

SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE

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

LAKE NAGAMBIE RESORT MASTER PLAN - 25028DD A1-001-Q (REFERRED TO IN THIS SCHEDULE AS “THE LAKE NAGAMBIE RESORT MASTER PLAN”)

Land

Land located at 43 Blayney Lane Nagambie, and comprising Lots 1-5 on TP846985T and Crown Allotments 10A and 10B, Parish of Tabilk.

Purpose

To provide for the development of an integrated residential development comprising residential, commercial, tourism related and recreational facilities (currently known as the Lake Nagambie Resort), in a manner which achieves principles of environmental and sustainability including:

- provision of resort style commercial, tourist related and recreational infrastructure;
- housing at a range of densities;
- ensuring protection of existing environmental water resources;

generally in accordance with the Lake Nagambie Resort Master Plan.

To designate land suitable for an integrated development consisting of a retirement village; camping and caravan facility; a retail village; not more than 476 accommodation lots including hotel resort accommodation; dwellings and associated roads, utility services, and recreation facilities.

To provide for the staging of the development of the land in an orderly manner, having regard to the delivery of vital infrastructure elements of the project.

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

To ensure that the development of the land does not detrimentally impact upon the amenity of the surrounding area including adjoining land and the shores/waters of Lake Nagambie

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Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Bed and breakfast, Corrective institution)	Must comply with the Lake Nagambie Resort Master Plan
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Car park	Must comply with the Lake Nagambie Resort Master Plan
Education centre	Must comply with the Lake Nagambie Resort Master Plan.
Home occupation	

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Use	Condition
Leisure and recreation facility (other than Motor racing track)	Must comply with the Lake Nagambie Resort Master Plan.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Natural systems	
Office	Must comply with the Lake Nagambie Resort Master Plan and the Commercial Facilities Plan.
Place of Worship	The gross floor area must not exceed 100 square metres. Must comply with the Lake Nagambie Resort Master Plan.
Place of Assembly (other than Amusement Parlour, Drive-in theatre, and Place of worship)	Must comply with the Lake Nagambie Resort Master Plan.
Retail premises (other than Adult sex bookshop, Manufacturing sales, Motor vehicle, boat, or caravan sales, Shop and Timber yard)	Must comply with the Lake Nagambie Resort Master Plan. The gross floor area for all Retail premises must not exceed 1750 square metres. Must be in accordance with the Commercial Facilities Plan.
Search for stone	Must not be costeaning or bulk sampling
Shop (other than Adult sex bookshop)	Must comply with the Lake Nagambie Resort Master Plan. The gross floor area for all Shops must not exceed 250 square metres. Must be in accordance with the Commercial Facilities Plan
Road	Must comply with the Lake Nagambie Resort Master Plan.

Section 2 - Permit required

Use	Condition
Child care centre	
Any other use not listed in Section 1 or 3	Must comply with the Lake Nagambie Resort Master Plan

Section 3 - Prohibited

Use
Adult sex bookshop
Agriculture
Amusement parlour
Brothel
Corrective institution
Crematorium

Use

Drive-in theatre

Extractive industry

Industry (other than Carwash)

Manufacturing sales

Motor racing track

Motor vehicle, boat or caravan sales

Service station

Timber yard

Warehouse

Any use listed in Section 1 or 2 if the condition is not met

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Subdivision

Application requirements

In addition to the application requirements specified in Clause 37.02-3, subdivision of the land must comply with the 'Lake Nagambie Resort Master Plan and the approved Development Plan.

Subdivision of the land must provide for the creation of not more than 476 residential lots (excluding the caravan park and retirement village).

If the subdivision creates common property, the rules of the owners corporation responsible for the common property shall provide that the common property shall be accessible to any member of the public.

Each lot to be created must be provided with to the satisfaction of the responsible authority:

- a reticulated supply of water;
- reticulated recycled water, unless otherwise approved by Goulburn Valley Water;
- reticulated sewerage; and
- reticulated underground supply of electricity.

Each lot must have access to a road constructed to the satisfaction of the responsible authority.

Exemption

An application for subdivision which is in accordance with the Lake Nagambie Resort Master Plan and the requirements of 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.

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Buildings and works

A permit is not required to construct a building or to construct or carry out works that:

- are shown on the Development Plan approved by the responsible authority; and
- are proposed in accordance with the Staging Plan approved by the responsible authority.

A permit is required to remove, destroy or lop a tree that is shown as 'to be retained' on an approved Environmental Plan.

Requirements

Development of any stage of the land must not commence until the following plans and guidelines have been approved by the responsible authority:

Environmental Plan.

Emergency Management Plan.

Traffic Management Plan.

Infrastructure Management Plan.

Commercial Facilities Plan.

Lake Nagambie Development Plan.

Staging Plan.

Landscape Plan.

Urban Design Guidelines.

Each of the plans and the guidelines must comply with the Lake Nagambie Resort Master Plan.

The responsible authority may approve the development in stages. If staged development is proposed, the relevant plans may be approved in stages which correspond to the Lake Nagambie Resort Master Plan and Staging Plan as approved by the responsible authority.

A permit may be granted to commence any part of the development if any of the above plans have not been approved.

Any application for buildings and works which is in accordance with the above plans 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.

Environmental Plan

The Environmental Plan must be submitted to and approved by the responsible authority.

The Environmental Plan must address the following matters:

- A Flora and Fauna assessment of the land that is to be undertaken at an appropriate time of year.
- An assessment of any impact on Lake Nagambie and its foreshore.
- Details of the layout of the land including proposed tree plantations, drainage systems, irrigation systems, works related to the roads, car parking, pedestrian links; and proposed buildings.
- Details of how the development will manage and enhance native vegetation on the site, including an assessment of how the plan addresses:
 - “Victoria’s Native Vegetation Management – A Framework for Action” and the achievement of net gain outcomes as defined in the framework, including any offset.
 - the native vegetation strategy in any relevant regional catchment management strategy.
- Details of the micro-siting of buildings and infrastructure to ensure that trees identified in the Lake Nagambie Resort Master Plan and/or Flora and Fauna assessment for retention and permanent protection can be retained in the long-term.
- Details of how the development will address surface water management, the stream system on site and upstream and downstream of the development, including the protection of flows and enhancement of water quality including treatments required to accommodate staged construction.
- Details of how the development of the land will address sediment control, salinity, nutrient control, and pollution control.

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- Management of stormwater from the development based on Best Practice Environmental Management Guidelines (CSIRO, 1999).
- Details of on-going maintenance.
- Any other information required by the responsible authority.

Before approving or amending (other than by a minor variation) the Environmental Plan, the responsible authority must have regard to the comments of:

- Goulburn Valley Water
- Environment Protection Authority
- Department of Sustainability and Environment
- Goulburn Broken Catchment Management Authority
- Goulburn-Murray Water

Landscape Plan

The Landscape Plan must be submitted to and approved by the responsible authority.

The Landscape Plan must be prepared by a qualified landscape architect and must address (or include) the following matters:

- The landscaping theme to be applied, using as its basis the use of indigenous species, dry climate species and non-invasive species.
- The landscape treatment of open space areas and parks.
- The landscape treatment of pedestrian walkways and paths.
- Designation of existing trees to be retained or removed and method of protection of trees to be retained.
- The maintenance regime to be adopted.

Traffic Management Plan

A Traffic Management Plan must be submitted to and approved by the responsible authority.

The Traffic Management Plan must address (or include) the following matters:

- The location of all vehicular, pedestrian and bicycle access and egress ways within, to and from all components of the development.
- Any traffic mitigation works if required on adjoining roads including staging.
- The location and layout of areas set aside for the parking of vehicles.
- Details of on-going maintenance.

The Traffic Management Plan must include:

- Empirical data on traffic generation from other developments comprising holiday facilities.
- Impact of traffic generated by the caravan park and retirement village on the subject site, and the approved retirement village on the south side of Vickers Road.
- Impact of traffic generated by the holding of events (such as weddings) at the commercial centre.
- A more detailed car parking report which includes analysis of the car parking requirements under the planning scheme and justification for any application to reduce or waive car parking requirements.

Before approving or amending (other than a minor variation), the Traffic Management Plan, the responsible authority must have regard to the comments of:

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- Vic-Roads (where the matter relates to access to the Main Road)

Infrastructure Management Plan

The Infrastructure Management Plan must be submitted to and approved by the responsible authority.

The Infrastructure Management Plan must address (or include) the following matters:

- The proposed source of all of the water required for the safe, efficient and environmentally sustainable operation of the water features.
- Any relevant geotechnical issues associated with the water bodies.
- The location and nature of infrastructure services to be associated with the development.
- Environmentally sustainable design principles for all infrastructure.
- How the stormwater management system, irrigation system and the sewerage system interrelates and responds to the principles of water sensitive design.
- A stormwater management plan for the whole of the land.
- Compliance with any requirements of the relevant Catchment Management Authorities with respect to a license to construct works on waterways.
- A reticulated water supply system to all residential and other uses.
- Compliance with any requirements of authorities issued with respect to a license either for the construction of any water bodies requiring a licence or the use of irrigation within the land.
- The appropriate staging of infrastructure and establishes a management system for coordination of infrastructure provision.
- Details of on-going maintenance,
- Before approving or amending (other than a minor variation) the Infrastructure Management Plan, the responsible authority must have regard to the comments of:
 - Goulburn Valley Water
 - Goulburn-Murray Water
 - Telstra
 - SP AusNet (or the equivalent of the current electricity provider)
 - Origin Energy (or the equivalent of the current gas provider)
 - Goulburn Broken Catchment Management Authority
 - Department of Sustainability and Environment
 - Environment Protection Authority
 - Country Fire Authority
 - VicRoads

Emergency Management Plan

The Emergency Management Plan must be submitted to and approved by the responsible authority.

The Emergency Management Plan must address (or include) the following matters:

- Emergency access and egress to and from the land.
- The location of the nearest emergency refuge areas.
- Any management arrangements required to support the implementation of the plan.

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Before approving or amending (other than a minor variation), the Emergency Management Plan, the responsible authority must have regard to the comments of:

- Rural Ambulance Victoria
- Victoria Police
- Country Fire Authority

Commercial Facilities Plan

The Commercial Facilities Plan must be submitted to and approved by the responsible authority.

The Commercial Facilities Plan must address (or include) the following matters:

- Details of the floor space for all commercial premises (which must not exceed the level specified in this schedule).
- The location of car parking for those commercial uses.
- The floor areas proposed for the various components of the commercial uses (which must not exceed the level specified in this schedule).
- Details of on-going maintenance.
- The proposed location of all of the commercial uses having regard to the Lake Nagambie Resort Master Plan.

Lake Nagambie Development Plan

The Lake Nagambie Development Plan (“Development Plan”) must be submitted to the responsible authority for approval.

The Development Plan may be prepared in stages. Any part of the Development Plan must provide for the following:

- Comply with the Lake Nagambie Resort Master Plan.
- The whole of any particular component identified in the staging plan, unless otherwise agreed by the responsible authority.
- The approved environmental plan, traffic management plan and infrastructure plan.
- The Development Plan may comprise text and/or drawings and include:
 - The location and details of proposed buildings and works, including site, floor and elevations plans
 - Details of the external materials and colours proposed for all buildings and works
 - Details of pedestrian walkways, roads, vehicle parking and access arrangements.
 - Details of the external boundary treatments including fencing and buffer areas.
 - Details of how environmentally sustainable design principles have been incorporated.
 - Provision of services including water, sewer, telecommunications, power and drainage
 - Landscaping details including species to be planted and details of any species proposed in accordance with any native vegetation strategy
 - Details of how edge treatments at the interface of the land with adjoining land are to be dealt with.
 - Details of any street furniture, open space treatment, lighting and works.
 - Details of on-going maintenance.
 - Any other information required by the responsible authority.

Lake Nagambie Resort Urban Design Guidelines

The Lake Nagambie Resort Urban Design Guidelines must be submitted to and approved by the responsible authority.

The Urban Design Guidelines must provide for the following:

- Be consistent with and implements the staging of the provision of facilities identified in the Lake Nagambie Resort Master Plan and may comprise text and/or drawings and include:
 - Location of buildings on sites including setbacks.
 - Maximum heights of buildings.
 - Amenity matters such as privacy, open space to dwellings.
 - A suite of external materials and colours proposed for buildings and works to be constructed on the land.
 - The minimum standard specifications for design and construction.
 - Details of acceptable external boundary treatments including fencing and buffer areas allowable.
 - Any other relevant information required by the responsible authority.

Construction Management Plan

The Construction Management Plan must be submitted to and approved by the responsible authority. The Plan must address the following matters:

- How all the works will be carried out in accordance with EPA Publication No. 272 “Construction Techniques for Sediment Pollution Control” and EPA publication No. 480 “Guidelines for Major Construction Sites in Victoria”.
- The proposed methods of dust control during construction.
- Any other matter required by the responsible authority.

Staging Plan

A staging plan must be submitted to and approved by the responsible authority.

The staging plan must be generally in accordance with the Lake Nagambie Resort Master Plan and indicate:

- The components of each stage of the proposed development
- The infrastructure provisions proposed as part of that stage.
- Any other matter required by the responsible authority.

Decision Guidelines

Prior to deciding on whether to approve an application, a plan and/or guidelines in accordance with Clause 3, the responsible authority must consider:

- The purpose of this Schedule.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- That the proposal is generally in accordance with the plan titled Lake Nagambie Resort Master Plan.
- Whether the granting of a permit would prejudice the proper implementation of the Lake Nagambie Resort Master Plan.
- The comments of any authority required to be consulted.

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- Any issues specifically required to be taken into account in the case of a particular plan.

Variations to Plans

The responsible authority may approve a variation to any plan or guideline approved under this Schedule provided the variation.

- is generally in accordance with the Lake Nagambie Resort Master Plan;
- does not adversely affect the interest of a government authority or utility service provider; and
- does not cause an increase in material detriment to any person.

Any request for a variation must:

- set out in detail the form which it is proposed that the relevant plan or guidelines be varied.

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Advertising signs

This zone is in Category 4 except for the commercial areas shown on the 'Lake Nagambie Resort Master Plan which are in Category 2.

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Expiry of control

This schedule shall lapse if the development authorised under this schedule is not commenced within five years of the commencement date of this schedule.