

22/11/2012
C30**SCHEDULE 9 TO THE SPECIAL USE ZONE**Shown on the planning scheme map as **SUZ9**.**PORT CAMPBELL WEST****Purpose**

To recognise the strategic coastal location of the site for the development of a major tourist facility.

To encourage the use and development of the site for tourism facilities that will avoid adverse impacts on landscape, environmental and geological values, as well as agricultural productivity.

To encourage the use and development of the site for a significant tourism development, such as a larger-scale integrated resort facility..

To protect and enhance natural resources and the biodiversity of the area.

To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.

To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

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C30**Table of uses****Section 1 - Permit not required**

Use	Condition
Animal keeping (other than animal boarding)	Must be no more than 2 animals.
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.
Home occupation	
Informal outdoor recreation	
Minor utility installation	
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 – Permit required

Use	Condition
Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, and Timber production)	
Backpackers' lodge	
Community market	
Dependent person's unit	<p>Must be the only dependent person's unit on the lot.</p> <p>Must meet the requirements of Clause 2.</p>
Dwelling (other than Bed and breakfast)	<p>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</p> <p>Must meet the requirements of Clause 2.</p>
Emergency services facility	
Function Centre	
Group accommodation	
Host farm	
Interpretation centre	
Primary produce sales	
Renewable energy facility (other than Wind energy facility)	Must meet the requirements of Clause 52.42.
Residential hotel	
Restaurant	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Wind energy facility	Must meet the requirements of Clause 52.32.
Winery	

Section 3 - Prohibited

Use
Accommodation (other than Backpackers' lodge, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel)
Animal boarding
Intensive animal husbandry
Leisure and recreation (other than Informal outdoor recreation)
Retail premises (other than Community market, Primary produce sales, and Restaurant)

Use

**Place of assembly (other than Carnival, Circus and Function centre
Warehouse (other than Freezing and cool storage and Rural store)
Any other use not in Section 1 or 2**

2.0

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Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person's unit.

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Subdivision

A permit is required to subdivide land.

Each lot must be at least 60 hectares:

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision creates a lot to be used for tourism purposes in accordance with this schedule, and the number of dwellings the land could be used for is not increased.
- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title. The requirement to enter into an agreement only applies to a lot which could be further subdivided in accordance with this scheme.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

4.0

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Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed 50 square metres.
 - An out-building associated with an existing dwelling provided the floor area of the out-building does not exceed 50 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension does not exceed 50 square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.
- A building which is within any of the following setbacks:
 - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
 - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
 - 20 metres from any other road.
 - 5 metres from any other boundary.
 - 100 metres from a dwelling not in the same ownership.
 - 100 metres from a waterway, wetlands or designated flood plain.

5.0

Decision guidelines

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Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Tourism issues

- Whether the proposal supports quality tourism development that is compatible with the landscape qualities of the area.
- The cumulative impact of the proposal having regard to other existing or proposed tourism facilities in the area.

General issues

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development conserves the values identified for the land in the schedule.
- Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

Rural issues

- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.

- Whether the use or development will have an adverse impact on surrounding land uses.

Environmental issues

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

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Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 4.