

NILLUMBIK PLANNING SCHEME

Garambi Baan (Laughing Waters) Residency Centre Project

Incorporated Document
June 2020

1.0 INTRODUCTION

This document is an incorporated document in the Nillumbik Planning Scheme (the Scheme), pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

This incorporated document facilitates the delivery of the Garambi Baan (Laughing Waters) Residency Centre Project (the project).

The control in this document prevails over any contrary or inconsistent provision in the Scheme.

2.0 PURPOSE

The purpose of this control in Clause 4.0 is to permit the use of land described in Clause 3.0 of this document for the purposes of the project.

3.0 LAND

The control in this document applies to land located at 130 and 195 Laughing Waters Road, Eltham.

4.0 CONTROL

4.1 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary, on any inconsistent provision in the Scheme, no planning permit is required for, and no planning provision in the Scheme operates to prohibit, restrict or regulate the use of the land for the purpose of the project.

The project includes, but is not limited to, the following use(s):

- a) Use of land for the purposes of an Artists Residency Centre including accommodation and art and craft centre.

4.2 Conditions

The use permitted by this incorporated document must be undertaken in accordance with the following conditions:

- a) Prior to the use commencing, a detailed Bushfire and Emergency Management plan must be prepared in consultation with the responsible authority, Parks Victoria and approved by the Country Fire Authority, that include limitations on occupation of the buildings during times of high fire danger.
- b) Use of the land must be undertaken in accordance with the approved Bushfire and Emergency Management plan and to the satisfaction of the responsible authority.
- c) Accommodation allowed under this control must only be in association with the Artist Residency program.
- d) The site may only provide accommodation for persons away from their normal place of residence on a short-term basis.
- e) Any demolition, buildings or works must only take place with the written consent of the responsible authority.

5.0 EXPIRY

This control expires if the use of the land as authorised under this incorporated document does not commence within two (2) years of the date of approval.