

19/01/2006  
VC37**SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE**Shown on the planning scheme map as **CDZ1****Moonah Links Comprehensive Development Plan****Land**

South east corner of Browns Road and Devonport Drive, Rye, being Lot 2, PS 337058N, Lot 1, PS 68481 and Crown Allotment 32, Section A, Parish of Wannaeue.

**Purpose**

To establish an integrated recreational, tourism and resort use and development focused on high quality golf courses generally in accordance with the Moonah Links Comprehensive Development Plan.

To provide for golf facilities and associated tourism, accommodation and resort development.

To provide for golf administration, major golf events, golf education and associated recreation facilities.

To ensure development is compatible with the landscape character of the area.

To ensure use and development has regard to natural values of the land or natural processes.

To ensure use and development has regard to the amenity of adjacent properties and the surrounding area.

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VC37**Table of uses****Section 1 - Permit not required**

<b>USE</b>	<b>CONDITION</b>
<b>Agriculture (other than Animal keeping, Animal training, Apiculture, Aquaculture, and Intensive animal husbandry)</b>	
<b>Apiculture</b>	Must meet the requirements of the Apiary Code of Practice, May 1997.
<b>Car park</b>	Must be generally in accordance with the Moonah Links Comprehensive Development Plan (May 1999).
<b>Carnival</b>	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
<b>Circus</b>	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.

USE	CONDITION
<b>Convenience shop</b>	Must be associated with leisure and recreation or accommodation facilities of the Moonah Links Development.
<b>Dwelling (other than Bed and breakfast)</b>	Must be generally in accordance with the Moonah Links Comprehensive Development Plan (May 1999).  Total number of dwellings must not exceed 250.
<b>Education centre</b>	Must be associated with the Golf Academy of the Moonah Links development.  Must be generally in accordance with the Moonah Links Comprehensive Development Plan (May 1999).
<b>Food and drink premises</b>	Must be associated with leisure and recreation or accommodation facilities of the Moonah Links Development.
<b>Group accommodation</b>	Must be associated with the Golf Academy of the Moonah Links development.  Must be generally in accordance with the Moonah Links Comprehensive Development Plan (May 1999).
<b>Home occupation</b>	
<b>Leisure and recreation (other than Motor racing track, Paintball games facility, and Race course)</b>	Must be generally in accordance with the Moonah Links Comprehensive Development Plan (May 1999).
<b>Mineral exploration</b>	
<b>Mining</b>	Must meet the requirements of Clause 52.08-2.
<b>Minor utility installation</b>	
<b>Natural systems</b>	
<b>Office</b>	Must be associated with leisure and recreation or accommodation facilities of the Moonah Links Development.
<b>Place of assembly (other than Carnival, Cinema, Circus and Drive-in theatre)</b>	Must be associated with leisure and recreation or accommodation facilities of the Moonah Links Development.
<b>Primary produce sales</b>	
<b>Residential hotel</b>	Must be generally in accordance with the Moonah Links Comprehensive Development Plan (May 1999).  Must not include more than 280 accommodation units.
<b>Search for stone</b>	Must not be costeaning or bulk sampling.

<b>USE</b>	<b>CONDITION</b>
<b>Telecommunications facility</b>	Buildings and works must meet the requirements of Clause 52.19.
<b>Winery</b>	Must be an existing winery or generally in accordance with the Moonah Links Comprehensive Development Plan (May 1999).

## **Section 2 - Permit required**

<b>USE</b>	<b>CONDITION</b>
<b>Accommodation (other than Corrective institution, Dwelling, Group accommodation, and Residential hotel)</b>	
<b>Animal keeping (other than Animal boarding)</b>	
<b>Animal training</b>	
<b>Aquaculture</b>	
<b>Bed and breakfast</b>	
<b>Cinema</b>	
<b>Drive-in theatre</b>	
<b>Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)</b>	
<b>Rural industry (other than Abattoir)</b>	
<b>Service industry (other than Panel beating)</b>	
<b>Store</b>	
<b>Utility installation (other than Minor utility installation and Telecommunications facility)</b>	

### Section 3 - Prohibited

USE	
Abattoir	
Animal boarding	
Brothel	
Corrective institution	
Extractive industry	
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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

#### Application requirements

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- 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 Moonah Links Comprehensive Development Plan (May 1999).

### Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The contents and intent of the Moonah Links Comprehensive Development Plan (May 1999).
- Any comments of the Department of Natural Resources and Environment.
- 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.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

### 3.0

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### Subdivision

#### Staging

Subdivision of the resort lots may occur in stages.

Until the West Course (championship 18 hole golf course) has been substantially constructed, a Statement of Compliance must not be issued which will result in the total of resort lots subdivided exceeding 90.

#### 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.
- An Environmental Management Plan for the proposed subdivision or stage addressing potential impacts on the site and on adjoining areas in terms of:
  - Vegetation and habitat.
  - Groundwater and drainage.
  - Soil disturbance, erosion and sedimentation.
  - Public safety.
  - Any sites of archaeological significance.
- Details of compliance with the design guidelines prepared in accordance with the Moonah Links Comprehensive Development Plan (May 1999) affecting the land.

#### Exemption from notice and appeal

An application to subdivide 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 Moonah Links Comprehensive Development Plan (May 1999).

### **Decision guidelines**

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The contents and intent of the Moonah Links Comprehensive Development Plan (May 1999).
- The design guidelines prepared in accordance with the Moonah Links Comprehensive Development Plan (May 1999) affecting the land.
- Any comments of the Department of Natural Resources and Environment.
- The Environmental Management Plan submitted in accordance with the Application Requirements of this Clause.
- 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.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

## **4.0**

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### **Buildings and works**

#### **Reticulated sewerage**

Any development for a use, which will produce wastewater or effluent, must be provided with reticulated sewerage to the satisfaction of the responsible authority.

#### **Construction and extension of single dwellings on lots of at least 300 square metres**

A permit is not required to construct or extend one dwelling on a lot of at least 300 square metres, provided the development does not exceed 8 metres in overall height from natural ground level.

#### **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.

- Areas not required for immediate use.
- Scaled elevation drawings to identify the colour and materials of all buildings and works.
- An Environmental Management Plan that addresses the impacts of the buildings and works on the site and on adjoining areas in terms of:
  - Vegetation and habitat.
  - Groundwater and drainage.
  - Soil disturbance, erosion and sedimentation.
  - Public safety.
  - Any sites of archaeological significance.
- 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 Moonah Links Comprehensive Development Plan (May 1999) affecting the land.

### **Decision guidelines**

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The contents and intent of the Moonah Links Comprehensive Development Plan (May 1999).
- The design guidelines prepared in accordance with the Moonah Links Comprehensive Development Plan (May 1999) affecting the land.
- Any comments of the Department of Natural Resources and Environment.
- The Environmental Management Plan submitted in accordance with the Application Requirements of this Clause.
- 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.
- The availability and provision of utility services, including sewerage (to buildings requiring wastewater disposal), water, drainage, electricity, gas and telecommunications.

## **5.0**

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### **Advertising signs**

Category 1 of Clause 52.05 applies to the Hotel/Accommodation (Option 1) precinct and the Club house (& Hotel/Accommodation Option 2) precinct in the Moonah Links Comprehensive Development Plan (May 1999).

Category 3 of Clause 52.05 applies to all other areas in the Moonah Links Comprehensive Development Plan (May 1999).