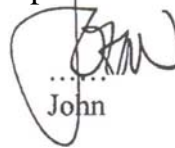


**COMMUNITY CORPORATION  
No. 21109 Inc.**

**Aldinga Arts Eco Village  
Aldinga**

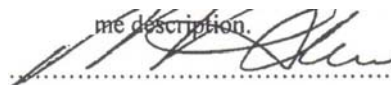
"This is the copy of the scheme description referred to in the attached certificate"

  
.....  
John

**SCHEME DESCRIPTION**

1. All consents and approvals required under the Development Act 1993 in relation to the division of the land in accordance with this scheme description and the relevant plan of community division have been granted.

2. This endorsement does not limit a relevant authority's right to refuse, or to place conditions on, development authorisation under the Development Act 1993 in relation to any other development envisaged by this scheme description

.....  
me description.  


Name:

As delegate of the Council of the City of Onkaparinga

Dated:

**Geoffrey Adam & Co**  
Commercial and Property Lawyers

1<sup>st</sup> Floor H Pirie Street Adelaide South Australia  
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# COMMUNITY SCHEME DESCRIPTION

## PLAN NO. 21109 Inc.

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## PART 1- ETHOS AND PHILOSOPHY

The Aldinga Arts Eco- Village has been designed not only to be a village by name but also by layout and function.

The Village is for creative people, you and I, young and old.

The Aim of Aldinga Arts Eco- Village is to have the essential elements that make living a pleasure. Through equal emphasis on the creative arts and permaculture, the Village will provide the opportunity to drive the sustenance for productive, creative and artistic livelihoods and living.

The Vision is an oasis in a threatened environment - an ecologically sensitive village designed for, and by, creative people as a centre for the Creative Arts within an organic market garden and rural creek setting at Aldinga on the Fleurieu Peninsula of South Australia.

The Aldinga Arts Eco-Village is an innovative housing development designed to enhance housing options in the township of Aldinga and fitting snugly into the social and economic fabric of its surrounding communities.

The location will enable residents of the Village to participate fully and actively in the local commercial, and the wider community, facilities and schools.

The 'Arts and Permaculture' emphasis of the Aldinga Arts Eco-Village will encourage its residents to interact regularly, to live in a clean and semi-rural environment and to support, care for, create, educate and share with each other.

The Aldinga Arts Eco-Village development has been designed with an emphasis on

- orientation for the incorporation of passive solar building designs to maximize energy efficiency;
- 'open space' considerations to enable the development of a village common, community gardens, horticultural and recreational areas.

## PART 2 - PRELIMINARY

### Definitions

In this scheme description unless otherwise appears

"Act" means the Community Titles Act 1996;

"cluster housing purposes" means cluster housing that is designated for residential purposes;

"commercial purposes" means the performance or pursuit of trade or commerce including a hotel, motel or hostel and any other form of temporary residential accommodation for valuable consideration and any business or craft but excluding any industrial use or activity other than a cottage industry;

"common property" means the common property within the Plan and includes the service infrastructure (except any part of the service infrastructure that provides a service to only one lot) and any other property that comprises the common property pursuant to the Act;

"community and cultural purposes" means use for community and cultural activities and events and uses (including activities, events and uses for which fees or charges are imposed);

"community lot" means a community lot within the Plan and, where appropriate, includes any building or other improvement on the community lot;

"community parcel" means the land divided by the Plan but does not include a street, road, thoroughfare, reserve or other similar open space upon vesting in a council or prescribed authority or reverting to the Crown;

"corporation" means this Community Corporation;

"Council" means the City of Onkaparinga and any subsequent municipal or district council for the area in which the community parcel is located and any other statutory authority performing or responsible for the role, decisions and activities of a municipal or district council for that area;

"designated" means designated on the Plan;

"developer" means the registered proprietor of the land comprising the community parcel immediately before the plan of community division was deposited in the Lands Titles Registration Office;

"Development Act" means the *Development Act* 1993 as amended or replaced from time to time and any regulations made pursuant thereto;

"Development Approval" means the development approval for the division of the land in accordance with the Plan in accordance with the development approval granted by the City of Onkaparinga on the 15th day of May 2001 and numbered 145/C015/1999/LC (as may be varied from time to time) and any subsequent planning, building or development approvals and/or consents for building and other works on the community parcel;

"development lot" means a development lot within the Plan;

"farming purposes" means use for farming that applies permacultural techniques;

"filed" means filed with the Lands Titles Registration Office;

"Guidelines" means the guidelines for architectural and developmental works prescribed by the corporation and any other guidelines prescribed by the corporation from time to time in relation to the community parcel;

"lot" means a community lot or a development lot within the Plan and, where appropriate, includes any building or other improvement on the lot;

"mixed purposes" means residential purposes, commercial purposes or both residential and commercial purposes;

"organic" means complying with the requirements, recommendations and practices

referred to from time to time in the 'National Standard for Organic and Bio-dynamic Production' adopted by the National Standards Association for Sustainable Agriculture Australia and its successors;

"permacultural techniques" means the techniques for land use that assemble conceptual, material and strategic components in a conscious design system to work with nature to create a permanent and sustainable environment for humans and all other forms of life, being techniques recommended by The Permaculture Institute and similar bodies;

"Plan" means the plan of community division filed with this scheme description and any amendment of that plan;

"Proposal" means the proposal plan granted development approval by the City of Onkaparinga on the 15th day of May 2001, a copy of which is included as Attachment A;

"Regulations" means the Community Titles Regulations 1996;

"residential purposes" does not include the use of a lot for the purposes of a hotel, motel or hostel but does include use as a bed-and-breakfast;

"service infrastructure" means the cables, wires, pipes, sewers, sewerage treatment system (excluding the waste water treatment plant), drains, ducts, conduits, spaces, receptors, reflectors, machinery, plant, and equipment constructed or installed at any time and from time to time by which the lots or the common property are provided with any system or service specified in the Act or designed to improve the amenity or enhance the enjoyment of the lots or the common property;

"stage" means a stage in the development of the community parcel in accordance with this scheme description; and

"waste water treatment plant" means the waste water treatment plant referred to in the Development Approval and specified in Development Approval 145/2953/2000 .

#### Interpretation

- 2 In this scheme description unless otherwise appears
  - 2.1 all other words shall have the meaning (if any) ascribed by the Act and the Regulations;
  - 2.2 a reference to any Act, Regulations, document or plan must be construed as a reference to that Act, Regulation, document or plan as amended, varied or replaced.

## **PART 3 - IDENTIFICATION AND DIVISION OF THE COMMUNITY PARCEL**

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### **Identification of the community parcel, lots and common property**

- 3 The community parcel is identified in the Plan and the lots and common property into which the community parcel is to be divided are to be created in accordance with the Plan.

### **Division of the community parcel**

- 4 The Plan is a primary plan being the division of the community parcel in stages into up to 185 community lots and common property.
- 5 The community parcel shall be initially divided into
- 5.1 90 community lots, and
  - 5.2 5 development lots, and
  - 5.3 common property.
- 6 Subject to this scheme description, the division of a development lot may create a further development lot.

## **PART 4 - USE OF THE LOTS AND THE COMMON PROPERTY**

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### **Use of the lots**

- 7 The community lots may be used as follows
- 7.1 up to 169 lots for residential purposes (depending upon the number of lots designated for cluster housing purposes);
  - 7.2 1 or 2 lots for cluster housing purposes;
  - 7.3 11 lots for mixed purposes;
  - 7.4 1 lot for community and cultural purposes;
  - 7.5 1 lot for commercial purposes; and
  - 7.6 1 lot for the reserve.
- 8 Only one dwelling may be erected on a community lot designated for residential purposes.

- 9 Multiple dwellings may be erected on the community lot designated for cluster housing purposes,
- 10 No person may reside on a lot other than in a dwelling that has been constructed in accordance with the Development Approval.

### **Use of the common property**

- 11 The common property shall be used
  - 11.1 as a driveway to the community lots,
  - 11.2 as community open space,
  - 11.3 as accommodation for community facilities,
  - 11.4 for the accommodation and provision of the service infrastructure, and
  - 11.5 for farming purposes and for the purposes of waste water treatment plant.

## **PART 5 - STANDARD OF DEVELOPMENT**

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### **Initial building and other works**

- 12 The standard of building and other improvements to be performed or made by the developer on the lots and the common property and of the materials to be used by the developer shall be of fair average standard or such higher standard as the developer, in its absolute discretion, may determine.

### **Subsequent building and other works**

- 13 Any additional buildings or improvements, any alterations or additions to existing buildings or improvements, and any replacement of existing buildings or improvements (whether on a lot or the common property) shall be located, designed and constructed in a manner consistent with and to a standard of work and materials not less than
  - 13.1 the Guidelines prescribed by the corporation for such works, or
  - 13.2 where the corporation has not prescribed any Guidelines in relation to such works, the buildings and improvements undertaken by the developer.

## **PART 6 - STAGES AND TIMING OF DEVELOPMENT**

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### **Stages of development**

- 14 Subject to this scheme description, the community parcel shall be developed in stages. After the initial stage, the community parcel shall be developed by the division of

development lots as indicated on the Plan but in whatever order the developer deems appropriate.

Owners of Lots created by the division of Lot 211 shall place their bins for collection in accordance with the plan included as Attachment C.

### **Completion of service infrastructure for stage before development on community lots**

- 15 No development (other than development associated with the construction of the waste water treatment plant, service infrastructure, roadways or driveways) shall commence on a community lot or a development lot until the service infrastructure for that stage has been
- 15.1 completed by the developer or the corporation; and
  - 15.2 approved by the Council as completed.

### **Timing of development**

- 16 Subject to this scheme description, the developer shall for each stage
- 16.1 make application for a land division certificate pursuant to section 51 of the *Development Act* within twelve (12) months of the sale of not less than one half of the community lots for the immediately preceding stage;
  - 16.2 commence the development for which the developer is responsible within twelve (12) months of the deposit of the plan for division of the development lot or lots for that stage;
  - 16.3 complete the development for which the developer is responsible within twentyfour (24) months of the date of commencement of the development for that stage.
- 17 Where market conditions (including the sale of community lots already created) require the deferral of a stage or stages of the development, the developer may extend the time for the application for development approval and the performance of the development works by a reasonable time (being not more than twenty-four (24) months).

## **PART 7 - DEVELOPMENT OF COMMUNITY LOTS**

### **The developer's development obligations**

- 18 The developer shall make the application for the land division certificate for
- 18.1 each stage of development of land within the community parcel; and
  - 18.2 development of the community lot for commercial purposes.
- 19 The developer shall be under no obligation to undertake the development of any community lot other than
- 19.1 the waste water treatment plant on the designated community lot in accordance with Development Approval I 45/CO 15/1999/LC; and
  - 19.2 the community lot designated for community and cultural purposes.

### **An owner's development obligations**

- 20 Where a community lot designated for use for residential purposes is transferred to a person other than the developer or the corporation and a dwelling has not already been constructed on that lot, that person shall construct a dwelling and undertake associated development on that lot in accordance with the Development Approval. However, this provision shall not
- 20.1 authorise the development of that lot prior to the completion of the service infrastructure for that stage; or
- 20.2 impose any obligation on the developer or the corporation to undertake such development.

## **PART 8 - DEVELOPMENT OF THE COMMON PROPERTY**

### **The developer's obligations**

- 21 Development of the common property created by the initial stage of development of the community parcel will be undertaken progressively by the developer from the commencement of the initial stage as required by the development of the community parcel and shall be completed - prior to the completion of the development of the community parcel. Development of the common property created by any subsequent stage may be undertaken by the developer during the development of that stage.
- 22 The developer will construct a driveway on the common property, undertake associated landscaping, install service infrastructure and perform all other works required by and in accordance with the Development Approval.

## **PART 9 - CONDITIONS IMPOSED UNDER THE DEVELOPMENT ACT**

### **Conditions of development imposed under the Development Act**

- 23 The Development Approval imposes conditions on the division of the community parcel and the construction of dwellings and associated development on the community lots and the common property. A copy of the Decision Notification Form (with the conditions set out in full) is included in Attachment B.

## **PART 10 - OTHER FEATURES AND INFORMATION**

### **Other important features of the scheme**

- 24 The community parcel, which is to be known by the name "Aldinga Arts Eco-Village", is intended to

- 24.1 provide a home and working place for creative people and their families;
- 24.2 abide by the ethics of permaculture which are expressed as
- (a) care of the earth and care of people and
  - (b) contribution of surplus (time, money and energy) to achieve the aims of earth and people care;
- 24.3 create a safe and healthy environment for its residents based on the principles of
- (a) respect for the spirituality of life;
  - (b) respect for the individual and freedom of expression;
  - (c) respect for the creative process and outcome;
  - (d) co-operation between occupiers in living and working;
  - (e) respect for the natural and indigenous environment;
  - (f) revitalisation of agriculture and horticulture through permacultural and organic principles and techniques; and
  - (g) creation and retention of native vegetation and wildlife habitats.
- 25 The community parcel shall facilitate and employ wherever reasonably possible the practice of permacultural and organic techniques on all community lots and the common property.
- 26 Permacultural techniques are based on the principles of
- 26.1 biodiversity;
  - 26.2 utilisation of solar energy;
  - 26.3 sustainable agriculture and horticulture;
  - 26.4 use of edible plants in landscaping;
  - 26.5 re-cycling of materials;
  - 26.6 minimal use of chemicals, particularly non-organic non-biodegradable chemicals; and
  - 26.7 the development of home and community gardens.
- 27 All community lots (other than the community lot used as a reserve) must be connected to the waste water treatment plant utilizing the sewerage treatment system.
- 28 There are no other important features of the scheme.

**Other information required by the Regulations**

- 29 No other information is required by the Regulations.

## **ATTACHMENTS**

Attachment A: The Proposal (as granted development approval)

Attachment B: The Decision Notification Form with the conditions

Attachment C: Plan detailing location of bins for collection for allotments created from Lot 211