SCHEDULE 3 TO THE URBAN GROWTH ZONE

**DD/MM/YYYY**

**Proposed C168**

Shown on the planning scheme map as **UGZ3**

Toolamba Precinct Structure Plan

1. The Plan

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Plan 1 shows the future urban structure proposed in the *Toolamba Precinct Structure Plan*.

Plan 1 to Schedule 3 to Clause 37.07



2.0 Use and development

2.1 The land

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The use and development provisions specified in this schedule apply to the land as shown within the ‘precinct structure plan area’ on Plan 1 of this schedule and shown as UGZ3 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2 Applied zone provisions

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Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated *Toolamba Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

Note: A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.e.g. The Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

**Table 1: Applied zone provisions**

|  |  |
| --- | --- |
| Land shown on plan 1 of this schedule All land  | Applied zone provisions Clause 32.09 – Neighbourhood Residential Zone |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

2.3 Specific provision – Use of land

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None specified.

2.4 Specific provisions – Subdivision

**DD/MM/YYYY**

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None specified.

2.5 Specific provisions – Buildings and works

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A permit is not required to construct a building or carry out works on land shown in the *Toolamba Precinct Structure Plan* as a local park provided the development is carried out generally in accordance with the incorporated *Toolamba Precinct Structure Plan* and with the prior written consent of the responsible authority*.*

3.0 Application requirements

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The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority. If, in the opinion of the responsible authority, an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision - residential development

In addition to any requirement in Clause 56.01-2, a subdivision design response must include:

A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.

* + A written statement, prepared to the satisfaction of the responsible authority, which sets out how the subdivision will contribute to the delivery of a diversity of housing.
	+ A written statement, prepared to the satisfaction of the responsible authority, which sets out how the subdivision will contribute to the achievement of the residential density outcomes in the *Toolamba Precinct Structure Plan* applying to the land.
	+ A plan that sets out how the local street and movement network integrates, or is capable of integrating, with existing or likely development of adjacent land parcels and the proposed Goulburn Valley Highway – Shepparton Bypass.
* A Site Management Plan that addresses bushfire risk during, and where necessary, after construction, which is approved by the Country Fire Authority. The plan must specify, amongst other things:
* The staging of development and the likely bushfire risks at each stage;
* An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed;
* The measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape and protect residents and property from the threat of fire; and
* How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

 Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

* + a stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of the relevant water authority;
	+ which segments of the land may be affected or required for the provision of infrastructure works;
	+ the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
	+ the landscaping of any land;
	+ what, if any, infrastructure set out in the Section 173 Agreementis sought to be provided as "works in lieu" by the developer subject to the written consent of the collecting agency;
	+ the provision of public open space; and
	+ any other matter relevant to the provision of public infrastructure required by the responsible authority.

 Traffic Impact Assessment

An application that proposes to create or change access to an existing road or the proposed Goulburn Valley Highway – Shepparton Bypass must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of Regional Roads Victoria or the responsible authority, as required.

4.0 Conditions and requirements for permits

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 Land required for community facilities

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening, must include the following conditions:

* The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be borne by the permit holder.
* Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

 Public transport

Unless otherwise agreed by Public Transport Victoria, prior to the issue of Statement of Compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

* + In accordance with the Public Transport Guidelines for Land Use and Development; and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002.
	+ At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

 Road network

Any permit for subdivision or building and works must contain the following condition:

Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless funded by the developer.

 Precinct Infrastructure Plan

Any permit for subdivision must contain the following condition:

Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under Section 173 of the *Planning and Environment Act 1987* which provides for:

* The implementation of the Public Infrastructure Plan approved under this permit.
* The purchase and/or reimbursement by the responsible authority for any provision of public open space in excess of the amount specified in the schedule to Clause 53.01.
* The timing of any payments to be made to the owner having regard to the availability of funds in the open space account.

 **Management of bushfire risk during subdivisional works**

A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

 Environmental Site Assessment

Any permit for the use and development of land for a sensitive use (residential use, child care centre, pre-school centre or primary school) for a site that has been identified as contaminated land must contain the following conditions:

* Before the commencement of the development of the land, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.

**5.0 Exemption from notice and review not to apply to certain applications**

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None specified.

6.0 Decision Guidelines

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 None specified.

7.0 Signs

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Sign requirements are at Clause 52.05. The sign category for the land is the category specified in the zone applied to the land at Clause 2.2 of this schedule. All other land is in Category 3.