

31/05/2012
C21**SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as **CDZ2**.

ALPINE RECREATION**Purpose**

To identify areas associated with the development and use of an alpine resort on which passive and active recreation occur.

To enable the development and the use of the land which is in accordance with sound environmental management and land capability practices, and which takes into account the significance of the environmental resources.

To minimise impacts on significant landscapes.

To minimise impacts on areas of significant vegetation.

To minimise impacts on habitat and habitat corridors for indigenous fauna.

1.030/11/2006
C18**Table of uses****Section 1 - Permit not required**

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Car park	
Education centre	Must be teaching of alpine activities
Industry	Must be the manufacture of snow
Leisure and recreation (other than Motor racing track, Major sports and recreation facility, Indoor recreation facility, Dancing School, Paintball games facility or Zoo)	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Natural systems	
Railway	
Road	
Search for stone	Must not be costeaning or bulk sampling
Tramway	

Section 2 - Permit required

Use	Condition
Agriculture (other than Intensive animal husbandry)	
Backpackers lodge	
Carnival	
Community market	
Convenience shop	
Convenience restaurant	
Dwelling	
Group accommodation	
Home occupation	
Hostel	
Major sports and recreation facility	
Medical centre	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Minor sports and recreation facility (other than Indoor recreation facility, Dancing School, Paintball games facility or Zoo)	
Pleasure boat facility	
Residential building	
Service industry (other than Panel beating)	
Take away food premise	
Transport terminal	
Utility installation (other than Minor utility installation)	
Vehicle store	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE
Dancing School
Indoor recreation facility
Intensive animal husbandry
Motor racing track
Paintball games facility
Zoo

2.019/01/2006
VC37**Subdivision****2.1**19/01/2006
VC37**Permit requirement**

A permit is required to subdivide land.

Each lot must be provided with underground services.

Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- A plan which shows a building envelope and effluent disposal area for each lot.

or:

- Details of the ability of any on-site treatment plant to treat and process all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970

An application must be referred to a referral authority listed in Clause 66.

2.219/01/2006
VC37**Exemption from notification and appeal**

An application to subdivide which is consistent with a comprehensive development plan, incorporated into this scheme, is exempt from the notice requirements of Section 52(1) (a), (b), and (d), the decision requirements of Sections 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

3.019/01/2006
VC37**Buildings and works****3.1**30/11/2006
C18**Permit requirement**

A permit is required to construct a building or construct or carry out works unless the buildings and works are exempt under Clause 3.1-1 or the buildings and works are in accordance with an approved site development plan under Clause 3.1-2.

A permit is required to construct a fence.

3.1-130/11/2006
C18**Exempt buildings and works**

When:

- Materials and finishes for any new development meet the requirements of the relevant schedule to the Design and Development Overlay or Comprehensive Development Plan incorporated into this scheme and are to the satisfaction of the Responsible Authority; and
- A Site Environment Management Plan has been prepared and will be implemented in accordance with the requirements of Clause 3.3-3

A planning permit or site development plan approval is not required for the following buildings and works (excluding the removal, destruction or lopping of native vegetation):

- Building alterations that do not increase site coverage, building height, or the scale of the existing building including re-roofing, recladding, making or altering of any opening in a wall for windows or doors and the like.
- Minor services to a building including disabled access ramps and hand rails, an air conditioner, cooling or heating system, a hot water service, a solar energy system, security alarms and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens and the like.
- Minor earthworks not exceeding excavations or fill in excess of one metre (height/depth) and that do not exceed 10 square metres in area.
- Minor buildings or works undertaken by or on behalf of an Alpine Resort Management Board associated with the provision of essential resort infrastructure that is to the satisfaction of the responsible authority.
- Alterations to essential services of an existing building required to meet the requirements of the Building Code of Australia (BCA).

3.1-230/11/2006
C18**Site Development Plan**

Where a Comprehensive Development Plan has been incorporated into this scheme, an application for a site development plan approval can be submitted to the responsible authority.

The following Comprehensive Development Plans are found at Clause 81:

Mt Buller

One Tree Hill

Buller Gateway

Mt Hotham

Hotham Village

Davenport Road Frontage

Davenport Over snow

Interurban Break (between Hotham Village and Davenport)

A site development plan application must be to the satisfaction of the responsible authority and must be generally in accordance with the requirements of a Comprehensive Development Plan.

When a site development plan application is not generally in accordance with the requirements of a Comprehensive Development Plan, a planning permit is required under Clause 3.1.

3.230/11/2006
C18**Exemption from notice and appeal**

An application to construct a building or construct or carry out works (including the removal, destruction or lopping of native vegetation) which is consistent with a comprehensive development plan, incorporated into this scheme, is exempt from the notice requirements of Section 52(1) (a), (b), and (d), the decision requirements of Sections 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

3.330/11/2006
C18**Site Development Plan and Planning Permit Application requirements**

A site development plan application or a planning permit application to construct a building or construct or carry out works (including the removal, destruction or lopping of native vegetation) must be accompanied by the information requirements in sections 3.3-1 to 3.3-3 as appropriate.

3.3-130/11/2006
C18**Building and Works**

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Existing conditions.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works including existing vegetation, landscape features and any environmentally sensitive areas.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
 - Location of services
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Details of site setbacks, heights of buildings and any other information to indicate the relationship of the proposed development to adjacent areas and buildings.
- Details of exterior finish, materials, and treatment of walls and roofs.
- Roof plans to show all roof slopes, projections, snow dump areas and surrounding pedestrian areas and any other snow management proposals.
- Details of pedestrian access and integration with the local pedestrian network.
- Details of soil, geo-technical and drainage conditions of the site.
- If the use is a "sensitive use" and the land is "potentially contaminated land" in accordance with Ministers Direction No.1 an assessment of the lands suitability for the proposed use and development must be undertaken.
- An assessment of the impact of the proposed development on the site and on adjoining areas in terms of:
 - Snow management.
 - Geo-technical conditions.
 - Public safety.

3.3-230/11/2006
C18**Native Vegetation**

- A plan drawn to scale which shows:
 - The location of all native vegetation on the site.

- The location and description of all native vegetation to be lopped, removed or destroyed, including the extent and type of native vegetation, the number and size of any trees to be removed and the Ecological Vegetation Class of the native vegetation.
- The location of all native vegetation to be retained on the site.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of native vegetation.
 - Minimise the removal of native vegetation.
 - Appropriately offset the loss of native vegetation.
- An assessment of the effect of the development against Victoria's Native Vegetation Management – A Framework for Action.
- An assessment of the effect of the development on any flora or fauna listed under the Flora and Fauna Guarantee Act 1988.

3.3-330/11/2006
C18**Site Environmental Management Plan**

A Site Environmental Management Plan is required for all applications for buildings and works including native vegetation removal.

A Site Environmental Management Plan should include:

- Project management details (eg. project manager contact details, construction schedule, site induction and monitoring).
- Construction details including a description of all earthworks, backfilling, drainage, and construction techniques.
- Construction impacts such as:
 - Soil and sediment control
 - Surface treatments
 - Stormwater management
 - Native vegetation management
 - Rehabilitation or revegetation
 - Construction materials, equipment and machinery
 - Management of pest plants and animals
 - Waste management
 - Fire
 - Noise
 - Cultural heritage
 - Endangered species/communities
 - Services
- A landscape layout which includes the description of vegetation to be planted, its source, the surfaces to be constructed, site works specification and method of preparing, draining, watering, maintaining and monitoring the landscape area.

The preparation of a Site Environmental Management Plan and all works carried out on the site must be to the satisfaction of the responsible authority in consultation with the relevant Alpine Resort Management Board.

4.0

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Decision guidelines

Before deciding on an application for planning permit or site development plan approval the responsible authority must consider in addition to clause 65, as appropriate:

4.1

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General issues

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The Alpine Resorts 2020 Strategy. \
- Any Alpine Resort Strategic Management Plan approved under the Alpine Resorts (Management) Act 1997.
- Any Catchment and Land Protection Strategy and policies applying to the land.
- Any Comprehensive Development Plan, incorporated into this scheme, for the resort.
- Any Alpine Resort Environmental Management Plan.
- Any relevant approved Land Conservation Council or Environment Conservation Council recommendation.
- The capability of the land to accommodate the proposed use or development, addressing site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns.
- How the use or development relates to alpine land use and natural resource management.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

4.2

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Environmental issues

- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality, by the emission of noise, dust and odours and any geotechnical implications.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The protection and enhancement of the natural environment and the character of the area, including the retention of vegetation and fauna habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridge lines, property boundaries, discharge and recharge areas.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

4.331/05/2012
C21**Design and siting issues**

- The design, colours and materials to be used and the siting, including the provision of development and effluent envelopes for any building or works.
- The location of any building or works with respect to the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The interface with adjoining areas, especially the relationship with residential areas.
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will cause significant traffic generation which will require additional traffic management programs to be initiated.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities.
- Provision of car parking and loading bay facilities and landscaping.
- The provision of car parking for short and long term visitors.
- The movement of pedestrians and other users, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The streetscape, including the conservation of buildings, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of public safety in relation to the management of snowshed, snow accumulation, and extreme climatic conditions.
- Arrangements for skier entry and exit.

5.019/01/2006
VC37**Referrals**

Applications of the kind listed below must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause:

- Any use or development which requires connection to reticulated services.
- Any use or development that involves alteration to the topography.

6.019/01/2006
VC37**Notice requirements**

Notice of an application of the kind listed below must be given in accordance with Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause:

- Any use or development.
- Any ski field development including nordic trails, buildings and works in excess of 12.0 metres in height above ground level, heliport or airport, if the land adjoining the resort boundary is in a National Park.

7.0

Advertising signs

19/01/2006
VC37

Advertising sign requirements are at Clause 52.05. This schedule is in Category 3.

7.1

Exempt signs

19/01/2006
VC37

In addition to the exemptions in Clause 52.05-4 a permit is not required to display the following signs:

- Skier, pedestrian or vehicle control signs, direction signs and identification signs erected or constructed for the safety of users of the resort.

7.2

Decision guidelines

19/01/2006
VC37

Before deciding on an application to display a sign, the responsible authority must consider:

- The Commercial Sign Policy 1997.

Notes:

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.