

SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO9**.

SHEPPARTON SOUTH EAST GROWTH CORRIDOR

This schedule applies to land within the south east growth corridor for Shepparton as shown on Planning Scheme Map Nos 11, 23, 24 and 27.

The approved Development Plan for the area subject to the provisions of this Schedule is the Channel Road Development Plan, which comprises both a written report and plans. This Development Plan may be amended from time to time, subject to approval by the Responsible Authority.

It is the vision for the Development Plan that vibrant, attractive and sustainable new residential communities are created. The principles for the Development Plan include:

- Containment and consolidation of the urban form
- Enhancing community convenience and accessibility
- Establishing a distinctive neighbourhood character
- Provide for housing choice and diversity
- Build safe and sustainable communities
- Providing pedestrian friendly environments
- Easy walking distance to facilities and open space
- Appropriate solar orientation of lots
- Recognition and protection of cultural, environmental and heritage values
- Open space areas which link urban development activity and provide for a variety of experiences.

1.0**Requirement before a permit is granted**

A permit may be granted before a development plan has been prepared for the development of any building or works associated with the ongoing maintenance or operation of the subject site, including for the management of its water storage and drainage functions.

2.0**Conditions and Requirements for Permits**

The following conditions must be included, where relevant, on any planning permit issued to subdivide land:

- A condition requiring that prior to the commencement of any works, a Contamination Management Plan must be submitted to the responsible authority for endorsement.
- A condition requiring building envelopes (including a height envelope) to be provided on lots abutting the existing joinery business.
- A condition requiring fencing to be provided at the developer's expense on lots abutting the existing joinery business.
- A condition requiring a tree reserve in lots abutting the existing joinery business.
- A condition requiring a section 173 agreement to be registered on the relevant lots to give affect to the above requirements.
- A condition requiring a section 173 agreement to be registered on the title of the land to provide for an adequate separation of new dwellings from adjoining agricultural activities and the existing joinery business.

- A condition requiring a section 173 agreement to be registered on the title of the land to provide for apportionment of contributions to relevant infrastructure, in accordance with a schedule of development contributions in a relevant approved development plan.

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Requirements for development plan

The Development Plan must show or include the following details:

- A schedule showing:
 - The range of lot sizes and indicative densities; and
 - The nature, timing and approximate costs of works to be carried out by the developer and apportionment of costs, being roadworks, service infrastructure and landscaping in accordance with the concept plan.
- The relationship of the land to the adjoining land.
- The general layout of the proposed subdivision, roads and location of public open space.
- The stages, if any, in which the land is to be subdivided and developed.
- Infrastructure provision including sewerage, water, drainage and other utility services.
- A landscape concept for the land, including any areas of existing vegetation to be retained and streetscape treatments.
- How the proposed development addresses any flood impacts on the subject land.
- Sustainable management of drains and wetlands within the overlay area.
- Stormwater management plan detailing how stormwater will be collected and treated within the development, with particular emphasis on the removal of sediment, litter and urban waste from stormwater prior to its discharge into local watercourses.
- A traffic impact assessment to examine the provision of safe and efficient vehicle and pedestrian access to and from the land.
- Community facilities and any non-residential land uses where appropriate.

Before approving each Development Plan, the responsible authority must consider where appropriate:

- The need for an appropriate agreement, conditions or other arrangement with Goulburn Murray Water with regards to irrigation channels and drains, assets and easements, that takes into account the following:
 - The development must accord with the requirements of G-MW's policy on '*Acceptance of Urban and Industrial Water to Goulburn-Murray Water Drains*'.
 - Council must take responsibility for all drainage from the development. The development area will need to be added to the special charge for drainage.
 - The proposed development land must be excised from the Goulburn Murray Irrigation District.
 - Any existing easements covering G-MW infrastructure on the development land are to be converted to G-MW freehold.
 - All residential dwellings must be located more than five metres from any G-MW drain.
 - All residential dwellings must be located more than 30 metres from any G-MW channel, measured from the inside top of the channel bank. A reduced channel setback distance *may* be agreed by G-MW pending supporting evidence being provided by the developer showing that no seepage occurs from G-MW's channel.

GREATER SHEPPARTON PLANNING SCHEME

- A site Construction Management Plan following the sediment control principles outlined in *Construction Techniques for Sediment Pollution Control* (EPA, 1991) should be submitted to the Responsible Authority for approval prior to any works commencing.
- The need for any agreement to be made pursuant to the provisions of Section 173 of the *Planning and Environment Act 1987* with respect to matters arising from any on-going maintenance requirements for infrastructure constructed by the permit holder.
- Any requirements and/or views of the responsible authority and referral authorities for urban design and landscaping, traffic works, storm water disposal, engineering works, environmental protection and enhancement, sewerage, drainage or flood mitigation works required to properly service the proposed use and development of the land.
- The environmental, ecological, landscape, archaeological, historical and cultural values and features of the site, as identified by an environmental assessment of the land, involving a flora and fauna survey, which identifies existing vegetation required to be protected and enhanced in the subdivision design.
- A preliminary soil assessment demonstrating the extent of any contaminated soils that may exist on the subject land, and if detected, a more detailed assessment outlining the location of the contaminated soil, the type of contaminants detected, and the strategies required to be undertaken to de-contaminate the affected areas.
- The provisions of buffers from land used for intensive agricultural purposes or the existing joinery business. The distance of the buffer may be varied from a minimum of 50 metres depending on environmental and topographical features of land separating the dwelling from agricultural use or the existing joinery business. Such a buffer should comprise various species with a variety of leaf shapes and heights, and be located in a manner that provides for airflow through the buffer, but limits the drift of sprays. In considering permit applications for use and/or development that may cause or be affected by spray drift, it is recommended that the responsible authority take into consideration the following:
 - The potential for off target movement of agricultural chemicals and its potential effect on sensitive uses including residences;
 - The location of the use and development in relation to the release point of the spray;
 - The topography of the land;
 - The micro-climatic conditions of the land; and
 - The method of application, frequency of application and target structure.
 - Any road reserve which provides adequate separation of activities
- The need for any agreement to be made pursuant to the provisions of Section 173 of the *Planning and Environment Act 1987* with respect to matters arising from the proposed use and development, including the use of such agreements to reduce potential land use conflict at the residential and intensive agricultural interface. In this latter situation these agreements should only been applied to properties in the immediate vicinity of existing agriculture or the existing joinery business.