

19/01/2006
VC37

SCHEDULE 7 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO7**.

1.0

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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 Parkside Gardens site, including for the management of its water storage and drainage functions.

Prior to the grant of any permit for the subdivision of the land or any development or works other than the ongoing maintenance of the site, a certificate of environmental audit or a statement by an environmental auditor that the environmental conditions of the land are suitable for use for residential and/or public open space must be submitted to, and approved by the Responsible Authority.

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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.
- If the permit allows subdivision of land within 125 metres of the common boundary of the DECA site, then prior to the issue of a statement of compliance for the stage relating to that land, a report prepared by a suitably qualified acoustic engineer must be submitted to the Responsible Authority. The report must:
 - Confirm whether noise control measures such as earth mounding or noise walls are necessary so as to ensure that the Leff noise level from the DECA site does not exceed 49dBA during skid pan activity. The Leff noise level shall be measured in accordance with the measurement procedures specified in State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1); and
 - Provide details of the proposed noise control measures.

If acoustic treatment is required in accordance with this condition, the permit holder must prepare and submit plans of the acoustic treatment for approval by the responsible authority and the relevant Floodplain Management Authority. The permit holder must construct the acoustic treatment at its full cost to the satisfaction of the Responsible Authority.

- A condition requiring that prior to the commencement of any works, a report prepared by a suitably qualified acoustic engineer must be submitted to the Responsible Authority. The report must identify the level of noise nuisance (if any) likely to affect residents at the proposed residential estate, from the nearby velodrome, and any necessary noise control measures required.

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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, being roadworks, service infrastructure and landscaping (including wetlands, lake redevelopment and playground facilities) in accordance with the concept plan (excluding Wangan Park). Such works will satisfy any requirement for a public open space contribution or any other development contribution of any kind.
- The relationship of the land to the adjoining land.

GREATER SHEPPARTON PLANNING SCHEME

- 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.
- Provision of public open space generally as shown on the Parkside Gardens Open Space Diagram drawing no. LSK05 dated 24 September 2003 and showing:
 - An appropriate interface between the proposed residential development and existing residential development and Parkside Drive to the south;
 - Incorporation of parts of the existing lakes where appropriate; and
 - Landscaping around the 'Philippines House' site.
- Infrastructure provision including sewerage, water, drainage and other utility services.
- A landscape concept for the land (including Wangan Park) including any areas of existing vegetation to be retained and streetscape treatments.
- The relationship of the landscape concept and the proposed Wangan Park.
- How the proposed development addresses any flood impacts on the subject land.
- Sustainable management of lakes and wetlands within the overlay area.
- Stormwater management generally in accordance with the report prepared by Ecological Engineering, dated September 2003, "Water Sensitive Urban Design Report".
- A Fish Management Strategy in accordance with the report prepared by Streamline Research, dated 23 September 2003, "Parkside Gardens Lake – Fish Management Strategy".
- The provision of safe and efficient vehicle and pedestrian access to and from the land.
- Limitation of access to the east to pedestrians, cyclists, local car traffic and emergency vehicles.

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

- The need for an appropriate agreement, conditions or other arrangement to ensure the construction of the works required by the Schedule in the Development Plan or to ensure the satisfactory relocation of:
 - The Goulburn Murray Water Authority Drain 3; and
 - Any assets and easement of Goulburn Valley Region Water Authority.
- 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.