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SCHEDULE 2 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ2**

Shepparton South East Precinct Structure Plan

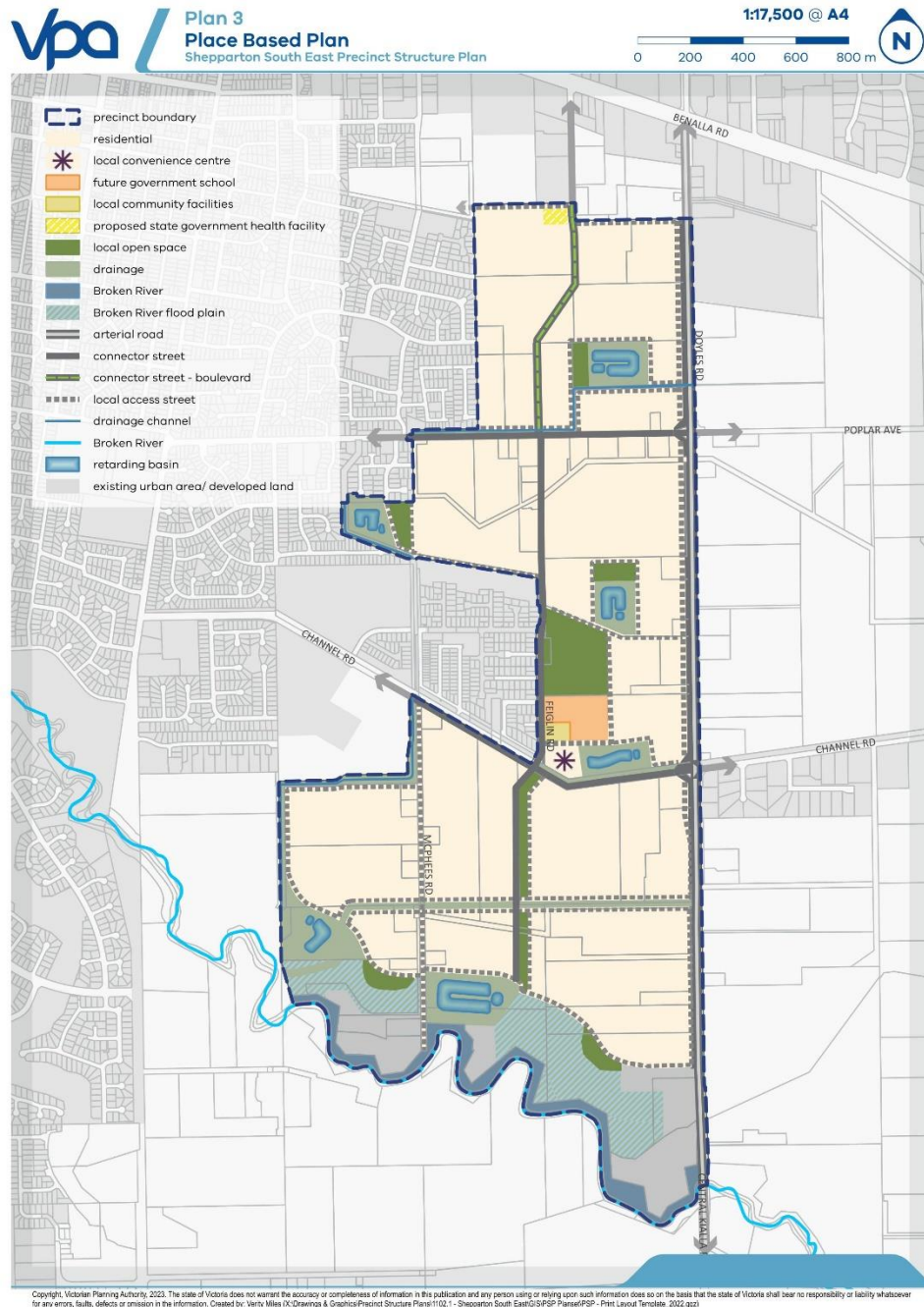
1.0

The Plan

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Plan 1 shows the future urban structure proposed in the *Shepparton South East Precinct Structure Plan*.

Plan 1 to Schedule 2 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 boundary' on Plan 1 of this schedule and shown as UGZ2 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 *Shepparton South East 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.

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.

Note: 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

Local convenience centre	Clause 34.01 - Commercial 1 Zone
Existing developed land	Clause 35.07 – Farming Zone
Broken River floodplain	Clause 37.03 – Urban Floodway Zone
All other land	Clause 32.08 – General Residential Zone

2.3 Specific provision – Use of land

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Section 1 – Permit not required

USE	CONDITION
Child care centre	On land identified as 'local community facilities' in the incorporated <i>Shepparton South East Precinct Structure Plan</i> and with the prior written consent of Greater Shepparton City Council.
Hall	
Indoor recreation centre	
Library	
Medical Centre	
Hospital	On land shown as 'proposed state government health facility' on Plan 3 in the incorporated <i>Shepparton South East Precinct Structure Plan</i> .

Minor sports and recreation facility	On land identified as 'local sports reserve' on Plan 4 in the incorporated <i>Shepparton South East Precinct Structure Plan</i> and with the prior written consent of Greater Shepparton City Council.
Restricted recreation facility	On land identified as 'local community facilities' in the incorporated <i>Shepparton South East Precinct Structure Plan</i> and with the prior written consent of Greater Shepparton City Council.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

USE	CONDITION
None specified	

Section 3 – Prohibited

USE
None specified

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Specific provisions – Subdivision

Construction of intersection upgrades

A planning permit must not be issued for any subdivision that results in a combined total of more than 800 residential lots in the incorporated *Shepparton South East Precinct Structure Plan* area until:

- Interim construction of the Poplar Avenue and Doyles Road intersection; and
- Interim construction and purchase of land of the Channel Road and Doyles Road intersection; and
- All land required for both of these intersections within the precinct is vested in the relevant public authority.

To the satisfaction of the responsible authority and the Head, Transport for Victoria.

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Specific provisions – Buildings and works

Buildings and works for future local parks and local community facilities

A permit is not required to construct a building or carry out works on land shown in the *Shepparton South East Precinct Structure Plan* as a local park or community facility provided the development is carried out generally in accordance with the incorporated

Shepparton South East Precinct Structure Plan and with the prior written consent of the responsible authority.

Bulk Earthworks

A permit is required for bulk earthworks, unless a report has been prepared to the satisfaction of the responsible authority demonstrating that sodic and/or dispersive soils are not present in the works area.

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 demonstration of how the subdivision will contribute to the delivery of a diversity of housing.
- A demonstration of how the subdivision will contribute to the achievement of the residential density outcomes in the *Shepparton South East Precinct Structure Plan* applying to the land.
- A plan that demonstrates how the local street and movement network integrates, or is capable of integrating, with existing or likely development of adjacent land parcels.
- A Site Management Plan that addresses bushfire risk during, and where necessary, after construction, which is approved by the CFA. 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 vehicle.
- Written statement outlining how the proposal will contribute to the delivery of affordable housing in the precinct, including proposed delivery mechanisms.

An application for a residential subdivision of three or more residential lots on land that adjoins existing or future State roads, being Doyles Road, as shown on Plan 1 must be accompanied by a Pedestrian Network Plan.

The Pedestrian Network Plan must identify the direction and distances to existing activity nodes, including local employment centres, community centres, primary and secondary schools, community infrastructure and/or a major public transport hub such as a railway station or bus interchange within 800 metres of the subject site, and:

- Identifies the existing pedestrian, bicycle and/or shared path network connections along these roads;
- Identifies any sections of the pedestrian, bicycle and/or shared path network along these roads that is not constructed that would provide continual access to an existing activity node; and
- Facilitates, at the cost and responsibility of the landowner, the construction of any sections of the pedestrian, bicycle and/or shared path network that are not constructed through future road reserves, in public or private ownership, between the subject site and identified activity nodes; and
- Facilitates the design and construction of the pedestrian, bicycle and/or shared path network to the satisfaction of the relevant road authority to ensure continuous connections to activity nodes are provided.

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;
- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage 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 *Shepparton South East Development Contributions Plan* is sought to be provided as "works in lieu" subject to the written consent of Greater Shepparton City Council;
- the provision of public open space and land for any community facilities; and
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

Preliminary Site Investigations

An application to construct a building or construct or carry out works associated with the use of the land for minor sports and recreation facility, retail premises, office, industry or warehouse and described in Table 2 must be accompanied by a Preliminary Site Investigation (PSI) prepared by a suitably qualified environmental consultant in accordance with National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, 1999).

The PSI must make a recommendation as to:

- The likelihood of contamination and its potential to affect the planning proposal.
- Whether a risk-based remediation or management strategy can be derived or further investigation (such as an audit) is recommended.

Table 2: Preliminary Site Investigation

Address	Lot Number
32 Feiglin Road, Shepparton, 3630	Lot 1 PS823648
180 Channel Road, Shepparton, 3630	Allot 145 Sec D Parish of Shepparton

640 DoYLES Road, Shepparton, 3630

Lot 2 PS312497

Flood Management

Any application to subdivide land must prepare the following to the satisfaction of the responsible authority and Goulburn Broken Catchment Management Authority:

- A drainage and fill strategy, designed to ensure that development of the precinct can meet the following requirements:
 - No new lots created where the building envelope is subject to inundation from 1% AEP flows (accounting for climate changes scenarios);
 - Any overland paths in road reserves meet Goulburn Broken Catchment Management Authority floodway safety criteria for depth of flow and flow velocity;
 - Any overland flows be fully contained within road and drainage reserves;
 - Flooding cannot be increased either upstream or downstream of the precinct or for existing landholders; and
 - The drainage network must have capacity for the 5% AEP flood.

Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road 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 the Head, Transport for Victoria or Greater Shepparton City Council, as required.

Acoustic Assessment Report

Any application for use or development of land for Accommodation, Education centre (other than Tertiary institution and Employment training centre) or Hospital on land within an interface impact area shown on Plan 10 of the *Shepparton South East Precinct Structure Plan*, must be accompanied by an acoustic assessment report prepared by a qualified acoustic consultant or other suitably skilled person to the satisfaction of the responsible authority which:

- Applies the following noise objectives:
 - Not greater than 35 dB LAeq,8h when measured within a sleeping area between 10pm and 6am.
 - Not greater than 40 dB LAeq,16h when measured within a living area between 6am and 10pm.
 - For areas other than sleeping and living areas, not greater than the median value of the range of recommended designed sound levels of Australian Standard AS/NZ 2107:2016 (*Acoustics – Recommended design sound level and reverberation times for building interiors*).
- Noise levels should be assessed:
 - Considering the cumulative noise from all sources impacting on the proposal including road traffic noise, agriculture and industry noise, as well as other potential noise sources; and
 - In unfurnished rooms with a finished floor and the windows closed and be based on average external noise levels measured as part of a noise level assessment.
- Identifies lots and/or buildings requiring mitigation from noise from all sources impacting on the proposal, including road traffic noise and industry noise. If lots and/or buildings requiring acoustic mitigation are identified, the report should include

recommendations for any noise attenuation measures required to meet the applicable noise level objectives. These recommendations should prioritise measures that benefit both outdoor and indoor spaces, and should address:

- Noise compatible design for buildings, with siting, orientation, and internal layout, to be considered prior to setting building envelope performance requirements;
- Potential noise character (tonality, impulsiveness or intermittency);
- Noise with high energy in the low frequency range;
- Transient or variable noise; and
- Vibration.

This requirement does not apply if the permit applicant provides, to the satisfaction of the responsible authority, a statement in writing, supported by verifiable evidence from a qualified acoustic consultant or other suitably skilled person and having regard to Clause 13.05. The statement must demonstrate that:

- The proposed development is not prejudiced;
- Community amenity and human health is not adversely impacts by noise emissions; and
- No noise attenuation measures are required.

Bushfire Management Plan

An application to subdivide land adjacent to a Bushfire Hazard Area as shown on Plan 7 Bushfire Hazard Areas of the *Shepparton South East Precinct Structure Plan* must be accompanied by a Bushfire Management Plan that demonstrates how the application will address bushfire risk at the site. The plan must be prepared in accordance with section 4.4 Bushfire Management, of the *Shepparton South East Precinct Structure Plan*, unless otherwise agreed in writing by the Responsible Authority and CFA. The plan must include:

- The design and layout of the subdivision, including lot layout, road design and access points, both vehicular and pedestrian;
- The location of any bushfire hazard areas;
- The details of any bushfire protection measures required for individual lots;
- The identification of any areas to form the setback between a bushfire hazard and built form;
- The details of any vegetation management in any area of defensible space including, information on how vegetation will be managed and when the vegetation management will occur (i.e. annually, quarterly, during the fire danger period);
- Notation that indicates what authority is responsible for managing vegetation within open space areas; and
- Notation that ensures that the areas of classified vegetation in the nominated bushfire hazard areas must be managed to a level that will ensure the vegetation classification under AS3959-2019 will not be altered.

The responsible authority and fire authority may waive this requirement if a plan has been approved for the land.

Sodic and dispersive soils management plan

An application to subdivide land or construct or carry out bulk earthworks, a sodic and dispersive soils management plan must be prepared by a suitability qualified professional, that describes:

- The existing site conditions, including:
 - extent of sodic and dispersive soils based on topsoil and subsoil samples in the works area.
 - land gradient.

- erosion risk mapping.
- the extent of any existing erosion, landslip or other land degradation.
- Soils investigation, undertaken by a soil scientist;
- The extent of any proposed earthworks;
- Recommendations for soil management practices (including fill) with consideration of anticipated sodic and dispersive soil exposure;
- The management of drainage during all stages of development (including run-off);
- The staging of development;
- Any training and supervisions processes proposed for construction contractors to ensure compliance with the sodic and dispersive soils management plan;
- Proposed document monitoring and reporting processes that ensure works are undertaken in accordance with the sodic and dispersive soils management plan;
- Any treatment of soil proposed to be removed from the site;
- Any post-construction monitoring and/or management requirements; and
- Recommendations that inform a site management plan including:
 - The management, volume and location of any stockpiles.
 - Vehicle access and movement within the site area.
 - Any treatment to manage the soil while works are undertaken.
 - Treatments to rehabilitate areas that are disturbed during site works.
 - Any soil treatment to manage the soil to reduce risk to existing or current infrastructure and dwellings.

4.0 Conditions and requirements for permits

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Conditions - land required for community facilities, public open space or road widening

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.

Conditions - 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.

Conditions - Road network

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

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 *Shepparton South East Development Contributions Plan*.

Conditions - 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 52.01.
- The timing of any payments to be made to the owner having regard to the availability of funds in the open space account.

Condition – Pedestrian network plan

A permit granted for subdivision of land for three (3) or more lots on land that adjoins existing or future State roads, being Doyles Road shown on Plan 1, must include the following condition:

- Before the Statement of Compliance for the plan of subdivision is issued (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), a dedicated pedestrian, bicycle and/or shared path must be constructed between the subject site and existing activity nodes, to the satisfaction of the relevant road authority. The pedestrian, bicycle and/or shared path may be constructed to an interim standard, where agreed to by the relevant road authority.

Condition – Bushfire management plan

Any permit to subdivide land adjacent to a Bushfire Hazard Area shown on Plan 7 of the *Shepparton South East Precinct Structure Plan*, must include the following condition:

- Unless otherwise agreed by the Responsible Authority and the Country Fire Authority, before certification of the plan of subdivision the Bushfire Management Plan must be endorsed by the Responsible Authority.

Requirement – Acoustic Report

Any permit for use or development of land where an acoustic assessment report has identified that mitigation from noise sources is required, must implement any recommendations of the acoustic assessment report submitted with the application and include any conditions necessary, in the opinion of the responsible authority, to implement noise attenuation measures.

All to the satisfaction of the responsible authority.

Requirement – Sodic and dispersive soil site management plan

A permit to subdivide land or to undertake earthworks must include a condition that requires a site management plan be prepared that implements the recommendations identified in the sodic and dispersive soil management plan, to the satisfaction of the Responsible Authority.

5.0 Exemption from notice and review

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None specified.

6.0 Decision Guidelines

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The following decision guidelines 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 which must be considered, as appropriate, by the responsible authority:

Acoustic Attenuation

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- If Accommodation, Hospital or Education centre (other than Tertiary institution and Employment training centre) is proposed, whether the proposal minimises the impact on human health and amenity from noise exposure near the transport system and other noise emission sources having regard to:
 - whether the impact of potential noise sources have been mitigated through siting, orientation design, layout, and location and whether this reduces the need for acoustic treatment of buildings or compromises the useability of the building by its occupant;
 - any building façade treatments that are required to mitigate noise impacts;
 - any relevant recommendations of an Acoustic Assessment Report for the application.

Affordable Housing

Before deciding on an application to develop or subdivide land for dwellings, the responsible authority must consider, as appropriate:

- Whether the proposed subdivision application contributes towards the provision of affordable housing.
- The Ministerial Notice under 3AA(2) of the Act, as amended from time to time.

Pedestrian network

Before deciding on an application to develop or subdivide land for dwellings, the responsible authority must consider, as appropriate:

Whether the the proposed subdivision for three (3) or more residential lots on land that adjoins existing or future State roads, being Doyles Road will enable safe pedestrian, bicycle and/or shared path network access to existing activity nodes, including local employment centres, community centres, primary and secondary schools, public transport and community infrastructure.

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.