

09/10/2014
C173**SCHEDULE 15 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO15**.

EMERALD BANK DEVELOPMENT PLAN**1.0**09/10/2008
C91**Requirement before a permit is granted**

Before any use, development or subdivision commences an Emerald Bank Development Plan (“The Development Plan”) must be prepared and endorsed to the satisfaction of the Responsible Authority.

The Development Plan may be amended to the satisfaction of the Responsible Authority.

A permit may be granted before the Development Plan has been prepared for the development of an existing allotment for the purpose of a single dwelling.

2.009/10/2008
C91**Conditions and requirements for permits**

An application for a planning permit must be accompanied by the following (where appropriate):

- A site analysis and design response demonstrating how the plan responds to the opportunities and constraints of the land.
- A town planning report, outlining how the use and/or development responds to the State Planning Policy Framework and the Local Planning Policy Framework of the Greater Shepparton Planning Scheme.
- The following conditions must be included, where relevant, on any planning permit issued to subdivide land for residential purposes
 - 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 a Section 173 agreement to be registered on the land to provide for the recognition of the impact of aircraft noise and visual intrusion of aircraft.
 - A condition requiring a Section 173 agreement to be registered on the land to provide for the recognition of the impact of the tourism precinct.
 - 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.
 - Contributions to relevant infrastructure, in accordance with the approved Infrastructure Provision Plan and existing associated agreements devised for the Development Plan.

3.009/10/2014
C173**Requirements for development plan –residential**

This section applies to all land within the General Residential Zone, Neighbourhood Residential Zone and Residential Growth Zone identified as “Potential Residential Development” on the Emerald Bank Development Plan, prepared by Coomes Consulting Group, Reference 131696

Prior to a residential subdivision of this land a development plan must show;

- How land will integrate with the immediately surrounding area
- The proposed subdivision layout and development of the land including roads, lot boundaries, streetscape treatments, and landscaping.
- Diversity in residential allotment sizes and dimensions to encourage variety in dwelling types.
- The stages, if any, in which the land to which the plan relates is to undergo subdivision and a timetable of any staging of future development of that land.

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- The pedestrian and bicycle network, including links to any networks on abutting land and access to public transport services.
- The layout of major areas of open space and the type of facilities, if any, to be provided for users of the open space. These facilities must be safe and convenient for likely future users.
- The location of any significant environmental, cultural, heritage and/or ecological (faunal and/or floral) features including remnant vegetation.
- Stormwater management methods, including the location of any on-site drainage retention facilities.
- How the proposed development addresses any flood impacts on the subject land.
- Arrangements for the provision of all appropriate infrastructure and services to the land.
- The location of the Shepparton Airport Australian Noise Exposure Forecast (ANEF) 20-25 contours.
- A proposed layout pattern which:
 - Provides a convenient and safe internal road network;
 - Provides a convenient and safe pedestrian network;
 - Provides access to all allotments;
 - Provides for emergency access from the Emerald Bank Tourist Precinct
 - Provides for a variety of lot sizes and housing types;
 - Identification of dwelling envelopes on all vacant allotments within the Shepparton Airport ANEF 20 and ANEF 25 contours and 135 metre AHD height limitation. All dwelling envelopes must be located outside the ANEF 20 and ANEF25 contours; and,
 - Provides for appropriate and water sensitive drainage for the site.

The development plan is to be accompanied by:

- An environmental assessment of the land, involving a flora and fauna survey, which identifies the health and habitat value of all native vegetation.
- A survey of the area for aboriginal archaeological sites.
- A 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, and how that process will not impact adversely on the natural flood carrying capacity of the local watercourses.
- 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.
- A Traffic Management and Impact Mitigation Plan that includes the identification of appropriate access and circulation of vehicles on the existing and future road network, and upgrade works necessary to accommodate traffic generated by the development and to mitigate the impact of the development.
- An Infrastructure Provision Plan approved by the Responsible Authority which makes arrangements for the owner or developer or both, to meet or contribute to the cost of infrastructure and utilities, both on and off the land, generally associated with, or relating to the subdivision of the land in accordance with the *Emerald Bank Development Plan*. The Infrastructure Provision Plan must address, as appropriate:-

- Arrangements for provision of any necessary infrastructure or utilities referenced in the various plans otherwise required by this clause;
- The provision of drainage and earthworks;
- The provision of roadworks both internal and external;
- The provision of landscaping;
- The staging of other incidental works;
- The securing of the infrastructure and utility provisions via a Section 173 Agreement or agreements or via other acceptable means;
- Provisions for delivered or future commitments to be made by early participants in the residential subdivision of the land to infrastructure and utility provision as stages of the subdivision progresses; in order to ensure equitable sharing or responsibility by existing and future participants across the land as the subdivision of the land proceeds; and
- Any other matter reasonably requested by the Responsible Authority associated with the subdivision of the land.

Before approving the Development Plan, the responsible authority must consider the following and may include conditions where appropriate:

- 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 airport interface.
- 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.
- Any requirements and/or views of the responsible authority and referral authorities for urban design and landscaping, traffic works, stormwater disposal, engineering works, environmental protections and enhancement, sewerage, drainage or flood mitigation works required to properly service the proposed use and development of the land.

4.0

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C91

Requirements for development plan –other than residential

This section applies to all land zoned within the Special Use Zone on the Emerald Bank Development Plan, prepared by Coomes Consulting Group, Reference 131696.

The development plan must show or include

- The proposed layout and development of the land including roads, lot boundaries, and landscaping and any future subdivision of the site.
- How land will integrate with the immediately surrounding area and separate lots within the site
- The pedestrian and bicycle network, including links to any networks on abutting land and access to public transport services.
- The location of any significant environmental, cultural, heritage and/or ecological (faunal and/or floral) features including remnant vegetation.
- Stormwater management methods, including the location of any on-site drainage retention facilities.
- How the proposed development addresses any flood impacts on the subject land.
- How the proposed development addresses energy efficiency and water reuse on the subject land.

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- Arrangements for the provision of all appropriate infrastructure and services to the land.
- The location of the shared bicycle path on the eastern side of the Sevens Creek in accordance with DPO 3
- The location of the Shepparton Airport Australian Noise Exposure Forecast (ANEF) 20-25 contours.
- A proposed layout of the land which:
 - Provides a convenient and safe internal road network;
 - Provides for emergency access to the south through the residential area
 - Provides a convenient and safe pedestrian network;
 - Provides for appropriate and water sensitive drainage for the site.

The development plan is to be accompanied by:

- An environmental assessment of the land, involving a flora and fauna survey, which identifies the health and habitat value of all native vegetation.
- A survey of the area for aboriginal archaeological sites.
- A 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, and how that process will not impact adversely on the natural flood carrying capacity of the local watercourses.
- 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.
- A Traffic Management and Impact Mitigation Plan that includes the identification of appropriate access and circulation of vehicles on the existing and future road network, and upgrade works necessary to accommodate traffic generated by the development and to mitigate the impact of the development.

Before approving the Development Plan, the responsible authority must consider the following and may include conditions where appropriate:

- 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 airport interface.
- 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.
- Any requirements and/or views of the responsible authority and referral authorities for urban design and landscaping, traffic works, stormwater disposal, engineering works, environmental protections and enhancement, sewerage, drainage or flood mitigation works required to properly service the proposed use and development of the land.