

03/04/2008
C73**SCHEDULE 12 TO THE DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO12****7890 & 7894 GOULBURN VALLEY HIGHWAY KIALLA – (GOULBURN VALLEY HIGHWAY (AIRPORT) DEVELOPMENT PLAN).****1.0**03/04/2008
C73**Requirement before a permit is granted****Dwelling**

The Responsible Authority may grant a permit for a dwelling prior to approval of a development plan provided that the Responsible Authority is satisfied that the proposed use or development of the land will not compromise the intent or direction of the *Goulburn Valley Highway (Airport) Development Plan* as indicated in the concept plan prepared by Beveridge Williams & Co. Pty. Ltd. (Concept Plan-Airport Road, Shepparton-Ref A3111), dated 18/1/07.

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C73**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 development plan 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:

- 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;
 - Require that no electrical or radio equipment may be used which is likely to cause interference with Aviation Navigation Aids;
 - Buildings to be constructed with non reflective materials;
 - No trees, buildings or structures to breach the obstacle limitation surface including construction activities;
 - No dwelling is to be constructed within 150m of the Non-Directional Beacon (NDB) (in accordance with the *Manual of Standards Part 139-Aerodromes*, Civil Aviation Safety Authority), unless the NDB is fully de-commissioned;
 - No obstruction is to be allowed above 3 degrees from the base of the NDB drop wire within 500m of the NDB (in accordance with the *National Operating Standard Technical Standards & Practices Navigation Aid-Siting and Site Restrictions*, Airservices Australia), unless the NDB is fully decommissioned.
 - A 2.4 metre high colorbond type fence (or other as approved by the Shepparton Aerodrome Manager) is to be installed along the boundary of the proposed development area (generally being along the 20ANEF contour line to the east and

the NDB Exclusion Area to the south) to prevent unauthorised access to the aerodrome site. Appropriate signage is to be securely fixed to the fence stating “unauthorised access prohibited” to the satisfaction of the Responsible Authority and the Shepparton Aerodrome Committee. The developer shall liaise with the Shepparton Aerodrome Committee and seek their approval of the sign before the sign is erected.

- Contributions to relevant infrastructure, in accordance with the approved Infrastructure Provision Plan and existing associated agreements devised for the development plan.
- Prior to a Statement of Compliance for each stage of the development, the developer must provide the Responsible Authority with a copy of the contract of sale document which advises of the proximity of the aerodrome to the lots and to the matters raised in the Section 173 Agreement above.
- Prior to any works commencing on the site the Aerodrome Manager must be consulted as to the method of construction and any likely interference with obstacle limitation surfaces.
- Prior to the issue of a Statement of Compliance for any stage of the development, the construction of the 2.4m safety fence (or any part thereof) must be completed to the satisfaction of the Manager-Shepparton Aerodrome.
- Prior to the issue of a Statement of Compliance for each stage of the development, relevant remedial action for any contaminated soils identified within that stage (as indicated in the Soil Contamination Assessment by Beveridge Williams & Co Pty Ltd, June 2005) must be completed to the satisfaction of the responsible authority.

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Requirements for development plan

The development plan must show or include sufficient detail to demonstrate that the future subdivision and development of the land will integrate with the immediately surrounding area, and must show:

- A schedule showing the nature, timing and approximate costs of works to be carried out by the developer and apportionment of contributions to relevant infrastructure, being roadworks, service infrastructure, parks and landscaping.
- 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.
- The pedestrian and bicycle network, including links to any networks on abutting land and access to public transport services.
- Location and layout of non-residential uses, including neighbourhood centres and open space.
- 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 via Lot 849 on PS522073L, being land fronting Waranga Drive;
 - 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;
 - Provides for two larger allotments around the existing dwellings adjacent to the western boundary of the site;
 - Provides for appropriate and water sensitive drainage for the site.
 - Indicates the location of the NDB and the 150m 'no dwelling' radius.

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 decontaminate 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 *Goulburn Valley Highway (Airport) 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.