

AMENDMENT C168GSHE AND AMENDMENT C224GSHE

Part B Submission

June 2021

Prepared by Greater Shepparton City Council



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1. Introduction

This Part B submission is made on behalf of Greater Shepparton City Council (Council), which is the Planning Authority for Amendment C168gshe and Amendment C224gshe (the Amendments) to the Greater Shepparton Planning Scheme (Planning Scheme).

Amendment C168gshe seeks to rezone land at 335 Rutherford Road, Toolamba, and 19 Londregan Lane, Toolamba, from the Farming Zone – Schedule 1 to the Urban Growth Zone – Schedule 3 and implement the *Toolamba Precinct Structure Plan, September 2018* into the Planning Scheme as an incorporated document.

Amendment C224gshe seeks to implement the *Toolamba Growth Plan 2020* and the *Toolamba Housing and Streetscape Typologies 2020* into the Planning Scheme by amending the Municipal Strategic Statement, including both documents as Reference Documents, and applying a Design and Development Overlay to the area designated for short term residential development, being 19 Londregan Lane, Toolamba and part of 335 Rutherford Road, Toolamba (lots 4 and 5 on TP825016).

This Part B submission is to be read in conjunction with Council's Part A submission, which was circulated to all parties on 21 June 2021.

The purpose of this Part B submission is to address those items included in the Panel's directions, dated 7 June 2021, and to provide a more detailed response to those outstanding submissions that could not be resolved.

This Part B submission uses the Panel's directions and is structured as follows:

1. an explanation of how background work has informed the proposal;
2. how the *National Environment Protection (Assessment of Site Contamination) Measure 1999*, (as amended in 2013) and *General Practice Note on Potentially Contaminated Land* (PPN30) have been complied with, including consideration of site history;
3. how the proposal has considered native vegetation as a result of changes to Clause 52.17 in 2017 (VC138);
4. any fauna assessment, and how the proposal has considered habitat protection and creation;
5. infrastructure planning and implementation plan, including consideration of a development contributions plan, if required;
6. reticulated sewerage servicing strategy – any feasibility and implementation plan, and implications for the Amendments if sewerage servicing is not feasible;
7. details of the section 173 agreement referenced in Submission 17 and whether there are any implications for the Amendment;
8. status and associated planning process for the Goulburn Valley Highway Shepparton Bypass;
9. Council's response to submissions and evidence; and
10. Council's final position on the Amendments.

Council officers do not intend to provide a run through of the strategic justification for the Amendments unless responding to issues raised in those that are outstanding. A detailed assessment of the strategic justification for the Amendments is contained within Council's Part A submission.

A total of 39 submissions were received by Council, most of which addressed both amendments, resulting in 34 submissions relating to each.

2. Background Work Informing the Proposal

The Amendments have been informed by several background documents and strategies:

Table 1: Key Background Documents / Strategy

Relevant Background Work	Description of Event
<i>Hume Regional Growth Plan 2014</i>	<p>The <i>Hume Regional Growth Plan 2014</i> provides a regional approach to land use planning in the Hume Region, encompassing the municipalities of Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga. The Plan provides broad direction for regional land use and development, outlining more detailed planning frameworks for key regional centres.</p> <p>The Plan identifies Shepparton as the location for major growth and Toolamba is included within the 'Hinterland influence' catchment that surrounds Shepparton. Growth within the 'hinterland influence' catchment of Shepparton is identified as needing to be managed to achieve an efficient settlement pattern.</p>
<i>Greater Shepparton 2030 Strategy 2006</i>	<p>The <i>Greater Shepparton 2030 Strategy 2006</i> (the 2030 Strategy) provides a long-term vision for the City of Greater Shepparton (Greater Shepparton) to guide planning, leadership, decision-making and expectations about the municipality into the future. It included a Framework Plan for Toolamba, which was subsequently refined by the <i>Greater Shepparton Housing Strategy 2011</i> and the <i>Township Frameworks Plan Review 2019</i>, referred to later in this submission.</p> <p>Amendment C69gshe implemented the outcomes of the 2030 Strategy in the Planning Scheme and was gazetted on 8 March 2007.</p> <p>The panel report for Amendment C69gshe recommended that Council prepare a housing strategy for Greater Shepparton as a priority. This work commenced in July 2007.</p>

<p><i>Greater Shepparton Housing Strategy 2011</i></p>	<p>The <i>Greater Shepparton Housing Strategy 2011</i> (the GSHS) was prepared by David Lock Associates Pty Ltd on behalf of Council to guide the future long term identification and provision of residential land across Greater Shepparton. The GSHS established a development framework in the Shepparton, Mooroopna and Kialla urban areas, as well as the smaller townships within the municipality.</p> <p>Amendment C93gshe implemented the GSHS into the Planning Scheme and was gazetted on 21 June 2012.</p> <p>As part of this process, six residential investigation areas were included in the Planning Scheme. Investigation Area 6 – Toolamba applied to part of 335 Rutherford Road, Toolamba with the following description at Clause 21.04 of the Planning Scheme:</p> <p style="padding-left: 40px;"><i>The area is located to the south west of the existing township. The density of residential development will be dependent on the outcome of current investigations into the provision of sewerage to the land. In the absence of sewerage, the density of future residential development will be dependent on Land Capability Assessment.</i></p>
<p>Investigation Area 6 – Toolamba</p>	<p>The proponent engaged Chris Smith & Associates Pty Ltd (CS&A) to undertake the investigation. Council and CS&A engaged with relevant referral authorities and the Toolamba community regarding the provision of reticulated sewer to the township. CS&A submitted the final investigation and draft amendment documentation to Council in June 2013.</p> <p>Council notified CS&A to amend reference to the Township Zone to the Urban Growth Zone (UGZ) and that a precinct structure plan (PSP) would be required to develop the land in June 2014.</p> <p>Council subsequently provided preliminary feedback on a draft PSP in November 2015.</p> <p>Further refinements and design changes were discussed between Council and CS&A in May 2016 and October 2017. The final PSP is known as the <i>Toolamba Precinct Structure Plan, September 2018</i> (Toolamba PSP).</p>
<p>Amendment C168gshe</p>	<p>At the Ordinary Council Meeting (OCM) held on 20 November 2018, Council noted the completion of the investigation for Investigation Area 6 – Toolamba with the following main findings, that:</p> <ol style="list-style-type: none"> 1. an in-principle agreement had been reached with Goulburn Valley Water (GVW) to provide reticulated sewerage services

	<p>to the Toolamba PSP area via a rising main to the Tatura Wastewater Management Facility (TWMF);</p> <ol style="list-style-type: none"> preliminary investigations have established that it is physically feasible and viable for the proponent to construct this infrastructure; and it would not only facilitate a more environmentally responsible development of the subject land, it has the potential for future augmentation to remedy existing environmental concerns associated with existing non-sewered development in the Toolamba and Old Toolamba townships. <p>At this OCM, Council resolved to prepare and exhibit a planning scheme amendment to rezone land within Investigation Area 6 – Toolamba to the UGZ.</p> <p>Council received authorisation from the Department of Environment, Land, Water and Planning (DELWP) for Amendment C168gshe on 24 December 2018 subject to the following condition being complied with: that a growth plan be prepared for Toolamba.</p> <p>At the time, Council was preparing documentation for Amendment C212gshe, which sought to implement the <i>Greater Shepparton Townships Framework Plan Review</i> (the Review) into the Planning Scheme.</p>
<i>Greater Shepparton Townships Framework Plan Review 2019</i>	<p>The Review was prepared to evaluate and update the plans for the nine townships that the GSHS provided framework plans for, to complement and build-upon the work undertaken through the GSHS to 2011, and to reflect rezonings and other planning control changes that occurred since 2011 for each of the townships within the municipality.</p> <p>Amendment C212gshe implemented the Review in the Planning Scheme and was gazetted on 4 June 2020. The Toolamba and Old Toolamba Framework Plan at Clause 21.04 of the Planning Scheme was amended at this time.</p> <p>The future strategic direction for the tenth township, Shepparton East, and the urban areas of Shepparton, Mooroopna and Kialla are provided for within the <i>Shepparton and Mooroopna 2050: Regional City Growth Plan 2021</i> (2050 Growth Plan) prepared in collaboration with the Victorian Planning Authority and adopted by Council at the Additional Council Meeting held on 30 March 2021. The 2050 Growth Plan will be the subject of a planning scheme amendment in late 2021.</p>

<i>Toolamba Growth Plan 2020</i>	<p>In February 2019, to comply with the condition of authorisation received from DELWP for Amendment C168gshe, Council engaged Ethos Urban Pty Ltd to commence work on the <i>Toolamba Growth Plan</i>. Pre-draft consultation was undertaken in May 2019, and exhibition of the Draft Growth Plan occurred between December 2019 and March 2020.</p> <p>In response to community feedback, Council commissioned Mesh Planning Pty Ltd to prepare the <i>Toolamba Housing and Streetscape Typologies</i> in March 2020, to examine key features that contribute to the rural character of Toolamba, and propose guidelines for future development to ensure that the township's unique identity is retained as the Growth Plan is implemented in the future.</p> <p>At the OCM held on 21 July 2020, amongst other things, Council resolved to adopt the <i>Toolamba Growth Plan 2020</i> and the <i>Toolamba Streetscape and Housing Typologies 2020</i>, and to prepare and exhibit a planning scheme amendment to implement both documents in the Planning Scheme.</p>
Amendment C224gshe	Council prepared and exhibited Amendment C224 under Section 8A(7) of the <i>Planning and Environment Act 1987</i> . Advice confirming this was received from DELWP on 11 December 2020.

3. Potentially Contaminated Land

The site is not potentially contaminated land as defined in Ministerial Direction No. 1 – Potentially Contaminated Land, as is not known to have been used for industry, mining or the storage of chemicals, wastes or liquid fuel.

Notwithstanding this, an Environmental Site Assessment was undertaken by Vantage Environment Management Pty Ltd. The report concluded that all soil sampling locations exhibited contaminant concentration at less than the nominated criteria and that the site would likely be suitable for residential subdivision.

The Assessment included a site visit, a historical development review, collection of soil samples, analytical testing and reporting in accordance with the *General Practice Note on Potentially Contaminated Land* (PPN30), and the *National Environment Protection (assessment of Site Contamination Measure 1999)* (2013 update).

4. Impacts on Flora and Fauna

An Environmental Site Assessment, a Flora and Fauna Assessment, and a Cultural Heritage Management Plan have informed Amendment C168gshe.

Excluding those within the PAO7 for the Bypass, the Flora and Fauna Assessment identified a significant number of trees of various sizes and species within the subject site and made recommendations for them to be incorporated into the future development of the Toolamba PSP. A significant stand of native vegetation is located to the north east of the Toolamba PSP and will be vested as a reserve. A total of 7.4 hectares of open space is identified with future landscaping to use indigenous species, where possible, and contribute to habitat for indigenous fauna species. The protection of remnant vegetation and scatter trees will also be considered during the planning permit process.

The Cultural Heritage Management Plan identified three Aboriginal scar trees of high cultural value that must be excluded from the development, must be protected during construction and managed thereafter in accordance with an approved conservation plan.

The Environmental Site Assessment, Flora and Fauna Assessment and Cultural Heritage Management Plan have informed Amendment C168gshe, and the recommendations of these reports are incorporated into the requirements of the PSP and proposed Schedule 3 to Clause 37.07 Urban Growth Zone.

5. Infrastructure Planning and Development

Council and the proponent for Amendment C168gshe are parties to a Section 173 Pre-development Agreement, which provides for the realisation of all necessary infrastructure required to support the future residential development of the Toolamba PSP (see Section 7.0 of this submission).

Given that the land is under a single ownership, a Section 173 Agreement is considered to be the most appropriate tool, rather than a Development Contributions Plan, to realise any infrastructure required to support the residential development of the land.

The *Toolamba Growth Plan 2020* identifies infrastructure and services required to accommodate growth in the township, including road upgrades/connections, shared paths, school facilities and public transport. It also shows role that Council can play in providing or advocating for infrastructure and services through Council's 10-Year Capital Works Program, external agencies, and Commonwealth and State governments.

Council will continue to monitor and respond to the rate of growth in Toolamba to ensure the timely provision of infrastructure, as it is required.

6. Reticulated Sewerage Servicing

Toolamba and Old Toolamba, like most rural townships in Greater Shepparton, are not currently provided with reticulated services (specifically sewerage) and all existing development utilises septic tank type on-site effluent disposal. However, the *Greater Shepparton Domestic Waste Water Management Plan 2008* identified the township as a priority for sewer servicing due to old and poorly maintained septic systems, flooding concerns, amenity impacts and potential health threats.

During the investigation area study, Council conducted extensive discussions with the proponent, GVW and the community prior to the finalisation of the investigation area study by the proponent.

The investigation concluded that the provision of reticulated sewerage services to Toolamba via a rising main connection to the Tatura Wastewater Management Facility (TWMF) was feasible and that the TWMF has the capacity to accept wastewater from Toolamba. A sewer pumping station and sewer gravity network, as well as a sewer rising main from the pump station to the TWMF are required. GVW has stated that all sewer and water infrastructure and related-services would need to be funded by the proponent.

The Growth Plan considers the impact that reticulated sewerage services would have on Toolamba and states that all new residential development on the western side of the Seymour-Shepparton rail line would need to connect to these services once the infrastructure is in place. It also identifies a mix of block sizes to provide necessary diversity for future housing needs to preserve Toolamba's character and amenity.

The implementation of reticulated sewerage services to the Toolamba PSP provides opportunities for existing land owners in Toolamba to connect to this piece of infrastructure.

7. Section 173 Agreement

The Section 173 Agreement, dated 22 November 2018, requires the future proponent to provide the following at their cost:

- connection of every residential lot in each stage of development to reticulated sewerage, prior to the issue of a Statement of Compliance for that stage;
- landscape Plans to be prepared and implemented for any stage of development containing public open space, prior to Certification, including a neighbourhood park of at least 1ha in size in the first stage;
- provision that open space requirements of Clause 53.01 are satisfied on compliance with the above;
- construction of a north-south connector road, including connection with Wren Street, prior to issue of a Statement of Compliance for the first stage;
- construction of an east-west connector road, including connection with Rutherford Road, prior to issue of a Statement of Compliance for the Stage 6;
- upgrades to Rutherford Road, including street lighting, prior to issue of a Statement of Compliance for Stages 6 and 11;
- sufficient land to widen the Londregan Lane road reserve to 16 metres to be vested to Council;
- construction of a shared path, including lighting, to connect from Wren Street to the internal road via Londregan Lane; and
- a contribution of \$80,000 (annually indexed) to Council towards construction of a footpath on the south side of Wren Street between Rutherford Road and the railway crossing.

The agreement was registered on title in January 2019 (dealing number AR804239M(O)), and remains in effect to guide the residential development of the subject land.

8. Future Goulburn Valley Highway Shepparton Bypass

Amendment C33gshe applied Public Acquisition Overlay (PAO7) in November 2006 to land required for the realisation of the Goulburn Valley Highway Bypass (Bypass) of Shepparton from Arcadia to the south and Congupna to the north. PAO7 provides a logical western and southern settlement boundary for Toolamba. The Bypass will be realised over five stages. Stage 1 from Mooroopna to Shepparton North is the current priority.

The subject land adjoins PAO7 for the Bypass to the south. This section is Stage 3 extending from Ross Road at Arcadia to south of the Midland Highway at Mooroopna. The Department of Transport (DoT) advises that there is currently no funding for the planning and construction of the Shepparton Bypass beyond Stage 1. In addition, it recently advised that there is unlikely to be funding for future stages in the medium to long term (i.e. next 5 to 10 years)

9. Council's Responses to Submissions

Table 2: Submissions to Amendment C168gshe and Council Responses

Submission numbers	Comments made in submission	Council officers' response
7, 8, 9, 10, 11, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31	<p>Toolamba will triple in size, losing 'village' feel, valued amenity, and local character through provision of smaller blocks.</p> <p>Concerns regarding high-density development, and the use of the UGZ.</p> <p>Supports growth, if consistent with existing mix of block sizes, focusing on larger blocks to retain character.</p> <p>Small blocks will not satisfy the market and will negatively impact property prices.</p>	<p>The proposed Amendment includes a variety of lots of approximately 800-1200m² in size. This is consistent with the existing house lots seen along Wren Street immediately to the north. The Toolamba PSP seeks to protect valued amenity and local character, and promote orderly development that supports the timely provision of infrastructure to ensure community benefit is maximised and shared.</p> <p>Council has concurrently prepared Amendment C224gshe to apply Design and Development Overlay - Schedule 10, which promotes retention of key characteristics of Toolamba's existing built form in any new residential development. This includes direction regarding setbacks, landscaping, fencing, etc.</p> <p>The UGZ, with the General Residential Zone as the applied zone, is considered to be the most appropriate zone to achieve the required outcomes for the land.</p> <p>The lack of sewer infrastructure has prevented the supply of additional smaller blocks to date, so market demand may not be indicative of potential uptake.</p>

		Perceived impacts on property values are outside of the scope of the Amendments.
7, 8, 9, 10, 11, 15, 18, 19, 20, 21, 22, 24, 25, 27, 28, 29, 30, 31	A lack of municipality-wide planning is forcing the proponent to provide inappropriate, high-density development in Toolamba to mitigate other issues e.g. lack of residential land supply in Shepparton/ Mooroopna/Kialla, and existing sewerage issues in Wren Street.	<p>The Planning Scheme provides a strategic overview of land use across Greater Shepparton. The GSHS (Amendment C93gshe to the Planning Scheme) manages municipal-wide residential growth. The proposed Amendments implement the recommendations of the GSHS.</p> <p>Council undertakes an analysis of the supply and demand for residential and industrial land every two to five years to monitor development needs and plan for future land supply.</p> <p>The proponent of proposed Amendment C168gshe has voluntarily included the provision of sewer infrastructure in the Toolamba PSP to address environmental and social concerns relevant to the development of 335 Rutherford Road, Toolamba.</p>
7, 8, 9, 10, 14, 18, 19, 20, 21, 23, 24, 25, 28, 29, 30, 31	Capacity of existing infrastructure to accommodate proposed residential expansion. Investment in social infrastructure must be made prior to or in line with population growth.	<p>Concerns regarding an existing lack of infrastructure supporting the wider Toolamba Townships, such as public transport connections, education opportunities and community facilities, are acknowledged in the <i>Toolamba Growth Plan 2020</i>. Council will monitor demand on an ongoing basis and advocate, as required, for infrastructure to be supplied by the responsible agencies, including education facilities.</p> <p>Concerns regarding shortfalls in existing infrastructure are outside the scope of the Amendments. The Toolamba Township Community Plan Steering Committee is the most appropriate avenue to advocate for improvements to a lack of existing infrastructure.</p> <p>The Toolamba PSP includes provision for infrastructure that will benefit the community, including reticulated sewer services, open space including an activity node, upgrades to Rutherford Road and a significant contribution towards the construction of a footpath on the south side of Wren Street.</p>

7, 8, 10, 18, 23, 28, 29	Concerns regarding increased traffic, and lack of public transport, particularly the safety of children where footpaths/pedestrian infrastructure is lacking.	<p>A Traffic Impact Assessment Report was undertaken as part of the preparation of proposed Amendment C168gshe, which ensures the increase in traffic can be appropriately managed.</p> <p>Concerns regarding the provision of public transport in Toolamba are outside the scope of the Amendments, but are acknowledged in the <i>Toolamba Growth Plan 2020</i>. Council will monitor demand on an ongoing basis and advocate as required for the provision of public transport to the responsible external agencies.</p> <p>The Toolamba PSP includes upgrades to Rutherford Road and a contribution towards the construction of a footpath on the south side of Wren Street to assist with pedestrian safety.</p>
8, 9, 10, 28	Capacity to evacuate larger population in event of flood or fire.	<p>The Goulburn Broken Catchment Management Authority and the Country Fire Authority received notice of the Amendments through the exhibition process. Neither authority objected to or raised concerns regarding emergency management.</p> <p>The land is not highly flood affected, and is outside of the Bushfire Management Overlay. A desktop landscape risk assessment was undertaken as part of the Review in 2018. Bushfire risk was further considered in the preparation of proposed Amendment C168gshe. These assessments concluded that the proposal will not result in a net increase in bushfire risk to existing and future residents, property or community infrastructure.</p>
9, 15, 31	<p>Lack of clarity on how reticulated sewerage services will be funded and connected to service the town, and the likelihood of rapid expansion or stagnation rather than the orderly progression indicated in the Toolamba PSP.</p> <p>Amendment C168gshe may impede other landowners' plans to develop if sewer</p>	<p>Concerns regarding a lack of a sewerage strategy from the water authority, and for the feasibility of a single land owner providing a sewer connection for the township are noted. The Toolamba PSP and Section 173 Agreement that applies to the PSP area require connection to reticulated services prior to subdivision. It is Council's understanding that the infrastructure will be provided as per the Agreement.</p> <p>Rezoning requests for other land parcels can be considered on a case-by-case basis following the implementation of Amendment C224gshe. The <i>Toolamba Growth Plan 2020</i> provides for flexibility regarding sewer connection by stating that connection must be provided "if available".</p>

	infrastructure is delayed or not provided.	
9, 13, 26	Loss of vegetation and mature trees through the provision of small lots, and consequent impacts on local fauna and birdlife.	The Toolamba PSP identifies all existing native vegetation on the land and seeks to conserve this, where possible. This includes incorporating native vegetation into public land, such as road reserves and public open spaces, as part of any new development. This process is the most appropriate way to conserve native vegetation when land is identified for development, rather than attempting to retain vegetation on small house lots where exemptions to native vegetation removal would apply.
13	There will be significant detrimental amenity and privacy impacts on 15 Wren Street from the proposed 'internal collector street'.	<p>The road reserve between 15 and 17 Wren Street already exists, this is not proposed as part of the amendments. It is noted that the road currently remains unconstructed. However, the land is not part of a designated park or open space and, as such, there should be no expectation that the land be kept for this purpose.</p> <p>The development is of such size that an entry/exit is required, and the location denoted for this access services the development and traffic/pedestrian flows to the township. Although the width of the reserve does not meet the Infrastructure Design Manual guideline, Council is confident that it can service the road width for traffic, emergency services, etc., as well as providing a shared path link for pedestrians and cyclists.</p>

Table 3: Submissions to Amendment C224gshe and Council Responses

Submission numbers	Comments made in submission	Council officers' response
7, 8, 9, 10, 11, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31	<p>Toolamba will triple in size, losing 'village' feel, valued amenity, and local character through provision of smaller blocks.</p> <p>Concerns regarding high-density development.</p>	<p>Proposed Amendment C224gshe allows for a variety of lots, from 800-4,000+m² in size, consistent with the existing house lots in Toolamba. The <i>Toolamba Growth Plan 2020</i> seeks to protect valued amenity and local character, and to promote orderly development that supports the timely provision of infrastructure to ensure community benefit is maximised and shared.</p> <p>The proposed Design and Development Overlay - Schedule 10 promotes retention of key characteristics of Toolamba's existing built form in</p>

	Small blocks will not satisfy the market, and negatively impact property prices.	<p>residential development. This includes direction regarding setbacks, landscaping, fencing, etc.</p> <p>The lack of sewer infrastructure has prevented the supply of additional smaller blocks to date, so market demand may not be indicative of potential uptake.</p> <p>Perceived impacts on property values are outside of the scope of the Amendments.</p>
7, 8, 9, 10, 11, 15, 18, 19, 20, 21, 22, 24, 25, 27, 28, 29, 30, 31, 32	A lack of municipality-wide planning is forcing the proponent to provide inappropriate, high-density development in Toolamba to mitigate other issues e.g., lack of residential land supply in Shepparton/Mooroopna/Kialla, and existing sewerage issues in Wren Street.	<p>The Planning Scheme provides a strategic overview of land use across Greater Shepparton. The GSHS (Amendment C93gshe to the Planning Scheme) manages municipal-wide residential growth. The proposed Amendments implement the recommendations of the GSHS.</p> <p>Council undertakes an analysis of the supply and demand for residential and industrial land every two to five years to monitor development needs and plan for future land supply.</p> <p>The proponent of proposed Amendment C168gshe has voluntarily included the provision of sewer infrastructure in the Toolamba PSP to address environmental and social concerns relevant to their own development.</p>
7, 8, 9, 10, 14, 18, 19, 20, 21, 23, 24, 25, 28, 29, 30, 31	<p>Capacity of existing infrastructure to accommodate proposed residential expansion. Investment in social infrastructure must be made prior to or in line with population growth.</p> <p>The <i>Toolamba Growth Plan 2020</i> does not provide adequate specificity and timeframes to ensure social and community infrastructure development is matched to growth; investment in social infrastructure must be</p>	<p>Concerns regarding shortfalls on existing infrastructure are outside the scope of the Amendments. The Toolamba Township Community Plan Steering Committee is the most appropriate avenue to advocate for improvements to a lack of existing infrastructure.</p> <p>An existing lack of infrastructure supporting the wider Toolamba Townships, such as public transport connections, education opportunities and community facilities, are acknowledged in the <i>Toolamba Growth Plan 2020</i>. Council will monitor demand on an ongoing basis and advocate as required for infrastructure to be supplied by the responsible agencies, including education facilities.</p> <p>The <i>Toolamba Growth Plan 2020</i> provides high-level strategic guidance for the provision of infrastructure that is matched to growth.</p>

	commensurate with growth.	
7, 8, 10, 16, 18, 23, 28, 29	<p>Concerns regarding increased traffic, and lack of public transport, particularly the safety of children where footpaths/pedestrian infrastructure is lacking.</p> <p>The <i>Toolamba Growth Plan 2020</i> should include the intention to join Bridge and Bitcon Roads, to reduce traffic in Wren Street.</p>	<p>A Traffic Impact Assessment Report was undertaken as part of the preparation of Amendment C168gshe, which ensures the increase in traffic can be appropriately managed.</p> <p>Concerns regarding the provision of public transport in Toolamba are outside the scope of Amendment C224gshe, but are acknowledged in the <i>Toolamba Growth Plan 2020</i>. Council will monitor demand on an ongoing basis and advocate as required for the provision of public transport for the responsible external agencies.</p> <p>The connection of Bitcon Road and Bridge Road is expected to be undertaken as part of the development of the Goulburn Valley Highway Shepparton Bypass.</p>
8, 9, 10, 28	Capacity to evacuate larger population in event of flood or fire.	<p>The Goulburn Broken Catchment Management Authority and the Country Fire Authority received notice of the Amendments through the exhibition process. Neither authority objected to or raised concerns regarding emergency management.</p> <p>The land is not highly flood affected, and is outside of the Bushfire Management Overlay. A desktop landscape risk assessment was undertaken as part of the Review in 2018. Bushfire risk was further considered in the preparation of Amendment C224gshe. These assessments concluded that the proposal will not result in a net increase in bushfire risk to existing and future residents, property or community infrastructure.</p>
9, 15, 17, 31	<p>Lack of clarity on how reticulated sewerage services will be funded and connected to service the town, and the likelihood of rapid expansion or stagnation rather than the orderly progression indicated in the Toolamba PSP.</p> <p>Amendment C224gshe may impede other</p>	<p>Concerns regarding a lack of sewerage strategy from the water authority, and for the feasibility of a single land owner providing a sewer connection for the township are noted. The Toolamba PSP and Section 173 Agreement that applies to the PSP area require connection to reticulated services prior to subdivision. It is Council's understanding that the infrastructure will be provided as per the Agreement.</p> <p>Rezoning requests for other land parcels can be considered on a case-by-case basis following the implementation of Amendment C224gshe. The <i>Toolamba Growth Plan 2020</i> provides for flexibility</p>

	<p>landowners' plans to develop if sewer infrastructure is delayed or not provided.</p> <p>Connection to sewer infrastructure should be mandatory for all medium- and higher-density developments</p>	<p>regarding sewer connection by stating that connection must be provided "if available".</p>
9, 13, 26	<p>Loss of vegetation and mature trees through the provision of small lots, and consequent impacts on local fauna and birdlife.</p>	<p>The <i>Toolamba Growth Plan 2020</i> identifies the existing native vegetation on the land as a valued amenity and seeks to conserve this where possible. This includes incorporating native vegetation into public land, such as road reserves and public open spaces, as part of any new development. This process is the most appropriate way to conserve native vegetation when land is identified for development, rather than attempting to retain vegetation on small house lots where exemptions to native vegetation removal would apply.</p>

10. Any suggested changes to the Amendment in response to submissions

Council officers are recommending the following changes to Schedule 10 to Clause 42.03 Design and Development Overlay:

- Amend front setbacks to a minimum number rather than a range:

Lot size	Minimum front setback	Side setback
800-2000m ²	5 metres	Enables rear access and space for landscaping between dwellings
2000-4000m ²	8 metres	Enables generous space for rear access and landscaping
4000m ² – 2ha	8 metres	Dwellings should be set away from boundaries to provide a sense of space and separation

- Move the point regarding garage setbacks from 'Fences' to 'Building Setbacks'; and
- Amend the minimum kerb requirement for 800 – 2,000m² lots in Section 3.0 Subdivision from 'barrier' to 'semi-mountable' in accordance with the *Infrastructure Design Manual*.

11. Conclusion – Council’s Position on the Amendments

Council recognises the significance of Toolamba and Old Toolamba as townships that provide significant character, amenity, and lifestyle benefits to their residents, and as settlements playing an important role in the present and future functioning of Greater Shepparton. In the face of increasing population pressures and opportunities to provide net community benefit to both the local and wider communities, Council seeks to ensure that growth in Toolamba and Old Toolamba are guided and managed to maximise its potential while retaining valued features and qualities.

Proposed Amendment C168gshe complies with the objectives of the *Greater Shepparton 2030 Strategy 2006*, the *Greater Shepparton Housing Strategy 2011*, the *Townships Framework Plan Review 2019* and the *Toolamba Growth Plan 2020*.

Council has allocated significant resources to prepare the *Toolamba Growth Plan 2020*, the *Toolamba Housing and Streetscape Typologies 2020*, and implement these documents into the Planning Scheme via proposed Amendment C224gshe. It has undertaken extensive consultation with affected land owners and occupiers of land, referral authorities and agencies, and the wider community to better understand all concerns and views.

Following this, Council officers are of the view that proposed Amendments C168gshe and C224gshe to the Planning Scheme should proceed with the proposed post-exhibition changes outlined in this Part B submission for Amendment C224gshe. This will ensure that appropriate planning controls will apply to guide all future development proposals to benefit present and future residents.

This concludes Council's Part B submission to the independent Planning Panel for Amendments C168gshe and C224gshe to the Greater Shepparton Planning Scheme.