry	

**Section 1 - Permit not required (continued)**

<b>USE</b>	<b>CONDITION</b>
Food and drink premises	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Function centre	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Market	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Mineral exploration	
Mining	Must meet the requirement of Clause 52.08-2.
Minor sports and recreation facility	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Minor utility installation	
Motor vehicle, boat, or caravan sales	Must only sell or hire boats.  Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Natural systems	
Pleasure boat facility	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Postal agency	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Residential hotel	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Road	
Search for stone	Must not be costeaning or bulk sampling
Service Industry	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Shop (other than Adult sex bookshop, Department store, and Restricted retail premises)	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.
Transport terminal	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.

**Section 1 - Permit not required (continued)**

<b>USE</b>	<b>CONDITION</b>
Travel agency	Must be in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.

**Section 2 - Permit required**

<b>USE</b>	<b>CONDITION</b>
Leisure and recreation (other than Minor sports and recreation facility and Motor racing track)	
Place of assembly (other than Exhibition centre and Function centre)	
Utility installation (other than Minor utility installation)	
Any use in Section 1 if the condition is not met	
Any other use not in Section 1 or 3	

**Section 3 - Prohibited**

<b>USE</b>
Accommodation (other than Dwelling and Residential hotel)
Adult sex bookshop
Agriculture (other than Crop raising and Extensive animal husbandry)
Brothel
Department store
Education centre
Industry (other than Service Industry)
Motor racing track
Office (other than Travel agency)
Retail premises (other than Food and drink premises, Market, Motor vehicle, boat, or caravan sales, Postal agency, and Shop)
Warehouse (other than Boat and caravan storage)

**2.0**

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**Subdivision**

A permit is required to subdivide land.

An application to subdivide land must be accompanied by a report which explains how the proposed subdivision:

- Promotes the purposes of this zone.

- Responds to the decision guidelines for this zone.
- Responds to any additional objectives and performance requirements set out in any relevant Local Planning Policy in this scheme.

### **Exemption**

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 appeal rights of Section 82(1) of the Act if it is generally in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997.

## **3.0**

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### **Buildings and works**

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

### **Exemption**

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 appeal rights of Section 82(1) of the Act if it is generally consistent with the Nerana Resort and Marina Concept Plan dated 5 June 1997.

### **Sunset provisions**

If by 1 January 2003 the development of the land as a tourist resort and marina in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997 has not been substantially commenced to the satisfaction of the Responsible Authority, the Responsible Authority may give consideration to the preparation of an amending planning scheme to include the land in a Rural Zone.

If by 1 January 2010 the development of the land as a tourist resort and marina in accordance with the Nerana Resort and Marina Concept Plan dated 5 June 1997 has not been completed to the satisfaction of the Responsible Authority, the Responsible Authority may give consideration to the preparation of an amending planning scheme to include the land in a Rural Zone.