

# **ATTACHMENT TO AGENDA ITEM**

Ordinary Meeting

20 June 2017

**Agenda Item 9.12      Proposed Amendment C192 to the Greater Shepparton  
Planning Scheme - Implementation of the Commercial  
Activity Centres Strategy - Consideration of  
Submissions**

<b>Attachment 1</b>	<b>Amendment C192 Exhibition Documentation.....</b>	<b>861</b>
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*Planning and Environment Act 1987*

## **GREATER SHEPPARTON PLANNING SCHEME**

### **AMENDMENT C192**

#### **EXPLANATORY REPORT**

##### **Who is the planning authority?**

This amendment has been prepared by the 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 land generally within the commercial/ business areas of Greater Shepparton.

##### **What the amendment does**

The proposed Amendment updates the Municipal Strategic Statement (MSS) and Activity Centre Zone to implement the recommendations of the *Commercial Activity Centres Strategy, November 2015*.

The Amendment seeks to:

- Update the activity centre hierarchy in the MSS at Clause 21.06-5 *Commercial/ Activity Centres*.
- Amend the MSS at Clause 21.06-5 *Commercial/ Activity Centres* to:
  - discourage the location of cinema and department stores outside the retail core (Precinct 1).
  - reinforce the Shepparton CBD as the principal retail centre.
  - include the *Commercial Activity Centres Strategy November 2015* as a reference document.
  - encourage expansion of retail and commercial convenience facilities in Shepparton North, subject to detailed planning and development assessment criteria.
- Rezone the Shepparton Marketplace, land along Benalla Road (Enterprise Corridor) and Wyndham Street (Wyndham Street North) from Commercial 1 and 2 Zone to Activity Centre Zone.
- Provide an increase to the retail floorspace cap at Shepparton Marketplace from 15,000sqm to 22,500sqm.
- Remove Schedule 3 to the Design and Development Overlay relating to the land in the Wyndham Street North Precinct and update the Overlay maps accordingly.
- Update Clause 21.06-7 *Strategic Work Program* to reflect work undertaken and include the preparation of Structure Plans/ Urban Design Frameworks for relevant activity centres.
- Update Clause 21.08 *General Implementation* to reflect the recommendations of the *Commercial Activity Centres Strategy November 2015*.
- Update Clause 21.09 *Reference Documents* to include the *Commercial Activity Centres Strategy November 2015*.

- Amend the Schedule to Clause 34.01 *Commercial 1 Zone* to remove reference to Shepparton Marketplace.

## **Strategic assessment of the Amendment**

### **Why is the Amendment required?**

Shepparton is the fourth largest regional city in Victoria and a major area of urban growth and development within the Goulburn Valley region. The city caters for a large regional economic catchment, serving both a local and regional economic role as a business, retail and services hub. Despite its important role servicing the retail needs of the region, it has been over a decade since the retail strategy has been addressed, and as a result much of the existing strategy needs updating. Further, in 2014 the State government introduced new commercial zones which changed the way the planning system works in commercial areas, and this strategy also enabled Council to respond to these changes.

To address these issues the Council (with consultants Essential Economics and Spiire) prepared the *Commercial Activity Centres Strategy November 2015*. The Strategy provides a current, comprehensive approach to commercial services throughout the municipality. The Strategy seeks to respond to the changes in retail practices, consider the evolving retail and commercial environment, existing studies and Council policies, and seeks to provide the most appropriate guidance (in terms of zones, design guidelines and appropriate uses) in commercial areas.

The proposed amendment seeks to introduce the required planning controls and policy into the Greater Shepparton Planning Scheme to implement key priorities of the Strategy, particularly, to ensure the primacy of the CBD as a key regional retail and commercial centre, providing a hierarchy of activity centres and defining their role in supporting retail growth in Shepparton.

The ACZ is the preferred planning tool for activities areas in Metropolitan Melbourne and major regional centres in Victoria which display Central Business District (CBD) type functions. The ACZ is able to more easily and effectively implement the strategic objectives for these areas, and to more transparently reflect the outcomes identified in structure plans (in this case, the *Commercial Activity Centres Strategy November 2015*).

The ACZ is a flexible control that allows for a mix of uses and development and can be tailored by Councils to meet the particular needs of a centre through the Schedule to the Zone and simplifies the planning process by replacing zones and overlay controls into one single set of use and development provisions.

The proposed Amendment has been prepared to provide Council with a framework to highlight where private sector investment and new business activity is encouraged, to identify priority locations for new public infrastructure, to support the productive and efficient use of land, and to support liveability for the community, while advancing the development and economic viability of all commercial activity centres in the municipality.

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

The proposed amendment meets the objectives of planning in Victoria under section 4(1) of the *Planning and Environment Act 1987* by providing for the fair, orderly, economic and sustainable use and development of land in commercial areas throughout Shepparton, and protecting the primacy of the CBD.

The changes to local policy, particularly Clause 21.06 *Economic Development*, addressing objectives and strategies for the growth and hierarchy of commercial areas, will consolidate and strengthen the retail and commercial role of the Shepparton CBD, and provide a pleasant, efficient and safe working, living and recreational environment for all residents, business operators, employees and visitors to Shepparton.

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

The proposed amendment aims to put in place guidance for the future land use and development of Shepparton's activity centres, and it is not envisioned that there will be any significant adverse environmental impacts. The proposed amendment includes requirements to consider environmentally sustainable design principles in the construction of any new land use or development.

The proposed amendment is not expected to have any significant adverse social impacts, rather it will strengthen the role of the Shepparton CBD to ensure it continues to serve the community's needs. A proposal to increase retail floorspace or for other use/ development within the Activity Centre Zone will be subject to planning and development assessment utilising the criteria provided in the Strategy, including an assessment of the benefits of any proposals to the community.

The proposed amendment seeks to provide greater certainty for business and community regarding what kind of future land use and development can occur and where. The proposed amendment also limits the amount of retail shop floor space in certain activity centres, based on the existing and anticipated retail catchment and the strategic importance of the activity centres within the hierarchy. The proposed amendment also discourages the location of uses such as cinema or department store outside of the retail core. There is strong strategic logic for this guideline, however uses and floorspace caps are discretionary and can be changed subject to the appropriate planning and development assessment criteria, which includes the requirement for an economic impact assessment and retail assessment to be prepared.

The amendment will help to stimulate investment within the additional Precincts in the ACZ by reducing application and permit requirements for use and development and providing additional planning certainty about what use is preferred where.

**Does the Amendment address relevant bushfire risk?**

The amendment will not include any land in a Bushfire Management Overlay (BMO). Further, it is not expected that the inclusion of additional commercial precincts in the ACZ or changes to the MSS will affect bushfire risk.

**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 pursuant to section 7(5) of the Act.

The proposed amendment is consistent with the Minister's Direction No. 11 Strategic Assessment of Amendments under section 12(2) of the *Planning and Environment Act 1987*.

The proposed amendment is consistent with the Minister's Direction No. 15 The Planning Scheme Amendment Process under section 12(2) of the *Planning and Environment Act 1987*.

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

The proposed amendment supports and implements Clause 11 *Settlement*, Clause 16 *Housing*, Clause 17 *Economic Development* and Clause 18 *Transport* of the State Planning Policy Framework by guiding major retail, commercial, administrative, entertainment, residential and community uses and development into a hierarchy of activity centres.



Changes have been made to the existing Table of Uses in the Schedule to the ACZ, with some uses being extracted to stand alone, while permit requirements for some uses have also been amended. The following table shows the proposed permit requirements within the new schedule.

## Permit requirements in Proposed ACZ

Precinct	Retail Premises (other than Adult sex bookshop, Department store, Hotel and Tavern, Restricted retail premises, Supermarket and Trade supplies)	Supermarket	Office (except Medical Centre)	Cinema	Department Store	Trade Supplies	Medical centre	Industry	Restricted retail premises
1 (ACZ)	As of right	As of right	As of right (frontage must not exceed 2m & other conditions)	As of right (must not front a road at ground level)	As of right	As of right	Permit required	Permit required (conditions )	As of right
2 (ACZ)	As of right	As of right	Permit required	As of right	Permit required	As of right	Permit required	Permit required (conditions )	As of right
3 (C1Z/ ACZ)	As of right in 3B. Permit required in 3A & 3C prohibited 3D	Prohibited	Permit required	Prohibited	Prohibited	Prohibited in 3A, 3C, permit required 3B, 3D	Permit required	Prohibited	Prohibited
4 (ACZ)	Permit required 4C, prohibited 4A, 4B, 4D	Prohibited	Permit required in 4C. Prohibited in 4A, 4B & 4D.	Prohibited	Prohibited	Prohibited	Permit required	Prohibited	Prohibited
5 (ACZ)	Permit required	Permit required	Permit required	Permit required	Permit required	Prohibited	Permit required	Prohibited	Prohibited
6 (ACZ)	Permit required	Permit required	Permit required	Permit required	Permit required	Permit required	Permit required	Prohibited	Prohibited
7 (ACZ)	As of right	As of right	As of right (frontage must	Prohibited	Prohibited	As of right	Permit required	Permit required	As of right

			not exceed 2m and other conditions)					(conditions )	
8 (ACZ)	8A as of right Permit required 8B, 8D 8C Prohibited	Permit required	Permit required in 8A, 8B, 8D Prohibited in 8B	Permit required	Permit required	Prohibited 8B, 8C, permit required 8A, 8D	Permit required	Permit required 8A (conditions ) Prohibited 8B, 8C, 8D	Permit required
9 (C1Z)	As of right	As of right	Permit required	Permit required	Permit required	Permit required	Permit required	Prohibited	As of right
10 (C2Z)	Permit required	Prohibited	Prohibited	Prohibited	Prohibited	As of right	Prohibited	As of right (conditions )	As of right

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

The proposed amendment is consistent with the policies and controls of the Greater Shepparton Planning Scheme, including the Municipal Strategic Statement outlined within the Local Planning Policy Framework.

The proposed amendment aims to provide support for policy in Clause 21.06-5 *Commercial/Activity Centres* to recognise Shepparton CBD as the principal retail centre in the region and provide a hierarchy of supporting activity centres throughout Greater Shepparton. Incorporating the objectives of the *Commercial Activity Centres Strategy November 2015* into Clause 21.06-5 will provide a working hierarchy of activity centres to serve the Shepparton region while protecting the role of the CBD for specialty retailing and entertainment as well as an office and commercial location.

The various objectives and strategies provide direction for the location of appropriate land uses and will allow businesses and developers to make appropriate location decisions for development in accordance with the desired outcomes of the Strategy.

Clause 21.04-4 *Urban Design* is supported by promoting high quality architecture and urban design, sustainable development, and providing that the desired built form of development in the various precincts within the CBD area will be achieved. The amenity and image of the CBD will be improved and the design of buildings and spaces in the retail core will add to the activity and vitality of the streets. The various objectives and strategies of local policy are supported by the Activity Centre Zone whereby specific land uses are directed to appropriate precincts. This enables businesses to make appropriate location decisions and for development to achieve the desired outcomes of the Design and Development requirements and objectives.

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

The proposed amendment makes proper use of the VPPs by updating the MSS to implement the appropriate strategic work and enable better administration of the Greater Shepparton Planning Scheme. The proposed amendment also applies the ACZ to areas of Shepparton CBD. The ACZ is the preferred VPP tool for managing and promoting land use and development in activities areas and larger regional centres which demonstrate CBD roles. The amendment has been prepared in accordance with Practice Note 56 – Activity Centre Zone.

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

The preparation of the *Commercial Activity Centres Strategy November 2015* involved extensive consultation with a range of relevant agencies. As the proposed amendment seeks to implement the recommendations of the Strategy, further consultation is not presently required. There will be an opportunity for relevant authorities and departments to formally comment as part of the exhibition period.

**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 vision statement recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible state. 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 and health and wellbeing.

The proposed amendment addresses the relevant requirements of the Transport Integration Act 2010. While the proposed amendment does not introduce a new transport system, the inclusion of additional precincts in the ACZ will support the Act's objectives for transport and

land use integration, allowing for cohesive transport planning and land use integration in the commercial area as a whole.

#### **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 minimal impact on the resources or administrative costs of the Council. Any costs associated with a Planning Panel, if required, will be funded out of the Sustainable Development (Planning) Department's general budget.

#### **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, 90 Welsford Street, Shepparton

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](http://www.delwp.vic.gov.au/public-inspection) or the Greater Shepparton City Council website at [www.greatershepparton.com.au](http://www.greatershepparton.com.au).

#### **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 **8 August 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: 10 October 2016
- panel hearing: 31 October 2016



*Planning and Environment Act 1987***GREATER SHEPPARTON PLANNING SCHEME****AMENDMENT C192****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 3 attached map sheets.

**Zoning Maps**

1. Amend Planning Scheme Map Nos.17, 18, 23 and 24 in the manner shown on the 2 attached maps marked "Greater Shepparton Planning Scheme, Amendment C192".

**Overlay Maps**

2. Delete Planning Scheme Map Nos.17DDO, 18DDO in the manner shown on the 1 attached map sheet marked "Greater Shepparton Planning Scheme, Amendment C192".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

3. In Local Planning Policy Framework – replace Clause 21.06 with a new Clause 21.06 in the form of the attached document.
4. In Local Planning Policy Framework – replace Clause 21.08 with a new Clause 21.08 in the form of the attached document.
5. In Local Planning Policy Framework – replace Clause 21.09 with a new Clause 21.09 in the form of the attached document.
6. In Zones – Clause 37.08, replace Schedule 1 with a new Schedule 1 in the form of the attached document.
7. In Overlays – Clause 43.02, delete Schedule 3.
8. In General Provisions – Clause 61.03, replace the schedule with a new Schedule in the form of the attached document.

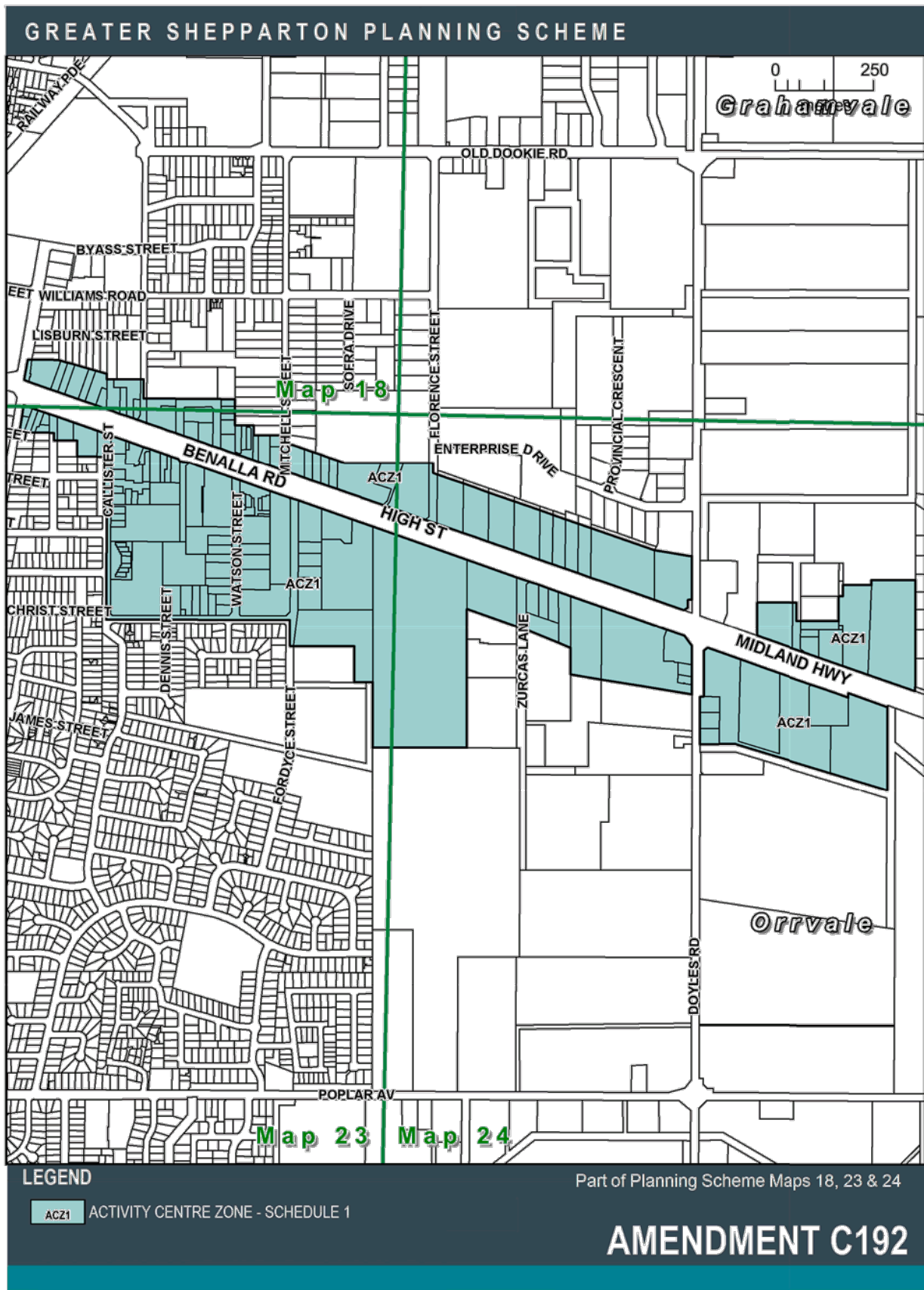
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| Planning Mapping Services |  
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## GREATER SHEPPARTON PLANNING SCHEME

**21.06 ECONOMIC DEVELOPMENT**

03/03/2016  
C182  
Proposed C192

The City of Greater Shepparton services a significantly wider region than that located within the municipal boundaries and has experienced strong growth over the past fifteen years. The local economy is diverse, and includes a range of activities including agriculture, food processing, manufacturing, retail, education, health/community services, transport and warehousing.

**21.06-1 Agriculture**

19/09/2013  
C121

Irrigated primary production and the processing of that product underpin the municipality and the Region's economy. The level of production is nationally important and the region is responsible for significant parts of the nation's milk production, deciduous canned fruit production, stone fruit crop and tomato processing production.

The region's workforce is heavily dependent on the agricultural sector with many people directly involved in agricultural production on farms, and an estimated similar number involved directly and indirectly in the processing and transport of that product. In both irrigation and dryland production the drivers of future successful agribusinesses, regardless of the scale of enterprise, are likely to be:

- Continuing current trends for significantly increased scale of production which is achieved by expanding the land area of production and/or by increasing the intensity of the production system.
- A shift to individual management of their own business risks such as consolidation into contiguous properties to manage all their own water supply.
- Agribusinesses that seek to minimize the number of neighbours.
- Agribusinesses that expand into land that is priced competitively because it is used for agriculture rather than having inflated land values because it has been subdivided for hobby farms.

It is increasingly evident that prospective agricultural investment is jeopardized, deterred, or completely lost by land uses and developments that have the potential to compromise the scale and location of such investment. In particular, agricultural investment is far less likely where land is already fragmented in ownership with housing dispersed throughout.

A Regional Rural Land Use Strategy 2008 (RRLUS) has been adopted by Moira Shire Council, the City of Greater Shepparton and the Shire of Campaspe. This strategy identifies new categories of farming areas in the municipalities and recommends different subdivision and minimum lot size provisions for dwellings for each category. The categories are as follows.

**Growth areas** being areas for growth and expansion of existing farm businesses and for new investment. Growth areas include those areas that have been retained in larger properties and provide the opportunity for large scale, stand alone new agricultural development as well as for consolidation of existing farm properties wishing to grow. The RRLUS seeks to discourage the establishment of new dwellings and where possible encourage farm tenements and property boundaries to consolidate and enlarge in line with the trends in agriculture associated with productivity and viability. The minimum subdivision size in these areas has been set at 40ha and a dwelling needs a planning permit on all land less than 60ha in area.

**Consolidation areas** being areas that support existing farm businesses to operate and expand. Consolidation areas typically include land with good soils and include many of the former closer settlement areas, but their lot sizes are no longer reflective of current farm sizes. Consolidation areas are considered to provide opportunities for development of growing agricultural enterprises that can, over time, expand and consolidate through a process of property restructure. In this regard 'consolidation' includes the consolidation of



## GREATER SHEPPARTON PLANNING SCHEME

land or the consolidation of farming enterprises through acquisition of non-contiguous land to increase farm size. The development of additional dwellings threatens expanding agricultural enterprises and accordingly, new dwellings within these areas are discouraged. The use of re-subdivision and excisions within consolidation areas will be considered in recognition that the excision of a dwelling from a farm can provide businesses an opportunity to consolidate property holdings based on the value of land for agriculture. The minimum subdivision size in these areas has been set at 40ha and a dwelling needs a planning permit on all land less than 60ha in area.

**Niche areas** being those areas with productive potential based on existing lot configuration and opportunities for smaller scale and specialized agriculture. Niche areas include those rural areas with productive potential due to soil type, property size or water access. The opportunity for properties within these areas to expand in response to general market trends is limited however due to land value and existing development as most lots are smaller with dwellings. Niche areas are productive farming areas and not rural living areas. Niche areas may involve activities such as spraying and frost fans etc. New dwellings within the niche area can be considered where associated with farm business activity. Given the existing size and lot configuration, it is envisaged that subdivision would rarely be required. The minimum subdivision size in these areas has been set at 40ha and a dwelling needs a planning permit on all land less than 40ha in area.

The RRLUS also discusses the conflict which arises when the expectations of the farmer and the rural lifestyle resident differ. It is acknowledged that direction is required to ensure that unplanned rural living is not displacing agriculture or preventing flexibility for farm businesses. In particular, existing minimum lot requirements that allow 'as of right' dwellings within the Farming Zone have been reviewed.

Important principles that have been applied in the rural areas are:

- The minimum subdivision size is to be less or equal to the minimum dwelling size in order to avoid expectations and perceptions that there will be an automatic entitlement to erect a dwelling on all newly created lots in the Farming Zone.
- Small lot subdivisions should not create any additional entitlements for a dwelling nor should they create an opportunity for a dwelling without a planning permit.

#### **Objectives - Agriculture**

To ensure that agriculture is and remains the major economic driver in the region.

To facilitate growth of existing farm businesses.

To facilitate growth of new agricultural investment.

To provide for small scale, specialized agriculture.

#### **Strategies - Agriculture**

- Identify 'growth', 'consolidation' and 'niche' areas in the Farming Zone.
- Encourage growth and expansion of existing farm businesses and new investment in 'growth' and 'consolidation' areas.
- Encourage opportunities for smaller scale, specialized agriculture in 'niche' areas.
- Discourage land uses and development in the Farming Zone, Schedule 1 that would compromise the future agricultural use of the land, including farm related tourism.
- Encourage tourism in the Farming Zone, Schedule 2 that is carefully managed to prevent conflict and impact on agricultural operations.
- Encourage value adding and new enterprises for agricultural production.
- Encourage the preparation of Whole Farm Plans for on farm earthworks.

## GREATER SHEPPARTON PLANNING SCHEME

- Discourage non-agricultural uses on rural land other than rural based industry.
- Discourage non-agricultural development in rural areas except where development is dependent on a rural location, and cannot be accommodated within existing industrial or business zoned land.
- Discourage non-agricultural development along major roads in rural areas especially at the fringe of existing urban areas when it may contribute to ribbon development.
- Buildings for non-agricultural purposes in rural areas should be set back a minimum of 100 metres from any road, be constructed in muted coloured ‘colorbond’ materials or similar and screened from any road by dense tree and shrub planting.
- Signs for industrial and commercial development in rural areas will be strictly limited in size and number.

**21.06-2**19/09/2013  
C121**Subdivision in Rural Areas**

Farm holdings in rural areas are becoming larger. Rural dwelling lot excisions continue to pose a threat to the long term viability of the agricultural sector by reducing the size of farms and by causing friction between the expectations of farmers and residents.

The planning scheme provides for a range of subdivision sizes based on the outcomes of the RRLUS. Subdivision of rural land at a density greater than these minimums, especially for personal and financial reasons; or to create lots for “rural lifestyle” purposes, could jeopardise the economic future of the region.

The only circumstance in which Council will contemplate a small lot subdivision is if it leads to the consolidation of rural landholdings so as to promote the viability of agriculture. This is an increasingly important issue in the municipality since the deregulation of the dairy industry. Council wishes to facilitate farm consolidation so as to assist with (among other things) the rationalisation of a sustainable dairy industry. It is acknowledged that in some circumstances, small lot subdivision can assist the process of consolidation as it enables the farming land to be priced at its agricultural value rather than have it distorted by its housing value. While small lot subdivisions are discouraged in the municipality, they will be considered on a case by case basis if the outcome is farm consolidation.

The RRLUS identified new categories of Farming Zone and has included objectives and policies for each with respect to rural subdivision.

**Objectives - Subdivision in Rural Areas**

To limit the further fragmentation of rural land by subdivision.

To ensure that lots resulting from subdivision are of a sufficient size to be of benefit to agricultural production.

To encourage the consolidation of rural lots.

To provide for the incremental growth of farming enterprises.

To discourage “small lot” subdivision unless the balance lot is at least the minimum lot size and is of a size sufficient to support a viable agricultural enterprise.

To ensure that small lot subdivisions do not prejudice surrounding agricultural activities.

To ensure that small lots have access to adequate infrastructure including access to all weather roads.

To prevent small lot subdivision to meet personal and financial circumstances or to create lots for ‘rural lifestyle’ purposes.

To prevent the creation of irregular shaped lots.

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To prevent “serial” small lot subdivisions from the one lot.

**Strategies - Subdivision in Rural Areas**

- Discourage small lot subdivisions except where:
  - Restructure is an outcome;
  - No new opportunities for additional dwellings below the minimum specified in the schedule to the Farming Zone; and
  - The impact on neighbours and existing or potential agricultural use of nearby land is minimised.
- Discourage small lot subdivision, except where the proposal assists in the use, sale, reduction in number of lots, transfer or preservation of the land for agricultural purposes.

**Policy Guidelines - Small Lot Subdivision****Criteria**

An application for a small lot subdivision of a lot containing a dwelling or the re-subdivision of existing lots should meet the following criteria:

- The lot containing the dwelling is to be no greater than 2ha in area unless there is a need for a larger parcel to take account of natural or public infrastructure features;
- The “balance” lot is of an area that complies with the minimum lot size for the zone;
- The existing dwelling is habitable; and
- The dwelling has existing use rights pursuant to Clause 63.

**Exercise of discretion**

It is policy to:

- Require the applicant to enter into an agreement under Section 173 of the Act which prevents:
  - The construction of a dwelling on the ‘balance’ lot unless, when combined with other land, the area satisfies the minimum lot size for the construction of a dwelling in the zone; and
  - The further subdivision of any lot created other than in accordance with the minimum lot size for subdivision in the zone.
- Discourage applications for a **re-subdivision** to realign lot boundaries if they:
  - Rely on freehold land which was previously a road reserve, channel, utility lot, crown land or similar; and
  - Create a dwelling opportunity where none previously existed.
- Support applications for a **re-subdivision** to realign lot boundaries will only be permitted for the purpose of making minor adjustments including to take account of topographical or public infrastructure features.

## GREATER SHEPPARTON PLANNING SCHEME

**21.06-3 Dwellings in Rural Areas**19/09/2013  
C121

While it is acknowledged that a dwelling will often be needed to properly farm land, these must be limited to those that genuinely relate to agricultural production. The number of dwellings that a farm can economically sustain relates to its rural land capability, the labour needs of the farming practice, the intensity of the farm activity and the volume of rural output. Development of dwellings at a density greater than is required for the rural use of land can give rise to conflicts with legitimate farming practices. Isolated dwellings in the rural areas have the potential to disrupt agricultural activities and should not impinge on the appropriate use of farming land.

The RRLUS identified new categories of Farming Zone and has included objectives and policies for each with respect to rural dwellings.

**Objectives - Dwellings in Rural Areas**

To discourage new dwellings unless it can be demonstrated that it is required for the agricultural use of the land.

To ensure that new dwellings support rural activities and production and are not to meet lifestyle objectives, which may conflict with the rural use of the land.

To avoid potential amenity impacts between rural activities and dwellings in rural areas.

**Strategies - Dwellings in Rural Areas**

- Discourage the establishment of dwellings not associated with or required for the agricultural use of the land.
- Discourage dwellings on old and inappropriate lots where amenity may be negatively impacted by farming activities, or where dwellings may inhibit rural activities.
- Discourage dwellings which are proposed to meet personal or financial circumstances or to create dwellings for 'rural lifestyle' purposes.
- Discourage the clustering of new dwellings unless they do not limit the productive use and development of surrounding land.

**Policy Guidelines - Dwellings in Rural Areas****Criteria**

An application for a dwelling in the Farming Zone, Schedule 1 (FZ1) and Farming Zone, Schedule 2 (FZ2) should meet the following criteria:

- The dwelling is required for the operation of the rural use of the land.
- The agricultural use is established on the land prior to the construction of a dwelling (or an Integrated Land Management Plan under Clause 35.07-6 in place).
- The dwelling is located on a lot of at least 2ha in area.
- The dwelling is located on a lot created after 1st January 1960.

**Exercise of discretion**

It is policy to:

- Discourage the construction of new dwellings on any land that is not suitable for the on-site disposal of septic tank effluent.

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- Discourage the construction of new dwellings on any land with a water table within one metre of the surface when waste water is to be treated and retained on site.
- Require the applicant to enter into an agreement under section 173 of the Act to:
  - Ensure that the dwelling is used in conjunction with agricultural production;
  - Prevent the subdivision of the lot containing the dwelling where the proposed lot size is less than the minimum lot size for subdivision specified in the zone; and
  - Acknowledge the impacts of nearby agricultural activities.
- Discourage a second dwelling unless it is demonstrated that it is necessary to support a viable agricultural enterprise.
- Discourage the occupation of the second dwelling until the agricultural use with which it is associated has commenced.
- Require the applicant to enter into an agreement under Section 173 of the Act for a second dwelling (including a caretaker's house, a manager's house or a dwelling for agricultural workers) to prohibit the further subdivision of the land around the dwelling.

**Decision guidelines**

When deciding an application for a dwelling, and in addition to the decision guidelines in the zone, the responsible authority will consider the following matters:

- The relationship between the proposed dwelling and the agricultural activity on the land.
- Evidence including an Integrated Land Management Plan under Clause 35.07-6 (or similar) addressing the relationship between agricultural activities on the land and the proposed dwelling.
- The agricultural productive capacity or the agricultural potential of the land.
- The nature of the existing agricultural infrastructure and activity on the land and any new proposed agricultural infrastructure and activity at the land.
- The nature of the agricultural activities on the land and whether they require permanent and continuous care, supervision or security.
- The proposed siting of the dwelling and whether it minimises impacts on existing and potential agricultural operations on nearby land.
- The lot size, context and physical characteristics of the land.
- Whether the dwelling will result in a rural living or rural residential outcome in the area.
- The planning history of the land.
- The potential for land to be consolidated with other land to enhance agricultural productivity.
- Whether the planning scheme identifies a 'non-agricultural' future for the land and the implications of development on future development options.

**21.06-4**  
03/03/2016  
C162

**Industry**

In the past few decades, Shepparton has developed a critical mass of manufacturing-based employment that has further strengthened its role within the region and is now an important component of the local economy. Owing to the presence of a number of significant national and international food processing and packaging companies within the



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municipality, the agricultural, food processing and manufacturing sectors are all closely interlinked.

The strategic location of Shepparton and Mooroopna at the junction of the Midland and Goulburn Valley Highways make these urban areas important freight collection and distribution centres. To accommodate and cater for this growing industry, Council has recently established the GV Link freight logistics centre to the south of Mooroopna. It will serve as an intermodal terminal and general freight area that links producers/exporters to the Port of Melbourne by rail and road. It also provides opportunities for the establishment of distribution centres, warehouses, a container park and trucking depots. The development of GV Link would contribute further to the competitiveness of the agricultural and manufacturing base within the municipality.

Tatura is also an important manufacturing centre with three significant local employers. Council has adopted the *Strategic Review of Tatura Industrial Land (2011)* to provide a long term framework for land use planning in the township and to provide an economic development framework to guide investment and promote prosperity in the town.

Greater Shepparton has a dispersed pattern of industrial areas with the main concentration of industrial activity occurring within the urban centres of Shepparton, Mooroopna and Tatura. The activities in these industrial areas vary from small-scale uses with a more localised focus to larger manufacturing and warehousing facilities operated by large national and international companies. The established industrial areas contain significant pockets of vacant undeveloped land which continue to provide opportunities for additional industrial development. The expansion of Shepparton has also resulted in many of these industrial areas now being encumbered by surrounding sensitive land uses. Industrial land is a limited resource in the municipality and there is an ongoing need to ensure that existing industrial zoned lands are appropriately protected for industrial and related land uses.

It is recognised that industrial land use patterns within the municipality are changing in response to population increases, property price fluctuations and shifts in economic activity. In addition, a growing number of industrial developments are required to contain high amenity areas offering a higher quality environment for both workers and visitors alike. These changes must be managed to ensure conflicts between competing land uses and interface issues between non-complementary uses do not arise. It is important that an adequate supply of appropriately zoned industrial land be provided. Land supply and demand monitoring will assist in determining and future land requirements.

To coherently address these concerns, Council commissioned the preparation of the Industrial Land Review, City of Greater Shepparton, 2011 (ILR). The ILR delivers an understanding of the key planning issues relating to the location of industry in the municipality. It also includes an analysis of the land supply and demand situation that drives the market for industrial land. The ILR provides information necessary to guide the planning and future provision of industrial land in the municipality.

The ILR has found that demand for industrial land is greatest in Shepparton East and that this area will continue to be the preferred location for industry. Annual industrial land consumption within the municipality is 9 hectares – 6 hectares of which occurs in Shepparton East. The ILR found that the municipality generally contained a sufficient supply of industrial zoned land to satisfy predicted demand over the next 20 years. However the ILR recommended investigating the need to rezone additional industrial zoned lands in Tatura where anecdotal evidence indicates that this may be required. The ILR contains a number of recommendations to examine potential land rezoning within the municipality and provides the basis for more intensive future investigative work within Shepparton, Mooroopna and Tatura.

#### **Industrial Investigation Areas**

Several industrial investigation areas have been identified within the Industrial Framework Plans. These areas represent land which has potential to be rezoned for industrial use due to its proximity to existing or proposed industrial lands or transport and infrastructure assets.

## GREATER SHEPPARTON PLANNING SCHEME

However, these areas 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 of these sites to be developed for industrial purposes and any subsequent changes to the Industrial Framework Plans.

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

- Investigation Area 7 – Wanganui Road, Shepparton North. This area includes lands on the northern side of Wanganui Road and lands owned by Council to the south of Wanganui Road. The lands are constrained by flooding and further investigation is required to explore mitigation options to guide any future rezoning of these lands. This area could be utilised for industrial uses should an increase in demand occur in the future as the land will be bounded by major transport routes.
- Investigation Area 8 – Mooroopna South. All lands to the south of Mooroopna in proximity to the GV Link freight logistics centre should be considered for inclusion in the Industrial 1 Zone. This would overcome the risk of intrusion by incompatible land uses on existing industries located along Toolamba Road, Mooroopna and the GV Link freight logistics centre. Any land uses in this area must complement the purpose of the freight logistics centre and could include transport companies, automotive servicing, and food storage and distribution companies.
- Investigation Area 9 – Mooroopna North. This investigation area includes the 54 hectares of Council-owned land currently included in the Industrial 1 Zone. This land is being held by Council as a long term industrial development option and could be a suitable site for a resource recovery precinct. The impact that the construction of the Goulburn Valley Highway Shepparton Bypass will have on traffic movement and development within the surrounding area will need to be understood.
- Investigation Area 10 (Investigation Area 4 in Clause 21.04-1 Urban Consolidation and Growth) – 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 Dobson’s Estate, and the Shepparton East and Lemnos industrial areas. Further investigation is required in this area following the finalisation of the GBCMA’s Shepparton East Flood Study. 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 11 – Lemnos. Lemnos contains a strong cluster of transport and warehousing businesses. This investigation area is intended to complement and provide for the expansion of industry in this area. It is important to note that only the site owned by Campbell Australia Pty Ltd is connected to reticulated sewerage. Future industrial development in this area should be provided with reticulated services.
- Investigation Area 12 – South of Cussen Street, Tatura. This investigation area is designed to facilitate a possible small lot industrial development for lots that are less than 4,000m<sup>2</sup> in size. Adequate buffers and separation distances from nearby residences must be provided as part of this investigation.
- Investigation Area 13 – South of Pyke Road, Tatura. This area includes lands to the south west of the intersection of Pyke Road and the Tatura-Undera Road. It is intended to facilitate a possible small lot industrial development. Adequate buffers and separation distances from nearby residences must be considered as part of this investigation. Access to the site should be provided from Pyke Road.

## GREATER SHEPPARTON PLANNING SCHEME

**Objectives and Strategies - Industry****General Objectives**

To sustain a growing and diverse industrial base.

To protect the existing industrial base in the urban areas of Shepparton, Mooroopna and Tatura.

To provide an adequate supply of appropriately located industrial land relevant to measured demand that meets the needs of different industries.

To require all future industrial development and subdivisions to be of a high quality in terms of urban design, environmental standards and amenity.

To conserve places of industrial cultural heritage significance.

To minimise land use conflicts.

**General Strategies**

- Consolidate existing major areas of industrial zones within the new urban growth boundaries and around major transport routes and infrastructure assets.
- Protect the supply of existing and future industrial land from encroachment by incompatible land uses.
- Encourage industrial subdivisions to provide a variety of lot sizes on all undeveloped land.
- Encourage land in undeveloped areas to be retained in large holdings until it is required for development.
- Monitor industry and business investment trends to better understand and plan for changes in development, demand and locational needs. Ensure high quality design in industrial areas by requiring all future industrial development and subdivisions to comply with the requirements of the *Infrastructure Design Manual*.
- Continue to identify, assess and include places of industrial cultural heritage significance in the Heritage Overlay to conserve their significance.
- 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.

**Economic Development Objectives**

To provide an adequate supply of appropriately located industrial land that meets the needs of different industry sectors.

To protect the integrity and viability of existing and future industrial areas within Shepparton, Mooroopna and Tatura from competing and non-compatible land uses.

To direct different types of industrial development to appropriate locations within the municipality.

To encourage future industrial land uses to locate on existing vacant industrial zoned lands and, where this is not possible, to examine opportunities to rezone additional lands to facilitate such industrial or related land uses.

## GREATER SHEPPARTON PLANNING SCHEME

To facilitate the redevelopment of under-utilised industrial sites for more intensive forms of industrial uses to make more efficient use of existing infrastructure.

**Economic Development Strategies**

- Identify future industrial areas in strategic locations adjacent to major transport routes and infrastructure assets, which are separated from areas of environmental significance or high residential amenity.
- Support the expansion of the industrial base in appropriate locations, as shown on the Industrial Framework Plans
- Promote and develop the GV Link freight logistic centre.
- Protect and facilitate the expansion of existing and designated future industrial areas from encroachment by incompatible land uses.
- Support the development of new industries in established industrial zones, with access to infrastructure and constructed roads.
- Support food related industries and the development of value-adding opportunities.
- Encourage new-value adding industries.
- Facilitate appropriately located industrial lands in rural townships for light industrial and related uses for industries associated with the storage, packing and processing of local agricultural produce or the immediate servicing needs of local communities.
- Allow limited light industry in the townships if it relates to local agricultural production or services the immediate needs of local communities, subject to servicing and environmental constraints.
- Direct industries which require substantial buffer zones from sensitive land uses to locations that minimise land use conflicts and impacts on the amenity of surrounding areas.

**Amenity Objectives**

To minimise any impact on the amenity and safety of surrounding land uses from traffic, noise and emissions generated by industrial land uses.

To ensure appropriate standards of health, safety and amenity are provided by new and existing industries.

To ensure a high standard of urban design and landscaping is achieved to improve the amenity and appearance of industrial areas.

**Amenity Strategies**

- Facilitate good design and landscaping outcomes for industrial developments that enhance the municipality's built form and provide amenable working environments.
- Prevent encroachment of residential development into industrial areas, as well as ensuring that new industrial developments are located an appropriate distance from existing residential areas.
- Ensure that land within 10 metres of the frontage of an industrial site (other than land required for car parking and access) is developed for landscaping.
- Assist old and inappropriate industrial areas in their transition to more appropriate land uses.

## GREATER SHEPPARTON PLANNING SCHEME

- Direct materials recycling industries to locations that minimise land use conflicts and impacts on the amenity of surrounding areas.

**Built Environment Objectives**

To encourage new industrial development to implement on site responsive and sustainable design principles.

To provide for good urban structuring and connectivity between local major roads.

To encourage, where possible, the grouping of similar industrial uses and showrooms to facilitate improved infrastructure and communication services to industry, and to allow such uses to benefit from economies of scale.

To encourage high quality industrial developments.

**Built Environment Strategies**

- Facilitate improvements to access, parking, site layout, landscaping and building design in the municipality's existing industrial areas.
- Encourage new industrial developments to utilise, where practicable, energy efficiency, water conservation and reuse, water sensitive urban design, and recycling or reuse of waste products.
- Encourage industrial developments that incorporate high quality architectural design elements, create visual interest and incorporate landscaping and/or urban art.
- Discourage the use of culs-de-sac within industrial zoned land to improve lot efficiency and to limit on-street parking problems in court bowls. A cul-de-sac may be provided where the court bowl is used to access lots of 4,000m<sup>2</sup> or more or where there is no viable alternative.
- Ensure all new industrial development incorporates best practice water sensitive urban design and waste management practices.

**Policy Guidelines – Industrial Development in Rural Areas**

It is policy to:

- Discourage industrial use and development (other than rural industry) in rural areas, except where:
  - It is unable to be accommodated in existing industrial zoned areas;
  - It does not compromise the surrounding existing and future agricultural practices;
  - It adds value to the agricultural base of the municipality; and
  - It is a rural-based enterprise; or
  - It provides for the reuse of existing large scale packing sheds and cool stores.

**21.06-5 Commercial/Activity Centres**

11/02/2016  
C-173  
[Proposed C192](#)

The city's commercial and retailing centres fulfil both local shopping and discretionary shopping needs, and provide services at the regional level. ~~The Greater Shepparton 2030 Economic Development Report identified that based on the requirement for the average provision of 2.1 sqm per capita, there will be demand for 20,660 sqm of additional retail floor space by 2011, with another 40,570 sqm supported by the forecast population growth from 2011 to 2030.~~ [The Greater Shepparton 2030 Economic Development Report](#) The



## GREATER SHEPPARTON PLANNING SCHEME

report notes that no foreseeable demand exists in the long term for new major freestanding centres, other than in the north and south growth corridors, and for suitably accommodating bulky goods activities. The Commercial Activity Centres Strategy, November 2015 identified that retail floorspace in Greater Shepparton is forecast to increase by between 35,000 and 55,000 square metres between 2015 and 2036. The Commercial Activity Centres Strategy November 2015 identifies the following updated Activity Centre Hierarchy identified in the report can be described as:

## Activity Centre Hierarchy Description

Level in Hierarchy	No. of Centres in Shepparton	Centre
Shepparton Central Activities District	1	Shepparton CBD
Regional Retail Centre	1	Shepparton Marketplace
Sub-Regional Centre	3	Riverside, Mooroopna CBD, Shepparton North
Neighbourhood Centre or Town Centre	3	Echuca Road (Mooroopna North), Rowe Street East (Shepparton Plaza), Tatura
Local Centre or Township Centre	29	Branditt Ave, Graham St, Parkside Drv, King St, Dunkirk Ave, Conifer St, Parker St, Macintosh St, Swallow St, Michel St, Poplar Ave, Archer St, Colliver Rd, Guthrie St, Longstaff St, Kialla Lakes, Joseph St, MacIsaac Rd, St Georges Road, Murchison, Dookie, Toolamba, Tallygaroopna, Undera, Shepparton East, Lemnos, Congupna, Katandra West, Merrigum
Enterprise Corridor	3	Benalla Road, Gateway North (Numurkah Road), Gateway South (Melbourne Road)

Source: Essential Economics

- ~~The Shepparton CBD is nominated as the Regional Centre. The Shepparton CBD Strategy October 2008 also identified the Shepparton CBD and surrounding area as the principal retail centre in the region.~~
- ~~Shepparton Marketplace, Mooroopna CBD and Shepparton Plaza are designated Sub-Regional Centres.~~
- ~~Shepparton south, Fairley's (Numurkah Rd), Tatura, Coles Echuca Road (Mooroopna) are Neighbourhood / Townships Centres.~~
- ~~Murchison, Merrigum, Dookie and local shops in Shepparton are Local / Town Centres.~~
- ~~Benalla Road, Goulburn Valley Highway and Numurkah Road have concentrations of Bulky Goods retailing.~~

Both the Shepparton CBD Strategy October 2008 and Commercial Activity Centres Strategy November 2015 also identify Shepparton CBD as the principal retail centre in the region. The primary issue confronting the CBD's retail sector is competition from regional and sub-regional centres, principally Shepparton Marketplace, and from land outside the traditional retail core (Precinct 1) that is commercially zoned, particularly along bulky goods retailing along arterial roads, such as Benalla Road and the Goulburn Valley Highway.

The challenge for the Shepparton CBD is to maintain its attraction as a retail centre and the range and mix of retail offer including national brand retailers, boutique retailing, and enhance the offer of fresh food, specialty and convenience food and the dining/café experience. A continued focus of specialty retailing and entertainment within the traditional retail core will be important to achieving the objectives of the *Shepparton CBD Strategy October 2008* and the *Commercial Activity Centres Strategy November 2015*.

Council is committed to limiting the development of free standing centres to specified locations in the municipality's urban growth corridors and in a number of limited locations which also meet the requirements of the dynamic retail sector (such as bulky goods retailing).

## GREATER SHEPPARTON PLANNING SCHEME

~~Further expansion of retail and commercial facilities may be needed. A further neighbourhood shopping centre may be needed to serve the residents in the north southern corridor to reflect its role as a sub-regional centre. Riverside will continue to serve as the sub-regional centre for the south with a focus on 'core' retail uses, including supermarkets and speciality shops, and a~~ An additional convenience local shopping centre or mixed use precinct may be suitable for development on the aerodrome site, if the aerodrome is relocated and this location is redeveloped for residential purposes. Peripheral sales (bulky goods) uses are directed to existing highway locations. The activity centre hierarchy identified in the Commercial Activity Centres Strategy November 2015 recognises the role and function of different activity centres and provides a framework for the growth of existing centres and the development of new centres to meet urban growth. When the future population reaches critical mass, these peripheral sales outlets are likely to form thematic clusters, for example a homemakers centre, or trades supplies centre.

**Objectives - Commercial/Activity Centres**

- To ~~support the have a~~ hierarchy of viable activity centres.
- To reinforce the Shepparton CBD as the principal retail centre in the region, in accordance with the provisions of Schedule 1 to the Activity Centre Zone, ~~and the Shepparton CBD Strategy October 2008 and Commercial Activity Centres Strategy November 2015.~~
- To strengthen the Shepparton CBD's role as an office and commercial location, ~~and provide appropriate retail opportunities in supporting locations.~~
- To consolidate the traditional retail core (Precinct 1) including a continued focus of providing specialty retailing and entertainment, particularly cinema based facilities and department stores.
- To maximise the regional service role of Shepparton through the provision of a dynamic and efficient activity centre hierarchy.
- To strengthen the image of Shepparton CBD as a regional community and cultural hub, and as a 'university city'.
- To attract more people to live in the Shepparton CBD as a means of providing a greater range of housing choices, and supporting the vibrancy and economy of the CBD.
- To continue the revitalisation and activation of the Maude Street Mall.
- To create a movement network that is convenient, connects key destinations and precincts, and prioritises walkability, cycling and public transport use.
- To enhance the role of the Shepparton CBD as a 'university city' by creating an attractive CBD in which to study and live.

**Strategies - Commercial/Activity Centres**

- Support a hierarchy of retail centres that promotes the primacy of the Shepparton CBD as a multi-function centre complemented by local centres for convenience shopping, as identified in the Commercial Activity Centres Strategy November 2015.
- Provide for the continued growth of the Shepparton CBD as a multi-purpose retail, business, commercial, community, entertainment and tourism centre, as identified in the *Shepparton CBD Strategy October 2008* and the Commercial Activity Centres Strategy, November 2015.
- Encourage national brand retailers, ~~and~~ specialty retail, department stores and cinema operators to locate in the CBD core area (Precinct 1).

## GREATER SHEPPARTON PLANNING SCHEME

- Encourage boutique and specialty retailing, and the range and mix of retail offer, including fresh food stores, specialty and convenience food, in the CBD.
- Focus attractions that generate pedestrian movement (such as shops, cafes, banks and other financial institutions, travel agents and take-away food outlets) and create active street frontages in the retail core ([Precinct 1](#)).
- Encourage the redevelopment of peripheral areas of the Shepparton CBD including expansion to Sobraon Street.
- [Encourage the implementation of a best practice model for the activation of the Maude Street Mall.](#)
- Encourage cafes, restaurants and alfresco dining in a dining and entertainment precinct in Fryers [Street](#).
- Provide for quality commercial development within the CBD, particularly properties with river frontage along Welsford Street.
- Allow higher scale buildings in appropriate locations and encourage site consolidation where necessary to support large-scale commercial development.
- Encourage smaller offices to locate in the office precincts and at upper levels of retail uses in the CBD.
- [Facilitate](#) ~~Consider~~ the expansion of the Shepparton Marketplace subject to [a policy framework that ensures any expansion is complementary to the role and function of the Shepparton retail core, including an Economic-economic Impact-impact Assessment assessment detailing but only if such expansion would not adverselythe](#) impact on the relative role of this centre and the Shepparton CBD.
- ~~Identify lower order neighbourhood retail and community centres to serve convenience needs of north Shepparton, Mooroopna and Kialla.~~
- [Support the growth of existing centres and the development of new centres to meet urban growth in line with the Commercial Activity Centres Strategy November 2015.](#)
- ~~Facilitate the expansion of additional retail and commercial facilities for the the neighbourhood centre in the north between Ford Road and Hawkins Street, subject to the application of the planning and development assessment criteria at Appendix A of the Commercial Activity Centres Strategy November 2015, to reflect the designated sub-regional role and function of the centre in the future. -at the Fairley's supermarket site subject to an Economic Impact Assessment.~~
- ~~Establish a new neighbourhood centre at the former Drive in site to service the southern growth corridor subject to an Economic Impact Assessment.~~
- Provide neighbourhood commercial and retail centres that are accessible to the local community, especially by public transport and bicycle, and that also have adequate car parking provisions.
- Encourage and promote the location of peripheral sales, bulky goods and restricted retail as shown on the Framework Plan.
- In the event of the re-location of the aerodrome within the next 20 years, and subject to an economic impact assessment, identify a potential neighbourhood centre in the southern growth corridors on the site of the existing aerodrome.
- Encourage shops to front the road, be built in line with other buildings, and have regard to the location of car parking, landscaping and pedestrian areas.
- Discourage uses such as display yards or service stations which disrupt pedestrian connections in shopping streets.

## GREATER SHEPPARTON PLANNING SCHEME

- Ensure residential uses do not occupy ground floor retail street frontages in commercial core areas, to prevent disruption to commercial activity.
- Consider the potential for a rezoning land in McLennan Street, Mooroopna, adjacent to the former Mooroopna Hospital to provide for development/uses which complement the proposed retirement complex.

#### Policy Guidelines – Development outside of the Central Activity District

##### It is policy to:

- Discourage department stores from locating outside of the retail core (Precinct 1), particularly in regional, sub-regional or neighbourhood activity centres.
- Discourage development of cinema outside of the retail core (Precinct 1).

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C92

#### **Tourism**

Another important industry is tourism which contributes significantly to the region's economic output. The tourism industry is mainly focused on shopping for locally produced and manufactured products (particularly canned foodstuffs), the meetings and business events markets, and people visiting family and friends. Council recognises the importance of the tourism industry within the municipality. Accordingly, it is appropriate to encourage the provision of facilities and services that generally support the ability to experience Greater Shepparton's natural and cultural recreational values, including the provision of short term and home hosted accommodation, host farms and similar facilities. ~~22-08~~

#### **Objectives - Tourism**

To encourage the provision of tourism facilities and services including short term and home hosted accommodation, host farms and similar facilities (from overview).

To strengthen the attraction of the Shepparton CBD as a tourist destination.

#### **Strategies - Tourism**

- Promote the unique tourism opportunities of the irrigated rural landscape and the food growing and processing industries.
- Encourage examples of landmark architecture for the Shepparton CBD.
- Encourage the integration of tourist and agricultural activities where there are no adverse impacts on the operation of rural industries.
- Improve the amenity and image of the CBD through the quality of its streetscape design.
- Support the role of retail as a significant attraction for tourists to Shepparton.
- Develop the food and wine offer of Shepparton - the 'food bowl of Australia' - and promote the CBD as a gastronomic centre of the region.
- Celebrate the cultural diversity of Shepparton through related retail offer and dining opportunities in the CBD.
- Support public art in the Shepparton CBD that projects the character and uniqueness of Shepparton.

## GREATER SHEPPARTON PLANNING SCHEME

- The river environment in the periphery of the CBD should be acknowledged and the feel of a 'river city' created thorough landscaping, access and necessary directional signage.

**21.06-7**

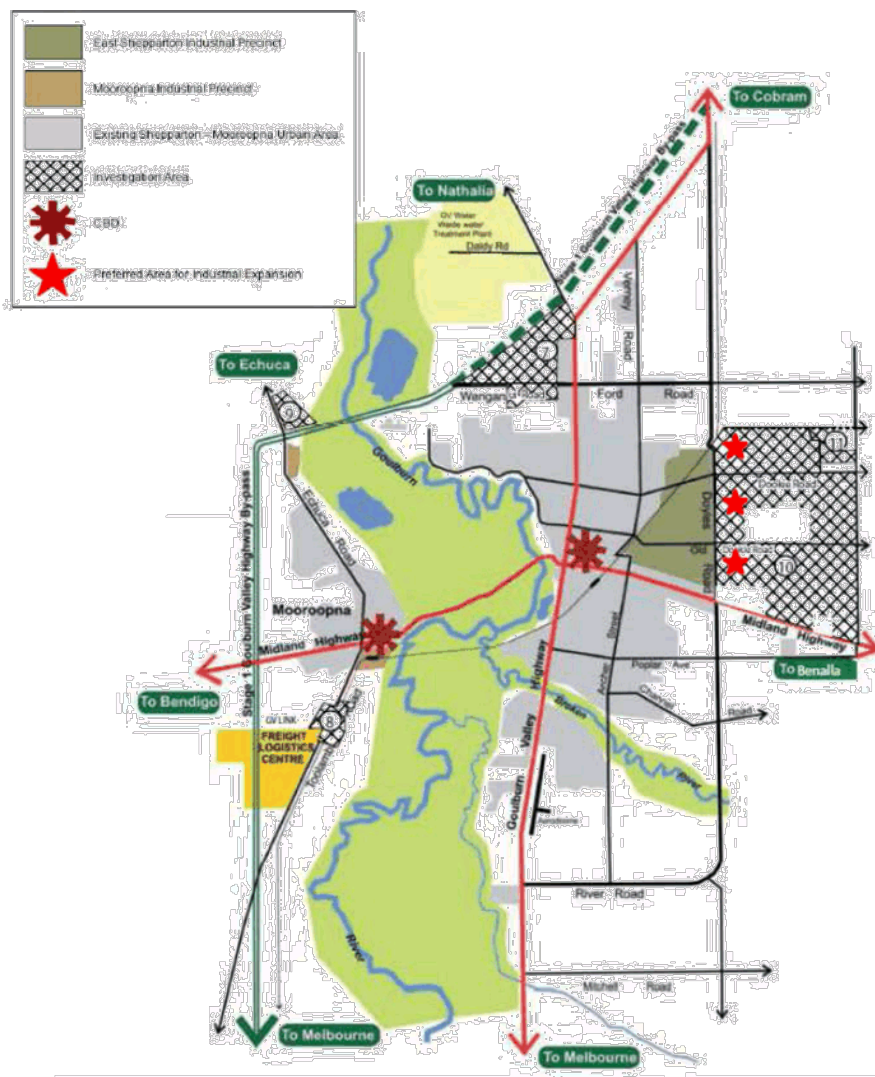
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[C142](#)  
[Proposed](#)  
[C192](#)**Strategic Work Program****Undertaking further strategic work - Economic Development**

- Update the Economic Development Strategy, incorporating a review of the Tourism Strategy and analysis of trends in the agribusiness sector.
- Update and review as appropriate, the Greater Shepparton Industrial Development Guidelines 1998.
- Undertake regular monitoring of industrial land supply and demand to maintain a 15 year supply.
- Work with existing industrial land stakeholders to facilitate improvements to existing industrial areas and developments and to consider strategic issues.
- Prepare urban design guidelines for development and signage of visitor services, particularly future highway service precincts at the access points to the Goulburn Valley Highway [Shepparton-Shepparton Bypass](#).
- Prepare a series of broad urban structure plans to guide future development of the municipality's urban areas with a focus on improved road connectivity and reduced interface issues between potentially conflicting land uses.
- Investigate the possibility of establishing a resource recovery precinct or precincts.
- ~~Investigate the rezoning of the Unilever site in Tatura to a Special Use Zone subject to the satisfactory completion of a site Master Plan.~~
- [Investigate opportunities for the revitalisation and activation of Maude Street Mall.](#)
- Investigate application of noise attenuation controls surrounding industrial sites in Tatura.
- [Prepare Structure Plans/Urban Design Frameworks for activity centres where further development is likely to occur.](#)
- Undertake a Rural Living review.



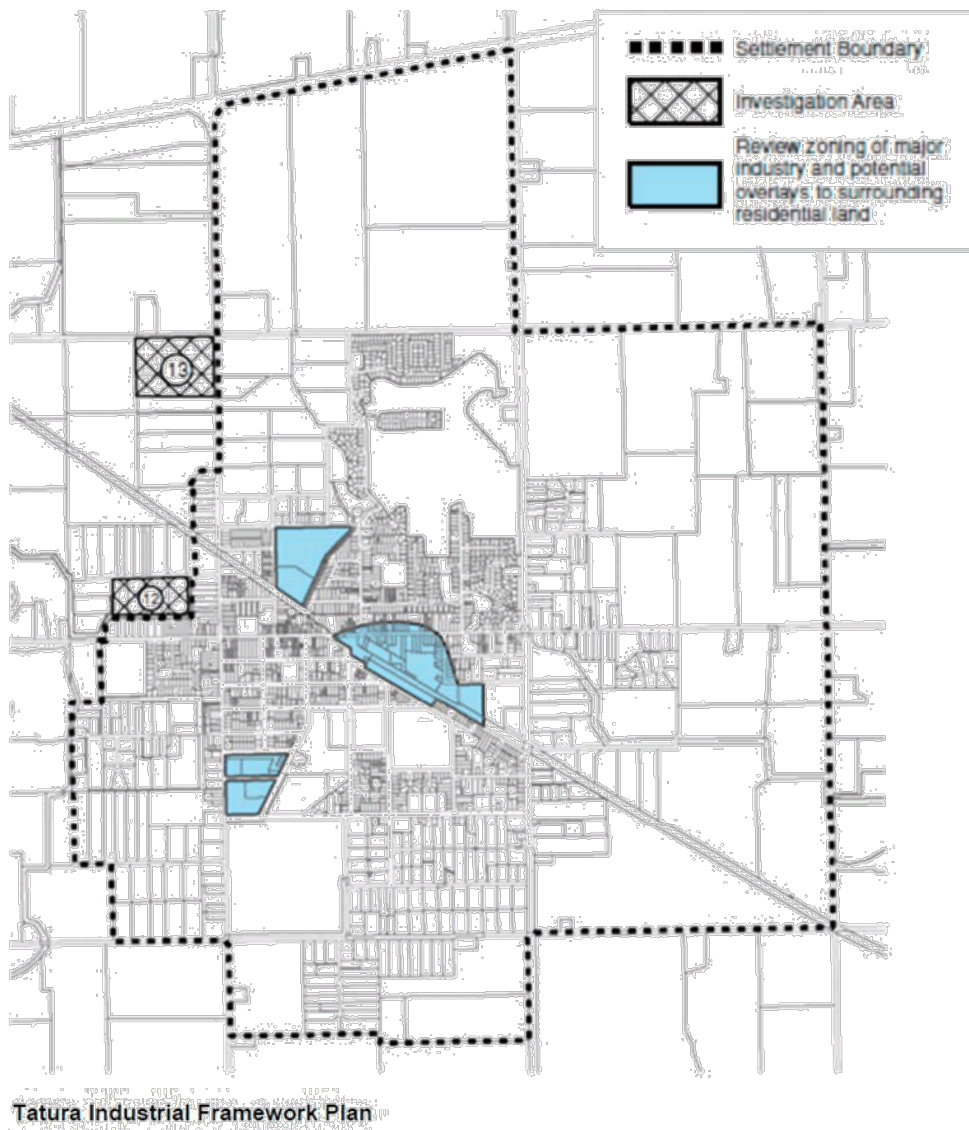
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Shepparton Industrial Framework Plan



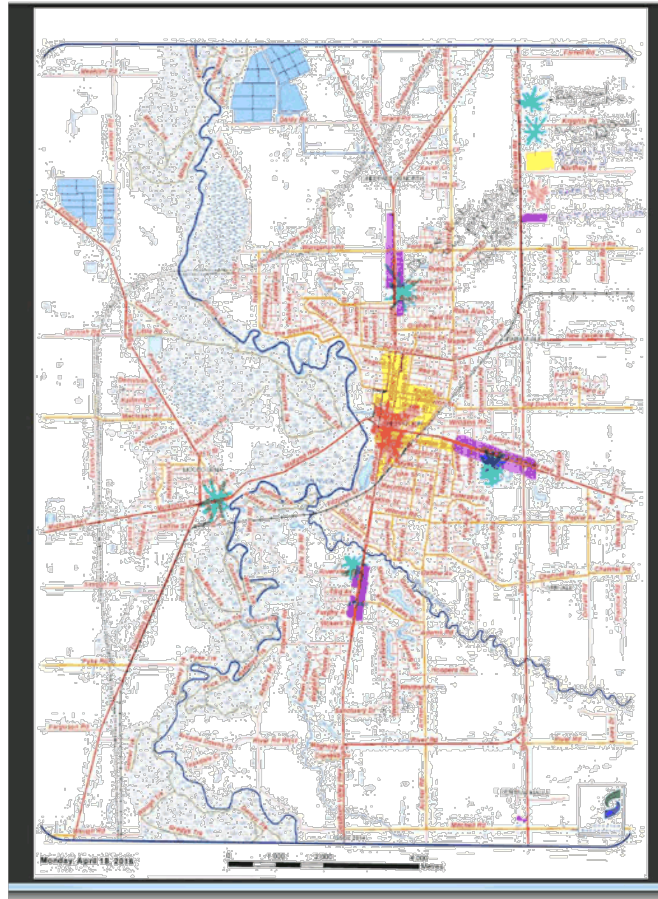
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**Shepparton Business Framework Plan**

## GREATER SHEPPARTON PLANNING SCHEME

## 21.08

03/03/2016  
C162 Proposed  
C192

## GENERAL IMPLEMENTATION

## Applying Zones and Overlays - Settlement

- Apply the Activity Centre Zone (ACZ) to land within and around the Shepparton CBD as identified within the *Shepparton CBD Strategy October 2008*, *Shepparton CBD Strategy Addendum March 2016*, and the *Commercial Activity Centres Strategy November 2015*.
- Apply the General Residential Zone (GRZ) to land currently zoned Residential 1 Zone (R1Z) in areas identified as 'Incremental Change Areas' in accordance with the Greater Shepparton Housing Strategy.
- Apply the General Residential Zone (GRZ) to land currently zoned Residential 1 Zone (R1Z) which is not identified in the Greater Shepparton Housing Strategy as an 'Incremental Change Area', 'Minimal Change Area' or 'Substantial Change Area'.
- Apply the Neighbourhood Residential Zone (NRZ) to land currently zoned Residential 1 Zone (R1Z) in areas identified as 'Minimal Change Areas' in accordance with the Greater Shepparton Housing Strategy.
- Apply the Residential Growth Zone (RGZ) to land currently zoned Residential 1 Zone (R1Z) in areas identified as 'Substantial Change Areas' in accordance with the Greater Shepparton Housing Strategy.
- Apply the Farming Zone to the 'growth' and 'consolidation' (FZ1) areas; and 'niche' (FZ2) areas in accordance with the Rural Regional Land Use Strategy (RRLUS).
- Apply the Low Density Residential Zone and the Rural Living Zone to rural residential areas as nominated on the structure plans or identified in a comprehensive Residential Land Supply and Housing Strategy.
- Apply the Farming Zone to proposed long term urban growth areas.
- Apply the Development Plan Overlay to the growth areas to ensure co-ordinated development.
- Apply the Design and Development Overlays (Schedules DDO3, DDO4, DDO5, DDO6, and DDO7) to the five designated precincts in the "Urban Design Framework – Shepparton North and South Business Areas" to provide design guidelines and directions for the future developments in the precincts.
- Apply the Environmental Audit Overlay to guide the transformation of former intensive agricultural land to residential.
- Apply Development Plan Overlays for areas of new growth to guide road design and access and to guide preparation of Stormwater Management Plan.
- Apply the Development Contributions Plan Overlay to new growth areas to ensure that new physical and social infrastructure is adequately funded in a timely manner.

## Applying Zones and Overlays - Environment

- Apply the Public Use Zones, PPRZ and PCRZ to public land and open space areas containing significant flora and fauna habitats.
- Apply the Significant Landscape Overlay to areas with significant landscapes.
- Apply the Vegetation Protection Overlay over roadsides and lineal reserves containing significant vegetation.
- Apply the Environmental Significance Overlay over waterways, wetlands and other areas of identified significance including Ramsar wetlands.
- Apply the Heritage Overlay to sites and areas of cultural heritage significance.
- Use the Schedule to the Farming Zone to require the preparation of Whole Farm Plans.
- Apply the Urban Floodway Zone to active floodplain areas with high hazards and strictly control use.



## GREATER SHEPPARTON PLANNING SCHEME

- Apply the Floodway Overlay to land that has significant risk of flooding in active floodplain areas with high hazards.
- Apply the Land Subject to Inundation Overlay to both urban and rural land subject to 1 in 100 year flooding.
- Apply the Special Building Overlay to land in urban areas that are subject to flows from urban drainage systems.
- Apply the Salinity Management Overlay to recharge areas.

**Applying Zones and Overlays - Economic Development**

- Apply the Farming Zone to the 'growth' and 'consolidation' (FZ1) areas and 'niche' (FZ2) areas to implement the Rural Regional Land Use Strategy (RRLUS).
- Apply the Rural Conservation Zone to rural land with identified environmental significance.
- ~~▪ Apply the Business 1 Zone to the primary retailing centres.~~
- ~~▪ Use the Schedule to the Business 1 Zone to identify floor space limits for the expansion of the Shepparton Marketplace shopping centres and future neighbourhood.~~
- ~~▪ Apply the Businesses 2 Zone to the office and business areas around the central CBD of Shepparton.~~
- ~~▪ Apply an appropriate zone to areas within the Shepparton and Mooroopna CBDs to encourage a mix of urban activities.~~
- Apply the Special Use Zone to the GV Link freight logistics centre.
- Apply the Industrial Zone to established industrial areas.
- Apply the Farming Zone on land designated for long term industrial use.
- Apply Design and Development Overlays to main roads and precincts within Shepparton/Mooroopna CBD to improve urban design, landscaping and to control advertising.
- Apply the Development Plan Overlay or similar tool to provide for protection and future growth of existing large-scale industries in Tatura.
- ~~▪ Apply the Special Use Zone (Schedule 9) to the Tatura Milk Industries site.~~
- ~~▪ Apply the Special Use Zone (Schedule 11) to the Unilever site in Tatura.~~

**Applying Zones and Overlays - Infrastructure**

- Apply the Road Zone Category 1 to the declared Main road network.
- Apply the Public Acquisition Overlay to land to be acquired for the bypass and for road widening purposes.
- Apply the Public Use Zone to the current site of the Shepparton Aerodrome.
- Apply Development Plan Overlays for areas of new growth to guide road design and access and to guide preparation of Stormwater Management Plan.
- Apply the Development Contributions Plan Overlay to new growth areas to ensure infrastructure is adequately funded in a timely manner.
- Apply the Environmental Significance Overlay to identify the required buffer distances around all the Goulburn Valley Water wastewater management facilities to ensure their protection from the encroachment of unsuitable uses.

## GREATER SHEPPARTON PLANNING SCHEME

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SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

Land	Maximum leasable floor area (m2) for office	Maximum leasable floor area (m2) for shop (other than restricted retail premises)
<del>Shepparton Marketplace, Bonalla Road, Shepparton Lot 1(pt) LP 120651, Parish of Shepparton</del>	None specified	15,000
Kialla Neighbourhood Centre, 8025- 8031 Goulburn Valley Highway, Kialla (comprising Lot 2 PS 219151Y, Parish of Shepparton and part of the land located at Riverview Drive Kialla on Lot S5 PS522431)	Office/ Community Centre: 750	Supermarket: 4,300  Shop other than Supermarket: 2,300
52-56 Graham Street, Shepparton	None Specified	500 (comprising not more than 250 square metres for pharmacy use and not more than 250 square metres for other retail use)
Shepparton North Neighbourhood Centre, 177-193 Numurkah Road, Shepparton (Lot 2 LP90949, Parish of Shepparton)	900	8,000

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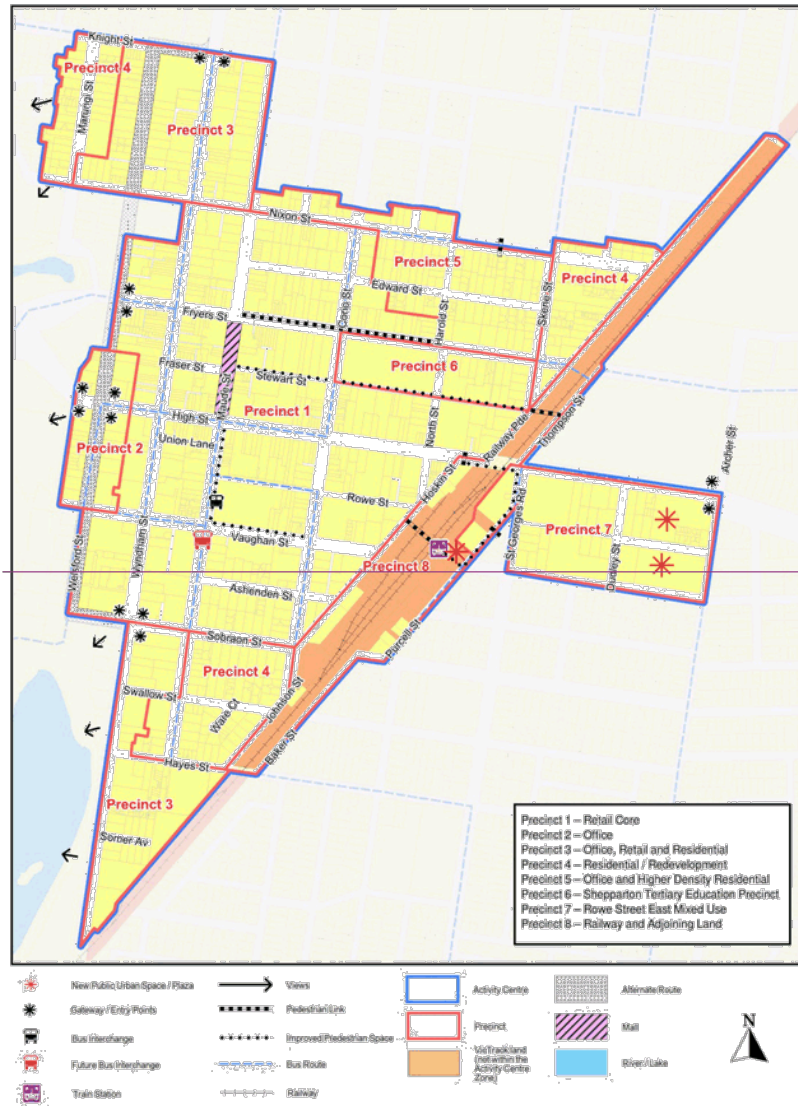
SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE

Shown on the planning scheme map as ACZ1.

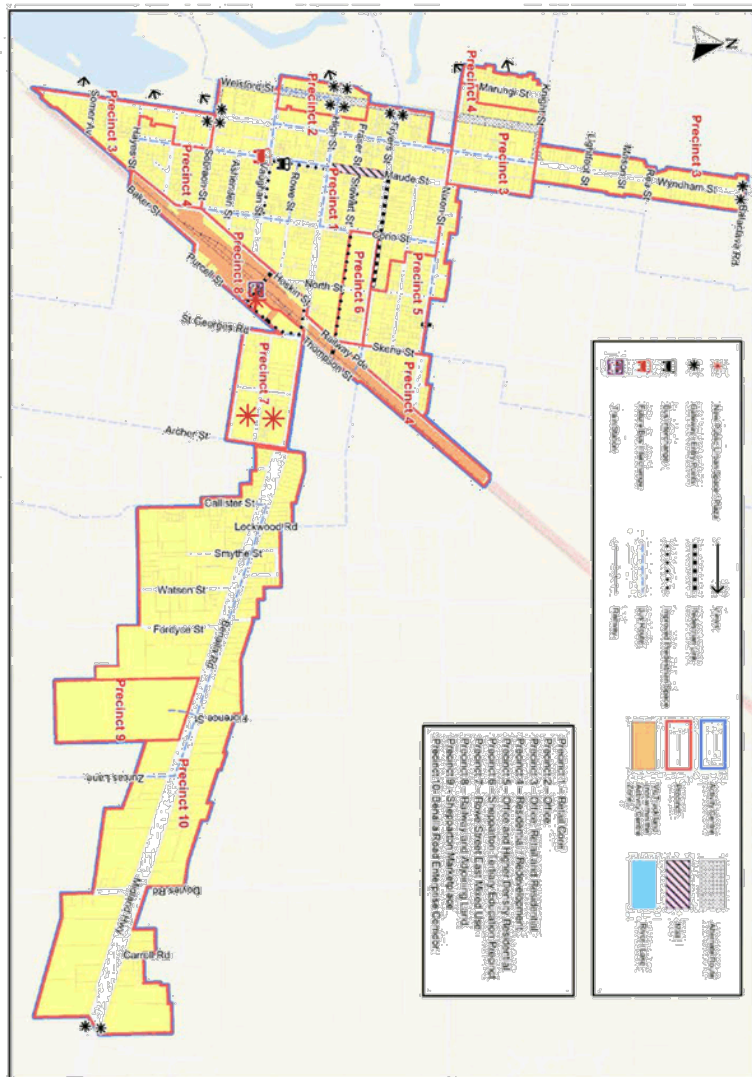
SHEPPARTON CENTRAL BUSINESS DISTRICT (CBD)

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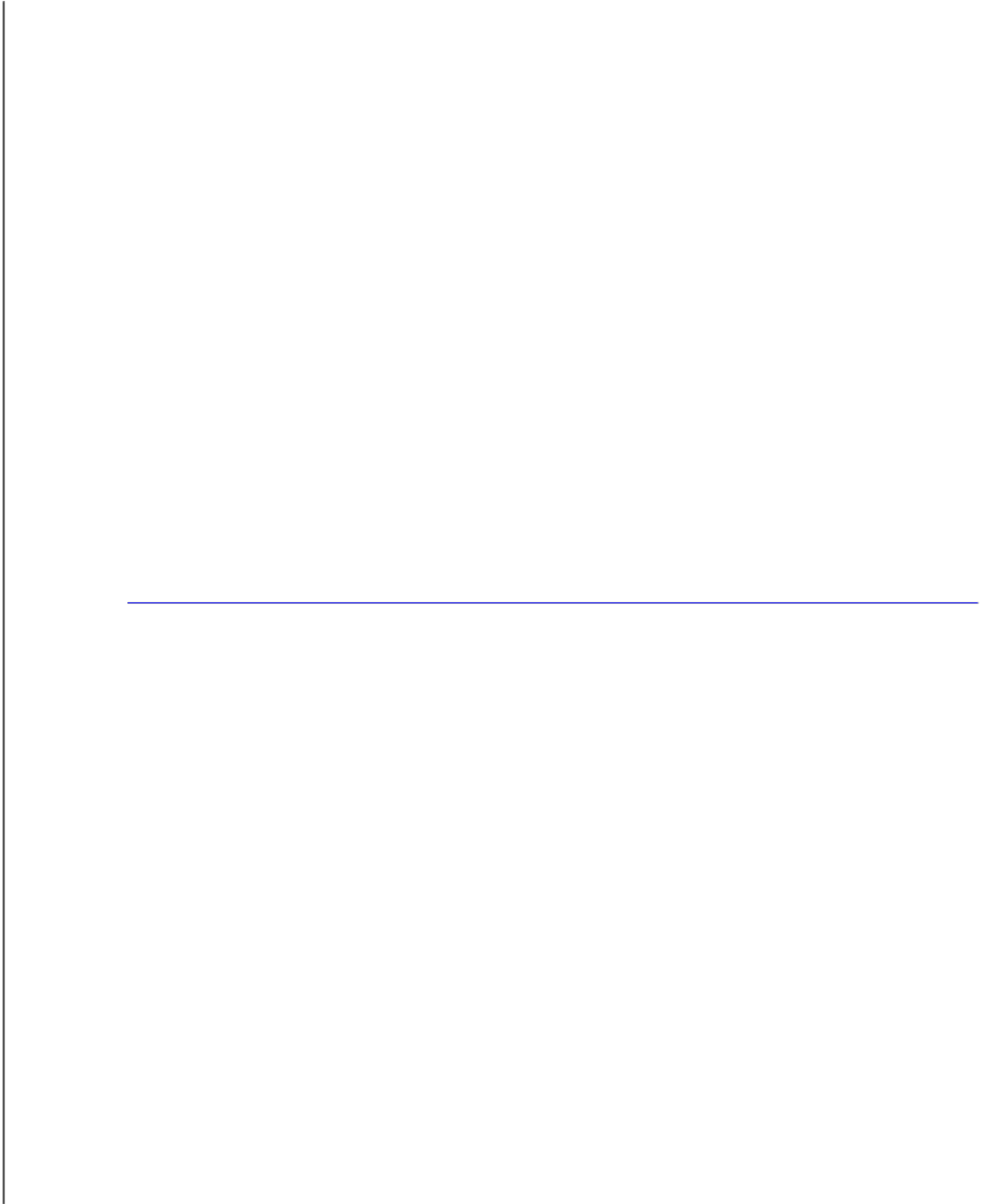
Shepparton CBD Framework Plan



GREATER SHEPPARTON PLANNING SCHEME



GREATER SHEPPARTON PLANNING SCHEME





## GREATER SHEPPARTON PLANNING SCHEME

**2.0 Land use and development objectives to be achieved**

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**Land use**

- To reinforce ~~the~~ Shepparton CBD as the principal retail centre in the region.
- ~~To consolidate the traditional retail core including a continued focus of providing specialty retailing and entertainment.~~
- To maximise the regional service role of Shepparton through provision of a dynamic and efficient activity centre hierarchy.
- To consolidate the traditional retail core (pPrecinct 1) including a continued focus of providing specialty retailing and entertainment.
- To support the Regional Retail role of Shepparton Marketplace in a manner complementary to the retail core (Precinct 1).
- To discourage department stores and cinemas from locating outside of the retail core (Precinct 1), particularly where this may change the role and function of the activity centre or that part of the activity centre.
- To strengthen the Shepparton CBD's role as an office and commercial location.
- To strengthen the image of Shepparton CBD as a regional community and cultural hub and strengthen its attraction as a tourist destination.
- To attract more people to live in the Shepparton CBD as a means of providing a greater range of housing choices and supporting the vibrancy and economy of the CBD.
- To enhance the role of the Shepparton CBD as a 'university city' by creating an attractive CBD in which to study and live.
- To strengthen links with the indigenous and cultural communities in Shepparton through expanding cultural-related activity in the CBD and working with the River Connect project.
- ~~To strengthen the attraction of the Shepparton CBD as a tourist destination.~~

**Built form**

- To encourage innovative and sustainable contemporary design.
- To promote the principles of environmentally sustainable design.
- To promote best practice urban design principles in the layout of activity centres.
- To make better use of available land by allowing higher scale built form in appropriate locations.
- To protect the amenity of residential areas and places of cultural heritage significance.

**Public realm**

- To enhance outdoor life in the city through the quality of its open spaces, within and immediately surrounding the CBD.
- To integrate the CBD and river spaces through improved visual connections and linkages to attract pedestrians, cyclists and tourists to the riverine areas.
- To improve the amenity and image of the CBD through the quality of its streetscape design.
- To design buildings and spaces to improve the level of actual and perceived safety throughout the CBD.
- To support public art in the CBD that projects the character and uniqueness of Shepparton, enlivens public spaces and raises awareness of the indigenous and post-settlement history of Shepparton.

GREATER SHEPPARTON PLANNING SCHEME

Access

- To refocus the Shepparton CBD as a place for pedestrians and local traffic.
- To manage the operation of the CBD road network to redirect freight and through traffic to alternative routes prior to development of the Shepparton bypass.
- To improve access to and within the Shepparton CBD by a variety of sustainable transport modes including foot, bicycle and public transport with new linkages that are efficient and connect key destinations.
- To create a high-quality pedestrian environment in the Shepparton CBD.
- To encourage safe and convenient access to the river and public spaces, including the railway station.

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Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution and Dwelling)	Must not be <del>located</del> at ground floor level, except for entry foyers.
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	In Precincts 1, 2, or 7 or Sub-precinct 3B any frontage at ground floor level must not exceed two metres.  No more than 6 persons may be accommodated away from their normal place of residence.  At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Bus terminal	Must be <del>in</del> Precincts 1, 7 or 8 <del>or 10</del> .
Child care centre	Must be in Precincts 1, 2, 6, <del>or 7 or 9</del> or Sub-precincts 3B, or 8A.  Any frontage at ground floor level must not exceed 2 metres.
Cinema	<del>Must be in Precincts 1 or 2, or sub-precincts 3A or 3C.</del> <del>In Sub-precincts 3A and 3C the site must adjoin, or have access to, a road in a Road Zone.</del> <del>Must not be in Precinct 4.</del> <del>In Precinct 1 must not front a road at ground floor level, except for entry foyers. In Sub-precincts 3A and 3C the site must adjoin, or have access to, a road in a Road Zone.</del> <del>In Precinct 1 must not front a road at ground floor level, except for entry foyers.</del>
Cinema-based entertainment facility	<del>Must be in located in Precincts 1 or 2, or Sub-precincts 3B or 8A.</del>
Department Store	<del>Must be in Precinct 1.</del>

## GREATER SHEPPARTON PLANNING SCHEME

Use	Condition
Display home	Must be <a href="#">located</a> in Precincts 4 or 5.
Dwelling (other than Bed and breakfast)	In Precincts 1, 2 or 8 or Sub-precinct 3B any frontage at ground floor level must not exceed two metres.
Education centre (other than Primary school or Secondary school)	Must be in Precincts 1, 2, 6, 7 or 8 or Sub-precinct 3B. If <a href="#">located</a> in Precincts 1, 2 or 7 or Sub-precinct 3B any frontage at ground floor level must not exceed 10 metres and access must not be shared with a Dwelling (other than a Caretaker's house).
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<a href="#">Industry (other than Materials recycling and Transfer station)</a>	Must be in <a href="#">Precinct 10</a> .  Must not be a purpose shown with a <a href="#">Note 1</a> or <a href="#">Note 2</a> in the table to <a href="#">Clause 52.10</a> . The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre: <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to <a href="#">Clause 52.10</a>,</li> <li>▪ 30 metres, for a purpose not listed in the table to <a href="#">Clause 52.10</a>.</li> </ul>
<b>Informal outdoor recreation</b>	
<b>Minor utility installation</b>	
Office	Must not be in <a href="#">Precincts 9 or 10</a> or Sub-precincts 4A, 4B, 4D, 8B or 8C.  In Precincts 1 or 7, any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a Caretaker's house), unless the office is a Bank, Electoral office, Real estate agency, Travel agency, or any other Office where the floor space adjoining the frontage is a customer service area accessible to the public.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.  The site must adjoin, or have access to, a road in a Road Zone.
<b>Railway station</b>	
<a href="#">Restricted Retail premises</a>	Must be in <a href="#">pPrecincts 1, 2, 7, 9 or 10</a> .
Retail premises (other than Adult sex book shop, <a href="#">Department Store</a> , <a href="#">Hotel and Tavern</a> , <a href="#">Restricted retail premises</a> , <a href="#">Supermarket</a> or <a href="#">Trade supplies</a> )	Must be in Precincts 1, 2, <a href="#">or 7 or 9 or 7</a> or Sub-precincts 3B or 8A.  In <a href="#">pPrecinct 9</a> the total retail floor area (including department store and supermarket must not exceed 22,500 sq metres)

## GREATER SHEPPARTON PLANNING SCHEME

Use	Condition
<a href="#">Supermarket</a>	Must be in Precincts 1, 2, 7 or 9
<a href="#">Trade supplies</a>	Must be in Precincts 1, 2, 7 or 10
Tramway	
<a href="#">Warehouse (other than Mail centre)</a>	<p>Must be in Precinct 10.</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, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 52.10.</li> <li>▪ 30 metres, for a purpose not listed in the table to Clause 52.10</li> </ul>
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.
<b>Section 2 - Permit required</b>	
Use	Condition
Adult sex book shop	<p>Must not be in Precincts 2, 4, or 5 or 9 or Sub-precincts 3A, 3C, 3D, 8B or 8C.</p> <p>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Activity Centre Zone Precincts 2, 4, or 5 or 9, or Sub-precinct 3A, 3C, 3D, 8B or 8C, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.</p>
Amusement parlour	Must not be in Precinct 4.
Animal keeping (other than Animal boarding)	Must be less than 5 animals.
<a href="#">Cinema</a>	<p><del>Must be in Precinct 1.</del></p> <p>Must not be located in Precinct 3, 4, 7 or 10</p> <p><del>Must not be located in Precinct 4, 10 or Sub-precinct 3D.</del></p>
<a href="#">Cinema based entertainment facility – if the Section 1 condition is not met</a>	Must not be located in Precinct 4.
Community market	
Convenience restaurant	Must not be in Precinct 4.
Convenience shop	In Sub-precincts 4A, 4B, 4D or 8C the leasable floor area must not exceed 80 square metres.

## GREATER SHEPPARTON PLANNING SCHEME

Use	Condition
<b>Department Store</b>	<del>In Precinct 9, must have a floor area of less than 4,000 square metres.</del> <del>Must not be located in Precinct 3, 4, 7 or 10</del>
<b>Emergency services facility</b>	Must not be <del>located</del> in Precinct 4.
<b>Food and drink premises (other than Convenience restaurant, and Take away food premises) – if the Section 1 condition for Retail premises is not met</b>	
<b>Industry</b>	Must be in Precincts 1, 2, 7, <del>10</del> or Sub-precincts 3B or 8A. <del>In pPrecincts 1, 2, or 7 or Ssub-precincts 3B or 8A it m</del> Must not be a purpose listed in the table to Clause 52.10 (with the exception of food and beverage production in Precinct 7).
<b>Landscape gardening supplies (other than Plant nursery)</b>	Must not be in Precincts 4 or 5 or Sub-precincts 3A, 3C, 8B or 8C
<b>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</b>	
<b>Mail centre</b>	Must not be <del>located</del> in Precinct 4 or Sub-precincts 8B or 8C.
<b>Medical centre – if the Section 1 condition for Office is not met</b>	<del>Must not be in Precinct 10.</del>
<b>Motor vehicle, boat or caravan sales</b>	Must not be in Precincts 4, <del>5 or 9 or 5</del> or Sub-precincts 3A, 3C, <del>3D</del> , 8B or 8C.
<b>Nightclub</b>	Must not be in Precinct <del>3, 4, 5 or 10.</del>
<b>Office (other than Medical centre) – if the section 1 condition is not met</b>	Must <del>not</del> be in <del>Precinct 10 or</del> Sub-precincts 4A, 4B, 4D, or 8C.
<b>Place of assembly (other than Amusement parlour, Cinema, Nightclub and Place of worship)</b>	
<b>Plant nursery</b>	
<b><del>Restricted retail premises</del></b>	<del>Must not be in pPrecincts 3, 4, 5 and 6</del>
<b>Retail premises (other than Community market, Food and drink premises, Landscape gardening supplies, Motor vehicle, boat or caravan sales, <del>Res</del>restricted retail premises, Shop<del>r</del> and Trade supplies) – if the Section 1 condition is not met</b>	Must not be in Sub-precincts 4A, 4B, 4D, <del>3D</del> or 8C.
<b>Service station</b>	<del>Must not be in Precinct 3D.</del> The site must either: Be in Precincts 1, 2, or Sub-precinct 3B, or <ul style="list-style-type: none"> <li>▪ <del>Have</del> direct access to a road in a Road Zone.</li> </ul>



GREATER SHEPPARTON PLANNING SCHEME

Use	Condition
Shop (other than Adult sex book shop, and Convenience shop and Restricted retail premises) – if the Section 1 condition is not met	Must not be in Precincts 4 or 5 or Sub-precincts 3A, 3C, 3D or 9C8C.
<u>Supermarket</u>	<u>Must not be in Precincts 3, 4 or 10.</u>
Take away food premises	Must not be in Sub-precincts 4A, 4B, 4D or 8C.
Trade supplies	Must not be in Precincts 4 or 5 or Sub-precincts 3A, 3C, 8B or 8C.
<u>Transfer station</u>	<u>The land must be at least 30 metres from land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</u>
Transport terminal (other than Bus terminal, and Railway station)	Must not be located in Precincts 4 or 5 or Sub-precinct 3D.
Utility installation (other than Minor utility installation)	
Warehouse (other than Mail centre)	Must not be in Precincts 3, 4 or 5 or Sub-precinct 8C.  Must not be a purpose listed in the table to Clause 52.10 (with the exception of food and beverage production in pPrecinct 7).
<b>Any other use not in Section 1 or 3</b>	

**Section 3 – Prohibited**

Use
Agriculture (other than Animal keeping)
Animal boarding
Brothel
Cemetery
Corrective institution
Crematorium
Saleyard
Stone extraction

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**Centre-wide provisions**

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**Use of land**

A permit is not required to use land for the public purpose of Health and Community, Local Government, Service and Utility, Transport or Education providing the use is carried out by, or on behalf of, the relevant public land manager.

## GREATER SHEPPARTON PLANNING SCHEME

**4.2 Subdivision**10/12/2015  
C92

Applications for subdivision that do not support the objectives of this schedule are discouraged.

The consolidation of land to facilitate the creation of viable development sites is encouraged.

Encourage the retention of those features that contribute to an appreciation or understanding of places of cultural heritage significance on one lot.

**4.3 Buildings and works**10/12/2015  
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A permit is not required to:

- Install an automatic teller machine.
- Alter an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- Construct an awning that projects over a road if it is authorised by the relevant public land manager.
- Construct or extend a dwelling on a lot of more than 300 metres. This exemption does not apply to:
  - Construction of a dwelling if there is at least one dwelling existing on the lot;
  - Extension of a dwelling if there are two or more dwellings on the lot;
  - Construction or extension of a dwelling if it is on common property;
  - Construction or extension of a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2;
  - The development of a caretaker's house or a bed and breakfast.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level;
- Construct one dependent person's unit on a lot.
- Construct a building or to construct or carry out works for the public purpose of Health and Community, Local Government, Service and utility, Transport or Education providing the building or works is carried out by, or on behalf of, the relevant public land manager.

**4.4 Design and development**10/12/2015  
C92**Dwellings**

- On a lot of less than 300 square metres, an application must meet the requirements of Clause 54 if it proposes to:
  - Construct or extend one dwelling; or
  - Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.

## GREATER SHEPPARTON PLANNING SCHEME

- An application must meet the requirements of Clause 55 if it proposes to:
  - Construct a dwelling if there is at least one dwelling existing on the lot.
  - Construct two or more dwellings on a lot.
  - Extend a dwelling if there are two or more dwellings on the lot.
  - Construct or extend a dwelling if it is on common property.
  - Construct or extend a residential building.
  - Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.

This does not apply to a development of four or more storeys, excluding a basement.

**Built form**

- The height and setbacks of buildings should be designed in accordance with requirements and guidelines specified in the precinct provisions in this schedule.
- The Preferred Maximum Building Heights does not apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:
  - No more than 50% of the roof area is occupied by the equipment;
  - The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces;
  - The equipment does not extend higher than 3.6 metres above the Preferred Maximum Building Height as specified in the precinct provisions of this Schedule; and
  - The equipment is designed and screened to the satisfaction of the responsible authority.
- Street wall height refers to the height of a building at the street frontage as measured from ground level.
- Any application which is not in accordance with the preferred building height, street wall height and setback requirements specified in the precinct provisions to this schedule will be subject, as relevant, to specific performance requirements as follows:
  - Demonstrating compliance with the design objectives of this schedule;
  - Implementing environmentally sustainable principles;
  - Achieving conservation and adaptive re-use of places of cultural heritage significance;
  - Enhancing public and private amenity; and
  - Protecting the development potential of adjoining sites.
- Minor buildings and works such as verandas, architectural features, balconies, sunshades, screens, artworks and street furniture may be constructed within the setback areas specified in the precinct provisions of this Schedule provided they are appropriately designed and located.
- New buildings around Maude Street Mall and the station, and gateway sites should be designed to allow higher scale buildings achieving innovative, distinctive architectural designs.
- New buildings should promote architectural excellence throughout the CBD by encouraging contemporary building styles for new developments that create a unique identity for the CBD and to improve its image as a regional centre.

## GREATER SHEPPARTON PLANNING SCHEME

- ~~New buildings development should incorporate be designed using the principles of Ecological Sustainable Design (ESD) in new buildings and and encourage the retrofitting of existing buildings including.~~
- ~~O~~orientation and shading of windows to maximise heat gain in winter and minimise in summer.
- ~~O~~optimum thermal performance to reduce heating and cooling demands; and  
~~C~~choice of energy-efficient and water-saving appliances.
- ~~New development should incorporate best practice, environmentally sustainable design, including passive solar design and maximisation of northern orientation.~~
- New developments should incorporate sustainable water use in buildings by implementing measures to collect rain water runoff from roof areas. Water storage tanks should be located away from public view, and not impact on neighbours' visual amenity. Opportunities for achieving reductions of impervious surfaces, re-use of grey water and collection and re-use of stormwater should be utilised
- New buildings should create good 'street architecture' with articulated façades, fenestration, parapet treatment, other detailing and materials that give a sense of human scale and interest to the streetscape.
- New buildings should avoid expanses of blank walls on all street frontages and pedestrian spaces. Provide visual interest through a range of colours or textures, installing displays or through variations in the form of the building and on all sides of buildings.
- ~~Developments should contain innovative built form and landscape treatment that is reflective of their location.~~
- Large trees should be planted within car parks.
- To ensure places of cultural heritage significance are integrated into new development.
- To conserve or reveal views that contribute to the appreciation and understanding of places of cultural heritage significance.
- Buildings on sites adjacent to a places of cultural heritage significance should provide a transition in height and should complement the front setbacks of adjacent places of cultural heritage significance, where appropriate.
- New developments should consider overlooking and overshadowing, so as not to impact on the amenity of neighbouring buildings.
- ~~Service and utility areas should be integrated into the design of new buildings.~~
- Plant equipment, vents, service and utility areas and any other mechanical equipment should be carefully integrated into the design of new buildings, including ~~designed or~~ incorporated into the roof design so as to avoid visibility from the street, surrounding spaces and buildings.
- Advertising signs should be integrated into building design and landscaping that contributes to a consistent and coordinated suite of signage for the CBD that is designed to serve a range of purposes, such as way finding, marking historical locations or announcing entry points.
- New multi-deck car parking buildings should be constructed to the rear of lots to reduce the visual impact.
- ~~Street planting and private landscaping should where possible enhance the visual appearance of the streetscape in the CBD.~~
- New development should where possible include public art on or nearby to the site.

**Vistas**

## GREATER SHEPPARTON PLANNING SCHEME

- New development on sites adjacent to or with views towards the Goulburn River should maximise this orientation by means of balconies, verandahs, upper building setbacks, fenestration and other architectural features.

**Movement networks, transport and access**

- To manage car parking demand and supply to support the economic competitiveness of the Shepparton CBD.
- New proposals should minimise the width of driveway entrances and the visual impact of garage doors on building frontages and provide access from rear laneways wherever possible.
- Laneways should provide safe and efficient access to the site and be constructed and sealed.
- New development should provide a high level of accessibility at the principal front entry for any development.



GREATER SHEPPARTON PLANNING SCHEME

5.0 Precinct provisions

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5.1 Precinct 1 – Retail Core

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5.1-1 Precinct map

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5.1-2 Precinct objectives

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- To encourage major anchor stores, shops, cinemas, entertainment, clothing and national brand retailers to locate within the core retail area in Sub-precinct 1A.

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- To encourage the [mall-Maude Street Mall](#) to function as a true ‘centre’ of town and facilitate higher scale, mixed-use development that includes residential to bring more people to the mall and increases activity on the street.
- [To encourage the implementation of a best practice model for revitalisation and activation of Maude Street Mall.](#)
- To encourage redevelopment of vacant or underused sites with buildings that create a well-defined street edge. Specifically, this includes:
  - improving the function and appearance of Vaughan Street through a stronger built form and architectural quality to define the streetscape and improve pedestrian amenity.
  - encouraging a higher density of building around the mall, including the vacant sites or surface car parks of Stewart Street, to improve its appearance and safety.
- To encourage the location of cafes and dining, food outlets, entertainment, and residential (above ground level) in Fryers Street and the Maude Street Mall.
- To improve the function and appearance of the mall as the principal open space of the CBD’s retail core and the heart of CBD activity.

5.1-3  
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**Precinct requirements**

Sub-precinct	Preferred maximum building height	Preferred street wall height	Preferred setbacks
1A	None specified.	11.5 metres (3 storey).	No front or side setbacks, except for: <ul style="list-style-type: none"> <li>▪ the site on the north-west corner of Sobraon and Wyndham Streets where a front setback should accommodate dining areas.</li> <li>▪ any additional levels above 11.5 metres (3 storeys) to be setback 5 metres from the building frontage.</li> </ul>
1B	7 metres (2 storey).	None specified.	Setbacks to meet the objectives of Standard A3 and A10 of Clause 54 or Standard B6 and B17 of Clause 55 of the Greater Shepparton Planning Scheme.

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**Precinct guidelines**

**General**

- Core retail activities, particularly anchor department stores and entertainment uses in the retail core, should be consolidated and clustered.
- [Encourage cinema and department stores to locate in the retail core.](#)
- Building frontages in the core retail areas and along main pedestrian streets should be designed to have 75 per cent ‘active’ frontage 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.
- ~~To encourage the location of services and other features such as air conditioning units and solar hot water units in locations that is not highly visible from the street.~~

## GREATER SHEPPARTON PLANNING SCHEME

**Maude Street Mall**

- Uses that operate outside normal business hours (such as restaurants, bookshops and convenience stores) should be located in the Maude Street Mall.
- Higher buildings accommodating office or residential uses above ground level and ground level active retail frontages should be constructed adjacent to the Maude Street Mall.
- Existing blank walls should be converted to active retail frontages or include windows.
- ~~Tower Arcade should be opened as a key pedestrian link.~~

**Stewart Street**

- Stewart Street should be upgraded as a key pedestrian link.
- The multi deck car park should be upgraded to improve access, presence, appearance and safety.
- Pedestrian access to "Target" Arcade should be upgraded to include active retail frontages, public art and lighting.
- Mixed use retail, office and residential uses should be constructed on vacant land north of Stewart Street.
- Three storey buildings should be located north and south of Stewart Street.

**Vaughan Street**

- Improve the function and appearance of Vaughan Street through a stronger built form and architectural quality to define the streetscape and improve pedestrian amenity.
- ~~Redevelopment of the "Kmart" site should include a new bus exchange.~~
- Any new development should include ground level active retail frontage and rear parking especially on key corner sites.

**Wyndham Street**

- Wyndham Walk should be upgraded with active frontages, lighting, consistent materials, signage and public art to promote pedestrian use and increase safety.
- New pedestrian links to Welsford Street should be created.

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**5.2 Precinct 2 – Office**

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**5.2-1 Precinct map**

10/12/2015  
C92



**5.2-2 Precinct objectives**

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C92

- To consolidate the precinct’s office role with above-ground residential uses.
- To encourage development with a mix of office, cafe and residential uses (on upper levels) on land in the riverine environment between Welsford Street and the [river’s](#) [River’s](#) open space.
- To encourage active frontages along the riverfront and on Welsford Street.
- To encourage zero setbacks and higher built form along Welsford Street.

## GREATER SHEPPARTON PLANNING SCHEME

**5.2-3 Precinct requirements**10/12/2015  
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Precinct	Preferred maximum building height	Preferred street wall height	Preferred setbacks
2	No maximum building height.	11.5 metres (3 storey).	Zero metre front and side setbacks except for any additional levels above 11.5 metres (2 storeys) to be setback 5 metres from the building frontage.

**5.2-4 Precinct guidelines**10/12/2015  
C92

- New development on the west side of Welsford Street should be sited to ensure views are available between buildings and public pedestrian access is provided for to the open space beyond.



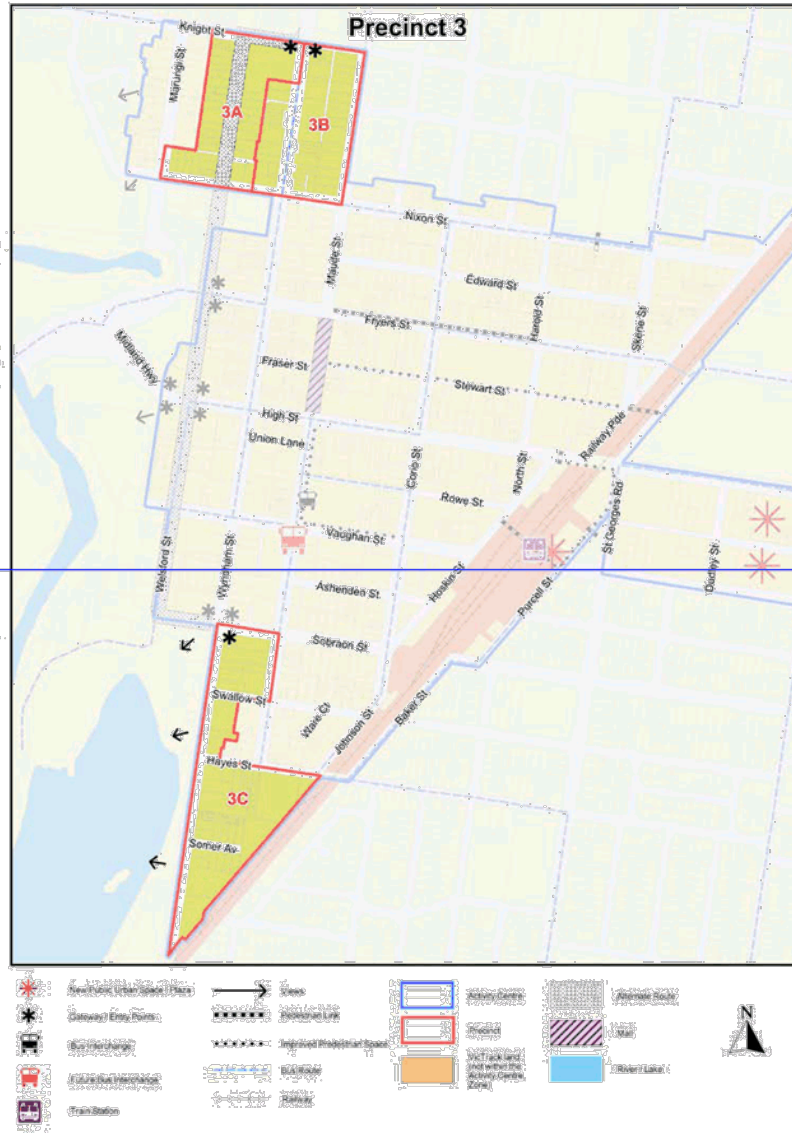
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5.3 Precinct 3 – Office, Retail and Residential

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5.3-1 Precinct map

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C92  
Proposed C192



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5.3-2 Precinct objectives

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- To encourage a compatible mix of medium-density residential and commercial/office uses that complement-complement retail, commercial and office uses in Precincts 1 and 2.
- To encourage lower-scale built form with office/commercial uses incorporating a small landscaped setback to complement the setback of residential uses in the area.
- To reinforce the gateway role of this precinct by encouraging gateway features at specific localities that signify entrance points to central Shepparton.

5.3-3 Precinct requirements

10/12/2015  
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Sub-precinct	Preferred building height	Preferred street wall height	Preferred setbacks
3A	Minimum of two storeys (7m) and maximum of three storeys (11.5m).	None specified.	Minimum of 1 metre and maximum of 3 metres from the front lot boundary with an

## GREATER SHEPPARTON PLANNING SCHEME

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Sub-precinct	Preferred building height	Preferred street wall height	Preferred setbacks
			<p>average setback of 1.5 metres.</p> <p>Minimum of 14 metres from the rear boundary.</p> <p>A zero metre setback to the south boundary to 10 metres plus 25% of the remaining boundary length.</p> <p>If a zero metre setback is not used to the south boundary, a minimum 1 metre side setback to north and south boundaries.</p> <p>Where vehicular access is provided to the rear of the site, there should be a minimum of 1.5 metres for landscaping and pedestrian refuges. The setback may be transferred to the building side of the laneway for a maximum of 50% of the laneway length.</p>
3B	No maximum building height.	11.5 metres (3 storey).	<p>Zero metre front or side setbacks to Wyndham Street.</p> <p>Any additional levels above 11.5 metres (3 storeys) to be setback 5 metres from building frontage.</p>
3C	Minimum 11.5 metres (3 storey) and maximum 20.5 metres (6 storey).	None specified.	<p>Minimum of 5 metres and a maximum of 10 metres from the front boundary with an average of 6-7 metres over the width of the building frontage</p> <p>Any additional levels above 11.5 metres (3 storeys) to be setback 3 metres from building frontage.</p> <p>Where new developments have a rear boundary with a residential lot:</p> <ul style="list-style-type: none"> <li>▪ a minimum building setback of 14 metres from the rear should be provided; and</li> <li>▪ any additional levels above 11.5 metres (3 storeys) to be setback 3 metres at the rear of the building.</li> </ul> <p>A zero metre setback to the south boundary to 10 metres plus 25% of the remaining boundary length. For the remainder of the south boundary length, a minimum of 1 metre side setback.</p>

GREATER SHEPPARTON PLANNING SCHEME

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Sub-precinct	Preferred building height	Preferred street wall height	Preferred setbacks
<u>3D</u>	<u>Buildings must not exceed a building height of 9 metres (two storeys)</u>	<u>6.9 metres</u>	<p>If a zero metre setback is not used to the south boundary a minimum 1 metre side setback to north and south boundaries.</p> <p>Where vehicular access is provided to the rear of the site, there should be a minimum of 1.5 metres for landscaping and pedestrian refuges. The setback may be transferred to the building side of the laneway for a maximum of 50% of the laneway length.</p> <p><u>Front setback a minimum of 4 metres and a maximum of 10 metres from the front lot boundary with an average of 5-6 metres over the width of the lot.</u></p> <p><u>Building setbacks must be a minimum of 14 metres from the rear boundary to avoid a dominating built form interface with adjoining residential lots and to provide opportunities for long term parking.</u></p> <p><u>A zero setback to the south boundary is permitted to 10 metres plus 25% of the remaining boundary length. For the remainder of the south boundary length, a minimum 1 metre side set back is required.</u></p> <p><u>If a zero setback provision is not utilised to the south boundary a minimum 1 metre side setback is required to each of the north and south boundaries.</u></p> <p><u>Where vehicular access is provided to the rear of the site, there should be a minimum of 1.5 metre setback from the side boundary to allow for the provision of a landscaped buffer and pedestrian refuges. The setback may be transferred to the building side of the laneway for a maximum of 50% of the laneway length.</u></p>

5.3-4

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**Precinct guidelines**

- A mix of medium density residential, small office and peripheral retail uses should be located in the precinct.
- New development should clearly define the southern and northern 'entry' to the Shepparton town centre and provide legibility, gateway style architecture. Development

## GREATER SHEPPARTON PLANNING SCHEME

reflect the gateway role of the precinct as the southern and northern entry points to the CBD, should contain innovative landmark built form and landscape treatment that is reflective of the gateway locations.

- New uses should complement retail, commercial and office uses in Precincts 1 and 2.
- In Sub-precinct 3A and 3D, building design should reflect a civic and community character. This may include the use of flat roofs or parapets which are characteristic of the area.
- In Sub-precincts 3A and 3C, new developments should incorporate the following into building design so as to ensure a cohesive streetscape character is achieved:
  - External walls of developments should display materials and finishes such as quality textured paint coating, timber or metal cladding, and glass. The use of rendered concrete may be used where it is complemented by use of specific claddings such as timber and metals that highlight façade definition.
  - Reflective glass, PVC, unrelieved painted render, unarticulated concrete surfaces and unarticulated cladding systems should be avoided.
  - External walls of buildings may consist of large expanses of glass at ground floor levels. The glass should be clear or lightly tinted, and non-reflective.
  - Colour schemes of all external surfaces of new developments should be coordinated and consistent with the building design intention. Bright extravagant colour schemes that do not contribute to an integrated streetscape should be avoided.
- In Sub-precinct 3C:
  - New development should promote mixed commercial / residential uses, protect the large trees along the east side of Victoria Park Lake and sensitively deal with residential interface areas;
  - Multi deck car parking may be constructed to the rear boundary of lots if there is laneway access or setback 1.5 metres if there is a residential property adjacent.
  - Development should provide design feature entries to buildings that are easily visible and identifiable from streets and other public places.
  - Buildings should be orientated towards the Victoria Park Lake and express a prestigious boulevard character through the use of appropriate architectural features such as balconies, verandas, porticos, ‘book ends’ and upper building setbacks.
  - Flat or innovative roof forms that are proportional to the building should be provided.
  - Building facades of large developments should be modulated and articulated by horizontal and vertical elements. The facade should allow for some interaction between the public streetscape and the building interior.
  - Encourage paving materials that provide texture, patterns and subtle colour to the building frontage.
- In Sub-precinct 3D:
  - New development should encourage an appropriate transition between commercial and residential precincts.
  - Development should include articulation of building facades and provision of a greater setback for any upper storey to reduce the apparent height and mass of buildings to street frontages.
  - Incorporate the following into building design so as to encourage an appropriate transition between commercial and residential precincts:



## GREATER SHEPPARTON PLANNING SCHEME

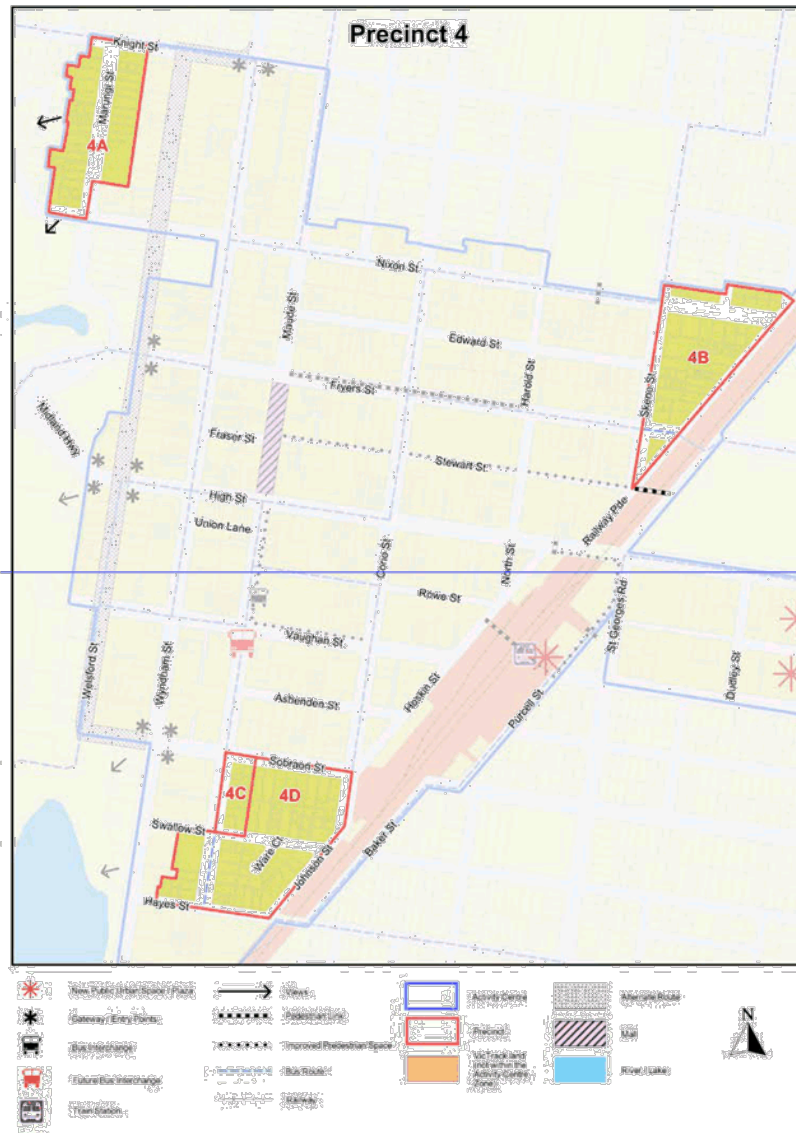
- Roof form and pitch that complement prevailing roof forms and incorporate gables, half gables and hipped roofs.
- Building facades must maintain door and window proportions that reflect a residential character.
- Building frontages must be articulated to reduce the impact of their visual bulk on the streetscape. Large blank or uniform front facades should be avoided.
- ~~Access to the rear of development should provide passing or staging bays to ensure that vehicles do not bank up on Wyndham Street and present a dangerous situation to passing traffic.~~
- The front building setback should be landscaped to include a variety of shrubs, groundcovers, and small to medium sized trees to provide scale, aesthetic relief and shade to front entrances. Plant species should be suitable to this area and to the satisfaction of the responsible authority.
- Paving materials that provide texture, patterns, subtle colour and permeability to the lot frontage should be used. Large expanses of grey cement or asphalt should be avoided.
- ~~One business identification sign is permitted per development.~~
- ~~Multiple business occupancies are to share space on the sign.~~
- ~~Freestanding business identification signs are to fit in an envelope that is a maximum height of 1.5 metres and a maximum width of 1.0 metre. This envelope includes the height of any supporting structure.~~
- Signs attached to a building are encouraged and should be a maximum height of 1.0 metres and a maximum width of 3.0 metres.
- Signs should form an integral part of the building façade or landscaped front area and be in keeping with the scale of the building.
- ~~Promotional signs should be avoided.~~
- ~~All large dominating signs, V-board signs, above verandah signs and advertising elements such as banners, flags and inflatable should be avoided.~~
- ~~Colours and materials that interfere with the safety or efficiency of traffic circulation should be avoided.~~

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5.4 Precinct 4 – Residential / Redevelopment

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 C92 Proposed  
 C192

Precinct map



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**5.4-2 Precinct objectives**

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C192

- To retain the high level of amenity of established residential areas surrounding the CBD.
- To encourage medium-density housing in the peripheral residential areas.
- To accommodate higher density residential development along Maude Street in Precincts 4C and 4D.

**5.4-3 Precinct requirements**

10/12/2015  
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C192

Sub-precinct	Preferred building height	Preferred street wall height	Preferred setbacks
4A	11.5 metres (3 storeys).	None specified.	Setbacks to meet the objectives of Standard A3 and A10 of Clause 54 or Standard B6 and B17 of Clause 55 of the Greater Shepparton Planning Scheme..

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4B	No maximum building height.	11.5 metres (3 storey).	3	Any additional levels above 11.5 metres (3 storeys) to be setback 3 metres from building frontage.  Setbacks to meet the objectives of Standard A3 and A10 of Clause 54 or Standard B6 and B17 of Clause 55 of the Greater Shepparton Planning Scheme.
4C	Minimum 11.5 metres (3 storeys) and maximum 20.5 metres (6 storeys).	None specified.		Any additional levels above 11.5 metres (3 storeys) to be setback 3 metres from building frontage.  Setbacks to meet the objectives of Standard A3 and A10 of Clause 54 or Standard B6 and B17 of Clause 55 of the Greater Shepparton Planning Scheme.
4D	Maximum (storeys).	15m	(4	None specified.  Setbacks to meet the objectives of Standard A3 and A10 of Clause 54 or Standard B6 and B17 of Clause 55 of the Greater Shepparton Planning Scheme.

**5.4-4**

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**Precinct guidelines**

- Medium density housing should be designed appropriately to ensure ongoing residential amenity.
- Higher built form should be encouraged in Marungi Street.
- Existing setbacks should be maintained where possible. Some potential for reduced side setbacks may be considered.
- In Sub-precinct 4A:
  - New development on Marungi Street should include a higher built form (up to 3 storeys) to maximise views to the river.
- In Sub-precincts 4C and 4D:
- Building heights should be related to lot size, using the 'podium principle' to ensure adequate upper level setbacks are achieved.
- Built form should be setback from the street to preserve the existing street character.
- Larger front setbacks should be encouraged to allow for landscaping and street trees of suitable and consistent species.
- Tree-lined streets and boulevards with high quality and appropriate long-term planting are encouraged.
- Bicycle and pedestrian linkages, amenity and access should be strengthened and improved where possible.
- Higher density development with a high level of residential amenity should be prioritised, particularly along Maude Street.

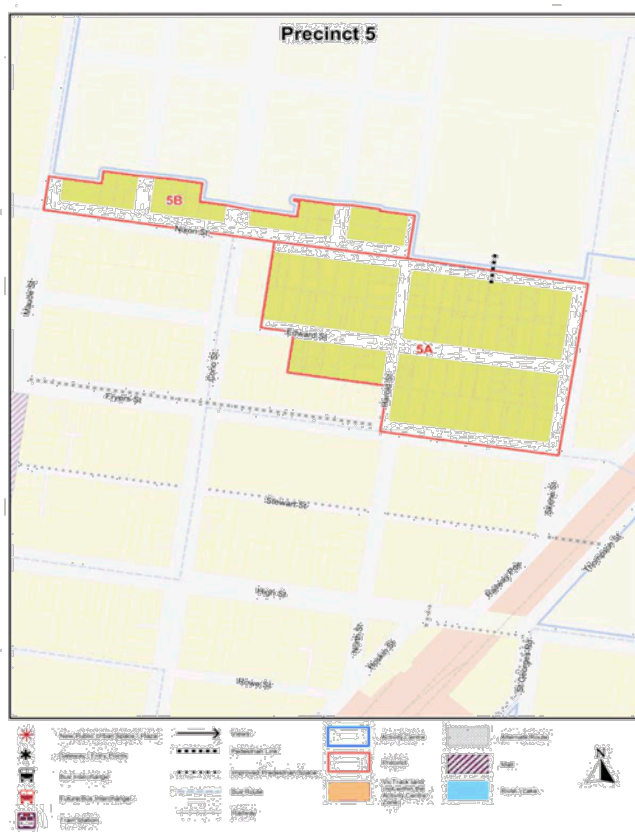
GREATER SHEPPARTON PLANNING SCHEME

**5.5 Precinct 5 – Office and Higher Density Residential**

10/12/2015  
C92

**5.5-1 Precinct map**

10/12/2015  
C92



**5.5-2 Precinct objectives**

10/12/2015  
C92

- To encourage a compatible mix of small offices, higher density residential, service businesses and small peripheral retail uses.
- To support higher built form including office or secondary retail uses at ground floor and residential uses at upper levels.
- To improve pedestrian links across Nixon Street to Deakin Reserve.

**5.5-3 Precinct requirements**

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Sub-precinct	Preferred maximum building height	Preferred street wall height	Preferred setbacks
5A	No maximum building	11.5 metres (3 storeys).	Front setbacks of 3-5 metres.



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	height.		
5B	7 metres (2 storeys)	None specified.	Setbacks to meet the objectives of Standard A3 and A10 of Clause 54 or Standard B6 and B17 of Clause 55 of the Greater Shepparton Planning Scheme.

**5.5-4**

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**Precinct guidelines**

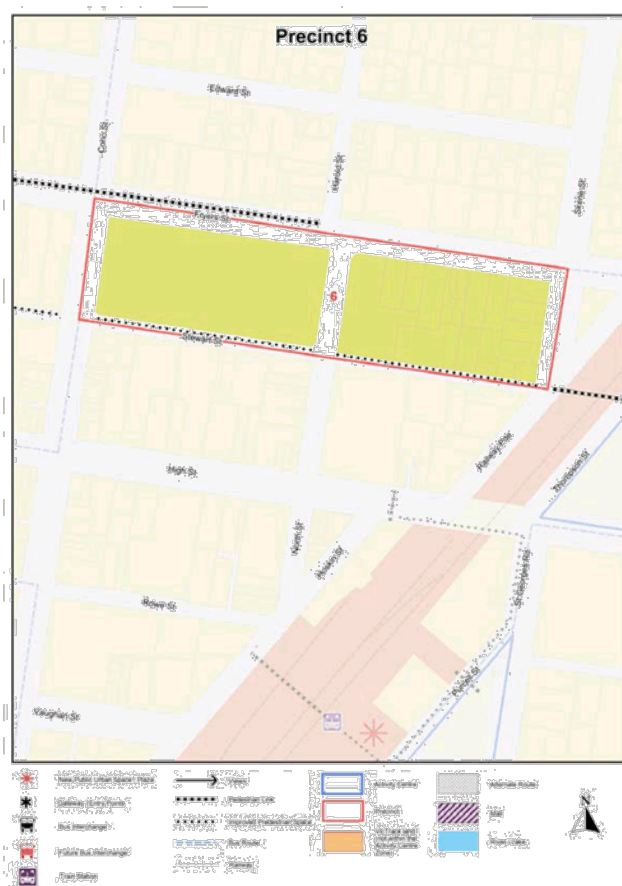
- New medium density residential development should be located within 400 metres to 600 metres from the CBD.
- Front setback areas should provide areas for landscaping
- Existing setbacks should be maintained where possible. Some potential for reduced side setbacks may be considered.

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**5.6 Precinct 6 – Shepparton Tertiary Education Precinct (STEP)**  
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**5.6-1 Precinct map**  
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 C92



**5.6-2 Precinct objectives**  
 10/12/2015  
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- To establish the Shepparton Tertiary Education Precinct (STEP) as the preferred precinct for the development of post-secondary and tertiary education facilities.
- To create a vibrant education precinct within and around the STEP site that revitalises the eastern end of the CBD and provides opportunities for educational, community, high-density residential and student-related activities.
- To prioritise pedestrian movement and access around the STEP site.
- To ensure bicycle and pedestrian routes link STEP to the activity nodes, public transport services and existing bicycle network throughout the CBD.

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**5.6-3 Precinct requirements**

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Sub-precinct	Preferred maximum building height	Preferred street wall height	Preferred setbacks
6	15m (4 storeys).	None specified.	Setbacks to meet the objectives of Standard A3 and A10 of Clause 54 or Standard B6 and B17 of Clause 55 of the Greater Shepparton Planning Scheme.

**5.6-4 Precinct guidelines**

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- New development should enhance the educational opportunities provided by Goulburn Ovens TAFE and La Trobe University.
- A pedestrian link should be provided to the railway station.
- To encourage redevelopment of sites with buildings that creates a well-defined street edge. This includes introducing higher scale buildings of a range of architectural treatments to this area, with Stewart Street developed as a campus boulevard space.
- Existing setbacks should be maintained where possible. Some potential for reduced side setbacks may be considered.

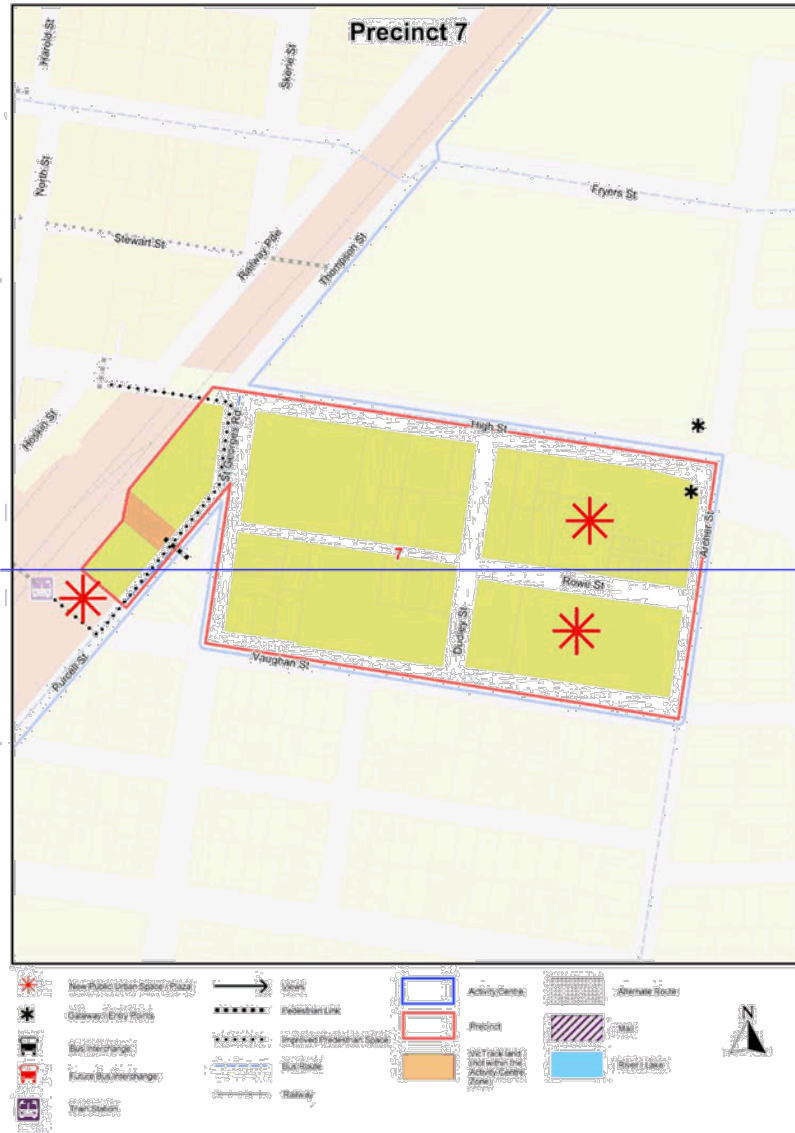
GREATER SHEPPARTON PLANNING SCHEME

5.7 Precinct 7 – Rowe Street East Mixed Use

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Proposed C192

5.7-1 Precinct map

10/12/2015  
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Proposed C192







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**5.7-3 Precinct requirements**

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Sub-precinct	Preferred maximum building height	Preferred street wall height	Preferred setbacks
7	No maximum building height.	11.5 metres (3 storey).	Zero metre front or side setbacks.

**5.7-4 Precinct guidelines**

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C92

- New development at the Shepparton Plaza site should include active retail frontages to High Street and parking to the rear. New buildings should provide improved interfaces to open spaces and surrounding residential uses.



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**5.8-2**

10/12/2015  
C92

**Precinct objectives**

- To provide for commercial and residential buildings that address street spaces.
- To provide for higher scale built form adjacent to the railway line.
- To improve pedestrian access and amenity to the station and bus terminal, including:
  - From the west including the CBD and STEP.
  - Along Purcell Street from High Street.
  - From Hayes Street to Purcell Street.
- To develop angle car parking on land owned by VicTrack along Railway Parade between High Street and Fryers Street to provide long-stay parking for event goers, students, workers and CBD traders.
- To create a new pedestrian rail crossing connection linking the showgrounds (Thompson Street) with Stewart Street.

**5.8-3**

10/12/2015  
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**Precinct requirements**

Sub-precinct	Preferred maximum building height	Preferred street wall height	Preferred setbacks
8A	No maximum building height.	11.5 metres (3 storey).	Zero metre front or side setbacks except for any additional levels above 11.5 metres (2 storeys) to be

GREATER SHEPPARTON PLANNING SCHEME

			setback 5 metres from the building frontage.
8B and 8C	2 storeys.	None specified.	None specified.

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**5.9 Precinct 9 – Shepparton Marketplace**

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**5.9-1 Precinct Map****5.9-2 Precinct Objectives**

- To support the designated regional role of the Shepparton Marketplace as a retail specific centre.
- To support the role of the Shepparton Marketplace in a manner complementary to operation of Precinct 1, as the highest-order centre serving Shepparton and the surrounding region.
- To support the core retail role of Precinct 1, discourage entertainment based activities such as cinemas, places of assembly, accommodation and additional retail floorspace.
- To encourage public realm improvements including landscaping, street furniture and landscaping along street frontages.
- To ensure appropriate retail floorspace is provided to enable a range of retail operations at the centre in a manner complementary to the operation of the retail core (Precinct 1).



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- To encourage car parking provision and design to support the activity, streetscape amenity and economic capacity of the precinct.

**5.9-3 Precinct requirements**

<u>Precinct</u>	<u>Preferred maximum building height</u>	<u>Preferred street wall height</u>	<u>Preferred setbacks</u>
<u>9</u>	<u>No maximum building height. None specified</u>	<u>11.5 metres (3 storey).</u>	<u>20 metres from the front lot boundary.</u> <u>3 metres from the rear boundary to ensure a suitable interface with adjoining residential properties.</u>

**5.9-4 Precinct guidelines**

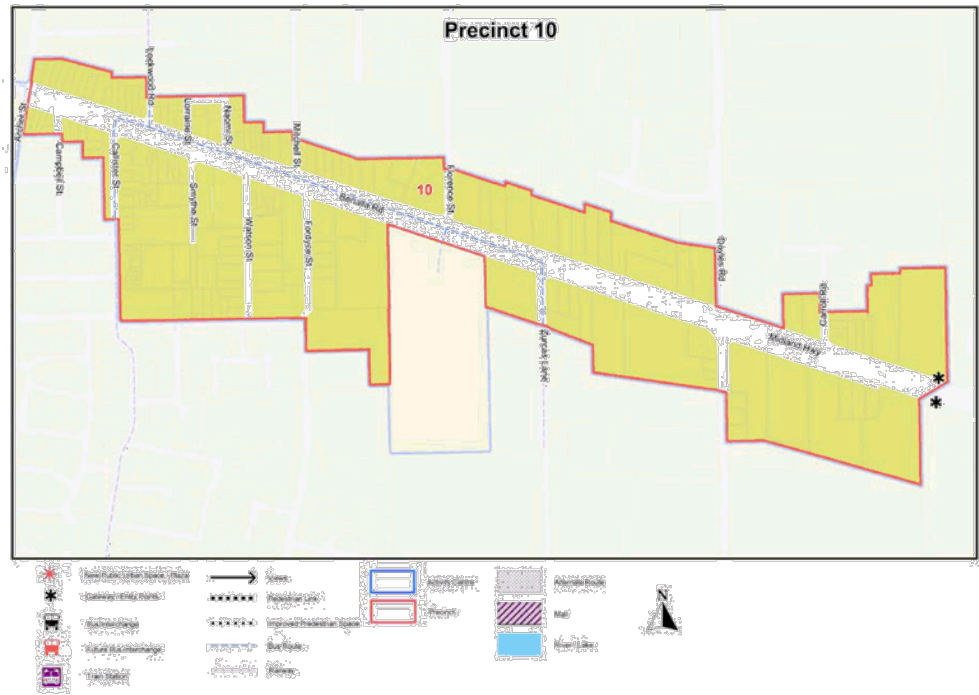
- Provide some limited non retail uses, such as offices and some other personal and professional services where these are directly ancillary to retail operations at the centre and where such uses would not be more appropriately located in the retail core or other activity centres.
- New use and development needs to be carefully monitored to ensure that the Marketplace does not detract from its sub-regional role in the hierarchy. Future land uses should complement the balance of activities within the retail core and the Benalla Enterprise Corridor.
- Discourage the relocation of large ‘anchor’ department store retailers that may compete with the retail core role and function of Precinct 1.
- Opportunities exist to enhance the address of the site to Benalla Road and improve the public realm appearance of the precinct, including pedestrian and cycling access.

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GREATER SHEPPARTON PLANNING SCHEME

**5.10 Precinct 10 – Benalla Road Enterprise Corridor**

**5.10-1 Precinct Map**



**5.10-2 Precinct objectives**

- [To encourage a range of non-retail and large format retail land uses, including restricted retail uses such as trade supplies stores, automotive stores and homemaker centres.](#)
- [To encourage higher built form lots fronting onto Benalla Road.](#)
- [To consider the role of other corridors leading into the retail core when planning for land use outcomes along Benalla Road.](#)
- [To support opportunities to enhance the appearance of the Precinct, improve the public realm appearance and include pedestrian and cycling access.](#)
- [To encourage other linkages by improving the safety, quality and amenity of the existing pedestrian environment.](#)

**5.10-3 Precinct requirements**

Precinct	Preferred maximum building height	Preferred street wall height	Preferred setbacks
2	<a href="#">No maximum building height. None specified</a>	<a href="#">11.5 metres (3 storey).</a>	<a href="#">20 metres from the front lot boundary.</a> <a href="#">3 metres from the rear boundary to ensure a suitable</a>

## GREATER SHEPPARTON PLANNING SCHEME

interface with adjoining residential properties.

#### **5.10-4 Precinct guidelines**

- Implement design guidelines to ensure that buildings are of high quality and appropriate in scale.
- Protect established residential and industrial areas adjacent to the precinct from inappropriate commercial uses and development.
- Any new use or development, particularly on boundaries adjoining industrial, residential and farming zoned land, must be carefully considered in order to reduce any potential amenity impacts.
- New development should provide public realm improvement including public footpath treatments, landscaping and lighting, to reflect the entrance experience and address of the buildings to the streetscape.

#### **6.0 Application Requirements**

In Precinct 9, any expansion of retail floor space (including additional supermarkets and department stores) above 22,500 sqm should be justified by a detailed economic impact assessment.

#### **67.0**

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C92

#### **Notice and review**

An application to construct a building that exceeds the maximum preferred building height is not exempt from the notice requirements of Section 52(1)(a), (b) and (c), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act in accordance with Clause 37.08-8 of the Activity Centre Zone.

#### **78.0**

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C92

#### **Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08-9, the responsible authority must consider, as appropriate:

##### **Use**

Whether the proposal:

- Contributes to an appropriate mix of uses within the CBD to complement and support the strategic role of the Shepparton CBD.
- Contributes to the achievement of residential population targets as set out in the Greater Shepparton 2030 Strategy Plan.
- Creates active uses and pedestrian generating activity at ground level that contribute to a vibrant public realm.

##### **Buildings and works**

Whether the proposal:

- Creates a strong visual interest by providing unique building types based on innovative, contemporary architecture, urban design and ecologically sustainable development.
- Provides overhead weather protection adjoining key pedestrian walkways and nodal points.

## GREATER SHEPPARTON PLANNING SCHEME

- Complements, where relevant, the form, scale, materials, colour and lighting of a place of cultural heritage significance on the same or adjoining site.
- Incorporates provisions for pedestrians, cyclists and people with a disability demonstrating how access needs are accommodated.
- Limits the number of vehicle crossings to each development.

**Subdivision**

Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Schedule and does not result in the fragmentation of sites.

How the subdivision assists in the consolidation of land to facilitate the creation of viable development sites.

Encourage the retention of those features that contribute to an appreciation or understanding of places of cultural heritage significance on one lot.

**89.0**

10/12/2015  
C92

**Advertising signs**

Advertising sign requirements are at Clause 52.05. All land within Precincts 1 or 7 or Sub-precincts 3B or 8A is in Category 1. All other land is in Category 3.

**910.0**

10/12/2015  
C92  
Proposed C192

**Other provisions of the scheme**

~~An application under Clause 52.05 for advertising signs is exempt from the notice requirements of Section 52(1)(a), (b) and (c), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.~~

~~An application under Clause 52.06 or the schedule to Clause 52.06 to reduce or waive the required car parking spaces or vary the design requirements is exempt from the notice requirements of Section 52(1)(a), (b) and (c), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.~~

~~An application under Clause 52.07 to waive or vary loading and unloading provisions is exempt from the notice requirements of Section 52(1)(a), (b) and (c), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.~~

~~An application under Clause 52.29 to alter or create a new access to a Road Zone is exempt from the notice requirements of Section 52(1)(a), (b) and (c), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.~~

An application under Clause 52.04, Clause 52.05 or the schedule to Clause 52.05, Clause 52.06 or the schedule to Clause 52.06, Clause 52.07, Clause 52.08, Clause 52.11, Clause 52.14, Clause 52.16 or the schedule to Clause 52.16, Clause 52.17 or the schedule to Clause 52.17, Clause 52.19, Clause 52.21, Clause 52.29, Clause 52.33, Clause 52.34 and Clause 52.36 is exempt from the notice requirements of Section 52(1)(a), (b) and (c), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

An application in Precincts 9 or 10 under Clause 52.12, 52.13 and Clause 52.20 is exempt from the notice requirements of Section 52(1)(a), (b) and (c), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**1011.0**

10/12/2015  
C42  
Proposed C192

**Reference documents**

*Commercial Activity Centres Strategy November 2015*

*Shepparton CBD Strategy October 2008*

*Urban Design Framework – Shepparton North and South Business Areas, July 2006*

GREATER SHEPPARTON PLANNING SCHEME

| *Greater Shepparton 2030 Strategy Plan [2006](#)*



## GREATER SHEPPARTON PLANNING SCHEME

10/03/2016  
C185 Proposed  
ed C182

**SCHEDULE TO CLAUSE 61.03****Maps comprising part of this scheme:**

## Zoning and Overlay maps

- 1, 1HO, 1LSIO-FO, 1WMO
- 2, 2DPO, 2ESO, 2HO, 2LSIO-FO, 2PAO, 2WMO
- 3, 3HO, 3LSIO-FO, 3PAO
- 4, 4HO, 4LSIO-FO
- 5, 5HO, 5LSIO-FO
- 6, 6EAO, 6DPO, 6ESO, 6HO, 6LSIO-FO
- 7, 7DPO, 7HO, 7LSIO-FO
- 8, 8DPO, 8HO, 8LSIO-FO
- 9, 9DPO, 9ESO, 9HO, 9LSIO-FO
- 10, 10DPO, 10ESO, 10HO, 10LSIO-FO
- 11, 11AEO, 11DCPO, 11DDO, 11DPO, 11EAO, 11ESO, 11HO, 11LSIO-FO, 11PAO, 11VPO, 11WMO
- 12, 12DPO, 12HO, 12LSIO-FO, 12PAO, 12WMO
- 13, 13DPO, 13EAO, 13 HO, 13LSIO-FO, 13PAO
- 14, 14DCPO, 14DPO, 14EAO, 14LSIO-FO, 14PAO
- 15, 15DCPO, 15DPO, 15LSIO-FO, 15PAO, 15WMO
- 16, 16DPO, 16LSIO-FO, 16WMO
- 17, ~~17DDO~~, 17DPO, 17HO, 17LSIO-FO, 17PO, 17WMO
- 18, ~~18DDO~~, 18HO, 18LSIO-FO, 18PAO, 18PO
- 19, 19DDO, 19DPO, 19LSIO-FO, 19PAO
- 20, 20DCPO, 20DDO, 20DPO, 20HO, 20LSIO-FO, 20PAO, 20WMO
- 21, 21HO, 21LSIO-FO, 21WMO
- 22, 22AEO, 22DDO, 22DPO, 22HO, 22LSIO-FO, 22PAO, 22PO, 22RXO, 22WMO
- 23, 23DPO, 23EAO, 23HO, 23LSIO-FO, 23PAO, 23PO
- 24, 24DDO, 24DPO, 24LSIO-FO, 24PAO
- 25, 25DPO, 25LSIO-FO, 25PAO, 25WMO
- 26, 26AEO, 26DCPO, 26DDO, 26DPO, 26EAO, 26LSIO-FO, 26WMO
- 27, 27DPO, 27LSIO-FO
- 28, 28EMO, 28HO, 28LSIO-FO, 28SMO
- 29, 29EMO, 29HO, 29LSIO-FO, 29SMO
- 30, 30LSIO-FO
- 31, 31ESO, 31HO, 31LSIO-FO, 31PAO, 31SMO, 31WMO
- 32, 32ESO, 32HO, 32LSIO-FO, 32SMO, 32WMO
- 33, 33HO, 33LSIO-FO, 33PAO, 33WMO
- 34, 34HO, 34LSIO-FO, 34PAO, 34SMO, 34VPO, 34WMO
- 35, 35LSIO-FO, 35SMO
- 36, 36LSIO-FO, 36SMO
- 37, 37HO, 37LSIO-FO, 37SMO, 37WMO

**AMENDMENT C192 (Implementation of the Commercial Activity Centres Strategy 2016)**  
 Submission closing date: 8 August 2016  
 Trim No: M16/56103

Sub No.	Organisation	Content of Submission	Recommendation
1	DELWP	No comment or objection	
2	EPA	No comment or objection	
3	Centrum Town Planning Pty Ltd	<ul style="list-style-type: none"> <li>* Supports a number of key aspects of the Amendment, such as the creation of a hierarchy of activity centres, primacy of CBD, designation of Shepparton North as sub-regional.</li> <li>* Believes that the 3 sub-regional centres in Shepparton warrant specific objectives in 21.06-5.</li> <li>* As worded, proposed strategy 14 in Clause 21.06-5, would allow for the development of multiple retail nodes in Shepparton North of up to 600-700 metres apart. This would create a disjointed centre, with no focal point and poor pedestrian and vehicular connections.</li> <li>* The identified location for retail expansion in North Shepparton is ambiguous; lacks key roads to identify the exact preferred location.</li> <li>* Additional floor space in North Shepparton should specifically be identified to locate at 177-193 Numurkah Road.</li> <li>* Believe that Structure Plans or an Urban Design Framework should be developed before any additional development occurs.</li> <li>* The Schedule to the C1Z does not acknowledge the capacity of the Fairleys IGA site to accommodate the additional retail floor space in North Shepparton.</li> </ul>	<ul style="list-style-type: none"> <li>*The significance of the activity centres is represented in the Activity Centre Hierarchy to be included in the MSS. As all three sub-regional centres are unique in their location, catchment and built form they are better dealt with through individual objectives and strategies, where relevant.</li> <li>*The proposed amendment provides additional retail and services in a suitable location in relation to the existing and proposed catchment, transport system and CACS.</li> <li>*Any application must submit a detailed masterplan for the site, allowing for integration with existing and proposed uses surrounding the site, particularly proposed new residential growth to the east. It is considered unlikely that further structure planning for this area will lead to significantly different outcome than is proposed.</li> <li>*Shepparton Business Framework Plan - Agreed. Additional work will be undertaken on the plan to clearly reflect Council's vision for commercial development throughout Shepparton.</li> <li>*While Fairley's may accommodate additional growth, CACS identifies that land north of the existing C1Z may be used to provide additional retail services for the Shepparton north area. Accordingly, there is no preferred location.</li> <li>*Without a planning proposal for additional retail space at 177-193 Numurkah Road, it is difficult to ascertain what impact expansion of the centre will have in relation to its role in the activity centre hierarchy.</li> <li>*The provision of additional retail floorspace in Shepparton North will require a second 'full line' supermarket and associated specialty retail to service the growing population. The Schedule to C1Z reflects the current conditions in Shepparton North and can be reviewed in the future should the Fairleys site seek to provide additional retail floorspace.</li> </ul>
4A	Dexus Property Group Pty Ltd	<ul style="list-style-type: none"> <li>* Supports the Shepparton Marketplace to be rezoned to ACZ1.</li> <li>* Believe that the floor space retail cap increase 22,500m<sup>2</sup> is inadequate, because Greater Shepparton can sustain more retail space at the Shepparton Marketplace without impacting the retail hierarchy.</li> <li>* Suggest that the proposed 'soft' cap should follow 'accepted planning convention' by only applying 'shop' uses rather than 'retail premises', because as worded now, it is both confusing and challenges planning convention.</li> <li>* Believe that as a Regional Centre, the Shepparton Marketplace can accommodate a range of retail, office, service and hospitality uses without compromising the retail hierarchy. The wording of Schedule 1 to the ACZ may cause scenarios where the establishment of these uses at the Shepparton Marketplace may be more logical or economically viable than in the CBD. This wording may discourage certain retailers from locating in Shepparton.</li> <li>* Request that any 'discouraging policy' be removed. Instead, the use of an economic impact assessment should be utilised to justify a certain use.</li> <li>* Query why 'cinema' is not discouraged in precinct 2, but is in precinct 9.</li> <li>* Believes that it is inappropriate for the objectives of Precinct 9 to refer to Precinct 1.</li> <li>* Believe that the guidelines should acknowledge the difference between the mall based experience of the Shepparton Marketplace and the street based experience of the CBD.</li> <li>* The discouraging of all anchor tenants at the Shepparton Marketplace is inappropriate, because some anchor tenants may be better suited to a mall format.</li> <li>* Query the purpose of preferred street wall height of 11.5m and a setback of 20m from the front boundary and a setback of 3m from the back boundary.</li> <li>* Believe that the labelling of the Shepparton Marketplace as a 'Regional Retail Centre' is unnecessary, when no other centres are specifically labelled as 'retail' centres.</li> <li>* The Commercial Activity Centres Strategy should be amended to reflect the proposed changes to the Schedule to the ACZ and policy provisions.</li> </ul>	<ul style="list-style-type: none"> <li>* If additional retail floor space is to be made available at the Marketplace beyond the proposed 22,500 square metres, Council will require an economic impact assessment and further strategic justification, as detailed in Appendix A of CACS. Without the additional information, it is considered premature to increase the shop floorspace at the Marketplace further.</li> <li>* In regards to discretionary wording, Council officers agree in part that wording is ambiguous in relation to its intention for cinema and department store and have changed the discouraging policy wording in the proposed Amendment to refer to the "relocation of cinema and department stores". In relation to concerns regarding the wording in the Addendum to the Shepparton CBD Strategy, March 2016 and the ACZ Schedule 1, Council officers have also removed the reference to "large anchor". Council officers have also provided additional wording surrounding new uses of this type in the Marketplace, requiring an economic impact assessment to detail their impact on the role and function of the Marketplace and retail core. It is considered this reflects the intention that cinema and department store remain discretionary uses in ACZ Precinct 9, and in recognition of the unique role and function of the CBD, the initial location for these facilities will be this central area.</li> <li>* See response above. It is difficult to determine the impact of additional retail, office, service and hospitality without a masterplanning exercise and detailed assessment of the impacts of any such proposal.</li> <li>* The physical location and relationship of Precinct 2 to Precinct 1 mean that it may act as an extension of this Precinct in the future, and it is not unreasonable to provide a cinema in this location within close proximity to the CBD core.</li> <li>* The use of an activity centre hierarchy clearly imposes a relationship between the CBD and Shepparton Marketplace, in which the growth of the CBD for certain retail and entertainment purposes is supported over other Activity centres. It is therefore considered appropriate that the two Precincts are linked in the objectives.</li> <li>* Built form requirements - the requirements are only for preferred built form and any proposal will be judged on its merits.</li> <li>* Shepparton Marketplace is designated as a 'regional retail centre' as per CACS, signifying its unique position and influence in the activity centre hierarchy. The terminology best reflects the role and function of the centre, currently and in terms of future objectives.</li> <li>* The current shop floorspace is intended to ensure that retail development is of a scale that does not undermine the primacy of the CBD.</li> <li>* The CACS has been adopted by Council and will not be further amended at this stage.</li> </ul>
4B	Deep End Services on behalf of Dexus	<ul style="list-style-type: none"> <li>* Requests a change in the definition of floorspace cap: from retail to shop.</li> <li>* Increase in the floorspace cap from the proposed 22,500 sqm to 30,000 sqm. This is request is supported by evidence from similar centres in other regional towns and by the employment benefits of the additional floorspace.</li> <li>* The proposed additional floorspace request is supported by the draft Greater Shepparton Economic Development, Tourism and Major Events Strategy 2016-2020 and the proposed residential growth area (Shepparton Southeast Growth Area), which is in close proximity.</li> </ul>	<ul style="list-style-type: none"> <li>* The submission seeks a 'soft cap' in floorspace to relate to 'shop' rather than 'retail' as it is "accepted planning convention". The CACS estimates that 98% of the centre shopfront floorspace is currently occupied by retail categories, including food and beverage. While the CACS uses 'retail' and 'shop' floorspace interchangeably in relation to Shepparton Marketplace, it is considered reasonable to allow for an increase in the provisions as they are currently written, and Council officers have made changes to the provisions to reflect this. Council officers note that the increase in 'shop' floorspace from 15,000 to 22,500 will allow additional floorspace above this cap to be utilised for office and other retail premises, such as food and drink premises.</li> <li>* Council does not support the increase in floorspace above 7,500 sqm, as prescribed by the CACS.</li> </ul>
5	Centre for Independently Owned Retail Research	<ul style="list-style-type: none"> <li>* Submission on behalf of Shepparton resident, Ms Jayne Thomas</li> <li>* Objects to amending 21.06.5, 21.08 and 21.09. And does not support the development of a second full line supermarket in this area.</li> <li>* Believes that there is already a strong retail presence at Hawkins St and Numurkah Rd and any additional retail development should be accommodated on this corner along with traffic and public transit upgrades.</li> <li>* Believes there is no mention of the impact on CBD in relation to Shepparton North - states that customers are loyal to a store, and do not just patron the closest supermarket. Therefore, the logic of locating a second supermarket in North Shepparton is contrary to consumer behaviour.</li> <li>* Believes it is important to protect the primacy of the CBD, and that an over-optimistic increase in retail floor space will be harmful. Believes that the proposed increase in floorspace should first be absorbed at existing vacancies.</li> <li>* Believes a second full line supermarket will not result in a net community benefit and a dual anchor is not considered orderly or proper planning. It will undermine the sustainability of the IGA as well as other retailers in the area.</li> <li>* Believes the walkability of shopping between two nodes of 500 metres does it accord with sustainability/environmental principles.</li> <li>* Believes a closer look at the existing vacancies in the CBD are needed before additional floorspace is added elsewhere.</li> <li>* Seeks a further revision of key elements of the CACS, especially review of the CBD retail floor space vacancies and the future needs based thereon.</li> <li>* Encourages consolidation of an activity centre at Numurkah Road and Hawkins Street in North Shepparton to the exclusion of a dumbbell effect in the activity centre, and the resultant poor planning outcomes for residents which will arise.</li> <li>* Believes that the two node activity centre proposed for Shepparton North is a poor planning outcome.</li> <li>* States that the Ministerial Advisory Committee encourages a wide range of supermarket formats, while the potential to add an additional Woolworths is contrary to this and would represent a poor planning outcome.</li> <li>* Believe that if Woolworths was added, the community would lose their range of stock because Woolworths is reducing their range and could potentially push IGA out of the market, which has a large range of stock.</li> <li>* Believes that Woolworths online sales and home delivery model is increasing and reduces the need for an additional Woolworths in North Shepparton.</li> <li>* Believes that Council should consider the outcome of the Harper Report and the ACCC new powers stemming from that report before adopting Amendment C192.</li> <li>* The CACS relies on the assumption that growth will occur, which will push the need for more retail space. However, the submission believes that a housing industry collapse could be looming and undermine growth and would remove the need for more retail space.</li> <li>* States that Woolworths' submission assumes the creation of a new store will create 120 jobs, but does not consider if this will be at the cost of others.</li> </ul>	<ul style="list-style-type: none"> <li>CACS considers the existing 8,000 square metres available in Shepparton North at the Fairleys IGA site in its recommendation for an additional 6,000 square metres retail floorspace. Additional retail space will enhance the range of local convenience shopping facilities and services, and nominates land of this side as it will facilitate a second full line supermarket and associated specialty retail shops. It is acknowledged that the existing Commercial 1 Zoned land provides opportunities for this development, however it does not preclude the rezoning of additional Commercial 2 Zone land in the north for this purpose, particularly given the location of the area and the expected future residential growth in this area.</li> <li>The amendment includes a number of objectives that relate to the impact of any proposed development on the CBD.</li> <li>*The existing MSS identifies the need for further major freestanding centres in the northern growth corridor and includes a strategy to facilitate the expansion of the neighbourhood centre at Fairley's supermarket. The proposed amendment recognises existing conditions in relation to Shepparton North, and the need for a second full line supermarket to service the residential population.</li> <li>Strategy at Clause 21.06-5 includes reference to the application of the planning and development assessment criteria in relation to any expansion in Shepparton north. An economic impact assessment will be required to support any application for further development in Shepparton North, which will include an assessment of existing retail offerings, catchments and impacts.</li> <li>* The Amendment implements the recommendations of CACS, including providing for additional retail floorspace in Shepparton North to service the local community. Any subsequent proposal to increase floorspace in Shepparton North will be dealt with by a subsequent assessment and there will be opportunity to further consider net community benefits and development plans at this stage.</li> <li>* The amendment introduces objectives and strategies to facilitate the expansion of local convenience retail in Shepparton North. It does not rezone any land. Further detailed planning will be required to ensure any subsequent request for additional retail space in Shepparton North is appropriate, and will be the subject of an individual planning scheme amendment process.</li> </ul>



**AMENDMENT C192 (Implementation of the Commercial Activity Centres Strategy 2016)**  
 Submission closing date: 8 August 2016  
 Trim No: M16/56103

6	Metcash Supermarkets Pty Ltd	<p>* Submission made on behalf of the land owners of 177-193 Nummurkah Road, and suppliers of goods to the IGA business operating from that site.</p> <p>* Believes that it is important to protect the primacy of the CBD, and that an over-optimistic increase in retail floor space at sub-regional centres, such as what is proposed at the North Shepparton Activity Centre, will ultimately hurt the viability of the CBD. Especially, when the CBD exhibits twice the retail vacancy rate in the CBD over other regional cities in Victoria.</p> <p>* Believes that the difference of the upper and lower range estimates for floorspace increase is significant and needs finer precision.</p> <p>* Request that an independent audit of available space and trend analysis be completed; believes that this exercise is lacking from the CACS.</p> <p>* Objects to the Commercial Activity Centres Strategy, November 2015 be included in the MSS as a reference document.</p> <p>* Believes that a Structure Plan should precede the adoption of Amendment C192.</p> <p>* Believes that a multi-node Activity Centre would be a poor planning outcome.</p> <p>* Believes that all 14000sqm of retail space proposed for North Shepparton can be accommodated on their site.</p> <p>* Believe that customers are loyal to a store, and do not just patron the closest supermarket. Therefore, the logic of locating a second supermarket in North Shepparton is contrary to consumer behaviour.</p> <p>* Gives an example of Emerald in outer Melbourne, which demonstrates how a two-node Activity Centre was detrimental to the community; and that Panel has rejected similar approaches in the past.</p>	<p>* Any proposal to develop the land in Shepparton north will require a economic impact assessment as per the requirements of Clause 21.06-5 (amended). In addition, an increase of retail space outside of the existing Commercial 1 Zoned land will be the subject of a separate, detailed planning permit process, as would any future requests to provide 14,000 square metres on the Fairleys IGA site.</p> <p>* The CACS has been adopted by Council and puts in place planning guidelines, which will be incorporated in any assessment of the viability of development proposals throughout Shepparton. There will be further opportunity to discuss these matters in greater detail should an application be made in these areas.</p> <p>* While additional retail can be accommodated at Hawkins Street, there is an opportunity for additional retail space to the north, specifically to provide an additional 'full line' supermarket. The Amendment includes objectives in the MSS to provide this additional retail floorspace in the most appropriate location.</p>
7	Aventus Property Group Pty Ltd	<p>* In relation to Precinct 10, object to the inclusion of Supermarket and Office/Medical Centre as a Section 3 use. Request that these uses are included as Section 2 Uses.</p> <p>* Clarification is sought if the built form controls at Clause 5.10-3 are intended as minimums. If intended as a minimum, it is requested that the preferred 11.5 metre wall height be removed from the guidelines.</p>	<p>* The amendment reflects the historical use and intent of the Benalla Road Enterprise Corridor, to provide 'bulky goods' type retailers and non-retail uses such as car sales, trade supplies, petrol stations, hotels and fast food retailing. Historically, there has been no intent to provide additional supermarket locations throughout this area. Further, it is considered there is sufficient office/ medical space available in locations with better synergies to existing established offices areas, in the CBD and fringe areas.</p> <p>* The built form controls are a preferred 'maximum', and can be varied where relevant justification is provided to allow for this.</p>
8	GBCMA	No Objections	
9	Department of Economic Development, Jobs, Transport and Resources	<p>* Support, subject to the following comments:</p> <p>* In relation to the Maude Street Mall activation, believe that VicRoads should be consulted to the review the impact of re-opening the Mall to traffic on the Midland Hwy/Maude St traffic signals.</p> <p>* Suggest that a Strategy is inserted in 21.06-5 that requires the development of a corridor access strategy to guide decision making along all main roads, and the need to support this strategy should be included in ACZ1 at Clause 4.4 - Design and Development under the movement networks, transport and access section.</p> <p>* Request that the previous vision for Welsford, not Wyndham Street, to be an arterial road be reflected in the objectives of the ACZ1.</p> <p>* The explanatory report needs to include an assessment of the impact of the expansion of the Shepparton Marketplace with regard to the Transport Integration Act 2010. Increase in floor size appears to conflict with current strategy requiring an economic impact assessment when considering the impact of expanding the Shepparton Marketplace.</p> <p>* The objective to improve access by cycle should be listed in the ACZ1 in clause 4.4 under movement networks, transport and access provisions.</p> <p>* The objectives in Section 5.8-2 should identify the need to design development that does not compromise railway precinct upgrades in the future.</p>	<p>* Noted. There are currently no plans to re-open Maude Street Mall to traffic and this is not considered as part of this amendment.</p> <p>* Agreed. Changes made.</p> <p>* Agreed.</p> <p>* Agreed - changes made. CACS includes an assessment of the impact of an initial increase of floor space.</p> <p>* Agreed - changes made.</p> <p>* Agreed.</p>
10	Goulburn Valley Water	* No objections	
11	Debra Butcher Consulting Pty Ltd	<p>* Support for the proposed Amendment.</p> <p>* Minor changes requested to Clauses 21.06-5 and 21.08.</p>	
12	Goulburn-Murray Water	No Objections	
13	Centrum Town Planning Pty Ltd	<p>* Objection</p> <p>* Requests changes to 21.06-5.</p> <p>* Lack of a clear objective that relates to the need to provide shopping facilities to sub regions within the Shepparton urban area. Requests the inclusion of an objective to "support the role of sub-regional centres as important locations for retail and commercial activity that serves an immediate residential catchment in the surrounding urban area, as well as a broader rural and regional hinterland that is highly accessible via regional road networks".</p> <p>* Believes that proposed strategy number 14, which relates to the expansion of retail and commercial facilities in Shepparton North, is vague and uncommitted about where the preferred North Shepparton Sub Regional Centre should be located. And believes that it should specify that expansion be located on the Fairleys' site. And that a structure plan must be prepared prior to the consideration of a PSA to rezone land for commercial purposes in Shepparton North.</p> <p>* Believes that the proposed Shepparton Business Framework Plan needs to more clearly explain the preferred areas for commercial development, expansion and further investigation by updating the plan with road names, greater detail and clearly identify the Fairleys' site as the designated site for the Shepparton North sub-regional centre and any expansion of commercial floorspace.</p> <p>* The schedule to the C1Z does not acknowledge the capacity of the Fairleys site to accommodate all of the 14,000 estimated to be required for the future North Shepparton sub-regional centre. Requests a modification to the maximum leasable floor area for shop (other than restricted retail premises) at the Fairleys' site to 14,000m2.</p>	<p>* The significance of the activity centres is represented in the Activity Centre Hierarchy to be included in the MSS. As all three sub-regional centres are unique in their location, catchment and built form they are better dealt with through individual objectives and strategies, where relevant.</p> <p>* The proposed amendment provides additional retail and services in a suitable location in relation to the existing and proposed catchment, transport system and CACS.</p> <p>* Any application must submit a detailed masterplan for the site, allowing for integration with existing and proposed uses surrounding the site, particularly proposed new residential growth to the east. It is considered unlikely that further structure planning for this area will lead to significantly different outcome than is proposed.</p> <p>* Shepparton Business Framework Plan - Agreed. Additional work will be undertaken on the plan to clearly reflect Council's vision for commercial development throughout Shepparton.</p> <p>* While Fairley's may accommodate additional growth, CACS identifies that land north of the existing C1Z may be used to provide additional retail services for the Shepparton north area. Accordingly, there is no preferred location.</p> <p>* Without a planning proposal for additional retail space at 177-193 Nummurkah Road, it is difficult to ascertain what impact expansion of the centre will have in relation to its role in the activity centre hierarchy.</p> <p>* The provision of additional retail floorspace in Shepparton North will require a second 'full line' supermarket and associated specialty retail to service the growing population. The Schedule to C1Z reflects the current conditions in Shepparton North and can be reviewed in the future should the Fairleys site seek to provide additional retail floorspace.</p>

# Delegate's Report

## Consideration of Submissions:

Responsible Officer:	Elke Cummins
Amendment Number:	C192
Exhibition Period:	7 July 2016 to 8 August 2016
Land/Address:	All land within the commercial and business areas of Greater Shepparton
Proposal:	The proposed Amendment updates the Municipal Strategic Statement and Activity Centre Zone to implement the recommendations of the Commercial Activity Centres Strategy, November 2015.
Number of Submissions:	13
Number of Objections:	6
Exhibited Panel Dates:	Directions hearing: week commencing 10 October 2016 Panel hearing: week commencing 31 October 2016
Requested Panel Dates:	Directions hearing: week commencing 26 June 2017 Panel hearing: week commencing 24 July 2017

### Background

Shepparton is the fourth largest regional city in Victoria and a major area of urban growth and development within the Goulburn Valley region. The city caters for a large regional economic catchment, serving both a local and regional economic role as a business, retail and services hub. Despite its important role servicing the retail needs of the region, it has been over a decade since the retail strategy has been addressed, and as a result much needs updating. Further, in 2014 the State government introduced new commercial zones which changed the way the planning system works in commercial areas.

To address these issues, Council commissioned Essential Economics Pty Ltd and Spiire Australia Pty Ltd to prepare the *Commercial Activity Centres Strategy, November 2015 (CACS)*. The CACS provides a current, comprehensive approach to commercial services throughout the municipality. The CACS seeks to respond to the changes in retail practices, consider the evolving retail and commercial environment, existing studies and Council policies, and seeks to provide the most appropriate guidance (in terms of zones, design guidelines and appropriate uses) in commercial areas.

At the Ordinary Council Meeting held on 16 February 2016, Council resolved to endorse the CACS and to prepare and exhibit a planning scheme amendment to give effect to this strategy.

### Planning Scheme Amendment

Amendment C192 to the Greater Shepparton Planning Scheme (**Planning Scheme**) proposes to implement the recommendations of the CACS.

The proposed Amendment generally affects all land within the commercial and business areas of the municipality.

Specifically, the Amendment proposes to make the following changes to the Planning Scheme:

- Update the activity centre hierarchy in the Municipal Strategic Statement (**MSS**) at Clause 21.06-5 *Commercial/Activity Centres*.
- Amend the MSS at Clause 21.06-5 *Commercial/Activity Centres* to:

- discourage the location of cinema and department stores outside the retail core;
  - reinforce the Shepparton Central Business District (**CBD**) as the principal retail centre;
  - include the *CACS* as a reference document; and
  - encourage expansion of retail and commercial convenience facilities in Shepparton North, subject to detailed planning and development assessment criteria.
- Rezone the Shepparton Marketplace, land along Benalla Road (Enterprise Corridor) and Wyndham Street (Wyndham Street North) from Commercial 1 Zone and Commercial 2 Zone to Activity Centre Zone (**ACZ**);
  - Provide an increase to the retail floorspace cap at Shepparton Marketplace from 15,000sqm to 22,500sqm;
  - Remove Schedule 3 to the Design and Development Overlay relating to the land in the Wyndham Street North Precinct and update the Overlay maps accordingly;
  - Update Clause 21.06-7 *Strategic Work Program* to reflect work undertaken and include the preparation of Structure Plans and Urban Design Frameworks for relevant activity centres;
  - Update Clause 21.08 *General Implementation* to reflect the recommendations of the *CACS*;
  - Update Clause 21.09 *Reference Documents* to include the *CACS*; and
  - Amend the Schedule to Clause 34.01 *Commercial 1 Zone* to remove reference to Shepparton Marketplace.

#### **Strategic Justification**

The proposed Amendment seeks to introduce planning controls and policy into the Planning Scheme to implement key priorities of the *CACS*, particularly, to ensure the primacy of the Central Business District (**CBD**) as a key regional retail and commercial centre, providing a hierarchy of activity centres and defining their role in supporting retail growth in Shepparton.

The proposed Amendment has been prepared to provide Council with a framework to highlight where private sector investment and new business activity is encouraged, to identify priority locations for new public infrastructure, to support the productive and efficient use of land, and to support liveability for the community, while advancing the development and economic viability of all commercial activity centres in the municipality.

The ACZ is the preferred planning tool for activities areas in Metropolitan Melbourne and major regional centres in Victoria which display CBD type functions. The ACZ is able to more easily and effectively implement the strategic objectives for these areas, and to more transparently reflect the outcomes identified in structure plans (in this case, the *CACS*).

The ACZ is a flexible control that allows for a mix of uses and development, and can be tailored by councils to meet the particular needs of a centre through the Schedule to the ACZ. It simplifies the planning process by replacing zones and overlay controls into one single set of use and development provisions.

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

The proposed Amendment meets the objectives of planning in Victoria under section 4(1) of the *Planning and Environment Act 1987* by providing for the fair, orderly, economic and sustainable use and development of land in commercial areas throughout Shepparton, and protecting the primacy of the CBD.

The changes to local policy, particularly Clause 21.06 *Economic Development*, addressing objectives and strategies for the growth and hierarchy of commercial areas, will consolidate



and strengthen the retail and commercial role of the Shepparton CBD, and provide a pleasant, efficient and safe working, living and recreational environment for all residents, business operators, employees and visitors to Shepparton.

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

The proposed Amendment aims to put in place guidance for the future land use and development of Shepparton's activity centres, and it is not envisioned that there will be any significant adverse environmental impacts. The proposed Amendment includes requirements to consider environmentally sustainable design principles in the construction of any new land use or development.

The proposed Amendment is not expected to have any significant adverse social impacts, rather it will strengthen the role of the Shepparton CBD to ensure it continues to serve the community's needs. A proposal to increase retail floorspace or for other use/ development within the ACZ will be subject to planning and development assessment utilising the criteria provided in the CACS, including an assessment of the benefits of any proposals to the community.

The proposed Amendment seeks to provide greater certainty for business and the community regarding what kind of future land use and development can occur and where. The proposed Amendment also limits the amount of retail shop floor space in certain activity centres, based on the existing and anticipated retail catchment and the strategic importance of the activity centres within the hierarchy. The proposed Amendment also discourages the location of uses such as cinema or department store outside of the retail core. There is strong strategic logic for this guideline, however uses and floorspace caps are discretionary and can be changed subject to the appropriate planning and development assessment criteria, which includes the requirement for an economic impact assessment and retail assessment to be prepared.

The proposed Amendment will help to stimulate investment within the additional precincts in the ACZ by reducing application and permit requirements for use and development and providing additional planning certainty about what use is preferred and where.

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

The proposed Amendment supports and implements Clause 11 *Settlement*, Clause 16 *Housing*, Clause 17 *Economic Development* and Clause 18 *Transport* of the State Planning Policy Framework by guiding major retail, commercial, administrative, entertainment, residential and community uses and development into a hierarchy of activity centres.

Changes have been made to the existing Table of Uses in the Schedule to the ACZ, with some uses being extracted to stand alone, while permit requirements for some uses have also been amended. The following table shows the proposed permit requirements within the new schedule.

## Permit requirements in Proposed ACZ

Precinct	Retail Premises (other than Adult sex bookshop, Department store, Hotel and Tavern, Restricted retail premises, Supermarket and Trade supplies)	Supermarket	Office (except Medical Centre)	Cinema	Department Store	Trade Supplies	Medical centre	Industry	Restricted retail premises
1 (ACZ)	As of right	As of right	As of right (frontage must not exceed 2m & other conditions)	As of right (must not front a road at ground level)	As of right	As of right	Permit required	Permit required (conditions)	As of right
2 (ACZ)	As of right	As of right	Permit required	As of right	Permit required	As of right	Permit required	Permit required (conditions)	As of right
3 (C1Z/ ACZ)	As of right in 3B. Permit required in 3A & 3C prohibited 3D	Prohibited	Permit required	Prohibited	Prohibited	Prohibited in 3A, 3C, permit required 3B, 3D	Permit required	Prohibited	Prohibited
4 (ACZ)	Permit required 4C, prohibited 4A, 4B, 4D	Prohibited	Permit required in 4C. Prohibited in 4A, 4B & 4D.	Prohibited	Prohibited	Prohibited	Permit required	Prohibited	Prohibited
5 (ACZ)	Permit required	Permit required	Permit required	Permit required	Permit required	Prohibited	Permit required	Prohibited	Prohibited

6 (ACZ)	Permit required	Permit required	Permit required	Permit required	Permit required	Permit required	Permit required	Prohibited	Prohibited
7 (ACZ)	As of right	As of right	As of right (frontage must not exceed 2m and other conditions)	Prohibited	Prohibited	As of right	Permit required	Permit required (conditions)	As of right
8 (ACZ)	8A as of right Permit required 8B, 8D 8C Prohibited	Permit required	Permit required in 8A, 8B, 8D Prohibited in 8B	Permit required	Permit required	Prohibited 8B, 8C, permit required 8A, 8D	Permit required	Permit required 8A (conditions) Prohibited 8B, 8C, 8D	Permit required
9 (C1Z)	As of right	As of right	Permit required	Permit required	Permit required	Permit required	Permit required	Prohibited	As of right
10 (C2Z)	Permit required	Prohibited	Prohibited	Prohibited	Prohibited	As of right	Prohibited	As of right (conditions)	As of right

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

The proposed Amendment is consistent with the policies and controls of the Planning Scheme, including the MSS outlined within the Local Planning Policy Framework.

The proposed Amendment aims to provide support for policy in Clause 21.06-5 *Commercial/Activity Centres* to recognise Shepparton CBD as the principal retail centre in the region and provide a hierarchy of supporting activity centres throughout Greater Shepparton. Incorporating the objectives of the CACS into Clause 21.06-5 will provide a working hierarchy of activity centres to serve the Shepparton region while protecting the role of the CBD for specialty retailing and entertainment as well as an office and commercial location.

The various objectives and strategies provide direction for the location of appropriate land uses and will allow businesses and developers to make appropriate location decisions for development in accordance with the desired outcomes of the Strategy.

Clause 21.04-4 *Urban Design* is supported by promoting high quality architecture and urban design, sustainable development, and providing that the desired built form of development in the various precincts within the CBD area will be achieved. The amenity and image of the CBD will be improved and the design of buildings and spaces in the retail core will add to the activity and vitality of the streets. The various objectives and strategies of local policy are supported by the ACZ whereby specific land uses are directed to appropriate precincts. This enables businesses to make appropriate location decisions and for development to achieve the desired outcomes of the Design and Development requirements and objectives.

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

The proposed Amendment makes proper use of the VPPs by updating the MSS to implement the appropriate strategic work and enable better administration of the Planning Scheme. The proposed Amendment also applies the ACZ to areas of Shepparton CBD. The ACZ is the preferred VPP tool for managing and promoting land use and development in activities areas and larger regional centres which demonstrate CBD roles. The proposed Amendment has been prepared in accordance with Practice Note 56 – Activity Centre Zone.

**Exhibition**

The proposed Amendment was exhibited from 7 July 2016 to 8 August 2016 in accordance with the *Planning and Environment Act 1987* (the Act). Exhibition included the following notice:

- Direct notice to real estate, planning and engineering professionals;
- Direct notice to prescribed Ministers;
- 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**

Council received 13 submissions. Five submissions were received from referral authorities that did not object to the proposed Amendment. Two submissions were received that support the proposed Amendment subject to conditions. Six submissions were received that objected to the proposed Amendment. The content of these submissions and Council officers' position relating to the concerns raised in them are outlined below.

### Consideration of Submissions

#### Submissions which did not object

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

- Department of Environment, Land, Water and Planning (Submission No. 1);
- Environmental Protection Authority (Submission No. 2);
- Goulburn Broken Catchment Management Authority (Submission No. 8);
- Goulburn Valley Water (Submission No. 10); and
- Goulburn-Murray Water (Submission No. 12).

#### Submissions which supports the proposed Amendment subject to conditions

Two submissions were received that support the proposed Amendment, subject to conditions. These were required from:

- Department of Economic Development, Jobs, Transport and Resources (Submission No. 10); and
- Debra Butcher Consulting Pty Ltd (Submission No. 11).

Submission No. 10 made the following comments:

- That VicRoads should be consulted to review the impact of re-opening the Mall to traffic on the Midland Highway and Maude Street traffic signals.
- A strategy should be inserted in Clause 21.06-5 that requires the development of a corridor access strategy to guide decision making along all main roads, and the need to support this strategy should be included in ACZ1 at Clause 4.4 - Design and Development under the movement networks, transport and access section.
- That the previous vision for Welsford Street, not Wyndham Street, to be an arterial road be reflected in the objectives of the ACZ1.
- The explanatory report needs to include an assessment of the impact of the expansion of the Shepparton Marketplace with regard to the *Transport Integration Act 2010*. Increase in floor size appears to conflict with current strategy requiring an economic impact assessment when considering the impact of expanding the Shepparton Marketplace.
- The objective to improve access by cycle should be listed in the ACZ1 in Clause 4.4 under movement networks, transport and access provisions.
- The objectives in Section 5.8-2 should identify the need to design development that does not compromise railway precinct upgrades in the future.

Council officers agree to the proposed changes and comments.

Submission No. 11 made the following comments:

- Clause 21.06-5, Page 12 of 19, fifth paragraph, amend the first sentence to read 'Further expansion of retail and commercial facilities will be needed to serve the residents in the north to reflect the Shepparton North Activity Centre's designated role as a sub-regional centre'. The proposed replacement of 'may' with 'will', as recommended in the CACS, it is clear that expansion will be required, it is just the precise location that needs further consideration. The inclusion of 'Shepparton North' in the text provides greater clarity around which centre is being referred to.
- Clause 21.06-5, Page 12 of 19, objectives, amend either the first or fifth dot point objective to include reference to the hierarchy specified in the CACS.
- In the new 'Business Framework Plan' included at the end of the Clause 21.06 expand the blue square designating the Shepparton North Sub-Regional Activity Centre so that it is shown as directly abutting Numurkah Road and so that it better

reflects the potential for expanded retail and community facilities to be located somewhere between Hawkins Street and Ford Road.

- Clause 21.08, Page 2 of 2, Applying Zones and Overlays – Economic Development. Include a dot point about applying the Commercial 1 Zone to additional land at the existing Shepparton North activity centre to facilitate expansion of the centre to a sub-regional centre scale.
- In the Commercial Activity Centres Strategy amend Map 2.1 on page 25 to more accurately reflect the sub-regional activity centre being located between Hawkins Street and Ford Road. At the moment the map shows the centre as being located only around the existing Fairleys IGA site.

Council officers agree to the proposed changes and comments.



Submissions which objected to the proposed Amendment

Six submissions were received that objected to the proposed Amendment. These were Submission Nos. 3, 4, 5, 6, 7 and 13. The figure below provides a map of the location that the concerns raised in the submission relate to (see Figure 1 – *Location Objections Relate To*).



Figure 1 – *Location Objections Relate To*

Below is a summary of the key concerns raised in submissions and Council officers' response to the concerns raised.

Concern: Development of a second supermarket

- Submission Nos. 3, 5, 6 and 13 object to the proposed changes to Clause 21.06-5 *Commercial/Activity Centres* of the Planning Scheme that would allow the development of a second supermarket in Shepparton North. The submissions state that this would create a two-node Activity Centre of up to 600-700 metres apart and would result in a poor planning outcome.
- Submitter Nos. 3, 5, 6 and 13 believe that any additional retail floorspace recommended in the CACS for Shepparton North should be located at the Fairleys IGA site at 177-193 Numurkah Road, Shepparton North.
- Submitter Nos. 3, 6 and 13 believe that structure plans and an urban design framework should be prepared before any additional development occurs.
- Submitter No. 5 disagrees with the need for an additional Woolworths Shepparton North and the assumptions within the CACS that housing growth justifies the need for more retail space.

Council officers' position:

At the Ordinary Council Meeting held on 16 August 2016, Council resolved to prepare and exhibit a Planning Scheme Amendment to facilitate a second full-line supermarket in Shepparton North.

The proposed Amendment implements the recommendations of CACS. The CACS proposes an increase in the amount of retail floorspace available to be developed in Shepparton North, to provide a range of retail and non-retail facilities. It identifies that, "this could include a second full line supermarket and enhanced supporting retail", noting that additional retail space will enhance the range of local convenience shopping facilities and services.

The maximum retail floorspace currently available in Shepparton North is 8,000 sqm, all of which is allocated at 177-193 Numurkah Road. The recommendation in CACS is to allow greater flexibility in the location of floorspace, to facilitate the development of a second supermarket and to service the future expansion of Shepparton North.

The CACS is not specific on where the additional growth can be provided, other than identifying land between Hawkins Street and Ford Road as being suitable for this additional retail space. In addition, any future rezoning would need to satisfy Council that adequate integration through urban design and transport took place prior to development occurring.

Any application for development of additional retail floorspace must submit a detailed masterplan for the site, allowing for integration with existing and proposed uses surrounding the site, particularly the proposed new residential growth to the east. In addition, the masterplan must show how the centre can develop in a manner that provides high level amenity to shoppers and is consistent with best-practice activity centre development guidelines. Council is preparing an addendum to the existing *Urban Design Framework Shepparton North and South Business Areas 2006* to provide updated guidance to Council and developers for urban design requirements for development at the Shepparton North gateway. The *Urban Design Framework Shepparton North and South Business Areas (Addendum) 2017* will be considered by Council at the Ordinary Council Meeting to be held on 20 June 2017.

Concern: Protection of the CBD

- Submitter Nos. 5 and 6 believe that it is important to protect the primacy of the CBD and disagree with the retail floorspace assessment contained in the CACS and believe that an independent audit is required.

## Council officers' position:

The CACS was prepared by economic and planning experts, and Council officers are confident in the research and recommendations.

The Panel Hearing process will allow submitters the opportunity to test the retail floorspace assessment contained in the CACS and provide additional evidence if they believe it to be incorrect.

Additionally, any proposal to develop land for additional retail floorspace would require an economic impact assessment to determine its effect on the CBD. The aim of this is to ensure the primacy of the Shepparton CBD and protect it at the top of Council retail hierarchy.

Concern: Planning Controls at the Shepparton Marketplace

- Submitter No. 4 believes that the floor space retail (shop) cap increase from 15,000 sqm to 22,500 sqm at the Shepparton Marketplace is inadequate, because Greater Shepparton can sustain more retail space at the Shepparton Marketplace without impacting the retail hierarchy. As a Regional Centre, the Shepparton Marketplace can accommodate a range of retail, office, service and hospitality uses without compromising the retail hierarchy. The wording of Schedule 1 to the ACZ may cause scenarios where the establishment of these uses at the Shepparton Marketplace may be more logical or economically viable than in the CBD. This wording may discourage certain retailers from locating in Shepparton.
- Submission No. 4 believes that the discouraging of all anchor tenants at the Shepparton Marketplace is inappropriate, because some anchor tenants may be better suited to a mall format. In addition, the submission notes that the CACS refers to 'shop' floorspace in its allowance for an increase of 7,000 sqm and requests this is reflected in amendment documentation.
- Submission No. 4 requests that any 'discouraging policy' be removed; particularly relating to the establishment of a cinema outside of the CBD. Instead, the use of an economic impact assessment should be utilised to justify a certain use.

## Council officers' position:

Council officers believe that planning controls for the Shepparton Marketplace are necessary to protect the CBD as the principal retail centre in the region for specialty retailing and entertainment, office and commercial uses.

Council officers agree in part that wording is ambiguous in relation to its intention for cinema and department store and have made changes to the Amendment documentation (post-exhibition). Council officers have also provided additional wording surrounding new uses of this type in the Marketplace, requiring an economic impact assessment to detail their impact on the role and function of the Marketplace and retail core. It is considered this reflects the intention that cinema and department store remain discretionary uses in ACZ Precinct 9, and, in recognition of the unique role and function of the CBD, the initial location for these facilities will be this central area.



The CACS uses 'retail' and 'shop' floorspace interchangeably in relation to Shepparton Marketplace, it is considered reasonable to allow for an increase in the provisions as they are currently written, and Council officers have made changes to the provisions to reflect this.

Council officers have met with the submitter a number of times to discuss their plans for the Marketplace. These meetings have also included the Victorian Planning Authority, as the land is included in the future Shepparton South East Precinct Structure Plan. The recommendation of CACS is for an initial increase in retail (shop) floorspace of up to 7,000 additional square metres and Council officers have explained that additional retail floorspace on top of that is contrary to the recommendations of CACS.

Concern: Supermarket Choice

- Submission No. 5 believes that the development of a Woolworths in Shepparton North will push the Fairleys IGA out of the market and limit supermarket choice.

Council officers' position:

This matter was addressed prior to the finalisation of CACS, which was adopted at the Ordinary Council Meeting held on 16 February 2016. Council officers believe the development of a second supermarket in Shepparton North will enhance competition and service the future expansion of Shepparton North.

Additionally, Council resolved to prepare and exhibit a planning scheme amendment to facilitate a second 'full line' supermarket at the Ordinary Council Meeting held on 16 August 2016. This was based on the recommendation in CACS that Shepparton North does not offer an adequate range of retail and non-retail facilities to service its population.

Concern: Planning controls in the Benalla Road Enterprise Corridor

- Submission No. 7 objects to the inclusion of Supermarket and Office/Medical Centre as a Section 3 use in the Benalla Road Enterprise Corridor; requests that these uses are included as Section 2 Uses. This would enable planning permit applications for these uses to be made in the Enterprise Corridor.

Council officers' position:

The request for Supermarket and Office/Medical Centre to be included as Section 2 Uses in the Benalla Road Enterprise Corridor is contrary to the recommendations of CACS.

The proposed Amendment reflects the historical use and intent of the Benalla Road Enterprise Corridor, to provide 'bulky goods' type retailers and non-retail uses such as car sales, trade supplies, petrol stations, hotels and fast food retailing. Historically, there has been no intent to provide additional supermarket locations throughout this area. Further, it is considered that there is sufficient office/ medical space available in locations with better synergies to existing established offices areas, in the CBD and fringe areas.

It is also considered that allowing these types of facilities along the Benalla Road Enterprise Corridor will undermine the importance of the CBD which is where these types of facilities should be ideally located.

**Meetings with Submitters**

Below is a record of meetings which took place between Council officers and submitters:

- Meeting with Submitter No. 3 on 1 September 2016;
- Meeting with Submitter No. 4 on 25 August 2016;
- Meeting with Submitter No. 5 on 31 August 2016;
- Meeting with Submitter No. 6 on 1 September 2016;

- A meeting request was offered to Submitter No. 7; however, this request was declined; and
- Meeting with Submitter No. 11 on 20 October 2016.

**Post exhibition changes to Amendment documentation**

Council officers reviewed the submissions and made a number of changes to documents including at Clause 21.06 *Economic Development* and Schedule 1 to the Activity Centre Zone. The post-exhibition changes include a revised Business Framework Plan, minor edits to the wording relating to the Activity Centres and corrections to drafting errors in the provisions.

Specifically, the follow Amendment documentation was amended post-exhibition:

- Clause 21.06 ;
- Schedule 1 to Clause 37.08;
- Explanatory report; and
- *Addendum to Shepparton CBD Strategy 2016*.

Letters were sent to submitters dated between the 3 - 6 October 2016, responding to the contents of submission and showing the post exhibition changes highlighted in yellow.

**Request for an Independent Planning Panel**

The concerns raised in submissions cannot be resolved. As such, Council officers are requesting that an Independent Planning Panel be appointed to consider all submissions received for proposed Amendment C192 to the Planning Scheme.

While Amendment C192 implements the recommendations of the CACS as they relate to Greater Shepparton generally, Council has since received a request from Lascorp Pty Ltd, to prepare and exhibit Amendment C193 to the Greater Shepparton Planning Scheme, to implement the recommendations of the CACS, as they relate to Shepparton North. Specifically, this is to facilitate the development of a Woolworths supermarket, and additional retail and community floorspace between Hawkins Street and Ford Road in Shepparton North.

Given that many submissions to Amendment C192 related to potential development of a supermarket in Shepparton North, it was considered that significant cost savings would be achieved if the Independent Planning Panels for proposed Amendment C192 and proposed Amendment C193 were combined.

A request for an exemption from a requirement (to set dates for Panel Hearings) of Ministerial been made to the Minister for Planning was submitted on 2 September 2016. The request also included the request for these Panel hearings to be combined and delayed until after proposed Amendment C193 has been exhibited. Exhibition for C193 ended 30 May 2017. Council receive approval for this request on 9 September 2016.

**Conclusion**

The Amendment proposes to update the Municipal Strategic Statement and Activity Centre Zone to implement the recommendations of the *Greater Shepparton Commercial Activity Centres Strategy, November 2015*.

The proposed Amendment was exhibited from 7 July 2016 to 8 August 2016 in accordance with the *Planning and Environment Act 1987*.

Council received 13 submissions during exhibition. Five submissions were received from referral authorities that did not object to the proposed Amendment. Two submissions were

received that support the proposed Amendment subject to conditions. Six submissions were received that objected to the proposed Amendment.

The concerns raised in submissions cannot be resolved. As such, Council officers are requesting that an Independent Planning Panel be appointed to consider all submissions received for proposed Amendment C192 to the Planning Scheme.

**Panel hearing dates**

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

- directions hearing: week commencing 26 June 2017; and
- panel hearing: week commencing 24 July 2017.