

ATTACHMENT TO AGENDA ITEM

Ordinary Meeting

16 May 2017

Agenda Item 9.2	Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Adoption of Amendment	
Attachment 1	Exhibition Documentation	204
Attachment 2	Submissions Recorder	259
Attachment 3	Extract from Unconfirmed Minutes - Ordinary Council Meeting - February 2017	261
Attachment 4	Attachment 4 - Amendment C195 - Panel Report.....	275
Attachment 5	Proposed Post Exhibition Changes - Extract from Clause 21.04 and 21.05	305

Planning and Environment Act 1987

GREATER SHEPPARTON PLANNING SCHEME

AMENDMENT C195

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Greater Shepparton City Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Greater Shepparton City Council.

Land affected by the Amendment

The proposed Amendment applies to approximately 474 hectares of land at Kialla, generally bound by Archer Road to the west, River Road to the south, Doyles Road to the east and the Broken River to the north.

The land is currently within the Rural Living Zone and the Urban Floodway Zone (see *Figure 1 – Current Zone Mapping*) and is affected by the Land Subject to Inundation Overlay and the Floodway Overlay (see *Figure 2 – Current Overlay Mapping*).

Figure 1 – Current Zone Mapping (land generally affected by the proposed Amendment is outlined in blue. Land in the Rural Living Zone is shown in orange and land in the Urban Floodway Zone is shown in pale blue)

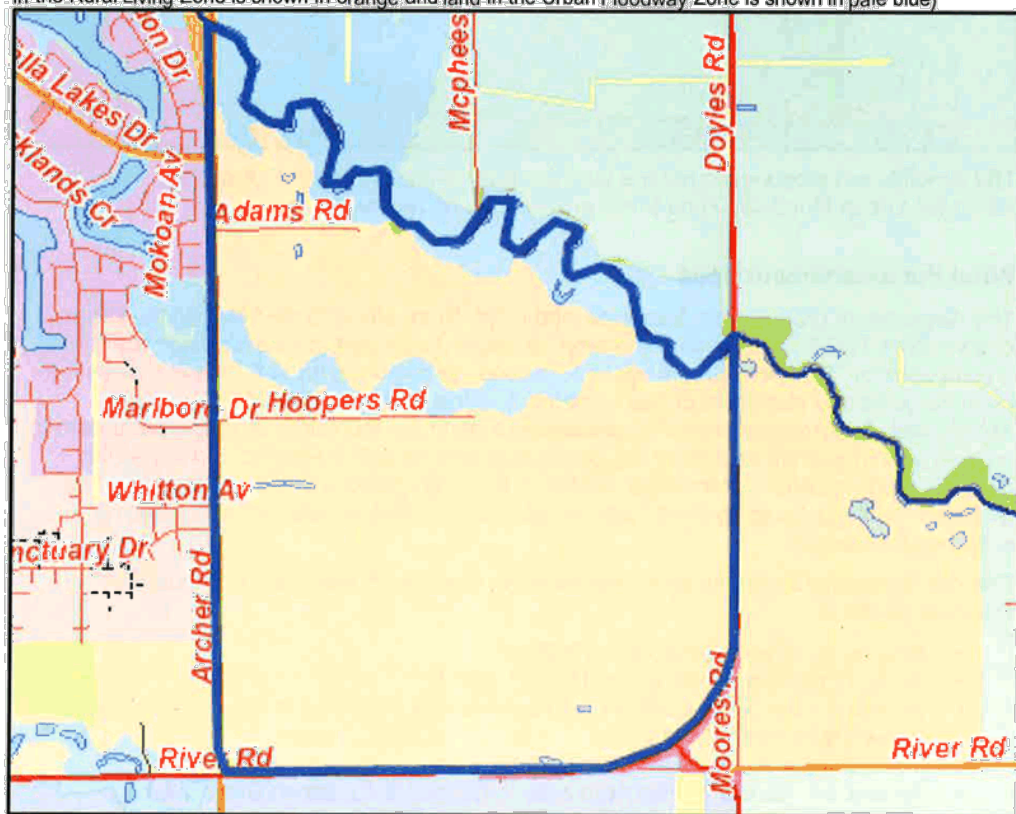
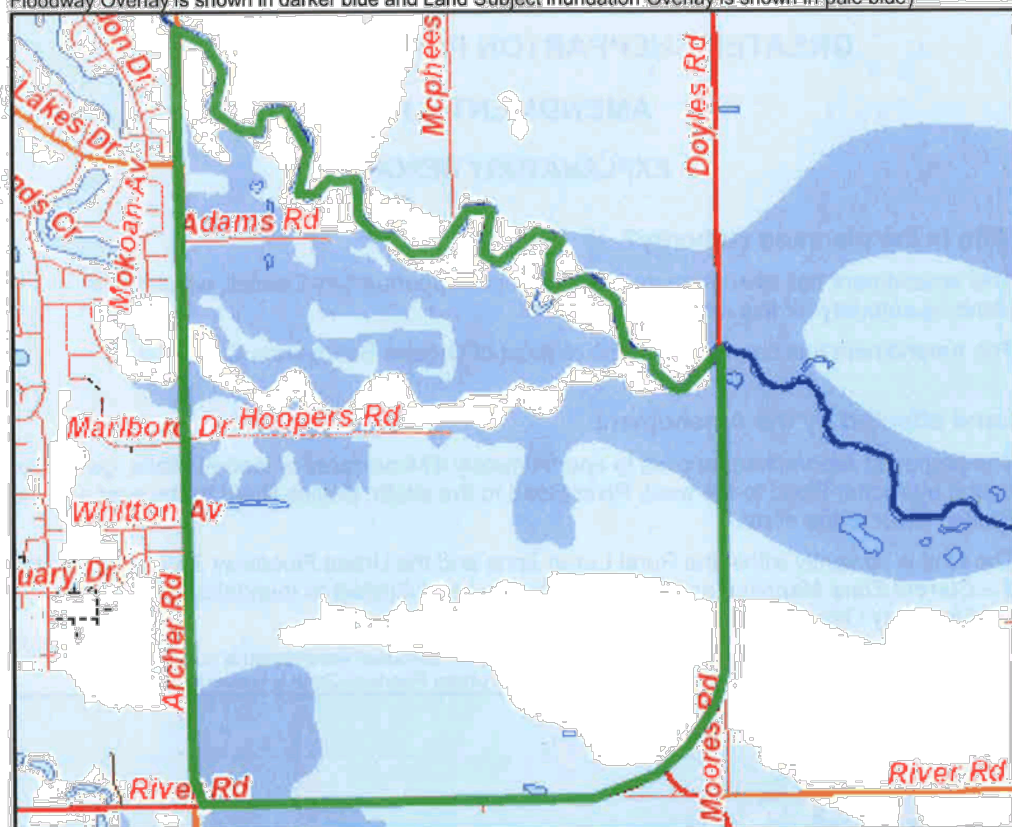


Figure 2 – Current Overlay Mapping (land generally affected by the proposed Amendment is outlined in green. Floodway Overlay is shown in darker blue and Land Subject Inundation Overlay is shown in pale blue)



The Amendment proposes to rezone land currently within the Rural Living Zone. The Land within the Urban Floodway Zone is not proposed to be rezoned.

What the amendment does

The Amendment proposes to rezone all land in the Rural Living Zone (RLZ) to the Urban Growth Zone (UGZ) to safeguard the area for future development as a strategic residential growth corridor. The Amendment seeks to reduce the minimum lot size for subdivision from eight hectares to a maximum of two hectares, to allow for house excisions, where appropriate. The Amendment also proposes to amend the Municipal Strategic Statement to provide interim guidance for planning permit applications until a Precinct Structure Plan (PSP) is prepared and implemented. A PSP is being prepared with the assistance of the Victorian Planning Authority (VPA) and will be implemented through a future planning scheme amendment.

The Amendment proposes to make the following changes to the Greater Shepparton Planning Scheme:

- Rezone land to the Urban Growth Zone;
- Amend Planning Scheme Map Nos. 11 and 27;
- Amend Clause 21.04 *Settlement* to provide policy support to safeguard the land for future urban development;
- Insert Clause 37.07 *Urban Growth Zone*; and
- Amend the Table of Contents to include Clause 37.07 *Urban Growth Zone*.

A PSP and Development Contributions Plan (DCP) are being prepared by the VPA to provide an overarching strategic framework for the development of the land, outline the quantum of infrastructure required to support any future development of the land and apply

those development costs equitably. A future planning scheme amendment will be required to include these documents in the Greater Shepparton Planning Scheme (Planning Scheme).

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to acknowledge the strategic vision for the subject land as identified in the *Greater Shepparton Housing Strategy 2011* (GSHS) and the Planning Scheme, and to implement the findings of the *Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016* (Model of Flood Behaviour and Conceptual Masterplan).

The GSHS identified the subject land as Investigation Area 3 – Adams Road area, Kialla. The Clause 21.04 *Settlement* of the Planning Scheme states:

This area is directly adjacent to the Kialla Lakes Estate though is significantly impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.

The Model of Flood Behaviour and Conceptual Masterplan, endorsed by Council, provide a possible future development scenario for the Investigation Area that will not have detrimental impacts on surrounding land. Two amendments are required to give effect to the Model of Flood Behaviour and Conceptual Masterplan.

This Amendment is required to identify the subject land for future urban development by rezoning it to the UGZ. The proposed rezoning of the subject land to the UGZ will safeguard the land from development that could prejudice its long term urban development potential. This will provide certainty to land owners, developers, service authorities and relevant government agencies about the future role of this strategically important residential growth corridor.

The current minimum lot size for subdivision in this area, included in the Schedule to the RLZ, is eight hectares. The Amendment seeks to allow subdivision, only where the subdivision is for the excision of an existing dwelling, with a maximum lot size of two hectares. By allowing the excision of dwellings, the proposed Amendment seeks to assist in the amalgamation of land, which will facilitate the future residential development of the corridor.

A PSP and DCP will be prepared with the assistance of the VPA and a second planning scheme amendment will be required to include these documents in the Planning Scheme.

How does the Amendment implement the objectives of planning in Victoria?

The proposed Amendment implements objectives a, c, f and g of planning in Victoria at Section 4 of the *Planning and Environment Act 1987*.

The proposed Amendment implements the objectives of planning in Victoria by providing the appropriate planning tools to allow for the orderly planning of the Investigation Area to occur. This will provide for the longer term sustainable use and development of the land. Environmental, social, economic, conservation and resource management issues will be considered as part of this process. This will allow for the creation of a sustainable and liveable community within this important future residential growth corridor.

How does the Amendment address any environmental, social and economic effects?

Environmental Effects

The proposed Amendment will not have any significant detrimental environmental impacts.

Similar planning permit triggers for the removal of native vegetation that apply under the RLZ will apply under the UGZ prior to the implementation of the PSP. The Planning Scheme

provides protection for native vegetation under Clause 52.17 – *Native Vegetation*. The proposed Amendment will not change the provisions of Clause 52.17.

Clause 52.17 provides permit exemptions for the removal of native vegetation on land that has an area of less than 0.4 hectare. The proposed Amendment may allow the creation of new lots of less than 0.4 hectare. This may provide a permit exemption for the removal of some native vegetation, which are be exempt under the current provisions. Most significant native vegetation in the area is located along the Broken River corridor. This vegetation is within the Urban Floodway Zone (UFZ) and the proposed Amendment does not propose any changes to land within the UFZ.

Detailed precinct structure planning is required prior to the land being made available for residential development. Future development will have environmental effects, including possible development of land which is affected by the LSIO and FO, significant earthworks and the potential removal of native vegetation. The preparation of a PSP (as part of a future planning scheme amendment) for the land will seek to minimise the detrimental environmental impacts of the future development and will incorporate the most up-to-date planning controls that apply to the land, including flood, fire and vegetation protection controls.

Council, in conjunction with the Goulburn Broken Catchment Management Authority is currently undertaking the *Shepparton – Mooroopna Flood Mapping and Flood Intelligence Study*. The Study will use the most technologically advanced data gathering and interpretation methods available to provide flood modelling of the Shepparton-Mooroopna area. It is expected this study will be used to update existing planning controls that apply to the subject land and municipality.

Social Effects

The proposed Amendment will have positive social effects by ensuring that the strategic vision for the land is clearly articulated to the community. It will enable community participation in the preparation of the PSP that will seek to facilitate detailed planning for the future residential development of the Growth Corridor. Additionally, the preparation of the PSP will reflect the most up-to-date planning controls that apply to the land, which may provide the community with increased flood and fire protection.

Economic Effects

The proposed Amendment will have positive economic effects by acknowledging that the land is designated for future residential development. This will provide certainty for landholders within the Growth Corridor.

Does the Amendment address relevant bushfire risk?

The subject land is recognised as being located in a bushfire prone area.

The proposed Amendment itself will not impact on the relevant bushfire risk of the subject land as the provisions of the UGZ will reflect those of the existing zone.

Any subsequent planning scheme amendment seeking to give effect to a PSP may have an impact on the bushfire risk on the land, as it will facilitate the future residential development of the land and increase the number of people exposed to bushfire risk. Detailed planning through the preparation of a PSP will evaluate the extent of bushfire risk and seek to minimise their exposure to bushfire risk in this area.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The proposed Amendment is consistent with the Ministerial Direction on the *Form and Content of Planning Schemes* under section 7(5) of the Act.

The proposed Amendment is consistent and complies with Ministerial Direction No 11, *Strategic Assessments of Amendments*.

The proposed Amendment is consistent with Ministerial Direction No 12, *Urban Growth Areas* and will facilitate the orderly development of land within Investigation Area 3. It requires the need to prepare a PSP for the land, which will provide an overarching strategic framework for its future development.

The proposed Amendment accords with the *Victoria Planning Provisions Practice Note – Urban Growth Zone, June 2008*, which states that the UGZ may be applied to land adjacent to regional cities and towns where a strategy has been prepared that clearly identifies that the land is suitable for future urban development. In this case, the GSHS and the Model of Flood Behaviour and Conceptual Masterplan have identified that the land is suitable for urban development. It is clear that the rezoning of the subject land to the UGZ will not in itself allow urban use and development to proceed. A PSP will be required to guide the future development of the land and will be implemented through a future planning scheme amendment.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

- The proposed Amendment supports the State Planning Policy Framework (SPPF), giving effect to the principles and specific policies contained within the SPPF. The following objectives and strategies of the SPPF are relevant to this Amendment:

Clause 11 Settlement

The role of Strategic Planning is to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

The proposed Amendment will provide appropriately zoned and serviceable land for future communities through the application of the UGZ. As part of the preparation and implementation of a PSP (through a future planning scheme amendment), the land will be allocated for housing, employment, recreation, open space, commercial and community facilities and infrastructure.

Clause 11.02 Urban growth

The objectives of this clause relate to the supply of urban land, planning for growth areas, structure planning, sequencing of development and open space.

The use of the UGZ will ensure that the land is identified for future residential purposes. As part of the preparation and implementation of a PSP (through a future planning scheme amendment), a sufficient supply of land will be available for residential and related purposes.

Clause 11.05-1 Regional settlement networks

The objective of this clause is to promote the sustainable growth and development of regional Victoria through a network of settlements, including Shepparton. A strategy is to direct urban growth into the major ten regional cities, including Shepparton.

The proposed Amendment supports this clause and the detailed planning to be undertaken as part of the preparation of a PSP (through a future planning scheme amendment) will address all relevant development issues.

Clause 11.10 Hume regional growth

The proposed Amendment is consistent with the *Hume Regional Growth Plan 2014 (HRGP)* in that it will facilitate growth and development in the regional city of Shepparton. The HRGP seeks to direct future urban growth to areas with existing infrastructure and services to ensure the efficient use of infrastructure and services are maximised.

Clause 16 Housing

The use of the UGZ will facilitate the future release of land for residential purposes in a timely manner. This will ensure that land supply is sufficient to meet demand and will assist in increasing housing choice and improving housing affordability. The PSP process (through a future planning scheme amendment) will provide for residential development that will be

cost effective in the provision of infrastructure, be more energy efficient, and incorporate water sensitive urban design principles.

Clause 19 Infrastructure

At the precinct structure planning stage, land will be allocated for transport links and transport infrastructure, including bus, bicycle travel, health and education facilities, water supply, sewerage and drainage, telecommunications, etc.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The proposed Amendment implements the Local Planning Policy Framework (LPPF). The following clauses of the LPPF are relevant:

Clause 21.04-1 Urban Consolidation and Growth

A series of Growth Management Plans were developed in the GSHS to provide guidance as to how and where Greater Shepparton will grow. These Growth Management Plans were incorporated into the Planning Scheme with a series of *Framework Plans*.

The *Kialla and Shepparton South Framework Plan* identifies the subject land as Investigation Area 3. The Planning Scheme states that significant flooding issues must be resolved to determine the development potential of the investigation area.

The Model of Flood Behaviour and Conceptual Masterplan examined the flood constraints and identified the development potential of the land. The application of the UGZ is the first step in realising that development potential.

The proposed Amendment is in accordance with the following objectives of *Clause 21.04-1 Urban Consolidation and Growth*:

- *to contain urban growth to identified growth areas in order to protect higher quality and intact agricultural areas and achieve a more compact built up area.*
- *to encourage a variety of housing types, particularly in terms of tenure and price, to contribute to housing diversity and affordability.*
- *to coordinate the assessment, planning, development and servicing of identified investigation areas in an integrated manner.*

The PSP will (through a future planning scheme amendment) provide a coordinated approach for the future sustainable development of the subject land and will, ultimately, assist in providing housing diversity and affordability within the municipality.

Clause 21.4-5 Community Life

An objective of this clause is *to ensure the costs of development are equitably distributed.*

Prior to the future development of the land, a DCP will be prepared (through a future planning scheme amendment) to assess the quantum of infrastructure, including social infrastructure, required to support the future development of the land and to equitably distribute those development costs.

Does the Amendment make proper use of the Victoria Planning Provisions?

The proposed Amendment makes proper use of the Victoria Planning Provisions by proposing to apply the UGZ, which is the most appropriate zone to protect land in a growth area for future development. The UGZ is proposed, as it offers a clearer process for converting and preparing land for urban development. The use of this zone provides certainty to landholders within the growth area that the land can be developed for urban purposes, allowing for future planning work to be undertaken.

The purpose of the UGZ is to:

- *provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs; and*

- ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future use and development of the land.

The GSHS identifies the subject land for future residential development. The application of the UGZ will protect the land from use and development that could reduce its long term urban development potential. The UGZ will allow existing farming and other rural activities to continue until a PSP is implemented (through a future planning scheme amendment) and urban development can occur.

How does the Amendment address the views of any relevant agency?

The preparation of the Model of Flood Behaviour and Conceptual Masterplan, which provides strategic basis for the proposed Amendment, was subject to extensive consultation with the Goulburn Broken Catchment Management Authority and Goulburn-Murray Water.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The purpose of the *Transport Integration Act 2010* is to create a new framework for the provision of an integrated and sustainable transport system in Victoria. The objectives of the *Transport Integration Act 2010* relate to social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, efficiency, coordination and reliability, and safety, health and wellbeing.

The proposed Amendment itself will not impact on transportation network as it does not seek to increase housing density until a PSP is prepared for the land and implemented through a future planning scheme amendment. The subsequent Amendment required to give effect to the PSP will have potential impacts on the transportation network. Detailed planning through the development of a PSP will assess those potential impacts and address any necessary transportation infrastructure upgrades as part of this future planning scheme amendment.

Resource and administrative costs

• What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The proposed Amendment will have a minor impact on the resource and administrative costs of the responsible authority as it is expected that there may be an increase in house lot excision planning permit applications. This expected increase in planning permit applications is not unreasonable and the responsible authority is well equipped to assess these applications.

However, the implementation of the new planning provisions will result in significant costs to the responsible authority, from both an administrative and resource perspective. The UGZ requires detailed planning to be undertaken through the preparation of a PSP and a DCP, which will have financial implications for Council. The cost of preparing the PSP and DCP will be recovered over the life of the development of this land through the application of the Development Contributions Plan Overlay.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

- Greater Shepparton City Council offices at 90 Welsford Street, Shepparton; and
- The Greater Shepparton City Council website: www.greatershepparton.com.au

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **Monday, 5 December 2016**.

A submission must be sent to:

Greater Shepparton City Council
Locked Bag 1000
Shepparton VIC 3632

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week of 30 January 2017
- panel hearing: Week of 27 February 2017

GREATER SHEPPARTON PLANNING SCHEME

21.04 SETTLEMENT03/03/2016
G462 Proposed C195**21.04-1 Urban Consolidation and Growth**03/03/2016
G462 Proposed
C195

Population forecasts predict that the population of the City of Greater Shepparton will grow from 59,202 persons in 2006 to 71,509 by 2026. It is expected that to accommodate this additional population, there will need to be a corresponding growth in the number of dwellings (a separate estimate suggests a further 9,100 dwellings will be required by 2031). At the same time, changing demographic trends such as an increase of persons aged 65 and over, smaller household sizes and an increase in non-Australian born persons will create demand for a broad range of housing types within the municipality.

In facilitating the future growth and development of the municipality's towns, the Council is concerned to achieve urban consolidation thereby promoting walking, the use of bicycles and reducing the dependence on car use. In proximity to the Shepparton CBD and other key activity centres, people will be encouraged to live at higher densities in environments that offer individual, lifestyle and community benefits. The *Shepparton CBD Strategy October 2008* establishes key priorities including creating residential opportunities and expanding housing choice within the CBD. The strategy encourages the provision of additional medium density and apartment style accommodation including shop-top housing.

The *Greater Shepparton Housing Strategy 2011* (GSHS) outlines Council's approach to housing delivery and growth in the municipality and provides the basis for the objectives, strategies and policy guidelines outlined below. It provides for sufficient land supply to accommodate housing demand within a consolidated and sustainable development framework. In doing so, it defines settlement boundaries for the extent of urban expansion to ensure the sustainability of the urban community and the well being of productive agricultural land.

A significant portion of residential growth in the short-medium term will be met by the four main growth corridors identified in the *Greater Shepparton 2030 Strategy*:

- The southern corridor to the south of the Broken River at Kialla.
- The south eastern corridor, along Poplar Avenue, Shepparton.
- The northern corridor, between Verney Road and the Goulburn Valley Highway, Shepparton.
- The western corridor, to the west of Mooroopna.

It is expected that the urban areas of Shepparton and Mooroopna along with the four major growth areas will accommodate the majority of new residential development, with remaining growth distributed throughout Tatura, Murchison, Merrigum, Dookie, Congupna, Katandra West, Tallygaroopna, Toolamba, and Undera. The location and timing of new development will be reviewed annually in accordance with the monitoring and evaluation framework contained in the GSHS.

The Council recognises that Toolamba is in a unique position as it is the only small town in the municipality which will have a dedicated freeway interchange as part of the proposed Goulburn Valley Highway Bypass. This, together with the development of the Goulburn Valley Freight Logistics Centre at Mooroopna, will present a very attractive opportunity for future residential development of the town. Connection to a reticulated sewerage system will enable Toolamba to develop at a higher residential density. However, Development Plan Overlays should be used in conjunction with any future township expansion. In the absence of sewer, all future residential development in Toolamba will be subject to a Land Capability Assessment.

It is important that growth is maintained on a number of fronts, providing choice and variety in the housing market and accommodating projected population growth over at least a 15 year period.

GREATER SHEPPARTON PLANNING SCHEME

Future growth corridors are vital to ensure that residential development can continue once other estates and corridors are completed. The growth plans identify a number of longer term residential growth corridors in Shepparton North and Kialla to the east of Kialla Lakes once existing areas are nearing full development.

Framework Plans

The GSHS supports the growth of Greater Shepparton in a consolidated and sustainable fashion. This includes providing land for living opportunities in a variety of residential settings and locations. To provide guidance as to how and where Greater Shepparton will grow, a series of Growth Management Plans was developed.

Key elements of the Growth Management Plans from the GSHS have been incorporated into a series of *Framework Plans* which form part of the Municipal Strategic Statement (MSS). The *Framework Plans* specify the settlement boundary for each area, the direction for future growth, the types of potential zoning for each area and where applicable indicate Investigation Areas.

The Growth Management Plans within the GSHS indicate a sequencing of development over a 15-year period. While development will be encouraged in accordance with these plans, this detail has not been included in the *Framework Plans* to allow some flexibility following the ongoing monitoring of supply and demand.

Settlement Boundaries

The *Framework Plans* include a 'settlement boundary' for each urban area and town based on the Growth Management Plans within the GSHS. The settlement boundaries provide guidance to the potential type, location and amount of residential land required. The plans project the outward limit of growth to the year 2031 as well as in some instances providing the broad direction of longer-term growth of Greater Shepparton beyond 2031 as indicated by arrows on the *Framework Plans*.

Residential growth outside the nominated settlement boundaries will generally not be supported. As a result the *Framework Plans* do not indicate any future growth outside the nominated settlement boundary. The exception to this is the land contained within Investigation Areas which upon further investigation may support additional land for residential development.

Investigation Areas

Several Investigation Areas have been identified within the *Framework Plans*. These areas represent land which has potential to be rezoned to a higher density residential use due to the proximity to services and/or growth areas. The areas however presently have significant issues or constraints such as environmental, flooding, infrastructure and/or land use conflicts. The relevant issues will need to be resolved on a site-by-site basis through a more detailed analysis to determine the potential for higher density development and any subsequent changes to the *Framework Plans*.

These areas (which are nominated with the corresponding number on the *Framework Plans*) are:

- 1 Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected.
- 2 Investigation Area 2 – Raftery Road, Kialla. The land is adjacent to the Shepparton South Growth Corridor and is situated between the Seven Creeks and Goulburn River corridors. Development is currently restricted by the 8ha minimum lot size under the Rural Living Zone. Higher density development is dependent on issues relating to servicing, flooding and the environmental assets of the two river corridors being resolved.

GREATER SHEPPARTON PLANNING SCHEME

- Investigation Area 3 – Adams Road area, Kialla. ~~The investigation area study is complete. A model of flood behaviour and conceptual master plan was prepared to address flooding concerns. The Urban Growth Zone has been applied to this land to identify the land for future residential development. This area is directly adjacent to the Kialla Lakes Estate though is significantly impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.~~
- Investigation Area 4 – (Investigation Area 10 in Clause 21.06-4 Industry) east of Doyles Road, Grahamvale. There are a number of land use interface issues to be addressed in this area. There is a mix of agriculture, residential estates such as Dobsons Estate and the Shepparton East and Lemnos industrial areas. Further investigation is required in this area following finalisation of the Industrial Strategy. Investigations will include issues associated with present industry, potential for expansion of industrial and / or residential uses and developments, future servicing requirements and agricultural impacts.
- Investigation Area 5 – Dhurringile Road, Tatura. The land is opposite the Tatura Milk Industries. The future role of this land is dependent on the identification of measures to ensure possible conflicts between the potential residential uses on this land and industry in the immediate area are effectively managed.
- Investigation Area 6 – Toolamba. 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.

Objectives - Urban Consolidation and Growth

To contain urban growth to identified growth areas in order to protect higher quality and intact agricultural areas and achieve a more compact built up area.

To encourage a variety of housing types, particularly in terms of tenure and price, to contribute to housing diversity and affordability.

To provide a greater range of housing choices to attract more people to live in the Shepparton CBD which will support the vibrancy and economy of the CBD.

To make better use of available land by allowing higher scale built form in appropriate locations within the CBD.

To minimise the impacts of housing on the natural environment.

To release land efficiently in terms of location, supply of services and infrastructure and in accordance with land capability.

To support increased residential densities, such as 15 dwellings per hectare, in established areas and the conventional living growth areas.

To increase the supply of medium density housing in appropriate locations.

To provide land for small township expansion, subject to a supply and demand analysis.

To coordinate the assessment, planning, development and servicing of identified investigation areas in an integrated manner.

To ensure any small township expansion occurs without impacting on the long-term growth potential of urban centres or productive agricultural land.

To ensure any small township expansion is dependent on land capability where no reticulated sewer is available.

To balance the need to achieve urban consolidation with the need to respect and retain the valued characteristics of existing neighbourhoods.

GREATER SHEPPARTON PLANNING SCHEME

To ensure that land proposed for residential purposes is not contaminated.

To ensure protection of ground water and natural systems.

To ensure that provision is made for community infrastructure.

~~To ensure that any use or development in the Urban Growth Zone will not lead to unacceptable amenity impacts for future residential development.~~

~~To ensure that a Precinct Structure Plan and, where relevant, a Development Contributions Plan are prepared for land in the Urban Growth Zone.~~

Strategies - Urban Consolidation and Growth

- Maintain residential development targets outlined in the GSHS based on the type, amount and proportion of existing residential zones; the existing average lot sizes in each residential zone type; a qualitative assessment of dwelling demand and housing market conditions; sustainable development principles and the need to conserve land and energy; and the need to achieve the strategic directions and objectives of the GSHS. These targets are:
 - *Infill Development* – accommodate at least 10 percent of the 9,100 dwellings (910 dwellings) in existing areas through infill and redevelopment at higher densities. New dwelling construction in these areas is highly encouraged by the GSHS and this target should be exceeded where possible.
 - *Greenfield Development* – accommodate the remaining 8,190 dwellings in Greenfield locations with:
 - 60% as conventional living (450 – 800 square metres).
 - 20% as medium density housing (less than 450 square metres).
 - 15% as low density living (2,000 – 8,000 square metres).
 - 5% as rural living (2 – 8 hectares).
- Promote development in accordance with the attached Framework Plans.
- Maintain a supply of land to accommodate projected population growth over at least a 15 year period.
- Encourage the consolidation of existing residential areas in the municipality in accordance with the change areas identified in the Housing Change Area plans.
- Ensure the rezoning of future residential land is informed by the 'Growth Management Plans' and development principles identified in the Greater Shepparton Housing Strategy 2011.
- Ensure that township growth is determined by infrastructure provision (including water supply) and a supply and demand analysis, with developers funding the extension of water and sewerage services.
- Support applications to rezone land for residential purposes where the land has previously been used for orchard or other agricultural uses only where the application is accompanied by a soil report which confirms that the land is suitable for residential use (as required by Ministerial Direction No. 1).
- Support increased densities, such as 15 dwellings per hectare, where reticulated sewer and urban services are provided in the existing residential areas, while maintaining and protecting existing sewerage reticulation assets.
- Encourage medium density housing in preferred locations including within existing residential areas; near public transport; within major redevelopment sites; and adjacent to activity centres and open space areas.

GREATER SHEPPARTON PLANNING SCHEME

- Encourage medium density, apartment style and shop-top housing, and including student accommodation, as part of the redevelopment of Shepparton CBD commercial sites.
- Encourage the provision of smaller lots to meet the changing demographics structure.
- Discourage multi dwelling developments within areas affected by the Floodway Overlay.
- Provide a settlement boundary beyond which additional urban growth and rezoning should not be supported.
- Encourage new subdivision and developments to promote walking and cycling between homes and schools, open spaces and shops.
- Ensure appropriate design, location and density for expanding residential areas in Shepparton North to maintain amenity protection between residential and other uses such as industry, agriculture and the Goulburn Valley Freeway.
- Link the parks, open spaces and bicycle paths to create connectivity between the three urban areas of Shepparton, Mooroopna and Kialla, with the floodplain becoming a recreation asset.
- Avoid incremental approvals and development in identified investigation areas until an integrated investigation has been completed to assess and resolve future land opportunities and constraints, land use, development opportunities, subdivisional layout and servicing for the area.
- Apply the Development Plan Overlay (DPO) to the growth areas to ensure coordinated development.
- Require development plans to be accompanied by an approved Development Contributions Plan (DCP) or an alternative such as a negotiated Pre-Development Agreement.
- **Consider the effect that use or development may have on nearby existing or proposed residential development in the Urban Growth Zone.**

Policy Guidelines - Urban Growth and Consolidation

When considering an application, the Council will be guided by the following provisions:

- Whether new development leap-frogs existing non-residential development.
- The protection of strategic riparian areas and the provision of public access.
- Flexibility in lot sizes based on, diversity of lot sizes, the proximity of services and the character of the area.
- Provision for community services (DCP or Pre-Development Agreement).
- Residential development should generally be in accordance with the sequencing indicated on the Growth Management Plans in the GSHS. Growth occurring out of sequence may be considered provided that a development proposal satisfies the following conditions:
 - It can be demonstrated that the land supply for the proposed type of development is being constricted elsewhere and that it is unlikely to become available within the designated sequencing.
 - The proposed development does not impact on the achievement of the objectives and strategies of the GSHS.
 - The development can be serviced and connected to sewer and drainage infrastructure in a timely and efficient manner to the satisfaction of the relevant service provider.
 - The full cost of extending infrastructure out of sequence is paid for by the developer.

GREATER SHEPPARTON PLANNING SCHEME

- The proposed development represents an exemplary development incorporating best practice standard and satisfying the objectives and strategies of the GSHS to a high degree.

When assessing applications for the use and development of land within the Urban Growth Zone, where a Precinct Structure Plan has not yet been prepared, it is policy to consider the impact on the:

- Amenity of future residential development; and
- Sequencing of future residential development.

When assessing applications for the subdivision of land within the Urban Growth Zone, where a Precinct Structure Plan has not yet been prepared, it is policy to:

- Consider the granting of a permit, only if:
 - It is for the excision of an existing dwelling;
 - It is for a two lot subdivision; and
 - The house lot is a maximum of two hectares, unless a larger lot is required to accommodate existing infrastructure.

10/12/2015
C92

Housing Change Areas

Objective - Housing Change Areas

To manage the impacts of change in the established neighbourhoods and ensure that residential development contributes to the character of residential areas rather than undermining them.

The residential areas have been divided into three areas indicated in the attached *Framework Plans*:

Minimal Change Areas:

Minimal Change Areas are established residential areas that for a number of reasons have limited capacity to accommodate future residential development. Minimal Change Areas do not prohibit all residential development, but seek to allow limited residential development that is generally consistent with the type, scale and character of the area.

Minimal Change Areas are generally in locations that:

- Have a strong neighbourhood character, largely evidenced by a significant presence of historical buildings and places.
- Are affected by environmental factors such as flooding which limit development capacity.
- Have a low density or rural living character.
- Are in close proximity to uses which cause significant off-site impacts.
- Have a widespread application of restrictive covenants which limit housing diversity.
- Have valued landscape features and / or views and vistas.

The Council may also consider smaller Minimal Change Areas in locations immediately adjacent to a sensitive use or affected by a particular environmental factor that has the potential to create significant risk to development or a valued feature of the landscape or detrimentally affect character that is desirable to retain.

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Strategies - Minimal Change Areas

The strategies for managing residential development in Minimal Change Areas seek to:

- Ensure development respects existing scale and character.
- Ensure development respects heritage buildings and their curtilage.
- Ensure development does not considerably impact on significant natural features or views and vistas.
- Ensure extensions to existing dwellings do not cause significant new overlooking; overshadowing, visual bulk or neighbourhood character impacts.
- Support and encourage environmentally friendly technologies for new development and major renovations.

Policy Guidelines - Minimal Change Areas

When considering an application for a dwelling in a minimal change area, Council will be guided by the following provisions:

- New dwellings will respect the existing scale and character of the existing area to a high degree.
- New dwellings will respect any heritage buildings and their curtilages.
- New dwellings will not unreasonably impact on significant natural features or view and vistas.
- Extensions to existing dwellings will not cause unreasonable new overlooking, overshadowing, visual bulk or neighbourhood character impacts.
- Environmentally friendly features will be supported for new dwelling and major renovations.

Incremental Change Areas:

Incremental Change Areas are established residential areas or areas identified as Urban Growth Areas in *Framework Plans* that over time have the capacity to accommodate a moderate level of residential development. This development will mostly include extensions to existing dwellings, new single or double storey dwellings on existing lots, and low rise medium density housing. It is expected that the general character of Incremental Change Areas will evolve over time as new types and more intense development is accommodated.

Incremental Change Areas are generally in locations that:

- Are unaffected by significant development constraints.
- Have lot layouts which may potentially constrain substantial development.
- Have reasonable access to a range of local shops, facilities, services and amenities.
- Provide residential uses in conjunction with other uses in small town settings.
- Greenfield residential development sites.

Strategies - Incremental Change Areas

The strategies for managing residential development in Incremental Change Areas seek to:

- Support the retention and renovation of existing dwellings that front the street and contribute positively to surrounding neighbourhood character.

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- Encourage low scale medium density housing development that respects existing neighbourhood character, particularly in areas that are in close proximity to significant shops, facilities, services and amenities.
- Support development which increases residential densities while respecting the character of the neighbourhood.
- Ensure that new development does not cause significant new overlooking, overshadowing, and excess visual bulk impacts on adjacent housing.
- Encourage a high standard of design for new development and major renovations.
- Encourage additional dwellings to the rear of existing dwellings.
- Support and encourage environmentally friendly technologies for new development and major renovations.
- Ensure that traffic caused by additional development can be accommodated by the existing transport network.
- Discourage increased development intensity in areas where there is a significant environmental risk such as flooding and wildfire, unless an appropriate design response can be provided to the satisfaction of the Council.
- Ensure that development at the edges of the Incremental Change Area is sensitive to any adjoining Minimal Change Areas.
- Ensure that any new development close to a rural interface or other sensitive use is addressed.

Policy Guidelines - Incremental Change Areas

When considering an application for a dwelling in an incremental change area, Council will be guided by the following provisions:

- Low-scale, medium density dwellings that respect existing neighbourhood character, particularly in areas that are in close proximity to shops, facilities, services and amenities shall be encouraged.
- New development that increases residential densities and is sensitively designed to respond to the existing neighbourhood character shall be supported.
- Encourage a high standard of design for new development and major renovations;
- Encourage additional dwellings to the rear of existing dwellings.
- Environmentally-friendly technologies for new development and major renovations shall be supported.
- Traffic impacts caused by additional development shall be accommodated within the existing transport network.
- Increased residential densities in areas where there is a significant environmental risk such as flooding and wildfire shall be discouraged unless an appropriate design response can be provided to the satisfaction of Council.
- Development at the edges of incremental change areas shall be sensitively designed to respond to any adjoining minimal change areas.
- New development close to rural interface or any other sensitive use shall be appropriately designed to mitigate any potential impacts.

Substantial Change Areas:

Substantial Change Areas are locations that have significant capacity to accommodate substantial residential development. These areas will support increased housing diversity by encouraging a variety of housing types, styles and configurations in areas that are close to

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activity centres, public transport, employment opportunities and open space. Substantial Change Areas will support increased residential densities to maximise the amount of people who can take advantage of these desirable locations. It is expected that the character of these areas will change significantly in the future.

Substantial Change Areas are generally in locations that:

- Are in walking distance (800m) of a range of commercial, retail, employment, entertainment, and recreation opportunities.
- Are within walking distance of public transport.
- Have servicing capacity to support additional development.
- Provide good opportunities to support increased housing diversity.
- Are generally free of major development constraints.

Strategies - Substantial Change Areas

The strategies for managing residential development in Substantial Change Areas seek to:

- Support a diversity of housing types, sizes, styles and designs; support (re)development at higher overall densities to maximise development opportunities.
- Encourage lot consolidation to allow for larger scale development.
- Encourage mixed-use developments which incorporate residential uses above commercial or retail uses.
- Focus higher density development within or immediately adjacent to significant commercial areas.
- Support the recommendations and strategies of the *Shepparton CBD Strategy October 2008*.
- Encourage a high standard of design for new development and major renovations.
- Support housing for people with special needs.
- Discourage increased development intensity in areas where there is a significant environmental risk such as flooding and wildfire, unless an appropriate design response can be provided to the satisfaction of the Council.
- Ensure that development at the edges of the Substantial Change Area is sensitive to any adjoining Minimal or Incremental Change Areas.

Policy Guidelines - Substantial Change Areas

When considering an application for a dwelling in a **substantial change area**, Council will be guided by the following provisions:

- New development that contributes to a diversity of housing types, sizes, styles and designs shall be supported.
- New development that contributes to higher residential densities shall be encouraged.
- The consolidation of available lots shall be encouraged to allow for larger scale development.
- Mixed-use developments which incorporate residential uses above commercial or retail uses shall be encouraged.
- Higher density residential development within or immediately adjacent to significant commercial areas shall be supported.
- Appropriate, well designed housing for people with special needs shall be encouraged.

GREATER SHEPPARTON PLANNING SCHEME

- Increased residential densities in areas where there is a significant environmental risk such as flooding and wildfire shall be discouraged unless an appropriate design response can be provided to the satisfaction of Council.
- Development at the edges of substantial change areas shall be sensitively designed to respond to any adjoining minimal change areas or incremental change areas.

21.04-319/09/2013
C121**Rural Residential**

One of the outcomes of the Regional Rural Land Use Strategy (2008) was a shared vision to provide for (among other things) 'hobby farming'. Rural living is provided for as part of the Greater Shepparton Housing Strategy and around some existing towns such as Tatura and Kialla.

The Council is keen to ensure that the demand for low density residential development and rural living opportunities can be met through the supply of land in appropriate locations. The *Framework Plans* identify land for these uses where environmental constraints such as flooding and land use conflicts are minimal and where it will not impede or inhibit the future growth of the urban area and encourage land banking or leapfrogging.

Locations for potential low density and rural living in the *Framework Plans* include areas outside of the main residential growth corridors of Shepparton and Kialla such as Kialla Central as well as land around other urban areas and townships. On the other hand, areas of existing Rural Living Zone are being considered for more intensive development due to their proximity to existing growth areas. For example, the area to the east of Archer Road Kialla for instance has been identified for longer term residential growth and therefore cannot be counted as part of the rural living supply.

The Council is committed to rigorously applying this strategy and will not compromise it by approval of ad hoc rezoning requests for low density or rural living land outside of the identified settlement boundaries. Proposals which do not comply with the *Framework Plans* will not be supported unless justification can be provided to review the boundary. In areas where reticulated services are not available, a Land Capability Assessment is to be provided to confirm the site's suitability for land based effluent treatment and disposal.

The Council recognises that urban expansion into agricultural areas can result in conflict at the urban/rural interface and will require development plans for new residential development to include 'buffers' to protect the amenity of residents and also protect the continued agricultural operations on adjoining land.

For potential rural living land, diversity and flexibility of lot sizes is important to minimise sprawl and variations to the 8 hectare minimum lot size should be encouraged where appropriate. Factors influencing desirable lot size should include the existing character and density and Land Capability.

Objectives - Rural Residential

To provide land for rural residential purposes, without impacting on the long-term growth potential of urban centres or productive agricultural land, subject to a supply and demand analysis.

To recognise and make provisions for the potential conflicts at the urban/rural interface.

Strategies - Rural Residential

- Investigate the potential to provide for rural residential use at the locations shown on the *Framework Plans*.
- Prevent rural residential subdivision in areas that would result in a loss of productive agricultural land or create expectation of subdivision of adjoining rural land, or encircle townships so as to prejudice their future urban growth opportunities.

GREATER SHEPPARTON PLANNING SCHEME

- Approve land for rural residential development or small town expansion only where it is supported by a supply and demand analysis, a Land Capability Assessment and Practice Note No. 37.
- Protect the amenity of rural residential land by discouraging uses with the potential to create a nuisance.
- Discourage rural residential subdivision which is reliant on irrigation water supply.
- Prevent rural residential development in areas suitable for smaller residential lots.
- Protect productive agricultural land from encroachment of urban growth except in designated growth areas.
- Maintain a distinctive urban-rural interface, and a green belt between Shepparton and Mooroopna.
- Ensure that residential developments provide a buffer to existing agricultural uses, particularly orchards.
- Resolve future land use and zoning options for the Raftery Road Corridor through further investigation of servicing capacity, land capability and options for potential rural living or low density residential development and zoning.
- Apply the Development Plan Overlay to the rural residential areas to ensure coordinated development.

Policy guidelines - Rural Residential

When considering an application for a rural living rezoning or subdivision, Council will be guided by the following provisions:

- Compliance with Ministerial Direction No. 6 (or equivalent).
- An assessment of land capability.
- Safe access for pedestrians/cyclists between allotments and local infrastructure, such as schools.
- The protection of strategic riparian areas and the provision of public access.
- Water supply for stock and domestic.
- A suitable depth to frontage ratio for allotments created based on the proposed density and intended uses.
- Flexibility in lot sizes should be provided based on supply and demand analysis, land capability, walkability and proximity of services and the character of the area.

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10/12/2015
C92

Urban Design

The Council wishes to ensure that sustainability principles will strongly influence the design, siting and servicing of dwellings. Sustainability will also be pursued by Council through the encouragement of adapting and reusing of existing buildings and materials, retention and reuse of storm water, and the promotion of solar and energy efficient designs and materials. Council also wishes to ensure high quality architectural, urban design and landscape outcomes for built form and open spaces are achieved throughout the municipality. The appearance of rural, industrial, retail and residential areas and main road approaches to urban centres is important in maintaining a strong level of civic pride. This appearance is also important for a quality pedestrian and shopping environment in the municipality.

The *Shepparton CBD Strategy October 2008* aims to promote Shepparton's image and identity as a regional centre by improving architectural and urban design quality in its built environment. Streetscape definition and a sense of activity and vitality will be achieved by

GREATER SHEPPARTON PLANNING SCHEME

more consistency in building form, with multi-storey buildings having ground floor facades with active frontages.

Proposals for redevelopment or improvement of existing buildings are opportunities to strengthen the appearance of the CBD through the quality of new design. Design and development of built form in the eight precincts of the CBD and surrounds will be guided by the objectives and requirements of Schedule 1 to the Activity Centre Zone to achieve the desired built form outcomes.

The Council is dedicated to a well-designed urban environment that enhances the image and the aesthetics in the five designated precincts in the “Urban Design Framework – Shepparton North and South Business Areas”, namely Shepparton Town Entry-North Precinct, Shepparton Civic North Precinct, Lakeside Precinct, Shepparton South Village Precinct, and Kialla Park Boulevard Precinct. The Urban Design Framework aims to achieve a distinctive urban design and appearance for the major gateways, entrances, main boulevards, central area, lake and riverside environs. It is envisaged that this could have a positive impact on most aspects of living and investing in the municipality as well as complementing tourism. In addition, it is also encouraged that development in the precincts enhance energy efficient and sustainable designs particularly through:

- Energy efficient building designs.
- Use of energy efficient appliances.
- Rainwater harvesting.
- Water wise landscaping.
- Protection of existing natural resources.

Advertising signage is a key and often highly visible component of the physical environment of the municipality and the inappropriate design or placement of advertising signs can have a significant effect on the appearance and visual amenity of an area. Council wants to guide the location and display of signage within the municipality to ensure signage is compatible with the character and architecture of local streetscapes. The design, form, size and placement of advertising signs should be controlled so as to protect and enhance the appearance of rural and urban areas and to avoid signs that are excessive, confusing or incompatible with the character of the surrounding area.

Objectives - Urban design

To achieve a high standard of sustainability in the design and development of new buildings and subdivision.

To promote a high standard of architectural, landscaping and urban design for built form and public spaces throughout the municipality.

To ensure development implements the “Urban Design Framework- Shepparton North and South Business Areas”.

To improve the amenity and image of the Shepparton CBD through the quality of its streetscape design, thereby creating an attractive CBD in which to work, study and live.

To develop an image for Shepparton as a municipality that fosters innovative and sustainable contemporary design, particularly within the Shepparton CBD.

To support public art in the Shepparton CBD that projects the character and uniqueness of Shepparton, enlivens public spaces and raises awareness of the indigenous and post-settlement history.

To promote the principles of environmentally sustainable design.

To control the number of signs and ensure that the appearance, size, illumination or location of signs does not adversely affect the visual amenity of the natural environment or the built form in the municipality.

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Strategies - Urban Design

- Promote the highest design standards of residential development.
- Ensure the design of new development contributes to local character and enhances the public realm while minimising impacts on neighbouring properties.
- Promote energy efficient and sustainable designs for subdivision, new development and redevelopment of existing buildings and spaces.
- Encourage Water Sensitive Urban Design features in new and existing residential areas.
- Ensure development within the five designated precincts in the “Urban Design Framework- Shepparton North and South Business Areas” implements the directions of the framework.
- To ensure development implements the Shepparton CBD Strategy October 2008 and the Design and Development objectives and requirements of Schedule 1 to the ACZ.
- Promote architectural and urban design excellence throughout the CBD to improve its image as a regional centre.
- Facilitate landmark architecture on gateway sites and key sites in the CBD.
- Define gateways to the CBD through urban design and architecture, signage, complementary landscaping and public art.
- Ensure that buildings in the vicinity of the river are oriented towards the riverside environment.
- Design building frontages in the core retail areas and along main pedestrian streets to have 75 per cent ‘active’ frontages to add to the activity and vitality of the streets. This can be achieved through clear glazing, locating entrances off principal street spaces and providing balconies or terraces at the upper levels.
- On larger sites, avoid expanses of blank walls. Provide visual interest through a range of colours or textures, installing displays or through variations in the form of the building.
- Ensure the scale, mass and height of new commercial developments respects the prevailing neighbourhood character.
- Ensure building frontages avoid long expanses of solid walls and incorporate design elements and a variety of materials that create articulation and visual interest.
- Protect vistas to historic or significant buildings forming part of the streetscape.
- Ensure the creation of ‘walkable neighbourhoods’ that afford priority to pedestrians and provide safe and sheltered pedestrian routes within and through residential neighbourhoods and commercial centres.
- Ensure a high degree of connectivity and access within and between neighbourhoods for all modes of transport.
- Ensure subdivision design incorporates a variety of high-quality and useable open spaces that are well integrated with surrounding development.
- Ensure the design of new development contributes to the safety of its surroundings.
- Ensure new subdivisions respect and respond to valued local ecological qualities.
- Encourage landscaping of sites to retain existing vegetation where practical.
- Encourage the use of indigenous and low maintenance plant species.
- Ensure that the location, form and size of signs complement the dominant character of any urban or rural landscape, building, site or area on which they are erected.
- Control the location, size and scale of advertising signage, especially in key precincts of the Shepparton CBD and town centres.

GREATER SHEPPARTON PLANNING SCHEME

Policy Guidelines - Advertising Signs

When considering an application for an advertising sign, Council will be guided by the following provisions:

- Fewer signs displaying a simple clear message are encouraged.
- Advertising signage is encouraged to be primarily for business identification providing basic identification information of the business.
- Suspended under-verandah signs should be limited to one per shopfront, except on large premises where the limit should be one per ten metres of shop front.
- Above-verandah signs should be attached to the upper facade or parapet, parallel/horizontal to the road with minimal projection.
- Sky signs, high wall signs, projecting off-wall signs on upper facades and signs that project above parapets, wall, verandahs, roof lines or building fascias are discouraged in all areas.
- Freestanding signs should be limited to one sign per premises with multiple occupancies encouraged to share sign space.
- 'V' board signs are discouraged in all areas.
- Where a building is set back from the street, signs are encouraged to be located within the boundary and should be orientated to be parallel or at right angles to the street.
- Where possible signs should be located on the building.
- Pole signs should be limited to one per frontage and should be no higher than the surrounding buildings.
- Internally illuminated promotional signs are discouraged.
- Permanent bunting, streamers, banner, balloons, animated, reflective signs or similar devices, are strongly discouraged in all zones due to the detriment to the amenity of the area and the high level of visual clutter and dominance. These signs may be considered for temporary (3 month maximum) promotions only.
- Major Promotional signs are discouraged, but if approved are to be confined to Regional & Sub-regional Centres attached to a building wall and should not be more than 3 metres above the ground or be internally or externally illuminated.

21.04-510/12/2015
C92**Community Life**

A key community development project of Council has been the identification of "Community Hubs" which are considered to be an ideal physical and social focal point for communities. Community Hubs have been established in Mooroopna and North Shepparton and these facilities are attracting a range of new support services for residents. A new multipurpose community centre has been developed in Dookie and a community facility has been integrated with a shopping precinct in South Shepparton.

Multipurpose community infrastructure potentially allows for community, recreational and business services in one location, making it more accessible to users and allowing providers to work together. This also provides the ability to change the mix of services to respond to changing needs. In relation to South Shepparton, the South Shepparton Community Infrastructure Needs Assessment (CINA) nominated activity nodes at a number of key locations to help meet the needs of the local community. The CINA will guide the development of the public land associated with these activity nodes, as well as providing strategic support for the development of new public or privately run community uses in close proximity of these nodes. These uses include schools, child care centres, residential aged care facilities, recreation areas and community centres. Connectivity between these nodes will also be supported through the provision of integrated public transport and shared

GREATER SHEPPARTON PLANNING SCHEME

pathways. Council will seek monetary contributions from relevant new uses or subdivisions in south Shepparton to assist in the development of these activity nodes.

Shepparton has a growing role in providing educational facilities and services within the region. Establishing the “Shepparton Tertiary Education Precinct” (STEP) through the development of greater post secondary education opportunities has been identified as a key action within the Council plan. The ‘Best Start’ and ‘Community Building’ projects have also instigated a number of joint projects which have supported children and their families and promoted the importance and value of early years education, school retention, the transition between educational levels and the potential for schools to be a resource and focus in the community.

Council recognises the importance of the creation of an integrated park network, with linear parks along floodways as essential to providing additional opportunities for walking, cycling and children’s play. This issue is interlinked with the protection and enhancement of the river environs and native vegetation. The Council has, in the past, allowed drainage basins to be developed and used as open space. However, it is important that new development also be provided with flood free open space which can be developed for playgrounds.

Objectives - Community Life

To provide an equitable and efficient distribution of community facilities and services.

To ensure the costs of development are equitably distributed.

To develop a regional centre of education facilities for a variety of education requirements, including the Shepparton Tertiary Education Precinct.

To strengthen the image of Shepparton CBD as a regional community and cultural hub.

To protect and enhance the network of public open space that contributes to the amenity of the municipality and advances the image of the community.

To address community safety in the planning and management of the urban environment.

To provide accessibility in public spaces and new developments.

To promote integrated local planning that considers the social, physical, environmental and economic domains.

To strengthen links with the indigenous and cultural communities in Shepparton through expanding cultural-related activity in the Shepparton CBD and working with the River Connect project.

To encourage the innovative use of land for community use.

Strategies - Community Life

- Encourage “supported living” (nursing homes, hostels) in proximity to community and commercial services and activities.
- Locate facilities and service centres where they can be accessed by public transport and/or walking/cycle paths.
- Encourage flexible design to meet user group needs over the lifecycle and changing demographic structures.
- Identify a medical service precinct around the existing Goulburn Valley Base Hospital.
- Promote clustering of facilities to enable multi use and sharing of community facilities.
- Link the provision of facilities with the release of new subdivisions, through the approval of Structure Plans and a Development Contributions Plan.

GREATER SHEPPARTON PLANNING SCHEME

- Provide for student accommodation in the redevelopment areas within the Shepparton CBD, including shop top housing.
- Encourage plans for new university and educational campuses to display contemporary and innovative architectural styles.
- Establish a preferred precinct for the development of post-secondary and tertiary educational facilities to the north east of the Shepparton CBD (the “Shepparton Tertiary Education Precinct”).
- Encourage development on only one side of the road where land is adjacent to public open space.
- Provide for passive surveillance of open space and limit the ‘privatisation’ of public open space.
- Ensure that subdivisions include flood free areas of public open space where possible.
- Encourage the provision of linear links between existing and proposed open space areas and between urban areas.
- Encourage links to the Goulburn and Broken Rivers shared path network to promote environmental assets.
- Integrate the Shepparton CBD and river spaces with adjacent areas through improved visual connections and linkages to attract pedestrians, cyclists and tourists to the riverine areas.
- Refocus the Shepparton CBD as a place for pedestrians or local traffic.
- Improve access to and within the Shepparton CBD by encouraging sustainable transport modes including foot, bicycle and public transport.
- Promote public art as part of the urban design process.
- Promote outdoor life in the city through providing quality open spaces.
- Encourage spaces for local food production such as community gardens in existing and new neighbourhoods.
- Ensure the rezoning and/or development of land is linked to the approval of a legal agreement, such as a pre-development agreement, for the funding of necessary physical infrastructure and community services as identified in Structure Plans.

21.04-603/03/2016
C162**Non Residential Uses**

Council acknowledges that there is a need to protect the amenity of existing and future residential areas. While a range of non-residential uses in residential areas provide services to the local community, (including places of worship, schools, medical centres, display homes, child care centres, cafes, restaurants, and the like), it is important to ensure that these uses do not have a negative impact on residential amenity through inappropriate location, unsympathetic design, and traffic impacts. Petrol stations and car washes in particular are discouraged in residential zones.

Objectives – Non-Residential Uses

To ensure that non residential uses are appropriately located.

To allow complementary non-residential uses to be integrated into residential areas.

To ensure that non residential uses are appropriately located having regard to:

- The intensity and hours of operation of the proposed activity.
- The siting and design of proposed buildings and works, including car parking areas and advertising signs and telecommunications facilities.

GREATER SHEPPARTON PLANNING SCHEME

- The location of access points.

To ensure that the appearance and scale of non residential development in residential zones is consistent with nearby housing.

Strategies – Non-Residential Uses

- Ensure non residential uses are located in areas that are appropriate to the intensity and scale of the proposed use and that will have minimal impact on the amenity of nearby residential properties.
- Ensure major facilities serving catchments beyond the local level are located in commercial areas or sited on roads which avoid the generation of additional through traffic on residential streets.
- Discourage service stations and car washes in residential areas.
- Ensure the siting and design of buildings and works (including car parking areas) responds to the surrounding housing and streetscape and includes features to reduce the noise, loss of privacy and to enhance the appearance of the development, including landscaping, screening, acoustic fencing.

Policy Guidelines – Non-Residential Uses

When considering an application for any of the uses listed below, Council will be guided by the following provisions:

Child Care Centres

- Larger child minding centres in excess of 40 children should be located along major roads.
- Car parking for child minding centres should be provided at the rate of one space per staff member with a drive through drop-off bay for at least three vehicles and one space per 10 children.
- A 2m wide landscape strip along the street frontage should be provided.

Medical Centres/Veterinary Clinics

- The location of the centre should be on a through road and adjacent to other community based uses.
- Car parking should be provided at the rate of five spaces per practitioner operating from the premises at any one time.
- The hours of operation should be 8.00am to 9.00pm Monday to Saturday and 9.00am to 1.00pm Sunday.
- A 2m wide landscape strip along the street frontage should be provided.

Display Homes

- Display homes should primarily be located in areas experiencing new residential and building activity.
- Display homes in established residential areas are discouraged.
- Display homes are encouraged to locate together in residential estates forming a display home centre.
- Display homes should be located on main or collector roads with corner locations preferred.
- The establishment of individual display homes should not isolate private residential dwellings.

GREATER SHEPPARTON PLANNING SCHEME

- The site on which a display home is located should be of sufficient size to provide adequate car parking, pedestrian access, and landscaping.
- Display homes should be adequately landscaped so that they do not detract from the surrounding residential environment and streetscape.
- Traffic generated by display homes should not be detrimental to the existing or proposed road network and traffic movements in the area.
- A variety in housing type and style, including dual occupancy and multi unit developments, is encouraged.
- Display homes that adopt energy efficiency principles are encouraged.
- Consistency of signage is encouraged within display home centres.
- Signage is encouraged to be sympathetic to the surrounding area.

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03/03/2016

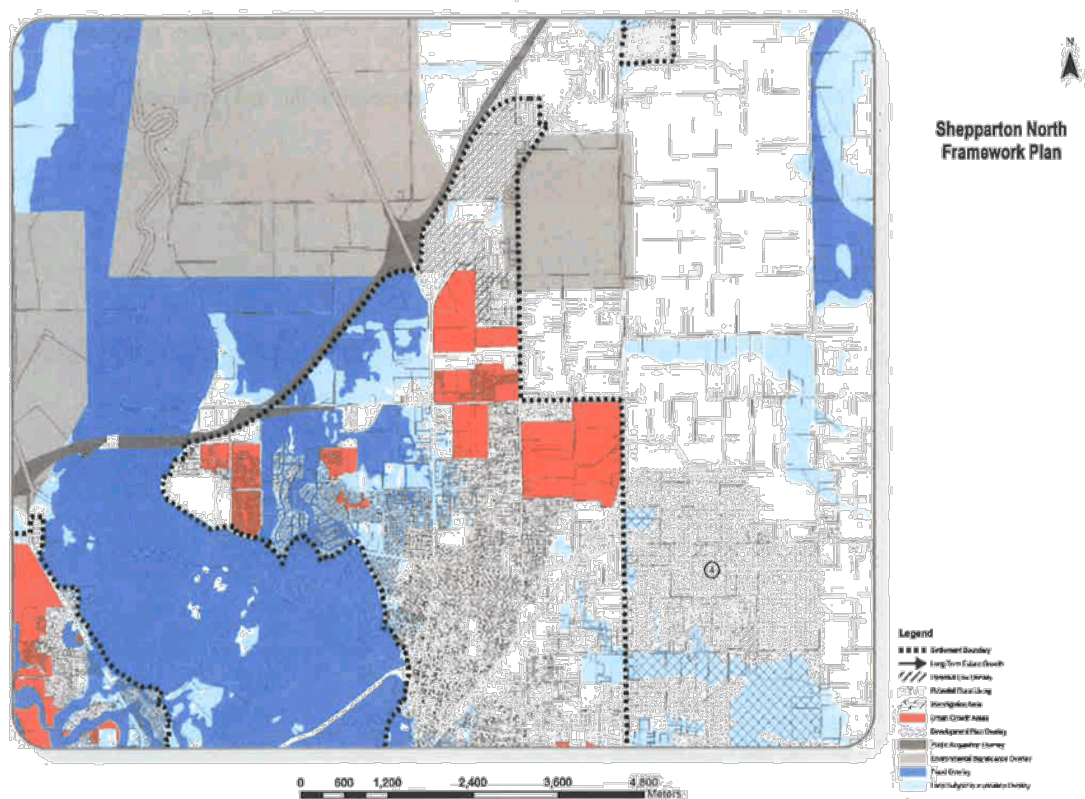
**Strategic Work Program*****Undertaking further strategic work - Settlement***

- Monitor housing trends.
- Monitor 'supply triggers' for development based on land take-up rates that indicate when the identification and planning of new land should commence.
- Investigate variations to Clauses 54 and 55 of the Planning Scheme to reflect Housing Change Areas.
- Investigate opportunities for the continued improvement of the residential development assessment process.
- Investigate different zone options for implementation in growth areas.
- Further assess the Raftery Road Corridor for potential for more intensive rural living or low density residential development and zoning.
- Develop policy guidelines to restrict inappropriate development within and immediately surrounding areas which are liable to flooding.
- Develop and integrate into the planning process a connectivity assessment tool such as a Connectivity Index to require a minimum level of connectivity in all residential neighbourhoods.
- Identify opportunities for (re)development at increased densities to create a diversity of housing options.
- Identify development opportunities for special housing types such as aged care in appropriate locations.
- Review the Recreation and Open Space Strategy to identify open space requirements and develop strategies for creating an open space network. This should include design guidelines to ensure open space is attractive, accessible and safe.
- Prepare Development Contributions Plans incorporating community infrastructure in growth corridors.
- Prepare a land use strategy for Tatura.
- Prepare Structure Plans for the residential corridors for Shepparton/Mooroopna, and proposed development areas at Tatura.
- Devise landscaping themes throughout the municipality to create a unified identity whilst retaining individual township character.
- Review the Shepparton Urban Design Framework to prepare urban design guidelines and directions for other areas that are not included in the "Urban Design Framework – Shepparton North and South Business Areas".

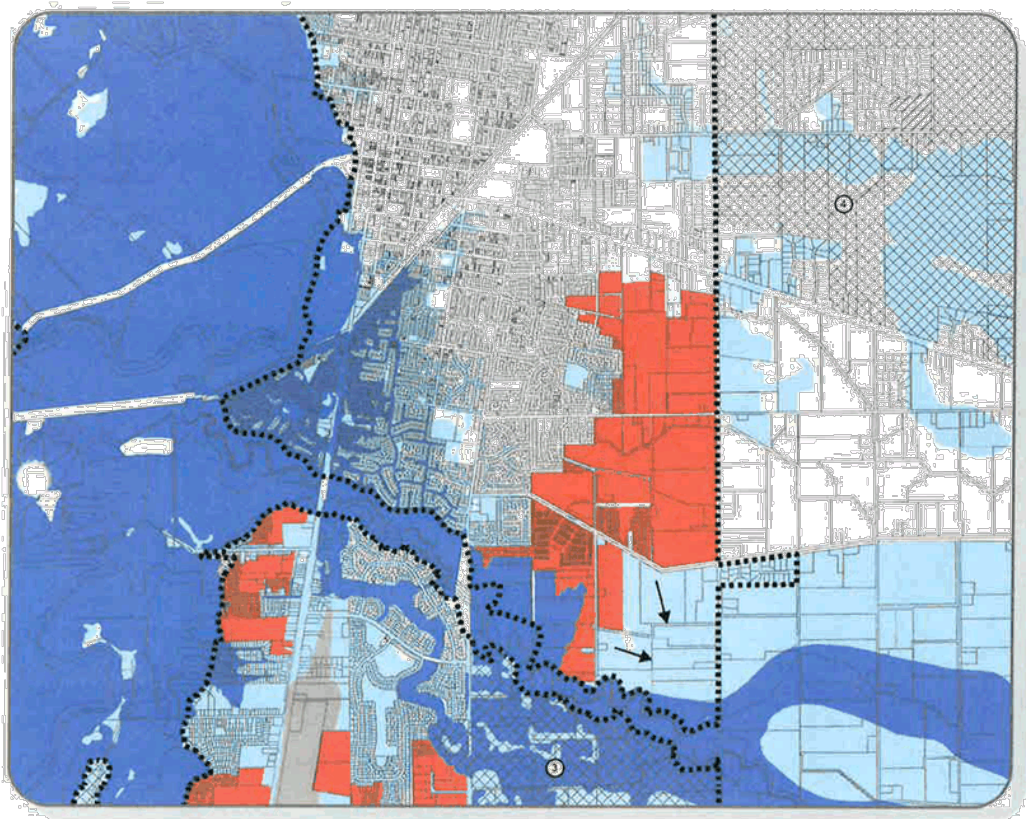
GREATER SHEPPARTON PLANNING SCHEME

- Prepare design guidelines for residential development.
- Develop a tool for ensuring adequate connectivity within and between residential developments.
- Develop a policy that restricts inappropriate development within and surrounding areas which are liable to flooding.
- Prepare a Precinct Structure Plan and, where relevant, a Development Contributions Plan to facilitate development in areas within the Urban Growth Zone.

GREATER SHEPPARTON PLANNING SCHEME



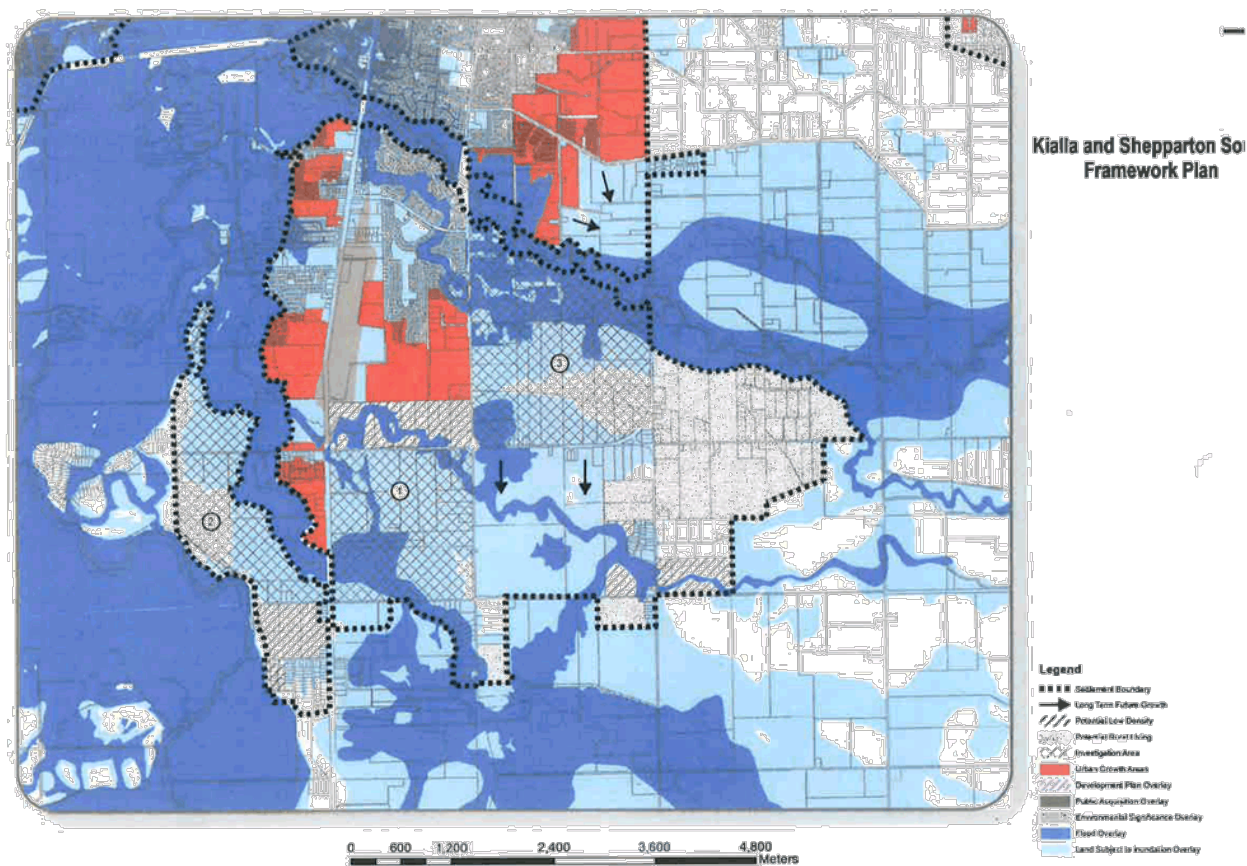
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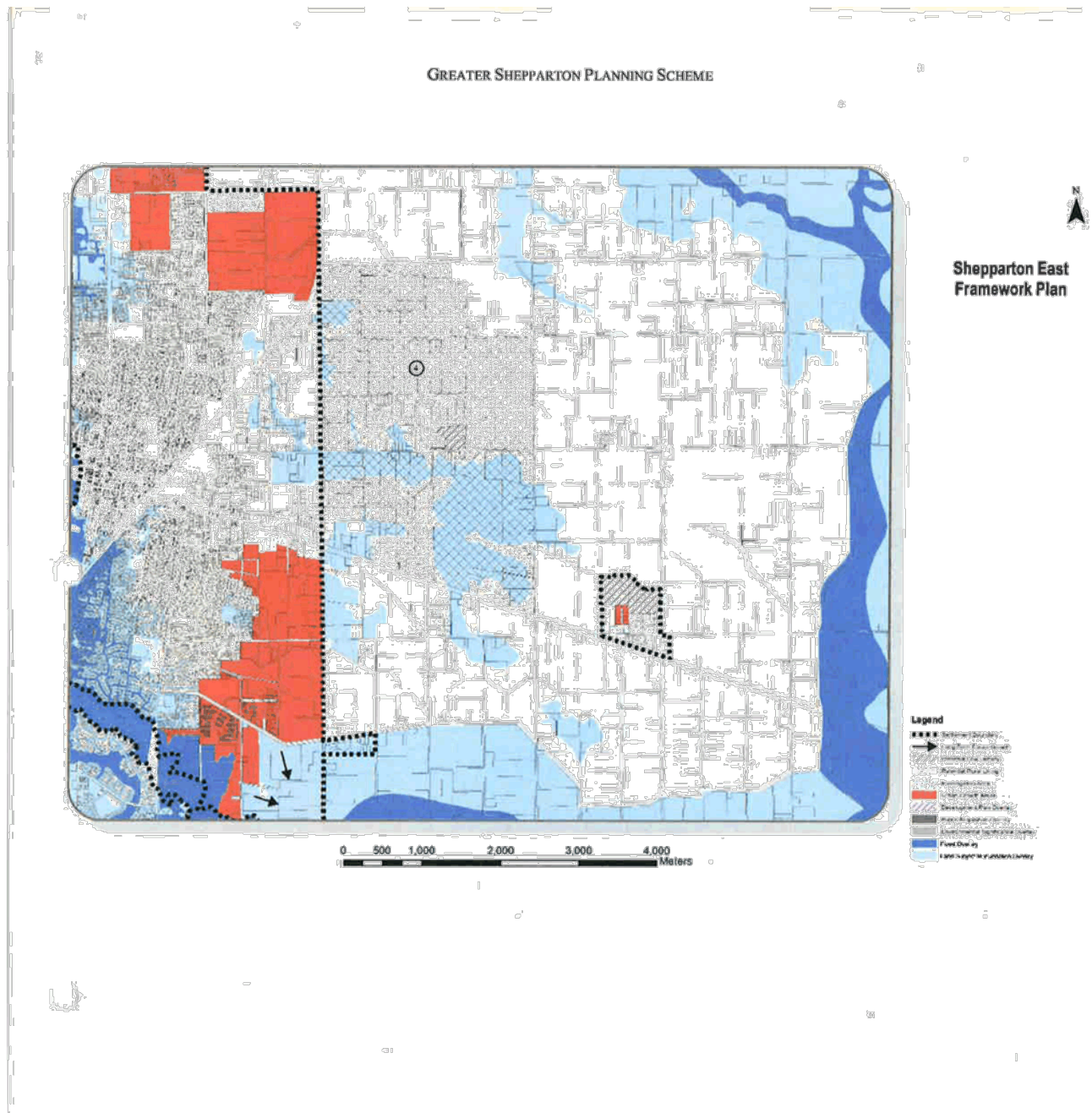


Shepparton South Framework Plan

- Legend**
- Settlement Boundary
 - Long Term Future Growth
 - Potential Low Density
 - Potential Rural Living
 - Investigation Area
 - Urban Growth Areas
 - Development Plan Overlay
 - Public Acquisition Overlay
 - Environmental Significance Overlay
 - Flood Overlay
 - Land Subject to Inundation Overlay

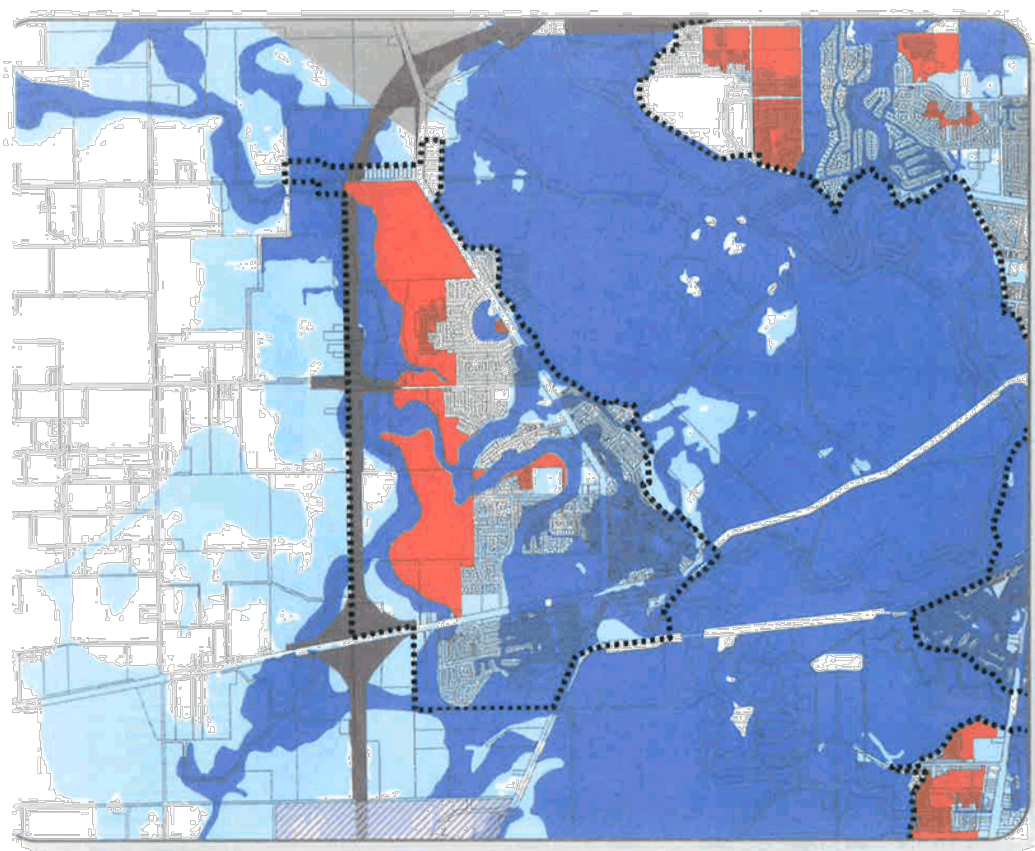
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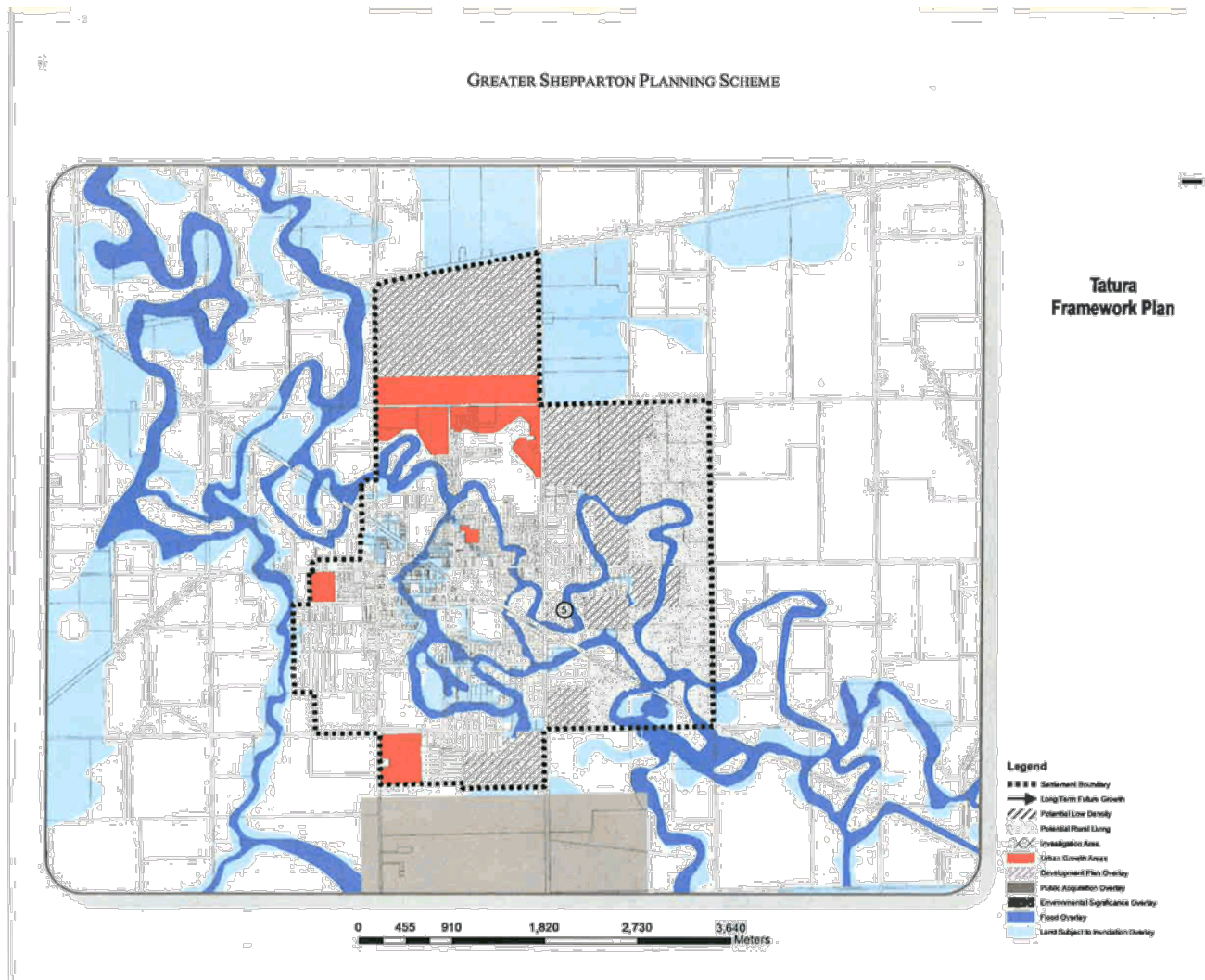
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Mooroopna Framework Plan



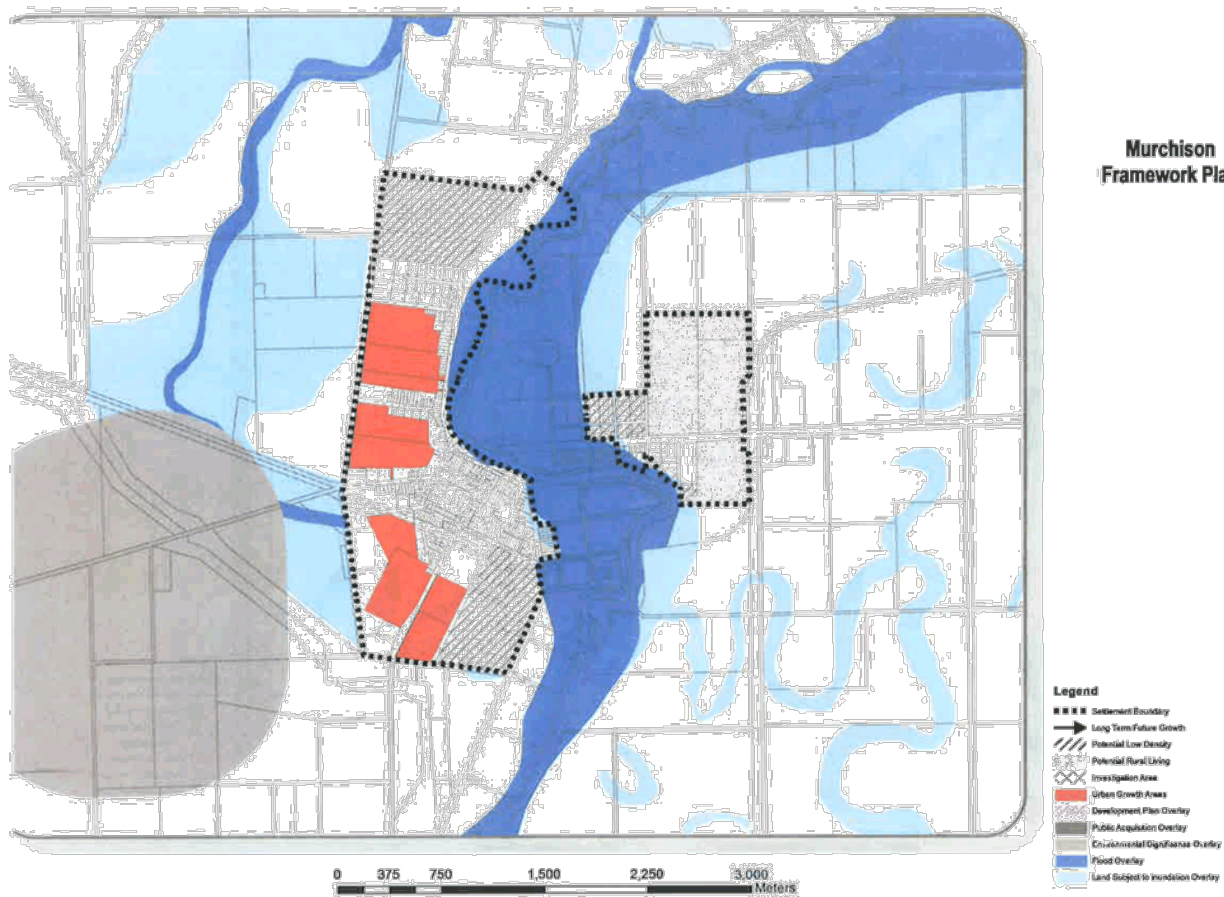
- Legend**
- Settlement Boundary
 - Long Term Future Growth
 - Potential Low Density
 - Potential Rural Living
 - Investigation Area
 - Urban Growth Areas
 - Development Plan Overlay
 - Public Acquisition Overlay
 - Environment Management Overlay
 - Flood Overlay
 - Land Subject to Inundation Overlay

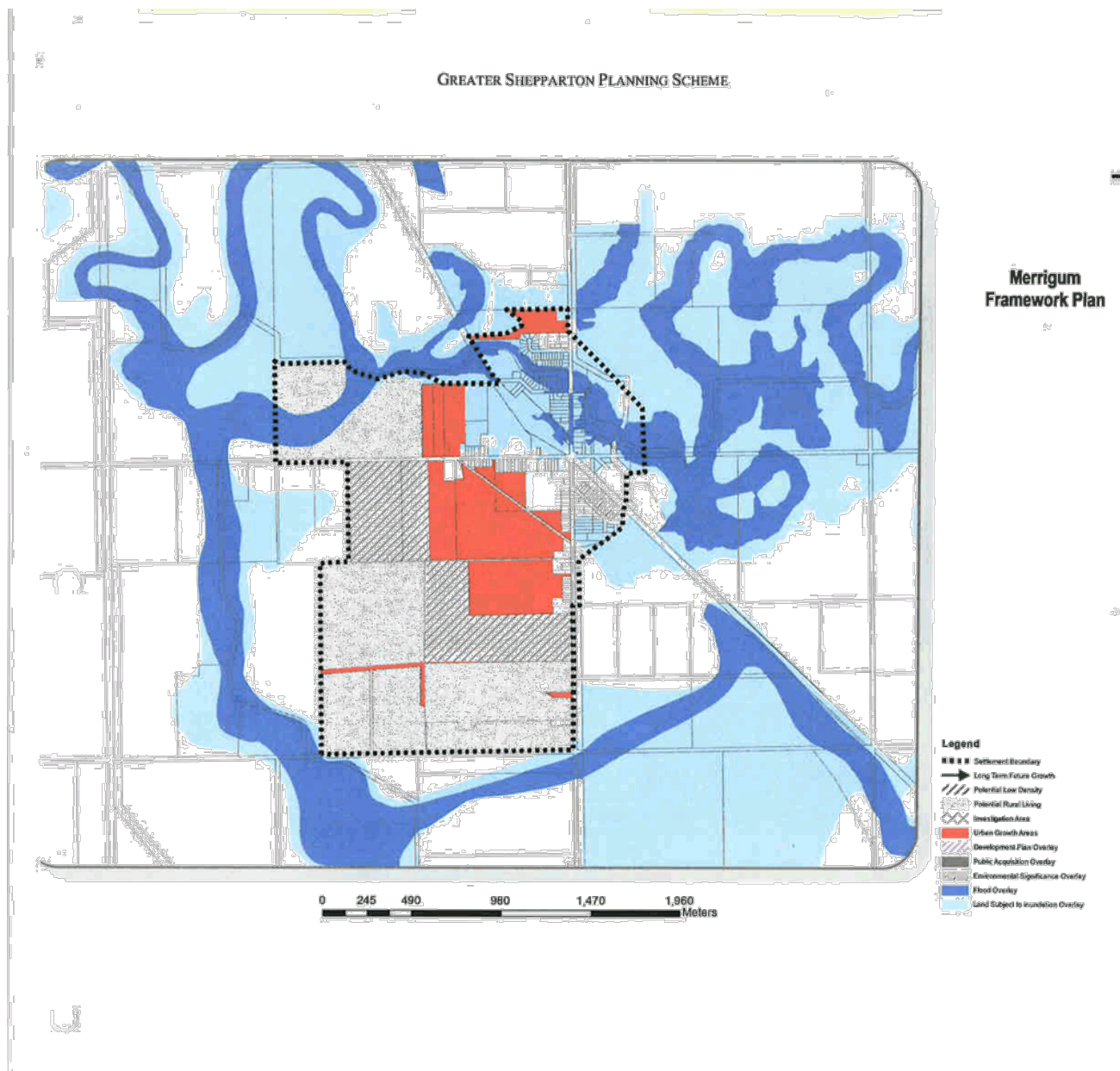
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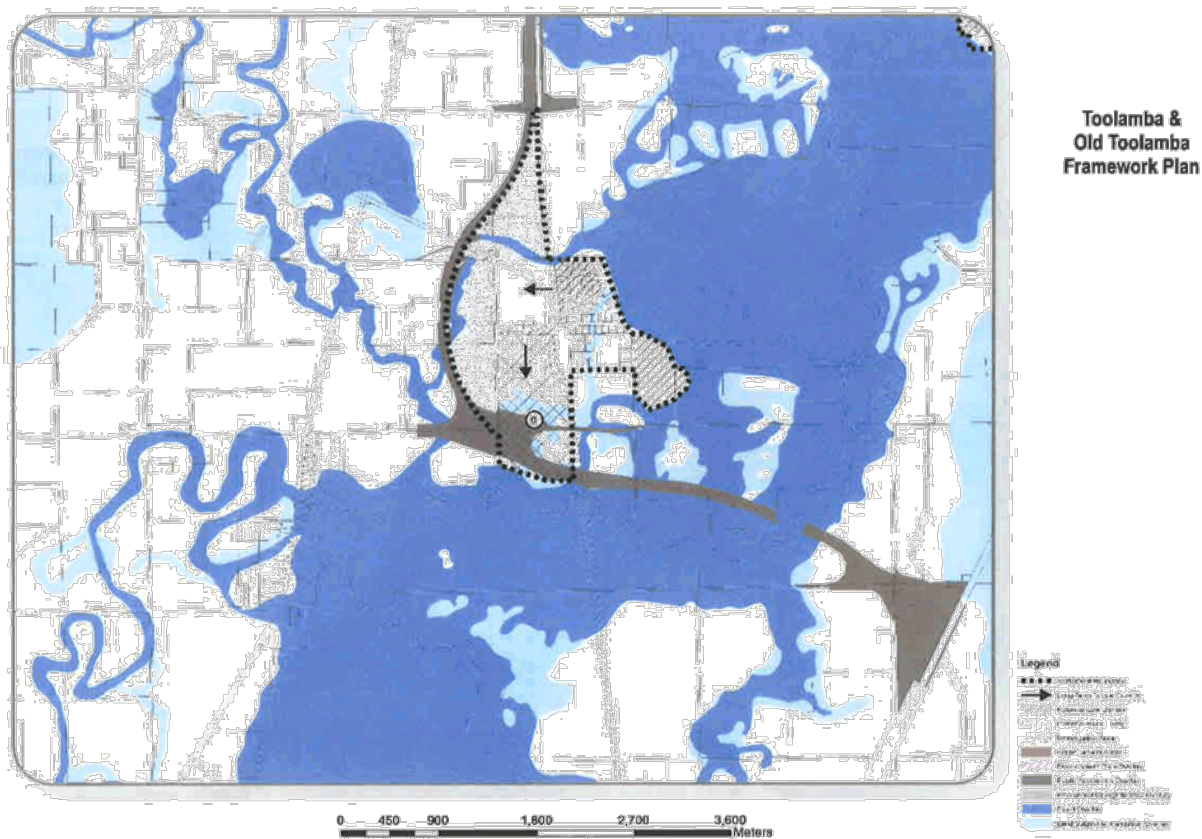
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Murchison Framework Plan



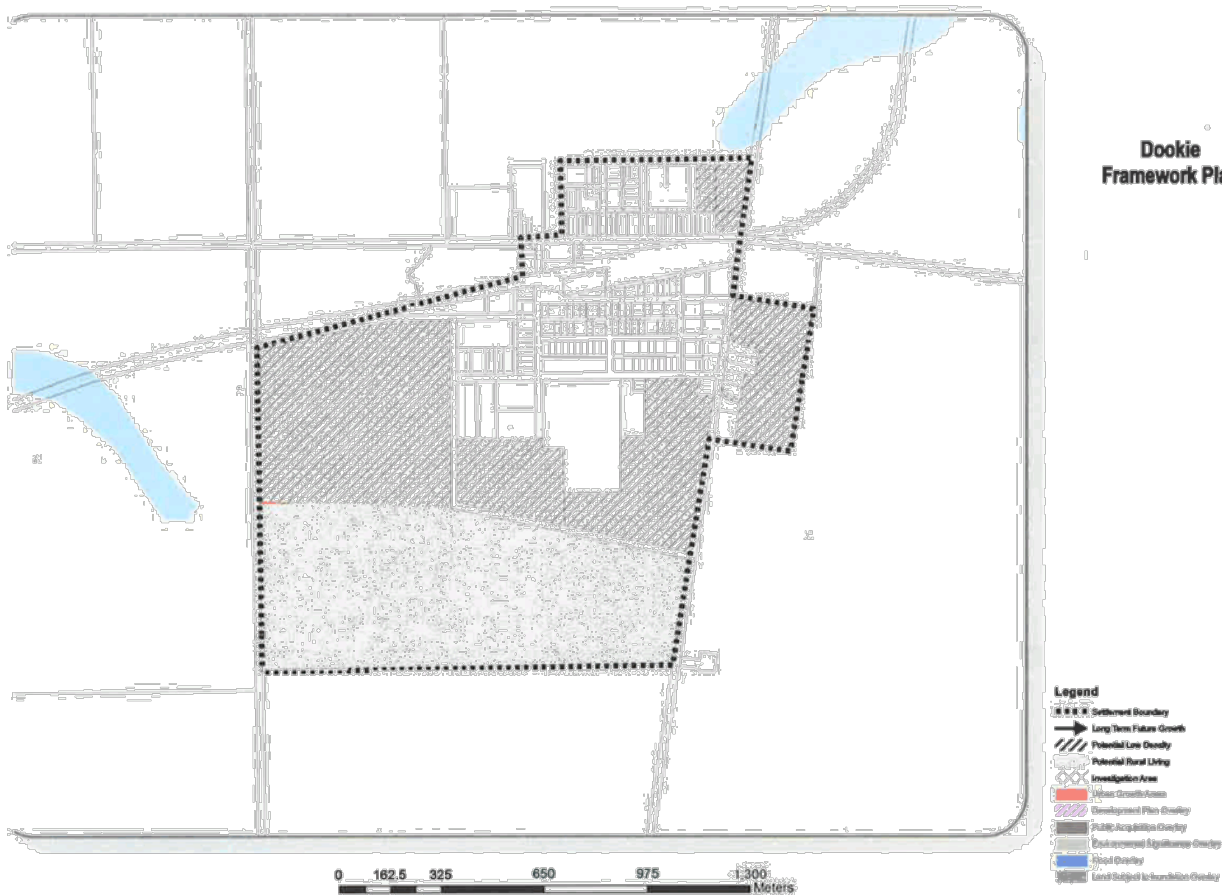


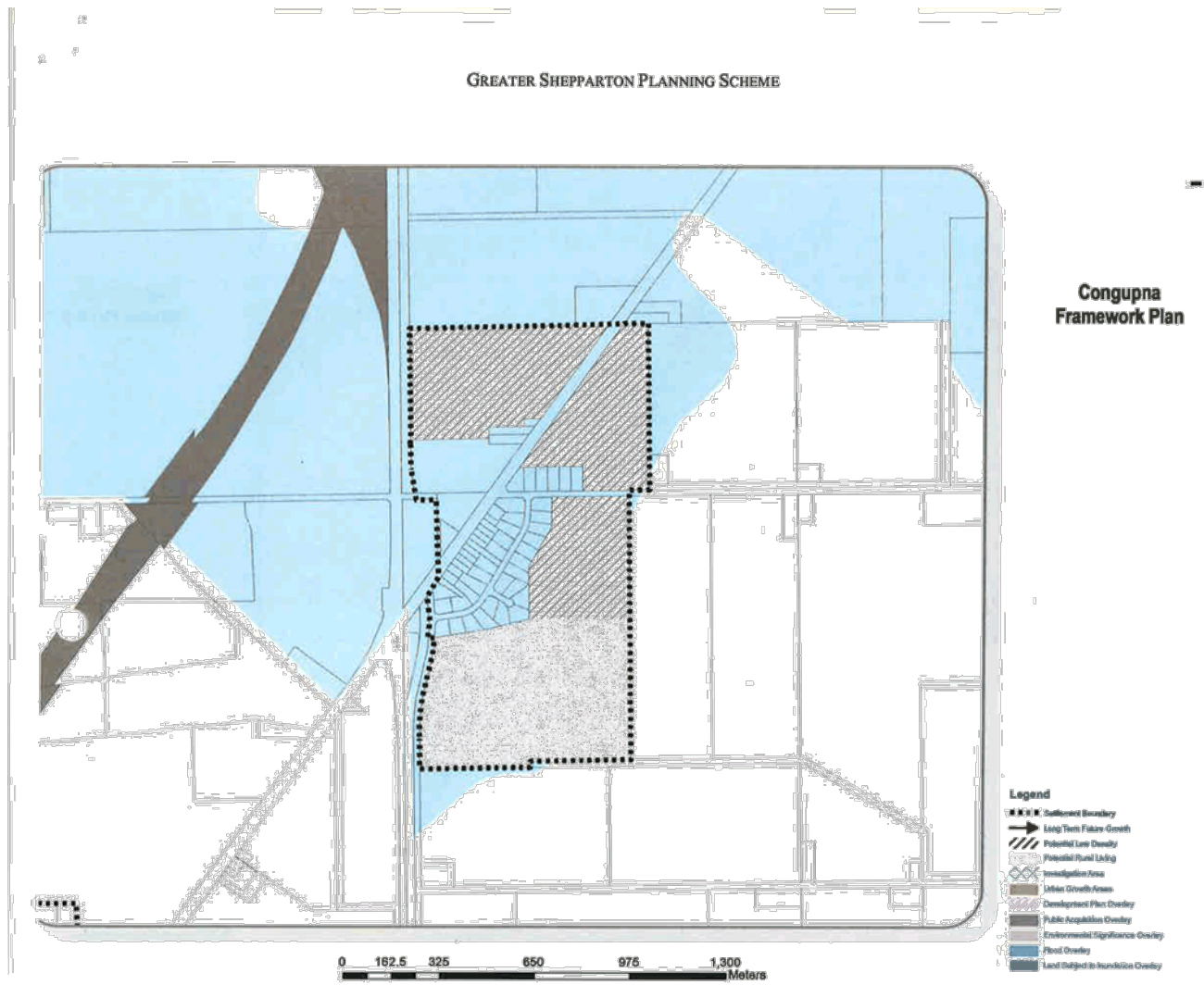
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GREATER SHEPPARTON PLANNING SCHEME

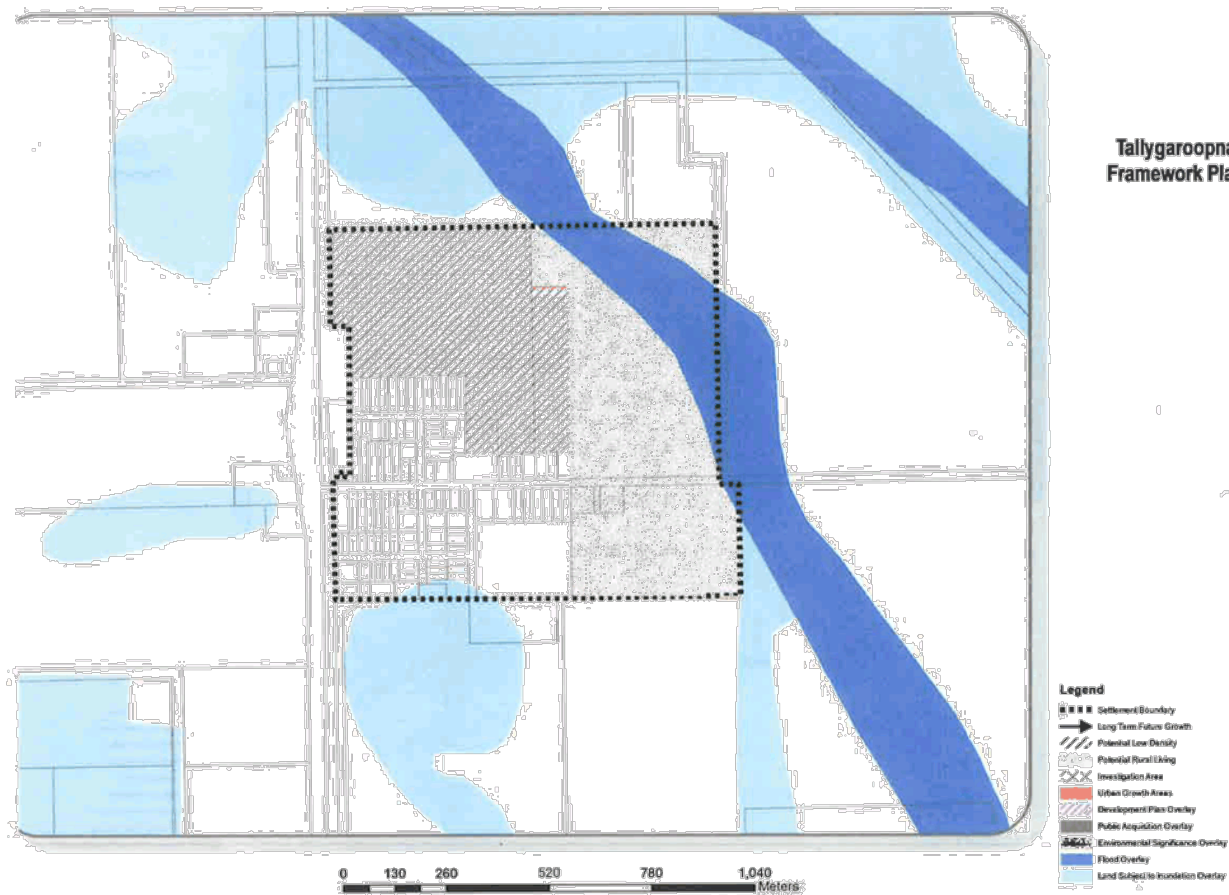
Dookie Framework Plan

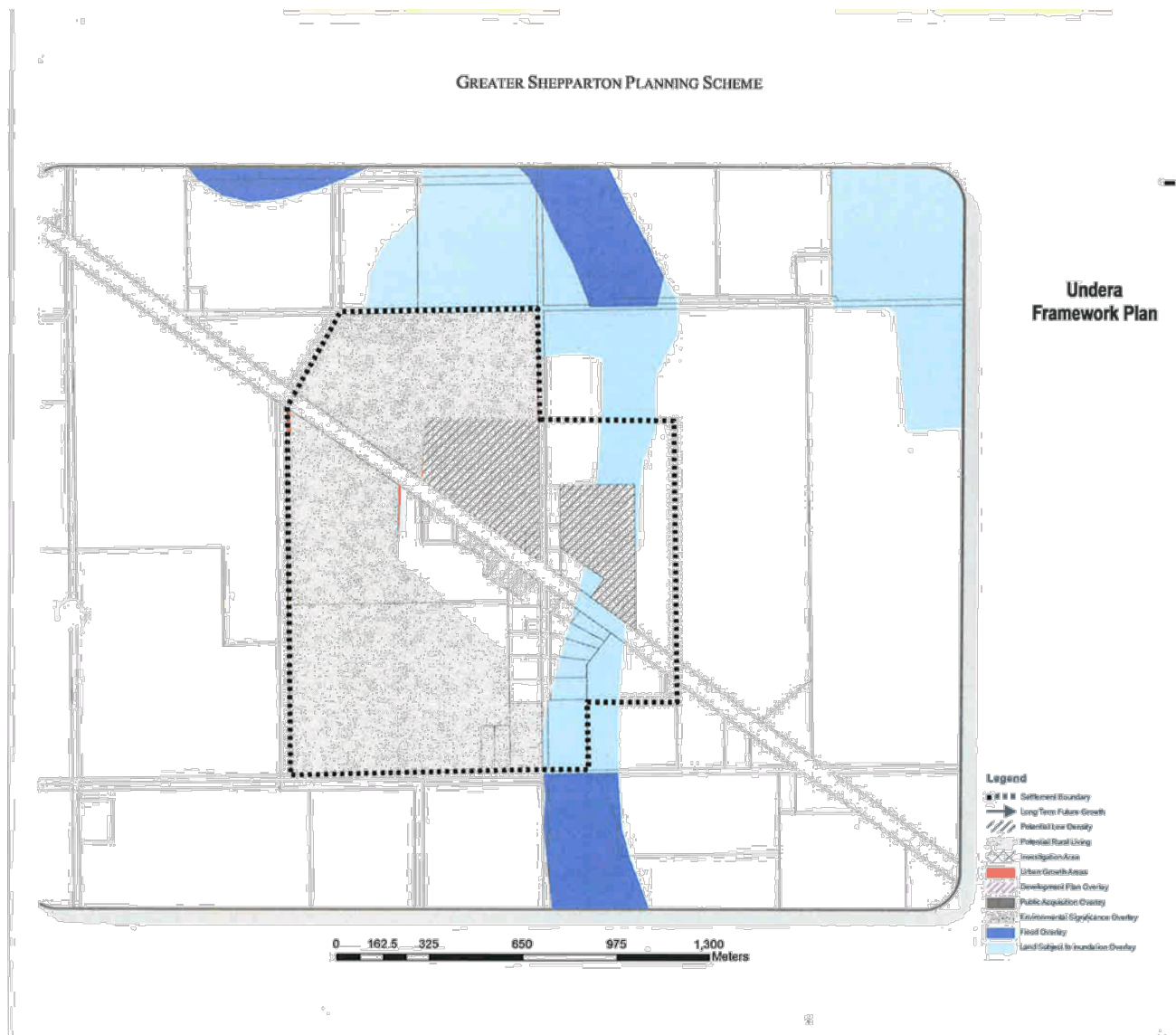




GREATER SHEPPARTON PLANNING SCHEME

Tallygaroopna Framework Plan







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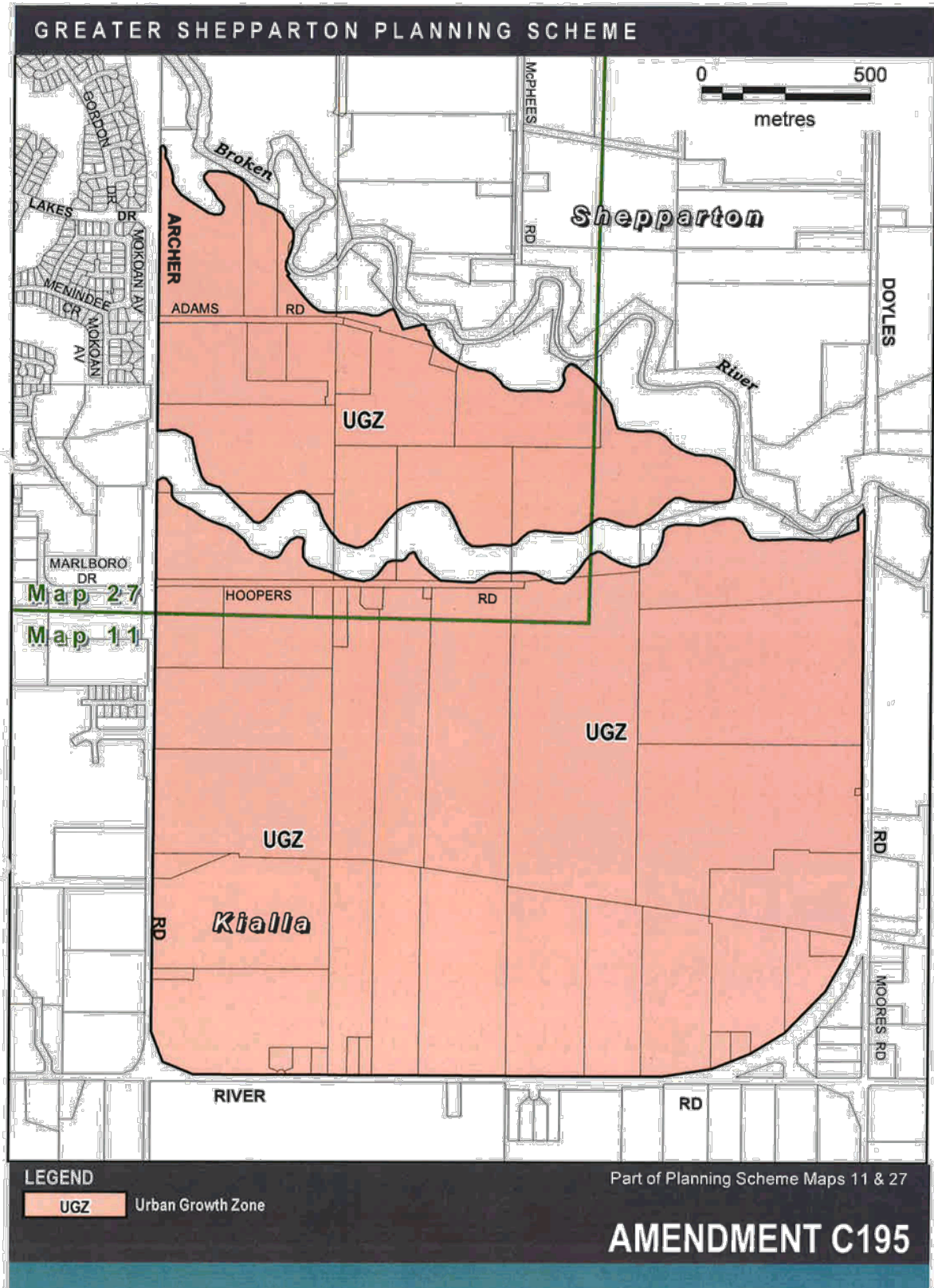
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| Planning Mapping Services |
| Planning Information Services |
| Planning |



601

37.07
16/04/2014
VC111

URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ** with a number (if shown)

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

To contain urban use and development to areas identified for urban development in a precinct structure plan.

To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.

To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

Application of provisions

Part A – No precinct structure plan applies

The provisions of clauses 37.07-1 to 37.07-8 apply if no precinct structure plan applies to the land.

Part B – Precinct structure plan applies

The provisions of clauses 37.07-9 to 37.07-16 apply if a precinct structure plan applies to the land.

Precinct structure plan provisions

A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

PART A - PROVISIONS FOR LAND WHERE NO PRECINCT STRUCTURE PLAN APPLIES

37.07-1
16/04/2014
VC111

Table of uses

Section 1 – Permit not required

Use	Condition
Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, Rice growing and Timber production)	
Bed and breakfast	No more than 10 persons may be

Use	Condition
	<p>accommodated away from their normal place of residence.</p> <p>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</p>
Dependent person's unit	<p>Must be the only dependent person's unit on the lot.</p> <p>Must meet the requirements of Clause 37.07-2.</p>
Dwelling (other than Bed and breakfast)	<p>Must be the only dwelling on the lot.</p> <p>The lot must be at least 40 hectares.</p> <p>Must meet the requirements of Clause 37.07-2.</p>
Home occupation	
Informal outdoor recreation	
Minor utility installation	
Primary produce sales	<p>Must not be within 100 metres of a dwelling in separate ownership.</p> <p>The area used for the display and sale of primary produce must not exceed 50 square metres.</p>
Railway	
Rural industry (other than Abattoir and Sawmill)	<p>Must not have a gross floor area more than 200 square metres.</p> <p>Must not be within 100 metres of a dwelling in separate ownership.</p> <p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:</p> <ul style="list-style-type: none"> ☐ The threshold distance, for a purpose listed in the table to Clause 52.10. ☐ 30 metres, for a purpose not listed in the table to Clause 52.10.
Rural store	<p>Must be used in conjunction with Agriculture.</p> <p>Must be in a building, not a dwelling, and have a gross floor area of less than 100 square metres.</p> <p>Must be the only Rural store on the lot.</p>
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01
Section 2 – Permit required	
Use	Condition
Abattoir	
Animal boarding	
Animal keeping (other than Animal boarding)	Must be no more than 5 animals.

Use	Condition
Camping and caravan park	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cemetery	
Crematorium	
Dependent person's unit – if the Section 1 condition is not met	Must meet the requirements of Clause 37.07-2.
Display home	
Dwelling (other than Bed and breakfast) – if the Section 1 conditions are not met	Must be no more than two dwellings on the lot. Must meet the requirements of Clause 37.07-2.
Education centre	
Emergency services facility	
Freeway service centre	Must meet the requirements of Clause 52.30.
Industry (other than Rural Industry)	
Trade supplies	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Veterinary centre	
Warehouse (other than Rural store)	
Winery	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm, Nursing home and Residential hotel)
Amusement parlour
Brothel
Child care centre
Cinema based entertainment facility
Intensive animal husbandry
Nightclub
Office (other than Medical centre and Real estate agency)
Renewable energy facility
Retail premises (other than Landscape gardening supplies, Manufacturing sales, Market, Primary produce sales, Restaurant and Trade supplies)
Saleyard
Timber production

37.07-2
10/06/2008
VC48

Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- ☒ Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- ☒ The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- ☒ The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- ☒ The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person's unit.

37.07-3
16/04/2014
VC111

Subdivision

A permit is required to subdivide land.

Each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- ☒ The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- ☒ The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- ☒ The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

37.07-4
16/04/2014
VC111

Buildings and works

A permit is required to construct or carry out any of the following:

- ☒ A building or works associated with a use in Section 2 of Clause 37.07-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is no more than 100 square metres.
 - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than 100 square metres.
 - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is no more than 200 square metres. The building must not be used to keep, board, breed or train animals.
- ☒ Earthworks which change the rate of flow or the discharge point of water across a property boundary.
- ☒ Earthworks which increase the discharge of saline water.
- ☒ A building which is within any of the following setbacks:
 - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
 - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
 - 20 metres from any other road.

- 5 metres from any other boundary.
- 100 metres from a dwelling not in the same ownership.
- 100 metres from a waterway, wetlands or designated flood plain.

37.07-5 Referral of applications

16/04/2014
VC111

An application of the kind listed below must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03.

- An application to use or develop land for any of the following:
 - Display home
 - Education centre
 - Hospital
 - Industry
 - Medical centre
 - Nursing home
 - Place of worship
 - Real estate agency
 - Warehouse
- An application to subdivide land to create a lot smaller than 40 hectares in area.

37.07-6 Environmental audit

10/06/2008
VC48

Before a nursing home, pre-school centre or primary school commences on potentially contaminated land, or before the construction or carrying out of buildings and works in association with a nursing home, pre-school centre or primary school commences on potentially contaminated land, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

In this clause, "potentially contaminated land" means land used or known to have been used for industry, mining, or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of the land).

37.07-7 Decision guidelines

16/04/2014
VC111

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect on the future urban development and use of the land, and adjacent or nearby land, having regard to:
 - Any relevant Growth Corridor Framework Plan.

- ⊗ Any precinct structure plan being prepared for the area.
- ⊗ Any comments or directions of the referral authority.
- ⊗ Whether the proposal will prejudice the logical, efficient and orderly future urban development of the land, including the development of roads, public transport and other infrastructure.
- ⊗ The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- ⊗ How the use or development relates to sustainable land management.
- ⊗ Whether the site is suitable for the use or development.
- ⊗ The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features, future urban use of the land, and the measures to be undertaken to minimise any adverse impacts.
- ⊗ The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- ⊗ The location and design of existing and proposed infrastructure including roads, public transport, walking and cycling networks, gas, water, drainage, telecommunications and sewerage facilities.
- ⊗ Whether the use and development will require new or upgraded infrastructure, including traffic management measures.

37.07-8
21/09/2009
VC60

Advertising signs

Advertising sign requirements are at Clause 52.05. The zone is in Category 3.

Despite the provisions of Clause 52.05-9, a permit may be granted, for a period of not more than 5 years, to display an advertising sign that promotes the sale of land or dwellings.

PART B - PROVISIONS FOR LAND WHERE A PRECINCT STRUCTURE PLAN APPLIES

37.07-9
23/09/2011
VC77

Use of land

Any requirement in the Table of uses and any requirement specified in the schedule to this zone must be met.

A permit granted must be generally in accordance with the precinct structure plan applying to the land.

Table of uses

Section 1 – Permit not required

Use	Condition
Any use in Section 1 of a zone applied by the schedule to this zone	Must comply with any condition opposite the use in Section 1 of the applied zone Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan
Any use specified in the schedule to this zone as a use for which a permit	Must comply with any condition or requirement specified in the schedule to this zone or in the

Use	Condition
is not required	precinct structure plan

Section 2 – Permit required

Use	Condition
Any use in Section 2 of a zone applied by the schedule to this zone	Must comply with any condition opposite the use in Section 2 of the applied zone Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan
Any use specified in the schedule to this zone as a use for which a permit is required	Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Any use in Section 3 of a zone applied by the schedule to this zone
Any use specified in the schedule to this zone

37.07-10
23/09/2011
VC77

Subdivision of land

A permit is required to subdivide land. Any requirement in the schedule to this zone or the precinct structure plan must be met.

A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

37.07-11
23/09/2011
VC77

Buildings and works

If the schedule to this zone specifies:

- That the provisions of a zone apply to the development of land, the provisions of the zone apply to land in the circumstances specified in the schedule.
- Provisions relating to the development of land, those provisions apply to land in the circumstances specified in the schedule.

If the schedule to this zone specifies that a permit is required to construct a building or construct or carry out works, a permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

37.07-12
10/06/2008
VC48

Application requirements

An application to use or subdivide land, construct a building or construct or carry out works, must be accompanied by any information specified in the schedule to this zone.

37.07-13 Exemption from notice and review23/09/2011
VC77

An application under clause any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act., unless the schedule to this zone specifies otherwise.

37.07-14 Decision guidelines10/06/2008
VC48

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any relevant Growth Area Framework Plan.
- The precinct structure plan applying to the land, including the vision and objectives of the precinct structure plan.
- Any guidelines in the schedule to this zone.

37.07-15 Inconsistencies between specific and applied zone provisions10/06/2008
VC48

If there is an inconsistency between the specific provisions specified in the schedule to this zone and the provisions of a zone applied by the schedule to this zone, the specific provisions prevail to the extent of any inconsistency.

37.07-16 Advertising signs10/06/2008
VC48

Advertising sign requirements are at Clause 52.05. This zone is in the category specified in the schedule to this zone or, if no category is specified, Category 3.

Notes: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

Planning and Environment Act 1987

GREATER SHEPPARTON PLANNING SCHEME

AMENDMENT C195

INSTRUCTION SHEET

The planning authority for this amendment is the Greater Shepparton City Council.

The Greater Shepparton Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheet.

Zoning Maps

1. Amend Planning Scheme Map Nos. 11 and 27 in the manner shown on the 1 attached map sheet marked "Greater Shepparton Planning Scheme, Amendment C195".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Local Planning Policy Framework – replace Clause 21.04 with a new Clause 21.04 in the form of the attached document.
3. In Zones – insert Clause 37.07 in the form of the attached document.

End of document

SUBMISSION RECORDER
AMENDMENT C195

Sub No.	Organisation	Content of Submission	Assessment of submission	Recommendation
1	Goulburn Valley Water	No Objection, provided comment: Amendment area is currently outside GWW sewer district and the majority of the water district boundary for Shepparton and will trigger additional augmentation works for water/sewer servicing.		
2	Goulburn-Murray Water	No Objection.		
3	Clement-Stone Town Planners Pty Ltd	The submission requests that the Amendment be abandoned for the following reasons: * The proposed rezoning is premature, given the lack of monitoring and review of the Greater Shepparton Housing Strategy, 2011; * The proposed amendment prepares the land for intensified residential uses, relying on an unprepared future PSP, rather than preparing this assessment now; * Land capability factors have not been considered, including flooding and access; * The proposed amendment does not appropriately address or manage flood risk and does not adequately consider the costs associated with the extent of excavation and fill required to mitigate flooding; and * Investigation Area 4, land that is relatively unencumbered and is also identified in 21.04 – Settlement as an area for potential future residential development, has been unduly prejudiced by committing Council resources to complete studies for Investigation Area 3, while resources have not been committed to complete studies for Investigation Area 4.	* Council does not support the abandonment of the Amendment. * Council believes there is sufficient strategic justification to rezone the subject land. * The intention of this Amendment is to safeguard the land from use and development that may hinder its future development potential, while allowing the excision of existing dwellings to facilitate the amalgamation of land holdings. * A Urban Development Program 2016 - Residential and Industrial Land Supply Assessments provides an analysis of the supply and demand for residential land for the municipality and supports the immediate need to progress strategically identified unzoned residential land stocks through the structure planning and rezoning process. * Council has been unable to proceed with the rezoning of Investigation Area 4 as the required studies are premature pending the completion of the Goulburn Broken Catchment Management Authority's Shepparton East Flood Study.	Refer to Panel
4	APA Group	* APA Group operates and manages a natural gas transmission pipeline that runs along the western side of Archer Road. A portion of the buffer zone of this pipeline lies within the land proposed to be rezoned. * Requests the limitation in the application of any sensitive use or high density development within the buffer zone and request the opportunity to be included in the future preparation of a PSP.	* APA Group Networks operates and manages a natural gas transmission pipeline that runs along the western side of Archer Road. A portion of the measurement length of this pipeline lies within the land proposed to be rezoned; * APA Group Networks requests the limitation in the application of any sensitive use or high density development within the measurement length; and * APA Group Networks requests the opportunity to participate in the preparation of any future PSP for the subject land. * APA Group Networks will be consulted as part of the preparation of any future PSP to ensure that sensitive uses and high density development within the measurement length is limited.	
5	DELWP	* Provide support subject to the following post-exhibition changes to 21.05: Objective - Natural Environment & Biodiversity: - To ensure structure planning for residential growth provides for biodiversity protection and enhancement measures. Strategies - Natural Environment & Biodiversity: - Ensure that Precinct Structure Plans address the following biodiversity protection and enhancement measures: o Site and design development, including service infrastructure, roads and subdivision boundaries, in a manner that minimises the need to remove remnant native vegetation; o Site and design stormwater disposal and flood mitigation infrastructure to provide for waterway habitat enhancement; and o Enhance biodiversity values by requiring native vegetation in landscape treatments, in particular within floodways and reserves that link to rivers.	Council agrees to proposed changes to Amendment	Prepare post-exhibition changes to reflect request.
6	DEDJTR	* Support subject to access and environs to the Shepparton Alternate Route (SAR) being carefully managed. * Requests to be consulted during the preparation of any future PSP. * Future PSP should provide buffering for residential zones from noise impacts of SAR. * Access points should be minimised to reduce road conflict. * Requests that consideration is included in 21.04-1 Policy Guidelines - Urban Growth and Consolidation to minimise access to SAR.	Council agrees to proposed changes to Amendment	Prepare post-exhibition changes to reflect request.
7	Landowner	* A flood study is required to inform the proposed amendment. * The proposed amendment will devalue the property and includes the compulsory acquisition of land. * The proposed amendment does not appropriately address or manage flood risk. * Questions the legitimacy of Amendment C23 (Part 1 and Part 2) * Requests that an independent investigation be undertaken in relation to the Investigation Area study. The submission attaches a number of questions to the submission.	* Council believes there is sufficient strategic justification to rezone the subject land. * The proposed amendment is not proposing the compulsory acquisition of any land or amending the flood controls on the land. * The intention of this Amendment is to safeguard the land from use and development that may hinder its future development potential, while allowing the excision of existing dwellings to facilitate the amalgamation of land holdings.	Refer to Panel
8	Landowner	* A flood study is required to inform the proposed amendment. * The proposed amendment will devalue the property and includes the compulsory acquisition of land. * The proposed amendment does not appropriately address or manage flood risk. * Questions the legitimacy of Amendment C23 (Part 1 and Part 2) * Requests that an independent investigation be undertaken in relation to the Investigation Area study.	* Council believes there is sufficient strategic justification to rezone the subject land. * The proposed amendment is not proposing the compulsory acquisition of any land or amending the flood controls on the land. * The intention of this Amendment is to safeguard the land from use and development that may hinder its future development potential, while allowing the excision of existing dwellings to facilitate the amalgamation of land holdings.	Refer to Panel
9	Landowner	* A flood study is required to inform the proposed amendment. * The proposed amendment will devalue the property and includes the compulsory acquisition of land. * The proposed amendment does not appropriately address or manage flood risk. * Questions the legitimacy of Amendment C23 (Part 1 and Part 2) * Requests that an independent investigation be undertaken in relation to the Investigation Area study.	* Council believes there is sufficient strategic justification to rezone the subject land. * The proposed amendment is not proposing the compulsory acquisition of any land or amending the flood controls on the land. * The intention of this Amendment is to safeguard the land from use and development that may hinder its future development potential, while allowing the excision of existing dwellings to facilitate the amalgamation of land holdings.	Refer to Panel
10	Landowner	* A flood study is required to inform the proposed amendment. * The proposed amendment will devalue the property and includes the compulsory acquisition of land. * The proposed amendment does not appropriately address or manage flood risk. * Questions the legitimacy of Amendment C23 (Part 1 and Part 2) * Requests that an independent investigation be undertaken in relation to the Investigation Area study.	* Council believes there is sufficient strategic justification to rezone the subject land. * The proposed amendment is not proposing the compulsory acquisition of any land or amending the flood controls on the land. * The intention of this Amendment is to safeguard the land from use and development that may hinder its future development potential, while allowing the excision of existing dwellings to facilitate the amalgamation of land holdings.	Refer to Panel
11	GBCMA	No Objection.		

G R E A T E R S H E P P A R T O N
G R E A T E R F U T U R E



UNCONFIRMED MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

HELD ON
TUESDAY 21 FEBRUARY, 2017
AT 5.30PM

IN THE COUNCIL BOARDROOM

COUNCILLORS:

Cr Dinny Adem (Mayor)
Cr Kim O'Keeffe (Deputy Mayor)
Cr Seema Abdullah
Cr Bruce Giovanetti
Cr Chris Hazelman
Cr Les Oroszvary
Cr Dennis Patterson
Cr Fern Summer
Cr Shelley Sutton

VISION

*A THRIVING ECONOMY IN THE FOODBOWL OF VICTORIA WITH
EXCELLENT LIFESTYLES, INNOVATIVE AGRICULTURE
A DIVERSE COMMUNITY AND
ABUNDANT OPPORTUNITIES*



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions

Disclosures of conflicts of interest in relation to advice provided in this report
Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Council Officers involved in producing this report

Author: Graduate Strategic Planner Amendments

Proof reader(s): Team Leader Strategic Planning, Manager Building and Planning

Approved by: Director Sustainable Development

Other: Senior Strategic Planner

Executive Summary

At the 19 July 2016 Ordinary Council Meeting, Council resolved to note the findings of the *Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016 (Model of Flood Behaviour and Conceptual Masterplan)* and prepare and exhibit an amendment to implement its findings.

Amendment C195 proposes to rezone approximately 474 hectares of land at Kialla, generally bound by Archer Road to the west, River Road to the south, Doyles Road to the east and the Broken River to the north from the Rural Living Zone to the Urban Growth Zone (see *Attachment 1 – Exhibition Documentation*).

The proposed Amendment was exhibited from 3 November 2016 to 5 December 2016 in accordance with the *Planning and Environment Act 1987* (the Act). Council received eleven submissions in total, including five late submissions (see *Attachment 2 – Submissions Recorder*). Two submissions were received from referral authorities and requested changes; these submissions have been resolved. One submission was received that requested the proposed Amendment be abandoned. Four late submissions queried flood controls and objected to the proposed Amendment.

The concerns raised in the submissions that objected to the proposed Amendment are summarised below:

- Intensification of residential uses without first undertaking a precinct structure planning process;
- Consideration of land capability factors, including flooding and access;
- Addressing and managing flood risks;
- Consideration of the costs associated with excavation and fill required to mitigate flooding;
- Lack of monitoring and review of the *Greater Shepparton Housing Strategy, 2011* and, subsequently, lack of strategic justification for the proposed Amendment;
- Future development of Investigation Area 4;
- Need for a flood study to inform the proposed Amendment and to manage flood risk;
- Devaluation of properties and compulsory acquisition of land;
- Request for an independent investigation to be undertaken in relation to the Investigation Area study; and
- Queries the legitimacy of the previously implemented flood study.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

Council officers have corresponded with all submitters in an effort to resolve the issues raised; however, five submissions remain outstanding. As such, all submissions have been referred under delegation to an Independent Planning Panel appointed by the Minister for Planning for consideration. The Independent Planning Panel Directions Hearing was held on 30 January 2017 and the Panel Hearing will be held on 15 March 2017.

It is recommended that Council note Council officers' position at the upcoming Independent Planning Panel Hearing as outlined in this report.

**Moved by Cr Hazelman
Seconded by Cr O'Keeffe**

That, with regard to submissions received for Amendment C195 the Greater Shepparton Planning Scheme, Council:

1. note Council officers' response outlined in this report for presentation to an Independent Planning Panel; and
2. resolve that Council officers may exercise discretion to best achieve the general position adopted by Council.

CARRIED.

Background

Amendment C195 proposes to rezone land in the Rural Living Zone (RLZ) to the Urban Growth Zone (UGZ) to safeguard the area for future development as a strategic residential growth corridor (as shown on *Figure 1 – Locality Map*).

The Amendment seeks to reduce the minimum lot size for subdivision from eight hectares to a maximum of two hectares to allow for house excisions, where appropriate. The Amendment also proposes to amend the Municipal Strategic Statement (MSS) of the Greater Shepparton Planning Scheme (Planning Scheme) to provide interim guidance for planning permit applications until a Precinct Structure Plan (PSP) and Development Contributions Plan (DCP) are prepared and implemented through a future planning scheme amendment.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

Figure 1 – Locality Map (land generally affected by the proposed Amendment is outlined in green)

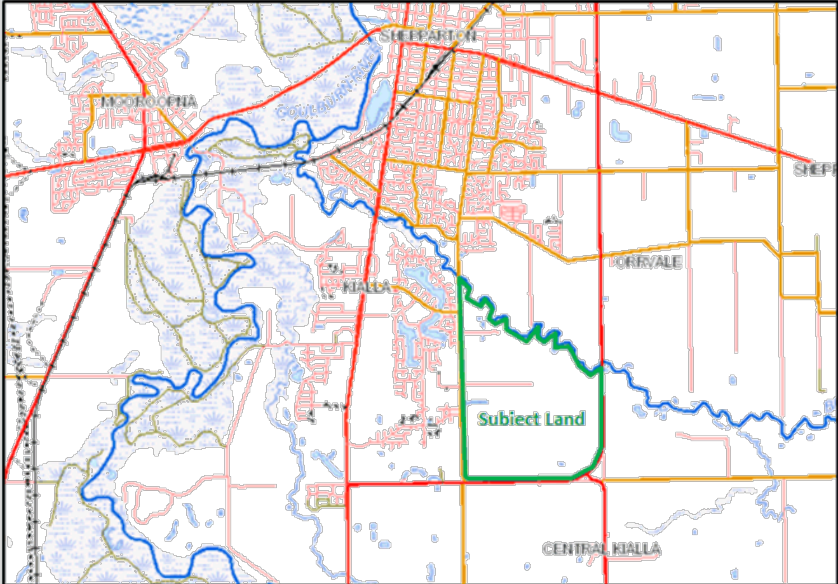


Figure 2 – Current Zone Mapping (land in the Rural Living Zone is shown in orange and land in the Urban Floodway Zone is shown in pale blue)





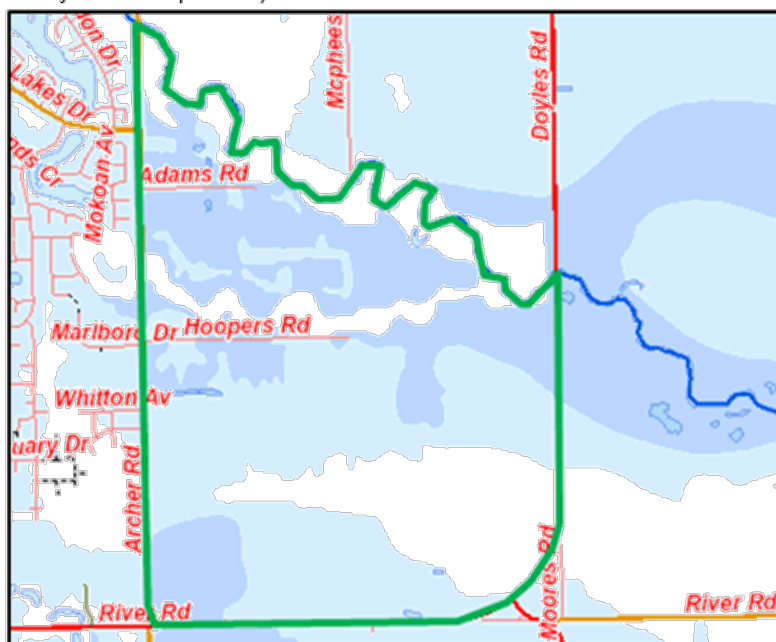
9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

The land is currently within the Rural Living Zone and the Urban Floodway Zone (see *Figure 2 – Current Zone Mapping*) and is affected by the Land Subject to Inundation Overlay and the Floodway Overlay (see *Figure 3 – Current Overlay Mapping*).

The Amendment proposes to rezone land currently within the Rural Living Zone. The Land within the Urban Floodway Zone is not proposed to be rezoned.

Figure 3 – Current Overlay Mapping (Floodway Overlay is shown in darker blue and Land Subject Inundation Overlay is shown in pale blue)



The proposed Amendment is required to acknowledge the strategic vision for the subject land as identified in the *Greater Shepparton Housing Strategy 2011 (GSHS)* and the Planning Scheme, and to implement the findings of the *Model of Flood Behaviour and Conceptual Masterplan*.

The GSHS identified the subject land as Investigation Area 3 – Adams Road area, Kialla. Clause 21.04 *Settlement* of the Planning Scheme states:

This area is directly adjacent to the Kialla Lakes Estate though is significantly impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.

At the 19 July 2016 Ordinary Council Meeting, Council resolved to note the findings of the *Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016 (Model of Flood Behaviour and Conceptual Masterplan)* and prepare and exhibit an amendment to implement its findings.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

The *Model of Flood Behaviour and Conceptual Masterplan* provides a possible future development scenario for the Investigation Area that will not have detrimental impacts on surrounding land. Two amendments are required to give effect to the *Model of Flood Behaviour and Conceptual Masterplan*.

This Amendment is the first of these two amendments and is required to identify the subject land for future urban development by rezoning it to the UGZ. The proposed rezoning of the subject land to the UGZ will safeguard the land from development that could prejudice its long term urban development potential. This will provide certainty to land owners, developers, service authorities and relevant government agencies about the future role of this strategically important residential growth corridor.

The current minimum lot size for subdivision in this area, included in the Schedule to the RLZ, is eight hectares. The Amendment seeks to allow subdivision, only where the subdivision is for the excision of an existing dwelling, with a maximum lot size of two hectares. By allowing the excision of dwellings, the proposed Amendment seeks to assist in the amalgamation of land, which will facilitate the future residential development of the corridor.

A PSP and DCP will be prepared in the future following the completion of this amendment and a second planning scheme amendment will be required to include these documents in the Planning Scheme.

Strategic assessment

The proposed Amendment implements the objectives of planning in Victoria at Section 4 of the *Planning and Environment Act 1987* by providing the appropriate planning tools to allow for the orderly planning of the Investigation Area to occur. This will provide for the longer term sustainable use and development of the land. This will also allow for the creation of a sustainable and liveable community within this important future residential growth corridor.

The proposed Amendment supports the State Planning Policy Framework (SPPF), giving effect to the principles and specific policies contained within the SPPF.

The proposed Amendment is consistent with the *Hume Regional Growth Plan 2014* (HRGP) in that it will facilitate growth and development in the regional city of Shepparton. The HRGP seeks to direct future urban growth to areas with existing infrastructure and services to ensure the efficient use of infrastructure and services are maximised.

The proposed Amendment implements the Local Planning Policy Framework (LPPF). In particular, the proposed Amendment supports Clause 21.04-1 *Urban Consolidation and Growth*.

A series of Growth Management Plans were developed in the GSHS to provide guidance as to how and where Greater Shepparton will grow. These Growth Management Plans were incorporated into the Planning Scheme with a series of *Framework Plans*.

The *Kialla and Shepparton South Framework Plan* identifies the subject land as Investigation Area 3. The Planning Scheme states that significant flooding issues must be resolved to determine the development potential of the investigation area.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

The *Model of Flood Behaviour and Conceptual Masterplan* examined the flood constraints and identified the development potential of the land. The application of the UGZ is the first step in realising that development potential.

The PSP will (through a future planning scheme amendment) provide a coordinated approach for the future sustainable development of the subject land and will, ultimately, assist in providing housing diversity and affordability within the municipality.

The proposed Amendment makes proper use of the Victoria Planning Provisions by proposing to apply the UGZ, which is the most appropriate zone to protect land in a growth area for future development. The UGZ is proposed, as it offers a clearer process for converting and preparing land for urban development. The use of this zone provides certainty to landholders within the growth area that the land can be developed for urban purposes, allowing for future planning work to be undertaken.

A full strategic assessment of this proposed Amendment is included in the Explanatory Report (see *Attachment 1 – Exhibition Documentation*).

Exhibition

The proposed Amendment was exhibited from 3 November 2016 to 5 December 2016 in accordance with the *Planning and Environment Act 1987*. Exhibition included the following notice:

- Direct notice to land owners;
- Direct notice to prescribed Ministers;
- Direct notice to relevant referral authorities;
- Notice in the Shepparton News;
- Notice in the Victoria Government Gazette;
- Notice on the Greater Shepparton City Council website;
- Notice on the Department of Environment, Land, Water and Planning website; and
- Copy of exhibition documentation in the foyer of the Council offices at 90 Welsford Street, Shepparton.

Submissions

Eleven submissions were received by Council, including five late submissions.

Two of these submissions were received from referral authorities who did not object to the proposed Amendment; however, requested changes.

Five submissions objected to the proposed Amendment (see *Attachment 2 – Submissions Recorder*).

Submissions which did not object

Four submissions were received from referral authorities who did not object to or request changes to the proposed amendment. These referral authorities are:

- Goulburn Valley Water (Submission No. 1);
- Goulburn-Murray Water (Submission No. 2);
- APA Group Networks (Submission No. 4); and
- Goulburn Broken Catchment Management Authority (Late Submission No. 11).



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

Submissions from Referral Authorities that requested changes

Two submissions were received from referral authorities, which did not object to the proposed Amendment; however, they requested changes. These referral authorities are:

- Department of Environment, Land, Water and Planning (DELWP) (Submission No. 5); and
- Department of Economic Development, Jobs, Transport and Resources (DEDJTR) (Submission No. 6).

DELWP requested changes to the MSS at Clause 21.05 (*Environment*) of the Planning Scheme to ensure that any future residential growth provides for biodiversity protection and enhancement measures.

DEDJTR requested changes to the MSS at Clause 21.04-1 (*Policy Guidelines – Urban Growth and Consolidation*) of the Planning Scheme to ensure that consideration is provided to minimise access points from the Investigation Area to the Shepparton Alternate Route.

Council officers agree to the requested changes and these submissions have been resolved.

Submissions that objected to the proposed Amendment

Submission Nos. 3, 7, 8, 9 and 10 objected to the proposed Amendment.

Submission No. 3 requested that the proposed Amendment be abandoned. The concerns raised and Council officers' responses are outlined below.

Concern raised:

The proposed Amendment prepares the land for intensified residential uses and relies on an unprepared future PSP.

Council officers' response:

Amendment C195 proposes to rezone land in the Rural Living Zone (RLZ) to the Urban Growth Zone (UGZ) to safeguard the area for future development as a strategic residential growth corridor.

Clause 37.07 *Urban Growth Zone* of the Victorian Planning Provisions states that the purpose of the UGZ (Part A), where a PSP has not been prepared, is to:

- *provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs; and*
- *ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future use and development of the land.*

The intention of Amendment C195 is to identify the land as a future residential growth corridor, and to safeguard the Investigation Area from use and development that may hinder the future development potential of the land. The future residential development of the land is an aspiration and is subject to a future PSP and DCP being prepared and implemented.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

A PSP and DCP must be prepared and implemented through a second planning scheme amendment before any future residential development can occur within Investigation Area 3. As a result, the UGZ (Part A) is deemed to be the most appropriate planning tool to implement the findings of the *Model of Flood Behaviour and Conceptual Masterplan*.

Concerns raised:

Land capability factors have not been considered, including flooding and access; and

The proposed Amendment does not appropriately address or manage flood risk and does not adequately consider the costs associated with the extent of excavation and fill required to mitigate flooding.

Council officers' response:

Clause 21.04 *Settlement* of the Planning Scheme identifies flooding as the principal issue that must be resolved for the potential development of Investigation Area 3.

The *Model of Flood Behaviour and Conceptual Masterplan* provides a framework for the possible future development of the entire Investigation Area. The Model of Flood Behaviour assesses the impact of developing land in the Investigation Area. Critically, it outlines the quantum of stormwater infrastructure required to support any future residential development to ensure that there are no detrimental impacts on surrounding properties. The Conceptual Masterplan provides the framework for the future development of the entire Investigation Area. It outlines a possible development scenario for the land and provides guidance for the location of collector roads, and flood storage and drainage infrastructure.

As a result, Council believes that the *Model of Flood Behaviour and Conceptual Masterplan* provides the strategic justification for the land to be rezoned to the UGZ (Part A). Council acknowledges that a PSP must be prepared and implemented through a second planning scheme amendment before any residential development can occur in the Investigation Area.

Concern raised:

The proposed rezoning is premature, given the lack of monitoring and review of the *Greater Shepparton Housing Strategy, 2011*.

Council officers' response:

Council previously prepared the *Urban Development Program 2011: Regional Residential Report City of Greater Shepparton* (the UDP). The UDP provides an analysis of the supply and demand of residential and industrial land across parts of regional Victoria. Council has recently updated the UDP, and received and noted the *Urban Development Program 2016 – Residential and Industrial Land Supply Assessments* (UDP Update) at the Ordinary Council Meeting held on 16 August 2016. The UDP Update reviews the supply, demand, adequacy, and analyses of historical and current residential and industrial development in the municipality.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

The UDP Update states:

“for both the urban centres of Shepparton and Tatura, there will be a need in the short-term (over the next 2-3 years) to increase the stock of zoned broadhectare residential land to ensure ample zoned stocks are available to ensure a competitive land supply industry. There is ample identified unzoned (Urban Growth Area) stock in both urban centres to meet this need... There is an immediate need to progress strategically identified unzoned residential land stocks through the structure planning and rezoning process to maintain [and] ensure ongoing ample supply”.

Rezoning the land to the UGZ (Part A) is considered to be appropriate given these findings.

Concern raised:

Investigation Area 4 is identified in Clause 21.04 *Settlement* of the Planning Scheme as an area for potential future residential development. Submitter No. 3 believes that this land is relatively unencumbered and that the future development of the land has been unduly prejudiced by Council's commitment of resources to Investigation Area 3 rather than Investigation Area 4.

Council officers' response:

Council has previously allocated budgets to complete relevant studies for Investigation Area 4; however, completing these studies is considered to be premature pending the finalisation of the *Shepparton East Flood Study* (Flood Study) by the Goulburn Broken Catchment Management Authority. Therefore, this budget allocation was not utilised for this purpose. The Flood Study will investigate overland flooding in the Shepparton East area, including the issues that caused and/or exacerbated flooding as a result of the localised intense storm activity experienced in 1993 and in 2012. The Flood Study is expected to be available in late 2017 at the earliest. Upon completion of the Flood Study, budget bids will be made for the completion of Investigation Area 4.

Late Submission Nos. 7, 8, 9 and 10 were late submissions received by Council. These submissions objected to the proposed amendment. The concerns raised and Council officers' responses are outlined below.

Concerns raised:

A flood study is required to inform the proposed amendment.

The proposed amendment will devalue the property and includes the compulsory acquisition of land.

The proposed amendment does not appropriately address or manage flood risk.

Queries the legitimacy of the previously implemented flood study.

Requests that an independent investigation be undertaken in relation to the Investigation Area study.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

Council officers' response:

The intention of this Amendment is to safeguard the land from use and development that may hinder its future development potential, while allowing the excision of existing dwellings to facilitate the amalgamation of land holdings.

The proposed amendment is not seeking the compulsory acquisition of any land or the amendment of flood controls on the land. Flood controls and concerns can be addressed through separate planning scheme amendments, but are outside the scope of this proposed Amendment and at some future point in time.

The concerns raised in late Submission Nos. 3, 7, 8, 9 and 10 cannot be resolved. As such, all submissions are being referred to an Independent Planning Panel appointed by the Minister for Planning for consideration.

Post-Exhibition Changes

Council officers are proposing to make some post-exhibition changes to accommodate the concerns raised in submissions received from DELWP (Submission No. 5) and DEDJTR (Submission No. 6). These changes include amending the MSS as follows:

- amend Clause 21.05 (*Environment*) of the Planning Scheme to ensure that any future residential growth provides for biodiversity protection and enhancement measures; and
- amend Clause 21.04-1 (*Policy Guidelines – Urban Growth and Consolidation*) of the Planning Scheme to ensure that consideration is provided to minimise access points from the Investigation Area to the Shepparton Alternate Route.

Additionally, Council officers are proposing a post-exhibition change to the MSS at Clause 21.04-1 (*Urban Consolidation and Growth*) to improve the clarity and function of the Planning Scheme in relation to land included in an Investigation Area, where the studies required have now been completed. To provide further clarity, Council officers are proposing to update the Framework Plans to align with these changes and graphically show where studies for Investigation Areas have been completed.

Council Plan/Key Strategic Activity

The Amendment is supported by the *Greater Shepparton Council Plan 2013-2017* as follows:

Goal: *Enhancing the Environment (Natural)*

Objective 1: *Ensure the environment is a major priority in planning for the future.*

Goal 4: *Quality Infrastructure (Built)*

Objective 3: *Encourage sustainable municipal growth and development.*

Risk Management

The primary risk associated with the proposed Amendment is not meeting the timelines required by Ministerial Direction No. 15 "The Planning Scheme Amendment Process". This Ministerial Direction requires each stage of the planning scheme amendment process to be undertaken within set timeframes.

In accordance with Ministerial Direction No. 15, Council must request the appointment of an Independent Planning Panel under Part 8 of the Act within 40 business days of the closing date for submissions, unless a Panel is not required. To meet this timeframe, an Independent Planning Panel has been requested by Council officers under delegation.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

It is recommended that Council endorse Council officers' position prior to the upcoming Independent Planning Panel Hearing.

Policy Considerations

The Amendment is consistent with existing Council policy. The Amendment supports Council policy on economic development and the provision of development infrastructure.

Financial Implications

The costs of the proposed Amendment, including the cost of an Independent Planning Panel, must be met by the proponent, Greater Shepparton City Council.

The cost of the Independent Planning Panel for this Amendment would be expected to cost approximately \$5,000, plus the cost of \$3,150 for a planning consultant to peer review Council's proposed post-exhibition changes.

A Planning Scheme Amendment includes fees of \$226.50 for the Minister for Planning to consider a request to approve an amendment. However, this request is subject to a future Council resolution.

Legal/Statutory Implications

All procedures associated with this proposed Amendment comply with the legislative requirements of the Act. The Amendment has been assessed in accordance with the Act and the Planning Scheme. The assessment is considered to accord with the *Victorian Charter of Human Rights and Responsibilities Act 2006* (the Charter) – no human rights have been negatively impacted upon throughout the process.

The Charter recognises that reasonable restrictions may be placed on the use and development of land, and that there may on occasion be reasonable and acceptable offsite impacts on others. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning decision in accordance with the regulatory framework is not Charter compatible.

Environmental/Sustainability Impacts

The proposed Amendment will not have any significant detrimental environmental impacts.

Similar planning permit triggers for the removal of native vegetation that apply under the RLZ will apply under the UGZ prior to the implementation of the PSP. The Planning Scheme provides protection for native vegetation under Clause 52.17 – *Native Vegetation*. The proposed Amendment will not change the provisions of Clause 52.17.

Clause 52.17 provides permit exemptions for the removal of native vegetation on land that has an area of less than 0.4 hectare. The proposed Amendment may allow the creation of new lots of less than 0.4 hectare. This may provide a permit exemption for the removal of some native vegetation, which are be exempt under the current provisions. Most significant native vegetation in the area is located along the Broken River corridor. This vegetation is within the Urban Floodway Zone (UFZ) and the proposed Amendment does not propose any changes to land within the UFZ.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

A full assessment of the environmental impacts of the proposed Amendment is included in the Explanatory Report (see *Attachment 1 – Exhibition Documentation*).

Social Implications

The proposed Amendment will have positive social effects by ensuring that the strategic vision for the land is clearly articulated to the community. It will enable community participation in the preparation of the PSP that will seek to facilitate detailed planning for the future residential development of the Growth Corridor. Additionally, the preparation of the PSP will reflect the most up-to-date planning controls that apply to the land, which may provide the community with increased flood and fire protection.

Economic Impacts

The proposed Amendment will have positive economic effects by acknowledging that the land is designated for future residential development. This will provide certainty for landholders within the Growth Corridor.

Consultation

The proposed Amendment was exhibited from 3 November 2016 to 5 December 2016 in accordance with the *Planning and Environment Act 1987*. Exhibition included the following notice:

Direct notice to land owners;

- Direct notice to prescribed Ministers;
- Direct notice to relevant referral authorities;
- Notice in the Shepparton News;
- Notice in the Victoria Government Gazette;
- Notice on the Greater Shepparton City Council website;
- Notice on the Department of Environment, Land, Water and Planning website; and
- Copy of exhibition documentation in the foyer of the Council offices at 90 Welsford Street, Shepparton.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy 2006

Direction 1: Growth

To release land efficiently in terms of location, supply of services and infrastructure.

Direction 3: Environment

To maintain and enhance biodiversity of native flora and fauna communities.

b) Other strategic links

Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016

The proposed Amendment implements the recommendations of the *Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016*, which was noted by Council at the Ordinary Council Meeting held on 19 July 2016.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

Conclusion

Amendment C195 proposes to rezone approximately 474 hectares of land at Kialla, generally bound by Archer Road to the west, River Road to the south, Doyles Road to the east and the Broken River to the north (as shown on *Figure 1 – Locality Map*) from the Rural Living Zone to the Urban Growth Zone (see *Attachment 1 – Exhibition Documentation*).

The proposed Amendment was exhibited from 3 November 2016 to 5 December 2016 in accordance with the *Planning and Environment Act 1987*. Council received eleven submissions (see *Attachment 2 – Submissions Recorder*). Two submissions were received from referral authorities requesting changes. Council officers agree to the requested changes and these submissions were resolved. Five submissions were received that requested objected to the proposed Amendment.

The concerns raised in five submissions could not be resolved. As such, all submissions have been referred under delegation to an Independent Planning Panel appointed by the Minister for Planning for consideration. The Independent Planning Panel Directions Hearing was held on 30 January 2017 and Panel Hearing will be held on 15 March 2017.

It is recommended that Council notes Council officers' position at the upcoming Independent Planning Panel Hearing as outlined in this report.

Attachments

1. Exhibition Documentation Page 276
2. Submissions Recorder Page 331

Planning and Environment Act 1987

Panel Report

Greater Shepparton Planning Scheme Amendment C195

Investigation Area 3

Front page

7 April 2017



Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Greater Shepparton Planning Scheme Amendment C195

Investigation Area 3

7 April 2017



Brett Davis, Chair



Contents

	Page
1 Introduction.....	1
1.1 The Amendment.....	1
1.2 Procedural issues.....	4
1.3 Issues dealt with in this report.....	5
1.4 Limitations	5
2 Planning context	6
2.1 Policy framework.....	6
2.2 Planning scheme provisions	7
2.3 Ministerial Directions and Practice Notes.....	8
2.4 Conclusion	8
3 The issues	9
3.1 Submissions	9
3.2 Discussion	12
3.3 Conclusions.....	14
3.4 Recommendations	14
Appendix A Submitters to the Amendment	
Appendix B Document list	
Appendix C Clause 21.04 - Panel preferred version	

List of Figures

	Page
Figure 1 Current Zoning Mapping	3
Figure 2 Current Overlay Mapping.....	3

List of Abbreviations

DCP	Development Contributions Plan
DELWP	Department of Environment, Land, Water and Planning
GBCMA	Goulburn Broken Catchment Management Authority
GRZ	General Residential Zone
GS2030	Greater Shepparton 2030 Strategy Plan 2006
GSHS	Greater Shepparton Housing Strategy
FZ	Farming Zone
LSIO	Land Subject to Inundation Overlay
MSS	Municipal Strategic Statement
PSP	Precinct Structure Plan
SPPF	State Planning Policy Framework
UFZ	Urban Floodway Zone
UGZ	Urban Growth Zone
VPA	Victorian Planning Authority
VPP	Victoria Planning Provisions

Overview

Amendment Summary	
The Amendment	Greater Shepparton Planning Scheme Amendment C195
Common name	Investigation Area 3
Brief description	The Amendment proposes to rezone all land in Investigation Area 3 in the Rural Living Zone (RLZ) to the Urban Growth Zone (UGZ) to safeguard the area for future development as a strategic residential growth corridor.
Subject site	Approximately 474 hectares of land at Kialla , generally bounded by Archer Road to the west, River Road to the south, Doyles Road to the east and the Broken River to the north.
Planning Authority	Greater Shepparton City Council
Exhibition	3 November to 5 December 2016.
Submissions	<p>Number of Submissions: 11, including 5 late submissions</p> <p>Submissions from referral authorities that did not object to or request changes to the Amendment: 4</p> <p>Submissions from referral authorities that requested changes to the Amendment: 2</p> <p>Submissions that requested that the Amendment be abandoned: 1</p> <p>Late submissions from landowners within the Investigation Area that queried the existing flood controls on the land and objected to the proposed Amendment: 4.</p>
Panel Process	
The Panel	Brett Davis (Chair), appointed 23 December 2016
Directions Hearing	Greater Shepparton City Council Offices, 30 January 2017
Panel Hearing	Greater Shepparton City Council Offices, 16 March 2017
Site Inspections	Unaccompanied, 15 March 2017
Appearances	<p>Michael MacDonagh, Greater Shepparton City Council</p> <p>Kyle O'Brien, Clement-Stone Town Planners on behalf of Grahamvale Development Group</p>
Date of this Report	7 April 2017

Executive summary

(i) Summary

Greater Shepparton Planning Scheme Amendment C195 (the Amendment) seeks to rezone land in 'Investigation Area 3' from the Rural Living Zone (RLZ) to the Urban Growth Zone (UGZ), Part A. The land is located at Kialla, which is approximately seven kilometres south of the Shepparton Central Business District and is shown in Figure 1 of this report. It comprises approximately 474 hectares of land and contains no significant vegetation.

The Amendment proposes to amend the Municipal Strategic Statement (MSS) to provide interim guidance for planning permit applications until a Precinct Structure Plan (PSP) is prepared and implemented. This includes local policy guidance at Clause 21.04 that allows for house excisions, where appropriate, to a maximum lot size of two hectares. Under the current RLZ, the minimum lot size is 8 hectares.

Council submitted that the Amendment will allow existing houses in the Investigation Area to be excised and the remainder of the lands to be sold. This will encourage developers or individual landowners to amalgamate land holdings and assist in the development of this land. The preparation of a PSP and Development Contributions Plan (DCP) to fund future development would follow.

Council submitted it has commenced a longer term approach to implementing a PSP on the land, and to do so requires a UGZ to be implemented. Objecting submitters argued that it was premature, not strategically justified and other investigation areas, more suited to development, should be considered first.

Key issues raised in submissions included:

- flooding issues associated with the area
- the staging and timing of the Amendment
- the proposed zoning is not appropriate.

The Goulburn Broken Catchment Management Authority (GBCMA) advised that it would not support any development proposals within this area before flooding concerns were addressed.

Council submitted it had undertaken a broad *Model of Flood Behaviour Study* that outlines the quantum of flood mitigation infrastructure required to support the future residential development of the corridor. This has allowed Council to prepare a 'Conceptual Masterplan' for the area. The application of the UGZ is considered necessary to safeguard the area until detailed planning occurs. The GBCMA supported the Amendment on this basis.

The issue of flooding and the need to interrogate the *Model of Flood Behaviour Study* and background reports was raised. The Panel agrees with Council that, as these reports are preliminary and no changes to the current flood overlays are proposed, the specific flooding issues are not pertinent to this first step.

Once the UGZ is in place, arguments pertaining to flooding and extent will still have the ability to be tested and peer reviewed at the PSP stage, and through a separate amendment.

Arguments that the Amendment is premature are not supported. The Panel concludes that the application of the UGZ is appropriate and should be supported.

The Panel concludes that the Amendment is the first step in a targeted strategic planning exercise for an identified growth area of Shepparton. Retaining the land in the RLZ is not supported, as the purpose of the UGZ is better suited to future plans for the corridor.

Council sought advice from the Panel on the proposed changes to the MSS. The Panel generally supports the changes and has recommended wording changes where appropriate. These are contained in Appendix C to this report.

The Panel concludes:

- The Amendment is strategically justified and the application of the UGZ should be supported.
- Detailed future planning will allow for matters of design, detail and mitigation to be tested and finalised through a separate Amendment process.
- The proposed Amendment implements the objectives of planning in Victoria by providing the appropriate planning tools to allow for the orderly planning of the Investigation Area to occur.

(ii) Recommendations

Based on the reasons set out in this report, the Panel recommends that Greater Shepparton Planning Scheme Amendment C195 be adopted as exhibited subject to the following:

- 1. Include the post-exhibition changes to Clause 21.04 contained in Appendix C to this report.**
- 2. Amend the Kialla and Shepparton South Framework Plan at Clause 21.04 to remove the designation 'Investigation Area 3' and replace this with 'Urban Growth Zone.'**

1 Introduction

1.1 The Amendment

(i) Amendment description

The Amendment proposes to rezone all land in the Rural Living Zone (RLZ) to the Urban Growth Zone (UGZ) to safeguard the area for future development as a strategic residential growth corridor. The Amendment seeks to reduce the minimum lot size for subdivision from eight hectares to a maximum of two hectares, where appropriate. The Amendment also proposes to amend the Municipal Strategic Statement (MSS) to provide interim guidance for planning permit applications until a Precinct Structure Plan (PSP) is prepared and implemented. Specifically, the Amendment proposes to make the following changes to the Greater Shepparton Planning Scheme:

- *Rezone land to the Urban Growth Zone*
- *Amend Planning Scheme Map Nos 11 and 27*
- *Amend Clause 21.04 (Settlement) to provide policy support to safeguard the land for future urban development*
- *Insert Clause 37.07 Urban Growth Zone; and*
- *Amend the Table of Contents to include Clause 37.07 (Urban Growth Zone).*

(ii) Purpose of the Amendment

The Amendment is required to:

- acknowledge the strategic vision for the subject land as identified in the GSHS and the planning scheme, and to implement the findings of the *Model of Flood Behaviour* and Conceptual Masterplan
- identify the subject land for future urban development by rezoning it to the UGZ.

The current minimum lot size for subdivision in this area (included in the schedule to the RLZ) is eight hectares. The Amendment seeks to allow subdivision by providing local policy guidance at Clause 21.04 for the excision of an existing dwelling, with a maximum lot size of two hectares.

(iii) Background to the Amendment

The Greater Shepparton Housing Strategy 2011 (GSHS) identified the 'Adams Road' area, Kialla as Investigation Area 3, stating that *"further work is required on land conditions, servicing and development potential before future zoning options can be fully assessed and determined"*.

The Planning Scheme at Clause 21.04 (Settlement) notes that the Adams Road area, significantly impacted by flooding, has potential for development to a more intensive residential use, dependent on the flooding issue being resolved. Clause 21.04 states that:

... Council should avoid incremental approvals and development in identified investigation areas until an integrated investigation ... has been completed to

assess and resolve future land opportunities and constraints, land use, development opportunities, subdivisional layout and servicing for the area.

The Goulburn Broken Catchment Management Authority (GBCMA) advised that it would not support any development proposals within this area before flooding concerns were addressed.

The minimum subdivision size within the RLZ for Investigation Area 3 is eight hectares, which limits the development potential of this land. Council elected to investigate the flood impacts of developing this land having been approached by landowners seeking to subdivide or rezone their land.

Council explained Amendment C195 is the first of two amendments that identify the subject land for future urban development by rezoning it to UGZ. (Step 1). Council stated that, once Amendment C195 has been completed, a budget bid will be made to prepare a PSP and DCP for the Investigation Area (Step 2).

(iv) The subject site

The Amendment applies to land shown in Figure 1.

The subject land is located at Kialla, approximately seven kilometres south of the Shepparton Central Business District. Council described the land to be rezoned as follows:

- *Comprises land at Kialla, generally bound by Archer Road to the west (Road Zone Category 2), River Road to the south (Road Zone Category 1), Doyles Road to the east (Road Zone Category 1) and the Broken River to the north;*
- *Is located within the RLZ and the Urban Floodway Zone (UFZ) and is affected by the Floodway Overlay (FO) and the Land Subject to Inundation Overlay (LSIO);*
- *Generally bounded by land in the General Residential Zone (GRZ) to the west, land in the Farming Zone (FZ) to the south, land in the RLZ to the east and land in the UFZ to the north;*
- *Comprises approximately 474 hectares of land and contains no significant native vegetation;*
- *Is currently being used for rural residential and agricultural purposes; and*
- *Is adjacent to the Kialla Lakes Estate to the west.*

Council noted that two portions of land in Investigation Area 3 are within the UFZ, however this land is not proposed to be included in the rezoning.



Figure 1 Current Zoning Mapping¹

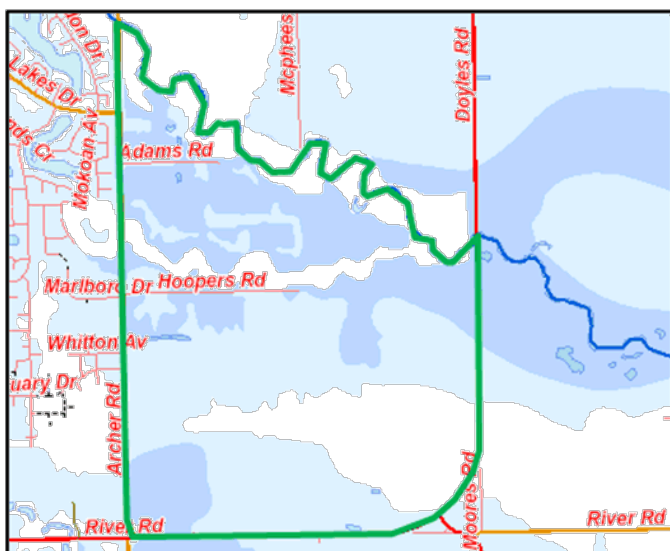


Figure 2 Current Overlay Mapping²

¹ Land generally affected by the proposed Amendment is outlined in blue. Land in the Rural Living Zone is shown in orange and land in the Urban Floodway Zone is shown in pale blue.

² Land generally affected by the proposed Amendment is outlined in green. The Floodway Overlay is shown in darker blue and the Land Subject to Inundation Overlay is shown in pale blue.

1.2 Procedural issues

At the Directions Hearing held on 30 January 2017, the Better Local Government Association, representing submitters (7, 8, 9 and 10) discussed the significance and relevance of various flood studies. They sought more time to prepare for this Amendment and engage a hydrologist to review all relevant studies, both public and not released.

Council advised that the studies were not relevant to this Amendment and were part of the *Shepparton-Mooroopna Intelligence Project*, a specific amendment planned for the second half of 2017.

The same submitters (7, 8, 9 and 10) argued they had not been correctly notified of the process. Council advised it did not originally assess these submissions as relevant to this Amendment. As a result, the Panel granted additional time to prepare for the Hearing. The Hearing was originally set for early February, and was moved to 15 March 2017.

The submitters were adamant that flooding was a relevant matter to them and this Amendment, tabling submissions outlining a detailed history of flooding in the region. The Panel clarified with Council whether any changes to existing floodway overlays are proposed, and Council confirmed there would be no changes existing floodway controls as this would be subject to more detailed analysis and design later in the year.

At the Directions Hearing and in its letter dated 7 February, the Panel ruled:

Information relating to the release of background studies is not of assistance to the Panel for this Amendment.

Parties should be aware that as no changes are proposed to existing Floodway Overlays, submissions on this matter may be relevant considerations as part of any future permit application or amendment, where members of the community will have an opportunity to express their views.

In its Part A submission Council submitted that the intention of the Amendment is to identify the subject land as a future residential growth corridor, and to safeguard the investigation area for future PSP work to be undertaken. It noted that a PSP must be prepared and implemented through a second planning scheme amendment before any future residential development can occur.

On 8 March 2017, Maree McKenna, (submitter 7), now representing submitters 7, 8, 9 and 10, stated they were seeking to be represented by a legal practitioner and, given the amount of material to review, they requested the hearing be adjourned for 45 days. Ms McKenna had not at this stage named the hydrologist or any legal representative in the matter.

The Panel advised that the opportunity to submit would come during a separate amendment to follow later this year, as the Council had outlined. The Panel informed Ms McKenna that the Hearing would proceed as planned, and reiterated its earlier directions.

On 9 March 2017 Ms McKenna sent an email objecting to this position stating that it was unfair, as they were trying to get a report from an independent hydrologist. On 10 March 2017, Ms McKenna confirmed that she and the other submitters would not be attending the Panel Hearing and requested she be removed from the timetable.

On 15 March 2017, Mr Tierney from the GBCMA informed the Panel that they could not attend on 16 March. They advised they had spoken with Council supported the Council's presentation.

At the beginning of the Hearing this chronology was restated to people present at the Hearing.

1.3 Issues dealt with in this report

The Panel considered all written submissions made in response to the exhibition of the Amendment; as well as further submissions, evidence and other material presented to it during the Hearing, and observations from site visits.

The Panel has reviewed a large volume of material. The Panel has had to be selective in referring to the more relevant or determinative material in the report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the report.

This report deals with the issues under the following headings:

- Planning context
- Amendment timing and application of the UGZ
- Flooding
- Devaluation of property
- Post-exhibition changes.

1.4 Limitations

The Amendment does not propose any changes to the existing suite of zones relating to flooding. As the Panel has determined the Hearing was not based on flooding issues, issues relating to flooding are not addressed in detail in this report.

2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council's response and the policy context of the Amendment, and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

2.1 Policy framework

(i) State Planning Policy Framework

Council submitted that the Amendment is supported by the following clauses in the SPPF:³

Clause 11 (Settlement) –the proposed Amendment will provide zoned and serviceable land for future communities through the application of the UGZ. A PSP will also be prepared through a future planning scheme amendment to allocate land appropriately.

Clause 11.02 (Urban growth) – the use of the UGZ will ensure that the land is identified for future residential purposes.

Clause 11.05-1 (Regional settlement networks) – the Amendment supports this clause and the planning to be undertaken through preparing a future PSP.

Clause 11.10 (Hume regional growth) – the proposed Amendment is consistent with the Hume Regional Growth Plan 2014 (HRGP) which seeks to direct future urban growth to areas with existing infrastructure and services.

Clause 16 (Housing) – the use of the UGZ will ensure land supply is sufficient to meet demand and assist with increasing housing choice.

Clause 19 (Infrastructure) – at the PSP planning stage, land will be allocated for a range of transport, sewerage and infrastructure services.

(ii) Local Planning Policy Framework

Council submitted that the Amendment is supported by the following local planning objectives:

Clause 21.04-1 (Urban consolidation and growth) –the proposed Amendment is consistent with the following objectives of clause 21.04-1 Urban Consolidation and Growth:

- *To contain urban growth to identified growth areas in order to protect higher quality and intact agricultural areas and achieve a more compact built up area;*
- *To encourage a variety of housing types, particularly in terms of tenure and price, to contribute to housing diversity and affordability;*

³ Amendment VC134 to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria was introduced on 31 March 2017. It also restructures Clause 11, includes policy-neutral updates and administrative changes and introduces new and updated incorporated and reference documents.

- *To coordinate the assessment, planning, development and servicing of identified investigation areas in an integrated manner.*

Clause 21.4-5 (Community life) – Council stated that the proposed Amendment is consistent with this clause because prior to the development of the land, a DCP will be prepared to assess the quantum of infrastructure required to support the future development of the land.

(iii) Other planning strategies or policies used in formulating the Amendment

Shepparton Mooroopna Flood Mapping and Intelligence Project (2012)

In 2012, Council resolved to engage Water Technology Pty Ltd to undertake this Project to review the flood modelling for the Shepparton and Mooroopna area. This project is expected to be completed late in 2017 and a planning scheme amendment will be initiated in 2018 to implement its findings.

Shepparton East Overland Flow Urban Flood Study

This study was commissioned by the GBCMA in association with Council. The aim is to investigate overland flooding in the Shepparton East area, including the issues that caused flooding in 1993 and 2012. This study is also reliant on the hydraulic model calibration data of the *Shepparton Mooroopna Intelligence Project*.

2.2 Planning scheme provisions

(i) Zones

The land proposed to be rezoned is located within the RLZ and the Urban Floodway Zone. The Amendment proposes to implement the UGZ, which Council considers is the most appropriate zone to protect land in a growth area for future development.

Clause 37.07 - Urban Growth Zone states that the purpose of the UGZ (Part A), where a PSP has not been prepared, is to:

- *provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs; and*
- *ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future use and development of the land.*

The intention of the proposed Amendment is to identify the subject land as a future residential growth corridor, and to safeguard the Investigation Area from use and development that may hinder the future development potential of the land. The excision of existing dwellings will facilitate the amalgamation of land holdings.

A PSP must be prepared and implemented through a second planning scheme amendment before any future residential development can occur within Investigation Area 3. As a result, the UGZ (Part A) is deemed to be the most appropriate planning tool to implement the findings of the *Model of Flood Behaviour and Conceptual Masterplan*.

The subject land is generally bounded by land in the General Residential Zone to the west, land in the Farming Zone to the south, land in the RLZ to the east and land in the Urban Floodway Zone (UFZ) to the north (Figure 2).

(ii) Overlays

The land proposed to be rezoned is affected by the Floodway Overlay (FO) and the Land Subject to Inundation Overlay (LSIO). No changes to the overlays are proposed.

2.3 Ministerial Directions and Practice Notes

(i) Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

Ministerial Direction No 11 - Metropolitan Planning Strategy⁴

Council submitted that the Amendment is consistent this direction as the amendment has regard to the Metropolitan Planning Strategy.

Ministerial Direction No 11 - Strategic Assessment of Amendments

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment of Amendments) and Planning Practice Note 46 (Strategic Assessment Guidelines).

Ministerial Direction No 12 – Urban Growth Areas

The Amendment is consistent with Ministerial Direction 12 (Urban Growth Areas) as it will facilitate orderly development of land within Investigation Area 3.

The Form and Content of Planning Schemes (s7(5))

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

(ii) Planning Practice Notes

VPP Practice Note – Urban Growth Zone (June 2008)

The Amendment is consistent with this practice note which states that the UGZ may be applied to land adjacent to regional cities and towns where a strategy has been prepared that identifies that the land is suitable for urban development.

2.4 Conclusion

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes.

⁴ VC134 was introduced on 31 March 2017. The Amendment changes the Victoria Planning Provisions and all planning schemes in Victoria by introducing the new Metropolitan Planning Strategy into all metropolitan planning schemes and making corresponding updates to the State Planning Policy Framework (SPPF).

3 The issues

The main issues included:

- flooding issues associated with the area
- the staging and timing of the amendment
- zoning.

3.1 Submissions

(i) Flooding

Council submitted that the Amendment is required to acknowledge the strategic vision for the subject land as identified in the GSHS and the Planning Scheme, and to implement the findings of the *Model of Flood Behaviour and Conceptual Masterplan*.

The GSHS identified the subject land as Investigation Area 3 – Adams Road area, Kialla. The Clause 21.04 Settlement of the Planning Scheme states:

This area is directly adjacent to the Kialla Lakes Estate though is significantly impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.

The *Model of Flood Behaviour and Conceptual Masterplan*, noted by Council, provides a possible future development scenario for the Investigation Area that will not have detrimental impacts on surrounding land.

Council submitted:

This Amendment is required to identify the subject land for future urban development by rezoning it to the UGZ. The proposed rezoning of the subject land to the UGZ will safeguard the land from development that could prejudice its long term urban development potential. This will provide certainty to land owners, developers, service authorities and relevant government agencies about the future role of this strategically important residential growth corridor.

Submitters 7, 8, 9, 10 raised historical issues of flooding. These are discussed in Section 1.2. In addition these submitters raised concerns regarding compulsory acquisition and devaluation of land. Council submitted that the Amendment is not proposing to amend the flood controls on the land or for the compulsory acquisition of any land.

Clement-Stone Town Planners acted on behalf of the Grahamvale Development Group (Investigation Area 4) (submitter 3). Clement-Stone argued that the Amendment “*essentially hinges on the findings of Water Technology’s report in relation to Investigation Area 3*”, and the subsequent conceptual masterplan which was prepared in order to demonstrate the preferred development scenario for the land. It was Clement-Stone’s view that:

... there are a number of issues in relation to the report, particularly having regard to the limitations of the findings and the level of future work which will be required should the land be developed ... At this stage, we say that flood risk is being treated as a “broad brush-stroke” engineering problem without

appropriate regard being had for the costs associated with solving that problem, and for implementing area wide responses to the problem.

Council explained that the Amendment seeks to allow subdivision, only where the subdivision is for the excision of an existing dwelling.

Under the UGZ (Part A), Clause 37.07-3 applies. It states:

A permit is required to subdivide land. Each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- *The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.*
- *The subdivision is the re-subdivision of existing lots and the number of lots is not increased.*
- *The subdivision is by a public authority or utility service provider to create a lot for a utility installation.*

The Amendment provides local policy guidance at Clause 21.04 that allows for house excisions, where appropriate, to a maximum lot size of two hectares. Under the current RLZ, the minimum lot size is 8 hectares. Council submitted that by allowing the excision of dwellings, the proposed Amendment seeks to assist in the amalgamation of land, or land assembly, which will facilitate the future residential development of the corridor.

Council submitted that once Amendment C195 has been completed, a budget bid will be made to prepare a PSP and DCP for the Investigation Area. The PSP will provide a more detailed framework for the future development of the entire Investigation Area, including guidance for the location of collector roads, stormwater drainage infrastructure and public open space. The DCP will also provide the cost of the infrastructure necessary to facilitate any future residential development.

Council submitted that this work is expected to cost in excess of \$400,000 based on previous similar projects undertaken elsewhere in the City of Greater Shepparton and regional Victoria. Ordinarily, the cost of this work may initially be borne by Council, or by developers. The costs will ultimately be included in the DCP and recovered over the lifespan of the DCP, which may be 20-30 years.

Once the PSP and DCP are complete, Council advised that a second planning scheme amendment would then be required to implement the PSP and DCP for subject land.

(ii) Is the Amendment premature?

The Clement-Stone submission requested that the proposed Amendment be abandoned for the following reasons:

- *The proposed rezoning is premature, given the lack of monitoring and review of the Greater Shepparton Housing Strategy, 2011;*
- *The proposed Amendment prepares the land for intensified residential uses, relying on an unprepared future PSP, rather than preparing this assessment now;*
- *Land capability factors have not been considered, including flooding and access;*

- *The proposed Amendment does not appropriately address or manage flood risk and does not adequately consider the costs associated with the extent of excavation and fill required to mitigate flooding; and*
- *Investigation Area 4, land that is relatively unencumbered and is also identified in Clause 21.04 – Settlement as an area for potential future residential development, has been unduly prejudiced by committing Council resources to complete studies for Investigation Area 3, while resources have not been committed to complete studies for Investigation Area 4.*
- *A precautionary approach to piecemeal rezoning should be adopted.*
- *No rezoning should occur until the completion of relevant flood studies, as is the case for other investigation areas.*

Clement-Stone referenced Greater Shepparton Amendment C93. The Panel concluded that the RLZ was an appropriate control that protected the land's designation as an investigation area within Policy. Council submitted that, at the time of Amendment C93, the UGZ was in its infancy and only being applied at a metropolitan level, whereas now it is rolled out in growth areas across the state.

Clement-Stone argued:

While the Housing strategy does identify the land as having potential for future urban use, we do not believe Council have demonstrated that the land remaining zoned as Rural Living is prejudicial to its future urban development.

They outlined that the Section 1 uses allowed within the zones (RLZ and UGZ) are similar, and any application for planning permit within either zone must anyway consider Clause 21.04 and the investigation area status of the land, as well as the Housing Strategy.

Clement-Stone submitted:

Ultimately, should the Panel conclude that the flooding information provided in support of this amendment is insufficient, the Investigation status of the land would remain unchanged, and the use of the land for future residential development would not be compromised pending a more robust assessment of the issues associated with its intensification.

Clement-Stone submitted that if Council proceed with this Amendment, it would effectively predetermine the land for a more intensive use. Council submitted that the Panel, if it was of a mind to support the Amendment, should also recommend the removal of the designation of Investigation Area 3 if the UGZ was applied.

Council submitted that it had previously prepared the *Urban Development Program 2011: Regional Residential Report City of Greater Shepparton (UDP)*. The UDP provides an analysis of the supply and demand of residential and industrial land across parts of regional Victoria.

Council has recently updated the UDP, and received and noted the *Urban Development Program 2016 – Residential and Industrial Land Supply Assessments (UDP Update)* at the Ordinary Council Meeting held on 16 August 2016. The UDP Update reviews the supply, demand, adequacy, and analyses of historical and current residential and industrial development in the municipality. The UDP Update states:

For both the urban centres of Shepparton and Tatura, there will be a need in the short-term (over the next 2-3 years) to increase the stock of zoned broadhectare residential land to ensure ample zoned stocks are available to ensure a competitive land supply industry. There is ample identified unzoned (Urban Growth Area) stock in both urban centres to meet this need... There is an immediate need to progress strategically identified unzoned residential land stocks through the structure planning and rezoning process to maintain [and] ensure ongoing ample supply.

Council submitted that rezoning the land to the UGZ and the timing of the Amendment is considered to be appropriate given these findings, and that there is sufficient strategic justification to rezone the subject land.

(iii) Post-exhibition changes

In response to DELWP (submitter 5) and DEDJTR (submitter 6), Council is proposing a number of post-exhibition changes. At the Hearing, Council requested that the Panel consider whether or not the designation of the subject land as 'Investigation Area 3' be removed should the UGZ be applied.

3.2 Discussion

Amendment timing and application of the UGZ

On balance, the Panel agrees with Council's justification for this Amendment. It is predicated on the UDP update that suggests a high growth scenario for Shepparton is occurring and more land is required. Importantly, the Panel did not place the same weight on the UDP update as it would a reference document; however, in the absence of any other analysis presented, it has used the updated UDP to guide its thinking.

It concludes that the application of the UGZ is not premature and is akin to applying a more relevant 'holding zone' to allow more detailed planning to occur, whilst signalling the intent of future development. The Panel agrees with Clement-Stone that the UGZ and RLZ have similarities in their Section 1 uses allowed, however disagreed that the land should stay in the RLZ.

The Panel concludes that the purpose of the UGZ is clear and the most appropriate planning tool for what Council is trying to achieve. That is, to identify the subject land as a future residential growth corridor, and to safeguard the Investigation Area from use and development that may hinder the future development potential of the land.

The policy guidance provided for subdivision at Clause 21.04 is appropriate, however the Panel has made some deletions to avoid duplication with the head clause 37.07-3, relating to subdivision.

The Amendment will allow existing houses in the Investigation Area to be excised and the remainder of the lands to be sold. This will encourage developers or individual landowners to amalgamate land holdings and assist in the development of this land. The Panel concludes the Amendment is not premature and is proper and orderly planning. The Panel notes Council's intention of using the Victorian Planning Authority (VPA) to assist in the next phase of planning for this area.

A PSP must be prepared and implemented through a second planning scheme amendment before any future residential development can occur within Investigation Area 3. As a result, the UGZ (Part A) is the most appropriate planning tool to implement the findings of the *Model of Flood Behaviour and Conceptual Masterplan*.

Overall, the Panel encourages Council to adopt a similar approach sooner rather than later with regard to the other Investigation Areas by utilising the UGZ where appropriate. It understands that this may be with the assistance of the VPA and a broader framework planning exercise that is currently underway.

Flooding

A PSP and DCP will be prepared with the assistance of the VPA and a second planning scheme amendment will be required to include documents regarding flooding and others in the Planning Scheme. This second Amendment will allow parties time to prepare, analyse and critically test any assumptions made in the flood modelling, PSP and other matters. The Panel notes no objections from Goulburn-Murray Water with this process.

The Panel empathises with the landowners trying to get a better understanding of the flooding situation. As stated at the Hearing, this opportunity will come at the next Amendment that deals with the PSP specifically. The Panel encourages the Council to work with the affected landowners prior to this Amendment so that all parties have a clear understanding of the future flooding scenarios that will inform the PSP for the area.

Devaluation of property

The Panel notes the Amendment does not propose to alter any existing overlays, or impose any public acquisition overlays as part of this Amendment. Regarding the possible effect on property values, the Panel adopts the observations made by the Boroondara C153 Panel:

The social and economic effects most likely to be relevant are those of a broad community nature rather than those of a personal kind. This has been the long standing approach taken to such issues in planning decision making by both planning panels and VCAT.

The Panel makes no further comment on this matter.

Post-exhibition changes

The Panel has reviewed Council's post-exhibition changes and provided its' preferred version at Appendix C. At Clause 21.04-1 the Panel did not agree with Council's changes to delete reference to Investigation Area 3 and its flooding potential. Whilst the Panel acknowledges the *Model of Flood Behaviour and Conceptual Masterplan*, it notes this has yet to be tested in a formal and detailed design forum. As such, it has proposed to keep some of the wording relating to flooding.

Council's insertion of wording under the 'Policy Guidelines – Urban Growth and Consolidation' is not supported as it duplicates wording contained within the head clause decision guidelines of Clause 37.01 to the UGZ. The Panel recommends these words be deleted and this is shown in its preferred version at Appendix C.

The Panel agrees with the Council request to change the designation of the land subject to this Amendment. The application of the UGZ means this land is no longer considered an 'investigation area.' Designating the land 'Urban Growth' is consistent with other areas within Clause 21.04. The Panel does not consider the change in designation is transformative, and notes that the designation merely indicates a preferred future that is subject to a detailed PSP process in the future. It has suggested new wording contained within its preferred version at Appendix C.

The Panel accepts the exhibited version of Clause 21.05.

3.3 Conclusions

The Panel concludes:

- The Amendment is strategically justified and the application of the UGZ is appropriate.
- The application of the UGZ is not premature.
- The proposed Amendment implements the objectives of planning in Victoria by providing the appropriate planning tools to allow for the orderly planning of the Investigation Area to occur.
- Council should work with the VPA to progress its PSP process.
- Issues of flooding and other matters will be catered for during the detailed design process and subsequent PSP that will follow by way of a separate Amendment.
- Minor wording changes should be made to Clause 21.04 as shown in Appendix C to improve clarity and remove duplication.
- The Kialla and Shepparton South Framework Plan at Clause 21.04 should be amended to remove the designation 'Investigation Area 3' and replace this with 'Urban Growth Zone.'

3.4 Recommendations

Based on the reasons set out in this report, the Panel recommends that Greater Shepparton Planning Scheme Amendment C195 be adopted as exhibited subject to the following:

1. **Include the post-exhibition changes to Clause 21.04 contained in Appendix C.**
2. **Amend the Kialla and Shepparton South Framework Plan at Clause 21.04 to remove the designation 'Investigation Area 3' and replace this with 'Urban Growth Zone.'**

Appendix A Submitters to the Amendment

No.	Submitter
1	Goulburn Valley Water
2	Goulburn-Murray Water
3	Grahamvale Development Group
4	APA Group
5	Department of Environment, Land, Water and Planning
6	Department of Economic Development ,Jobs, Transport and Resources
7	Maree McKenna
8	Noel Pattison
9	Peter and Ernie Fantini
10	Jenny and Dom Montelone
11	Goulburn Broken Catchment Management Authority

Appendix B Document list

No.	Date	Description	Tabled by
1	16/3/17	Council submission	Michael MacDonagh, Greater Shepparton City Council
2	16/3/17	Residential Land Supply Land Monitoring Project	Michael MacDonagh, Greater Shepparton City Council
3	16/3/17	Submission on behalf of Grahamvale Development Group	Kyle O'Brien, Clement Stone Town Planners
4	16/3/17	Clause 21.06 of the Greater Shepparton Planning Scheme	Michael MacDonagh, Greater Shepparton City Council
5	16/3/17	Council Minutes 16 August 2016	Michael MacDonagh, Greater Shepparton City Council
6	16/3/17	Greater Shepparton Amendment C93 Panel Report	Michael MacDonagh, Greater Shepparton City Council

Appendix C Clause 21.04 - Panel preferred version

[Tracked Added](#)

~~Tracked Deleted~~

21.04 SETTLEMENT

03/03/2016
Proposed C195

Urban Consolidation and Growth

03/03/2016
Proposed C195

Population forecasts predict that the population of the City of Greater Shepparton will grow from 59,202 persons in 2006 to 71,509 by 2026. It is expected that to accommodate this additional population, there will need to be a corresponding growth in the number of dwellings (a separate estimate suggests a further 9,100 dwellings will be required by 2031). At the same time, changing demographic trends such as an increase of persons aged 65 and over, smaller household sizes and an increase in non-Australian born persons will create demand for a broad range of housing types within the municipality.

In facilitating the future growth and development of the municipality's towns, the Council is concerned to achieve urban consolidation thereby promoting walking, the use of bicycles and reducing the dependence on car use. In proximity to the Shepparton CBD and other key activity centres, people will be encouraged to live at higher densities in environments that offer individual, lifestyle and community benefits. The *Shepparton CBD Strategy October 2008* establishes key priorities including creating residential opportunities and expanding housing choice within the CBD. The strategy encourages the provision of additional medium density and apartment style accommodation including shop-top housing.

The *Greater Shepparton Housing Strategy 2011* (GSHS) outlines Council's approach to housing delivery and growth in the municipality and provides the basis for the objectives, strategies and policy guidelines outlined below. It provides for sufficient land supply to accommodate housing demand within a consolidated and sustainable development framework. In doing so, it defines settlement boundaries for the extent of urban expansion to ensure the sustainability of the urban community and the well being of productive agricultural land.

A significant portion of residential growth in the short-medium term will be met by the four main growth corridors identified in the *Greater Shepparton 2030 Strategy*:

- The southern corridor to the south of the Broken River at Kialla.
- The south eastern corridor, along Poplar Avenue, Shepparton.
- The northern corridor, between Verney Road and the Goulburn Valley Highway, Shepparton.
- The western corridor, to the west of Mooroopna.

It is expected that the urban areas of Shepparton and Mooroopna along with the four major growth areas will accommodate the majority of new residential development, with remaining growth distributed throughout Tatura, Murchison, Merrigum, Dookie, Congupna, Katandra West, Tallygaroopna, Toolamba, and Undera. The location and timing of new development will be reviewed annually in accordance with the monitoring and evaluation framework contained in the GSHS.

The Council recognises that Toolamba is in a unique position as it is the only small town in the municipality which will have a dedicated freeway interchange as part of the proposed Goulburn Valley Highway Bypass. This, together with the development of the Goulburn Valley Freight Logistics Centre at Mooroopna, will present a very attractive opportunity for future residential development of the town. Connection to a reticulated sewerage system will enable Toolamba to develop at a higher residential density. However, Development Plan Overlays should be used in conjunction with any future township expansion. In the absence of sewer, all future residential development in Toolamba will be subject to a Land Capability Assessment.

It is important that growth is maintained on a number of fronts, providing choice and variety in the housing market and accommodating projected population growth over at least a 15 year period.

Future growth corridors are vital to ensure that residential development can continue once other estates and corridors are completed. The growth plans identify a number of longer term residential growth corridors in Shepparton North and Kialla to the east of Kialla Lakes once existing areas are nearing full development.

Framework Plans

The GSHS supports the growth of Greater Shepparton in a consolidated and sustainable fashion. This includes providing land for living opportunities in a variety of residential settings and locations. To provide guidance as to how and where Greater Shepparton will grow, a series of Growth Management Plans was developed.

Key elements of the Growth Management Plans from the GSHS have been incorporated into a series of Framework Plans which form part of the Municipal Strategic Statement (MSS). The Framework Plans specify the settlement boundary for each area, the direction for future growth, the types of potential zoning for each area and where applicable indicate Investigation Areas.

The Growth Management Plans within the GSHS indicate a sequencing of development over a 15-year period. While development will be encouraged in accordance with these plans, this detail has not been included in the Framework Plans to allow some flexibility following the ongoing monitoring of supply and demand.

Settlement Boundaries

The Framework Plans include a 'settlement boundary' for each urban area and town based on the Growth Management Plans within the GSHS. The settlement boundaries provide guidance to the potential type, location and amount of residential land required. The plans project the outward limit of growth to the year 2031 as well as in some instances providing the broad direction of longer-term growth of Greater Shepparton beyond 2031 as indicated by arrows on the Framework Plans.

Residential growth outside the nominated settlement boundaries will generally not be supported. As a result the Framework Plans do not indicate any future growth outside the nominated settlement boundary. The exception to this is the land contained within Investigation Areas which upon further investigation may support additional land for residential development.

Growth Areas

[Adams Road area, Kialla. The Urban Growth Zone has been applied to this land to identify the land for future residential development, subject to a Precinct Structure Plan. This area is directly adjacent to the Kialla Lakes Estate and is impacted by flooding.](#)

Investigation Areas

Several Investigation Areas have been identified within the Framework Plans. These areas represent land which has potential to be rezoned to a higher density residential use due to the proximity to services and/or growth areas. The areas however presently have significant issues or constraints such as environmental, flooding, infrastructure and/or land use conflicts. The relevant issues will need to be resolved on a site-by-site basis through a more detailed analysis to determine the potential for higher density development and any subsequent changes to the Framework Plans.

These areas (which are nominated with the corresponding number on the Framework Plans) are:

- Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected.
- Investigation Area 2 – Raftery Road, Kialla. The land is adjacent to the Shepparton South Growth Corridor and is situated between the Seven Creeks and Goulburn River corridors. Development is currently restricted by the 8ha minimum lot size under the Rural Living Zone. Higher density development is dependent on issues relating to servicing, flooding and the environmental assets of the two river corridors being resolved.
- ~~Investigation Area 3 – Adams Road area, Kialla. The investigation area study is complete. A model of flood behaviour and conceptual master plan was prepared to address flooding~~

~~concerns. The Urban Growth Zone has been applied to this land to identify the land for future residential development, subject to a Precinct Structure Plan. This area is directly adjacent to the Kialla Lakes Estate and is impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.~~

- Investigation Area 4 – (Investigation Area 10 in Clause 21.06-4 Industry) east of Doyles Road, Grahamvale. There are a number of land use interface issues to be addressed in this area. There is a mix of agriculture, residential estates such as Dobsons Estate and the Shepparton East and Lemnos industrial areas. Further investigation is required in this area following finalisation of the Industrial Strategy. Investigations will include issues associated with present industry, potential for expansion of industrial and / or residential uses and developments, future servicing requirements and agricultural impacts.
- Investigation Area 5 – Dhurringile Road, Tatura. The land is opposite the Tatura Milk Industries. The future role of this land is dependent on the identification of measures to ensure possible conflicts between the potential residential uses on this land and industry in the immediate area are effectively managed.
- Investigation Area 6 – Toolamba. 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.

Objectives - Urban Consolidation and Growth

To contain urban growth to identified growth areas in order to protect higher quality and intact agricultural areas and achieve a more compact built up area.

To encourage a variety of housing types, particularly in terms of tenure and price, to contribute to housing diversity and affordability.

To provide a greater range of housing choices to attract more people to live in the Shepparton CBD which will support the vibrancy and economy of the CBD.

To make better use of available land by allowing higher scale built form in appropriate locations within the CBD.

To minimise the impacts of housing on the natural environment.

To release land efficiently in terms of location, supply of services and infrastructure and in accordance with land capability.

To support increased residential densities, such as 15 dwellings per hectare, in established areas and the conventional living growth areas.

To increase the supply of medium density housing in appropriate locations.

To provide land for small township expansion, subject to a supply and demand analysis.

To coordinate the assessment, planning, development and servicing of identified investigation areas in an integrated manner.

To ensure any small township expansion occurs without impacting on the long-term growth potential of urban centres or productive agricultural land.

To ensure any small township expansion is dependent on land capability where no reticulated sewer is available.

To balance the need to achieve urban consolidation with the need to respect and retain the valued characteristics of existing neighbourhoods.

To ensure that land proposed for residential purposes is not contaminated.

To ensure protection of ground water and natural systems.

To ensure that provision is made for community infrastructure.

~~To ensure that any use or development in the Urban Growth Zone will not lead to unacceptable amenity impacts for future residential development.~~

To ensure that a Precinct Structure Plan and, where relevant, a Development Contributions Plan are prepared for land in the Urban Growth Zone.

Strategies - Urban Consolidation and Growth

- Maintain residential development targets outlined in the GSHS based on the type, amount and proportion of existing residential zones; the existing average lot sizes in each residential zone type; a qualitative assessment of dwelling demand and housing market conditions; sustainable development principles and the need to conserve land and energy; and the need to achieve the strategic directions and objectives of the GSHS. These targets are:
 - *Infill Development* – accommodate at least 10 percent of the 9,100 dwellings (910 dwellings) in existing areas through infill and redevelopment at higher densities. New dwelling construction in these areas is highly encouraged by the GSHS and this target should be exceeded where possible.
 - *Greenfield Development* – accommodate the remaining 8,190 dwellings in Greenfield locations with:
 - 60% as conventional living (450 – 800 square metres).
 - 20% as medium density housing (less than 450 square metres).
 - 15% as low density living (2,000 – 8,000 square metres).
 - 5% as rural living (2 – 8 hectares).
- Promote development in accordance with the attached Framework Plans.
- Maintain a supply of land to accommodate projected population growth over at least a 15 year period.
- Encourage the consolidation of existing residential areas in the municipality in accordance with the change areas identified in the Housing Change Area plans.
- Ensure the rezoning of future residential land is informed by the 'Growth Management Plans' and development principles identified in the Greater Shepparton Housing Strategy 2011.
- Ensure that township growth is determined by infrastructure provision (including water supply) and a supply and demand analysis, with developers funding the extension of water and sewerage services.
- Support applications to rezone land for residential purposes where the land has previously been used for orchard or other agricultural uses only where the application is accompanied by a soil report which confirms that the land is suitable for residential use (as required by Ministerial Direction No. 1).
- Support increased densities, such as 15 dwellings per hectare, where reticulated sewer and urban services are provided in the existing residential areas, while maintaining and protecting existing sewerage reticulation assets.
- Encourage medium density housing in preferred locations including within existing residential areas; near public transport; within major redevelopment sites; and adjacent to activity centres and open space areas.
- Encourage medium density, apartment style and shop-top housing, and including student accommodation, as part of the redevelopment of Shepparton CBD commercial sites.
- Encourage the provision of smaller lots to meet the changing demographics structure.
- Discourage multi dwelling developments within areas affected by the Floodway Overlay.
- Provide a settlement boundary beyond which additional urban growth and rezoning should not be supported.
- Encourage new subdivision and developments to promote walking and cycling between homes and schools, open spaces and shops.

- Ensure appropriate design, location and density for expanding residential areas in Shepparton North to maintain amenity protection between residential and other uses such as industry, agriculture and the Goulburn Valley Freeway.
- Link the parks, open spaces and bicycle paths to create connectivity between the three urban areas of Shepparton, Mooroopna and Kialla, with the floodplain becoming a recreation asset.
- Avoid incremental approvals and development in identified investigation areas until an integrated investigation has been completed to assess and resolve future land opportunities and constraints, land use, development opportunities, subdivisional layout and servicing for the area.
- Apply the Development Plan Overlay (DPO) to the growth areas to ensure coordinated development.
- Require development plans to be accompanied by an approved Development Contributions Plan (DCP) or an alternative such as a negotiated Pre-Development Agreement.
- Consider the effect that use or development may have on nearby existing or proposed residential development in the Urban Growth Zone.

Policy Guidelines - Urban Growth and Consolidation

When considering an application, the Council will be guided by the following provisions:

- Whether new development leap-frogs existing non-residential development.
- The protection of strategic riparian areas and the provision of public access.
- Flexibility in lot sizes based on, diversity of lot sizes, the proximity of services and the character of the area.
- Provision for community services (DCP or Pre-Development Agreement).
- Residential development should generally be in accordance with the sequencing indicated on the Growth Management Plans in the GSHS. Growth occurring out of sequence may be considered provided that a development proposal satisfies the following conditions:
 - It can be demonstrated that the land supply for the proposed type of development is being constricted elsewhere and that it is unlikely to become available within the designated sequencing.
 - The proposed development does not impact on the achievement of the objectives and strategies of the GSHS.
 - The development can be serviced and connected to sewer and drainage infrastructure in a timely and efficient manner to the satisfaction of the relevant service provider.
 - The full cost of extending infrastructure out of sequence is paid for by the developer.
 - The proposed development represents an exemplary development incorporating best practice standard and satisfying the objectives and strategies of the GSHS to a high degree.

~~When assessing applications for the use and development of land within the Urban Growth Zone, where a Precinct Structure Plan has not yet been prepared, it is policy to consider the impact on the:~~

- ~~▪ Amenity of future residential development; and~~
- ~~▪ Sequencing of future residential development.~~

When assessing applications for the subdivision of land within the Urban Growth Zone, where a Precinct Structure Plan has not yet been prepared, it is policy to:

- Consider the granting of a permit, only if:
 - ~~▪ It is for the excision of an existing dwelling;~~
 - ~~▪ It is for a two lot subdivision; and~~

- The house lot is a maximum of two hectares, unless a larger lot is required to accommodate existing infrastructure.

21.04-2
10/12/2015
CS2

Housing Change Areas

Objective - Housing Change Areas

To manage the impacts of change in the established neighbourhoods and ensure that residential development contributes to the character of residential areas rather than undermining them.

The residential areas have been divided into three areas indicated in the attached *Framework Plans*:

Minimal Change Areas:

Minimal Change Areas are established residential areas that for a number of reasons have limited capacity to accommodate future residential development. Minimal Change Areas do not prohibit all residential development, but seek to allow limited residential development that is generally consistent with the type, scale and character of the area.

Minimal Change Areas are generally in locations that:

- Have a strong neighbourhood character, largely evidenced by a significant presence of historical buildings and places.
- Are affected by environmental factors such as flooding which limit development capacity.
- Have a low density or rural living character.
- Are in close proximity to uses which cause significant off-site impacts.
- Have a widespread application of restrictive covenants which limit housing diversity.
- Have valued landscape features and / or views and vistas.

The Council may also consider smaller Minimal Change Areas in locations immediately adjacent to a sensitive use or affected by a particular environmental factor that has the potential to create significant risk to development or a valued feature of the landscape or detrimentally affect character that is desirable to retain.

NO CHANGES UNTIL Clause 21.04-7

21.04-7

Strategic Work Program

03/03/2016
Proposed C195

Undertaking further strategic work - Settlement

- Monitor housing trends.
- Monitor 'supply triggers' for development based on land take-up rates that indicate when the identification and planning of new land should commence.
- Investigate variations to Clauses 54 and 55 of the Planning Scheme to reflect Housing Change Areas.
- Investigate opportunities for the continued improvement of the residential development assessment process.
- Investigate different zone options for implementation in growth areas.
- Further assess the Raftery Road Corridor for potential for more intensive rural living or low density residential development and zoning.
- Develop policy guidelines to restrict inappropriate development within and immediately surrounding areas which are liable to flooding.
- Develop and integrate into the planning process a connectivity assessment tool such as a Connectivity Index to require a minimum level of connectivity in all residential neighbourhoods.

- Identify opportunities for (re)development at increased densities to create a diversity of housing options.
- Identify development opportunities for special housing types such as aged care in appropriate locations.
- Review the Recreation and Open Space Strategy to identify open space requirements and develop strategies for creating an open space network. This should include design guidelines to ensure open space is attractive, accessible and safe.
- Prepare Development Contributions Plans incorporating community infrastructure in growth corridors.
- Prepare a land use strategy for Tatura.
- Prepare Structure Plans for the residential corridors for Shepparton/Mooroopna, and proposed development areas at Tatura.
- Devise landscaping themes throughout the municipality to create a unified identity whilst retaining individual township character.
- Review the Shepparton Urban Design Framework to prepare urban design guidelines and directions for other areas that are not included in the “Urban Design Framework – Shepparton North and South Business Areas”.
- Prepare design guidelines for residential development.
- Develop a tool for ensuring adequate connectivity within and between residential developments.
- Develop a policy that restricts inappropriate development within and surrounding areas which are liable to flooding.
- Prepare a Precinct Structure Plan and, where relevant, a Development Contributions Plan to facilitate development in areas within the Urban Growth Zone.

NOTE – PLANS NOT INCLUDED IN PANEL MARKED UP VERSION – refer to recommendation regarding change to the Kialla and Shepparton South Framework Plan.

GREATER SHEPPARTON PLANNING SCHEME

21.04 SETTLEMENT03/03/2016
C162 Proposed C195**21.04-1 Urban Consolidation and Growth**03/03/2016
C162 Proposed
C195

Population forecasts predict that the population of the City of Greater Shepparton will grow from 59,202 persons in 2006 to 71,509 by 2026. It is expected that to accommodate this additional population, there will need to be a corresponding growth in the number of dwellings (a separate estimate suggests a further 9,100 dwellings will be required by 2031). At the same time, changing demographic trends such as an increase of persons aged 65 and over, smaller household sizes and an increase in non-Australian born persons will create demand for a broad range of housing types within the municipality.

In facilitating the future growth and development of the municipality's towns, the Council is concerned to achieve urban consolidation thereby promoting walking, the use of bicycles and reducing the dependence on car use. In proximity to the Shepparton CBD and other key activity centres, people will be encouraged to live at higher densities in environments that offer individual, lifestyle and community benefits. The *Shepparton CBD Strategy October 2008* establishes key priorities including creating residential opportunities and expanding housing choice within the CBD. The strategy encourages the provision of additional medium density and apartment style accommodation including shop-top housing.

The *Greater Shepparton Housing Strategy 2011* (GSHS) outlines Council's approach to housing delivery and growth in the municipality and provides the basis for the objectives, strategies and policy guidelines outlined below. It provides for sufficient land supply to accommodate housing demand within a consolidated and sustainable development framework. In doing so, it defines settlement boundaries for the extent of urban expansion to ensure the sustainability of the urban community and the well being of productive agricultural land.

A significant portion of residential growth in the short-medium term will be met by the four main growth corridors identified in the *Greater Shepparton 2030 Strategy*:

- The southern corridor to the south of the Broken River at Kialla.
- The south eastern corridor, along Poplar Avenue, Shepparton.
- The northern corridor, between Verney Road and the Goulburn Valley Highway, Shepparton.
- The western corridor, to the west of Mooroopna.

It is expected that the urban areas of Shepparton and Mooroopna along with the four major growth areas will accommodate the majority of new residential development, with remaining growth distributed throughout Tatura, Murchison, Merrigum, Dookie, Congupna, Katandra West, Tallygaroopna, Toolamba, and Undera. The location and timing of new development will be reviewed annually in accordance with the monitoring and evaluation framework contained in the GSHS.

The Council recognises that Toolamba is in a unique position as it is the only small town in the municipality which will have a dedicated freeway interchange as part of the proposed Goulburn Valley Highway Bypass. This, together with the development of the Goulburn Valley Freight Logistics Centre at Mooroopna, will present a very attractive opportunity for future residential development of the town. Connection to a reticulated sewerage system will enable Toolamba to develop at a higher residential density. However, Development Plan Overlays should be used in conjunction with any future township expansion. In the absence of sewer, all future residential development in Toolamba will be subject to a Land Capability Assessment.

It is important that growth is maintained on a number of fronts, providing choice and variety in the housing market and accommodating projected population growth over at least a 15 year period.

GREATER SHEPPARTON PLANNING SCHEME

Future growth corridors are vital to ensure that residential development can continue once other estates and corridors are completed. The growth plans identify a number of longer term residential growth corridors in Shepparton North and Kialla to the east of Kialla Lakes once existing areas are nearing full development.

Framework Plans

The GSHS supports the growth of Greater Shepparton in a consolidated and sustainable fashion. This includes providing land for living opportunities in a variety of residential settings and locations. To provide guidance as to how and where Greater Shepparton will grow, a series of Growth Management Plans was developed.

Key elements of the Growth Management Plans from the GSHS have been incorporated into a series of *Framework Plans* which form part of the Municipal Strategic Statement (MSS). The *Framework Plans* specify the settlement boundary for each area, the direction for future growth, the types of potential zoning for each area and where applicable indicate Investigation Areas.

The Growth Management Plans within the GSHS indicate a sequencing of development over a 15-year period. While development will be encouraged in accordance with these plans, this detail has not been included in the *Framework Plans* to allow some flexibility following the ongoing monitoring of supply and demand.

Settlement Boundaries

The *Framework Plans* include a 'settlement boundary' for each urban area and town based on the Growth Management Plans within the GSHS. The settlement boundaries provide guidance to the potential type, location and amount of residential land required. The plans project the outward limit of growth to the year 2031 as well as in some instances providing the broad direction of longer-term growth of Greater Shepparton beyond 2031 as indicated by arrows on the *Framework Plans*.

Residential growth outside the nominated settlement boundaries will generally not be supported. As a result the *Framework Plans* do not indicate any future growth outside the nominated settlement boundary. The exception to this is the land contained within Investigation Areas which upon further investigation may support additional land for residential development.

Investigation Areas

Several Investigation Areas have been identified within the *Framework Plans*. These areas represent land which has potential to be rezoned to a higher density residential use due to the proximity to services and/or growth areas. The areas however presently have significant issues or constraints such as environmental, flooding, infrastructure and/or land use conflicts. The relevant issues will need to be resolved on a site-by-site basis through a more detailed analysis to determine the potential for higher density development and any subsequent changes to the *Framework Plans*.

These areas (which are nominated with the corresponding number on the *Framework Plans*) are:

- Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected.
- Investigation Area 2 – Raftery Road, Kialla. The land is adjacent to the Shepparton South Growth Corridor and is situated between the Seven Creeks and Goulburn River corridors. Development is currently restricted by the 8ha minimum lot size under the Rural Living Zone. Higher density development is dependent on issues relating to servicing, flooding and the environmental assets of the two river corridors being resolved.

GREATER SHEPPARTON PLANNING SCHEME

- Investigation Area 3 – Adams Road area, Kialla. The investigation area study is complete. A model of flood behaviour and conceptual master plan was prepared to address flooding concerns. The Urban Growth Zone has been applied to this land to identify the land for future residential development. This area is directly adjacent to the Kialla Lakes Estate though is significantly impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.
- Investigation Area 4 – (Investigation Area 10 in Clause 21.06-4 Industry) east of Doyles Road, Grahamvale. There are a number of land use interface issues to be addressed in this area. There is a mix of agriculture, residential estates such as Dobsons Estate and the Shepparton East and Lemnos industrial areas. Further investigation is required in this area following finalisation of the Industrial Strategy. Investigations will include issues associated with present industry, potential for expansion of industrial and / or residential uses and developments, future servicing requirements and agricultural impacts.
- Investigation Area 5 – Dhurringile Road, Tatura. The land is opposite the Tatura Milk Industries. The future role of this land is dependent on the identification of measures to ensure possible conflicts between the potential residential uses on this land and industry in the immediate area are effectively managed.
- Investigation Area 6 – Toolamba. 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.

Objectives - Urban Consolidation and Growth

To contain urban growth to identified growth areas in order to protect higher quality and intact agricultural areas and achieve a more compact built up area.

To encourage a variety of housing types, particularly in terms of tenure and price, to contribute to housing diversity and affordability.

To provide a greater range of housing choices to attract more people to live in the Shepparton CBD which will support the vibrancy and economy of the CBD.

To make better use of available land by allowing higher scale built form in appropriate locations within the CBD.

To minimise the impacts of housing on the natural environment.

To release land efficiently in terms of location, supply of services and infrastructure and in accordance with land capability.

To support increased residential densities, such as 15 dwellings per hectare, in established areas and the conventional living growth areas.

To increase the supply of medium density housing in appropriate locations.

To provide land for small township expansion, subject to a supply and demand analysis.

To coordinate the assessment, planning, development and servicing of identified investigation areas in an integrated manner.

To ensure any small township expansion occurs without impacting on the long-term growth potential of urban centres or productive agricultural land.

To ensure any small township expansion is dependent on land capability where no reticulated sewer is available.

To balance the need to achieve urban consolidation with the need to respect and retain the valued characteristics of existing neighbourhoods.

GREATER SHEPPARTON PLANNING SCHEME

To ensure that land proposed for residential purposes is not contaminated.

To ensure protection of ground water and natural systems.

To ensure that provision is made for community infrastructure.

To ensure that any use or development in the Urban Growth Zone will not lead to unacceptable amenity impacts for future residential development.

To ensure that a Precinct Structure Plan and, where relevant, a Development Contributions Plan are prepared for land in the Urban Growth Zone.

Strategies - Urban Consolidation and Growth

- Maintain residential development targets outlined in the GSHS based on the type, amount and proportion of existing residential zones; the existing average lot sizes in each residential zone type; a qualitative assessment of dwelling demand and housing market conditions; sustainable development principles and the need to conserve land and energy; and the need to achieve the strategic directions and objectives of the GSHS. These targets are:
 - *Infill Development* – accommodate at least 10 percent of the 9,100 dwellings (910 dwellings) in existing areas through infill and redevelopment at higher densities. New dwelling construction in these areas is highly encouraged by the GSHS and this target should be exceeded where possible.
 - *Greenfield Development* – accommodate the remaining 8,190 dwellings in Greenfield locations with:
 - 60% as conventional living (450 – 800 square metres).
 - 20% as medium density housing (less than 450 square metres).
 - 15% as low density living (2,000 – 8,000 square metres).
 - 5% as rural living (2 – 8 hectares).
- Promote development in accordance with the attached Framework Plans.
- Maintain a supply of land to accommodate projected population growth over at least a 15 year period.
- Encourage the consolidation of existing residential areas in the municipality in accordance with the change areas identified in the Housing Change Area plans.
- Ensure the rezoning of future residential land is informed by the 'Growth Management Plans' and development principles identified in the Greater Shepparton Housing Strategy 2011.
- Ensure that township growth is determined by infrastructure provision (including water supply) and a supply and demand analysis, with developers funding the extension of water and sewerage services.
- Support applications to rezone land for residential purposes where the land has previously been used for orchard or other agricultural uses only where the application is accompanied by a soil report which confirms that the land is suitable for residential use (as required by Ministerial Direction No. 1).
- Support increased densities, such as 15 dwellings per hectare, where reticulated sewer and urban services are provided in the existing residential areas, while maintaining and protecting existing sewerage reticulation assets.
- Encourage medium density housing in preferred locations including within existing residential areas; near public transport; within major redevelopment sites; and adjacent to activity centres and open space areas.

GREATER SHEPPARTON PLANNING SCHEME

- Encourage medium density, apartment style and shop-top housing, and including student accommodation, as part of the redevelopment of Shepparton CBD commercial sites.
- Encourage the provision of smaller lots to meet the changing demographics structure.
- Discourage multi dwelling developments within areas affected by the Floodway Overlay.
- Provide a settlement boundary beyond which additional urban growth and rezoning should not be supported.
- Encourage new subdivision and developments to promote walking and cycling between homes and schools, open spaces and shops.
- Ensure appropriate design, location and density for expanding residential areas in Shepparton North to maintain amenity protection between residential and other uses such as industry, agriculture and the Goulburn Valley Freeway.
- Link the parks, open spaces and bicycle paths to create connectivity between the three urban areas of Shepparton, Mooroopna and Kialla, with the floodplain becoming a recreation asset.
- Avoid incremental approvals and development in identified investigation areas until an integrated investigation has been completed to assess and resolve future land opportunities and constraints, land use, development opportunities, subdivisional layout and servicing for the area.
- Apply the Development Plan Overlay (DPO) to the growth areas to ensure coordinated development.
- Require development plans to be accompanied by an approved Development Contributions Plan (DCP) or an alternative such as a negotiated Pre-Development Agreement.
- Consider the effect that use or development may have on nearby existing or proposed residential development in the Urban Growth Zone.

Policy Guidelines - Urban Growth and Consolidation

When considering an application, the Council will be guided by the following provisions:

- Whether new development leap-frogs existing non-residential development.
- The protection of strategic riparian areas and the provision of public access.
- Flexibility in lot sizes based on, diversity of lot sizes, the proximity of services and the character of the area.
- Provision for community services (DCP or Pre-Development Agreement).
- Residential development should generally be in accordance with the sequencing indicated on the Growth Management Plans in the GSHS. Growth occurring out of sequence may be considered provided that a development proposal satisfies the following conditions:
 - It can be demonstrated that the land supply for the proposed type of development is being constricted elsewhere and that it is unlikely to become available within the designated sequencing.
 - The proposed development does not impact on the achievement of the objectives and strategies of the GSHS.
 - The development can be serviced and connected to sewer and drainage infrastructure in a timely and efficient manner to the satisfaction of the relevant service provider.
 - The full cost of extending infrastructure out of sequence is paid for by the developer.

GREATER SHEPPARTON PLANNING SCHEME

- The proposed development represents an exemplary development incorporating best practice standard and satisfying the objectives and strategies of the GSHS to a high degree.

When assessing applications for the use and development of land within the Urban Growth Zone, where a Precinct Structure Plan has not yet been prepared, it is policy to consider the impact on the:

- Existing and future road network, including any works necessary to accommodate an increase in traffic generated by the use or development. The comments and requirements of the relevant authority should be sought and addressed;
- Amenity of future residential development; and
- Sequencing of future residential development.

When assessing applications for the subdivision of land within the Urban Growth Zone, where a Precinct Structure Plan has not yet been prepared, it is policy to:

- Consider the granting of a permit, only if:
 - It is for the excision of an existing dwelling;
 - It is for a two lot subdivision; and
 - The house lot is a maximum of two hectares, unless a larger lot is required to accommodate existing infrastructure.

10/12/2015
C92

Housing Change Areas

Objective - Housing Change Areas

To manage the impacts of change in the established neighbourhoods and ensure that residential development contributes to the character of residential areas rather than undermining them.

The residential areas have been divided into three areas indicated in the attached *Framework Plans*:

Minimal Change Areas:

Minimal Change Areas are established residential areas that for a number of reasons have limited capacity to accommodate future residential development. Minimal Change Areas do not prohibit all residential development, but seek to allow limited residential development that is generally consistent with the type, scale and character of the area.

Minimal Change Areas are generally in locations that:

- Have a strong neighbourhood character, largely evidenced by a significant presence of historical buildings and places.
- Are affected by environmental factors such as flooding which limit development capacity.
- Have a low density or rural living character.
- Are in close proximity to uses which cause significant off-site impacts.
- Have a widespread application of restrictive covenants which limit housing diversity.
- Have valued landscape features and / or views and vistas.

The Council may also consider smaller Minimal Change Areas in locations immediately adjacent to a sensitive use or affected by a particular environmental factor that has the potential to create significant risk to development or a valued feature of the landscape or detrimentally affect character that is desirable to retain.

GREATER SHEPPARTON PLANNING SCHEME

21.0503/10/2013
C1416 Proposed
21.05-1**ENVIRONMENT****Natural Environment and Biodiversity**18/09/2013
C1421 Proposed
d C155

Key biodiversity issues in Greater Shepparton are associated with native vegetation and with the myriad of river, floodplain and wetland systems.

The natural landscape of the municipality and wider region has been modified significantly as a result of pastoral activities and more recently through extensive irrigation activities. As a result, areas of remnant native vegetation are now primarily limited to waterways, road reserves and corridors. These corridors (as well as native vegetation stands on private property) provide important habitat links for flora and fauna and for the fostering of biodiversity.

The development of vast areas for irrigated agricultural activities has resulted in high water tables and salinity which have affected the productivity of the land, local bio-systems and in some instances the ultimate viability of some agricultural enterprises.

The *Goulburn Broken Catchment Management Strategy* provides the blueprint for integrated natural resource management across the municipality (and the wider region) and in part forms the regional component of the state's Biodiversity Strategy. In essence, the strategy seeks to maintain and enhance biodiversity of native flora and fauna communities and protect the region's natural resource base through the management of key threats.

The Regional Rural Land Use Strategy (RRLUS - 2008) notes that:

- Native vegetation is required to be preserved to maintain biodiversity and manage water tables.
- Floodplains and flood events are required to flush waterways and enhance water quality.
- Fauna is required to maintain biodiversity and manage pest plants and animals.

The RRLUS also notes that presently, the application of environmental controls in the region varies with a limited use of available overlays, specifically to manage significant vegetation, landscape and habitat. The application of appropriate zones, overlays and consideration of Biodiversity Action Planning processes being completed by Catchment Management Authorities are acknowledged as critical to decision making.

The RRLUS identifies land of high conservation value south and west of Murchison and around the Dookie Hills. Further strategic work will be undertaken to determine the appropriate zone or overlay to achieve the conservations outcomes envisioned in the strategy.

Objectives - Natural Environment & Biodiversity

- To maintain and enhance biodiversity of native flora and fauna communities.
- To protect and manage the natural resources of water, air and land.
- To identify natural landscape features which are to be protected and managed.
- To ensure structure planning for residential growth provides for biodiversity protection and enhancement measures.

Strategies - Natural Environment & Biodiversity

- Protect remnant areas of native vegetation, streamlines, wetlands and other environmentally sensitive features.
- Ensure appropriate identification of native vegetation on land to be developed or subdivided.
- Ensure that Precinct Structure Plans address the following biodiversity protection and enhancement measures:

GREATER SHEPPARTON PLANNING SCHEME

- Site and design development, including service infrastructure, roads and subdivision boundaries, in a manner that minimises the need to remove remnant native vegetation;
- Site and design stormwater disposal and flood mitigation infrastructure to provide for waterway habitat enhancement; and
- Enhance biodiversity values by requiring native vegetation in landscape treatments, in particular within floodways and reserves that link to rivers.

21.05-2
19/09/2013
C121

Floodplain and Drainage Management

The catchments of the various rivers and streams within the municipality include areas of flood prone land, where flooding has historically caused substantial damage to the natural and built environment. Floods are naturally occurring events and the inherent functions of the floodplains to convey and store floodwater should be recognised and preserved to minimise the deterioration of environmental values, the long term flood risk to floodplain production, assets and communities.

Flooding imposes substantial costs on individuals and the community. While significant costs are incurred by direct damage to public and private property, indirect costs to the community such as loss of productivity, displacement of residents, closure of roads, trauma and ill health are also significant. Notwithstanding these significant impacts, natural flooding of floodplains and their associated wetlands provide essential breeding habitats for bird and aquatic species, and promotes the health of rivers and floodplains.

Sound floodplain management is the means by which the economic, social and environmental risks associated with floodplain use and development can be minimised. This level of management is provided by six "local floodplain development plans (LFDP)" incorporated into the scheme at Clause 81.

Objectives - Floodplain and Drainage Management

- To recognise the constraints of the floodplain on the use and development of land.

Strategies - Floodplain Management

- Discourage development and subdivision on land subject to flooding.
- Ensure that all new development maintains the free passage and temporary storage of floodwater, minimises flood damage is compatible with flood hazard and local drainage conditions, and minimises soil erosion, sedimentation and silting.
- Prevent tree removal to minimise loss of riparian vegetation as a result of development on the floodplain.

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Best Practice Land Management

Decades of open pasture farming and irrigated agriculture has also changed the natural hydrological balance. Drainage management attempts to reduce the direct costs in terms of loss of stock and damage to property, and the indirect costs of reduced productivity, road rebuilding, and inconvenience. The key issue relating to drainage management is the provision of efficient drainage of land without causing other environmental impacts.

Land use and development should be based on land capability and suitability and be mindful of potential impact of external factors such as reconfiguration of irrigation delivery and drainage infrastructure arising from irrigation water reforms. As such, Council encourages the preparation of whole farm plans to assist farming enterprises to reduce downstream impacts of nutrients on water quality, protection of natural ecosystems, reduce water logging and salinity and sustain viable farming enterprises.

It is noted that Council joined the *Cities for Climate Protection Program* in 2000 and has committed to evaluate and set targets for greenhouse gas emissions for council and community activities, promote energy efficient subdivision and house design, promote municipal domestic wastewater management and provide corresponding incentives and

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