

# SAM Redevelopment Project

July 2018

## INCORPORATED DOCUMENT

**This document is an incorporated document pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987***

## **1. INTRODUCTION**

This document is an incorporated document in the Schedule to Clause 51.01 – Specific Sites and Exclusions and Schedule to Clause 72.04 – Table of Documents Incorporated in this Scheme of the Greater Shepparton Planning Scheme.

The land identified in this document may be used and developed in accordance with the specific controls in this document.

## **2. PURPOSE**

The purpose of this document is to facilitate the Shepparton Art Museum (SAM) Redevelopment Project (**Project**).

## **3. LAND**

Land at Victoria Park Lake, Shepparton as detailed in the “SAM Redevelopment Project Site Plan” in Figure 1, being land located in the south east corner of the Victoria Park Lake Precinct (**Land**):

- extending to the east of Wyndham Street;
- including the Macintosh Street, Hassett Street and Wyndham Street intersection;
- abutting the northern edge of Hassett Street south of the intersection;
- including Fitzjohn Street and the Caravan park land to the south;
- extending into Victoria Park Lake to the west; and
- extending into the recreation area to the north.

## **4. APPLICATION OF PLANNING SCHEME PROVISIONS**

Despite any provision to the contrary or any inconsistent provision in the Greater Shepparton Planning Scheme, no planning permit is required for, and nothing in the planning scheme operates to prohibit, control or restrict the use and development of the Land for the purposes of the Project. The use and development of the Land for the purposes of the Project includes, but is not limited to:

- demolition of existing buildings;
- the use of the land for a place of assembly, office, food and drink premises and licensed premises;
- buildings and works associated with the SAM facility;
- outdoor advertising;
- removal of **native** vegetation including trees;
- car parking;
- creating or altering access to a road in a Road Zone Category 1; and
- traffic treatment works.

This control is subject to the conditions in Clause 5 of this document.

If there is any inconsistency between the specific controls in this document and the general provisions of the Greater Shepparton Planning Scheme, the specific controls in this document will prevail.

## 5. CONDITIONS

The use and development of the Land permitted by this document must be carried out in accordance with the following conditions:

- I. Prior to buildings and works being carried out, unless otherwise agreed to in writing by the responsible authority the following plans must be prepared and submitted for approval to the satisfaction of the responsible authority.
  - a. An **Existing Conditions Plan** drawn to scale that shows the location, height, and purpose of existing buildings on the site.
  - b. A **Design Plan** of the site, drawn to scale, that shows the following:
    - boundaries and dimensions;
    - the location, height, size and purpose of buildings;
    - elevations, including colours and materials;
    - ground levels;
    - driveways, vehicle parking areas, loading and unloading areas, and waste treatment areas;
    - landscaped areas;
    - details of proposed signs for new buildings/structures;
    - red line plan indicating service areas for alcohol; and
    - adjoining roads.
  - c. A **Flood Management Report**, prepared to the satisfaction of the relevant floodplain management authority and approved by the responsible authority, that provides details on the:
    - location of the proposed development in relation to flood affected land;
    - susceptibility of the development to flooding and flood damage; and
    - effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities and any mitigating measures as required.
  - d. A **Landscape Plan** that describes:
    - any vegetation removal proposed including native vegetation;
    - the vegetation species to be planted;
    - the number and size of trees and other proposed vegetation; and

- planting formations, surface treatments and the method of preparing, draining, watering and maintenance of landscaping areas.
- e. A **Stormwater Management Plan** that provides details on:
- the provision, location, quantity and treatment of drainage infrastructure on the site; and
  - details of how stormwater runoff will be treated, retained and conveyed to existing drainage in accordance with the Greater Shepparton City Council Infrastructure Design Manual (as amended from time to time).
- f. A **Cultural Heritage Management Plan** that:
- assesses the potential impact of the proposed works on Aboriginal cultural heritage; and
  - is approved by the Yorta Yorta Nation Aboriginal Corporation (RAP).
- g. A **Heritage Management Plan (HMP)**, describing the works to be undertaken and having regard to the nature of the protection afforded to Victoria Park Lake (HO169). The HMP must be accompanied by a report by a suitably qualified heritage advisor.
- h. A **Traffic Impact Assessment Report** prepared to the satisfaction of the Roads Corporation (VicRoads) and the Victorian Rail Track Authority (VicTrack) and approved by the responsible authority that provides details on:
- the provision, location, layout and treatment of all vehicle and bicycle parking areas including end of trip facilities, loading and unloading areas within the site, driveways and other access ways within and abutting the site;
  - road treatments to and from Wyndham and Fitzjohn Streets; and
  - appropriate interface with the rail corridor and required mitigation measures to address potential conflict(s) with the railway level crossing.
- i. A **Construction Management Plan** specifying the measures proposed to ensure the construction activity has minimal impact on surrounding areas and trees.
- j. An **Environment Management Plan (EMP)** showing the measures proposed to satisfy all relevant environment requirements including soil contamination and noise. The EMP must include all relevant monitoring, auditing, reporting and mitigation measures that are relevant to the development and use of the land.
- k. A **Utility Services Plan** detailing the existing services and proposed connections to utility infrastructure.
- l. A **Carparking Plan** that shows the number of spaces to be provided on the Land for the Project to the satisfaction of the responsible authority.
- m. A **Bushfire Management Report** must be prepared that responds to the requirements of Clause 13.05 - Bushfire of the Greater Shepparton Planning Scheme to the satisfaction of the relevant fire authority and be approved by the responsible authority. The report must provide an assessment of Bushfire Hazard and appropriate bushfire protection measures to mitigate any threats identified.

- n. An **Amended Arborists Report** must be prepared before any native vegetation is removed, lopped or destroyed that responds to the requirements of Clause 43.01 - Heritage Overlay and Clause 52.17 - 1 - Native Vegetation of the Greater Shepparton Planning Scheme. The report must detail all native vegetation included within Land at Victoria Park Lake, Shepparton as detailed in the "SAM Redevelopment Project Site Plan" in Figure 1.
- II. The development of the Land must be generally in accordance with the endorsed plans to the satisfaction of the responsible authority. The use and development as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the responsible authority.
- III. The use permitted by this incorporated document must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the activities carried on, including through the transport of materials; appearance of any buildings, works or materials; emission of noise, artificial light, waste products; or otherwise.

## **6. EXPIRY**

The use and development permitted by this incorporated document will expire if one of the following circumstances applies:

- a) The development is not commenced within two years of the date of gazettal of this incorporated document.
- b) The development is not completed within five years of commencement.

The responsible authority may extend the periods referred to if a request is made in writing before expiry or within six months afterwards.

FIGURE 1 - SAM REDEVELOPMENT PROJECT SITE PLAN

