

ATTACHMENT TO AGENDA ITEM

Ordinary Meeting

21 November 2017

**Agenda Item 10.2 Adoption of Amendment C197 - Anomalies and
Adopted Strategies**

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Planning and Environment Act 1987

**GREATER SHEPPARTON PLANNING SCHEME
AMENDMENT C197
EXPLANATORY REPORT**

Who is the planning authority?

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

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

Land affected by the Amendment

The Amendment applies to all land in the municipality.

Changes apply to various zones and overlays, being:

- Land within Schedule 6 to the Special Use Zone (SUZ6);
- Land within Schedule 9 to the Special Use Zone (SUZ9);
- Land within Schedule 1 to the Activity Centre Zone (ACZ1);
- Land within the Heritage Overlay:
 - HO141 – Shepparton Residential Precinct South, Shepparton, specifically land within the road reserve adjacent to 52 Orr Street, Shepparton; and
 - HO160 – Central Business Area Precinct, Shepparton.
- Land within Schedule 23 to the Development Design Overlay (DDO23);
- Land within Schedule 1 to the Design and Development Overlay (DDO1);
- Land within the Schedule to the Floodway Overlay;
- Land within the Schedule to the Land Subject to Inundation Overlay;
- Land in the road reserve along Kyabram-Rochester Road, Kyabram between the intersections of Lilford Road and Webb Road; and
- Land within the Industrial 3 Zone (IN3Z) at 31-73 Hawdon Street, Shepparton.

What the amendment does

The Amendment proposes to correct spelling, grammar, formatting, zone and overlay errors, and clarify the intent of planning controls in the Greater Shepparton Planning Scheme (Planning Scheme). The Amendment also proposes to update the Municipal Strategic Statement (MSS) to include the following adopted strategies as reference documents and introduce the recommendations into the Planning Scheme:

- *Calder Woodburn Memorial Avenue Conservation Management Plan 2001;*
- *Greater Shepparton Cycling Strategy 2013-2017;*
- *Greater Shepparton Environmental Sustainability Strategy 2014-2030;*
- *Greater Shepparton Freight and Land Use Study 2013;*
- *Greater Shepparton Resource Recovery Precinct Feasibility and Site Selection Study 2016;*
- *Greater Shepparton Universal Access and Inclusion Plan 2013-2017; and*

- Rezone a portion of land in the road and road reserve along Kyabram-Rochester Road, Kyabram between the intersections of Lilford Road and Webb Road from the Farming Zone – Schedule 1 (FZ1) to the Road Zone – Category 1 (RDZ1); and
- Amend Planning Scheme Map Nos 4, 18, 18HO.

Strategic assessment of the Amendment

Why is the Amendment required?

Council has reviewed errors and anomalies in the Planning Scheme. The Amendment proposes to correct spelling, grammar and formatting errors, clarify the intent of planning controls, and correct mapping anomalies.

Several mapping errors have been identified which will be corrected through the proposed Amendment. A portion of 31-73 Hawdon Street, Shepparton (Shepparton High School) is zoned Industrial 3 Zone (IN3Z), while the remainder of this property is in the Public Use Zone (PUZ2). The entire property is in public ownership and should be zoned PUZ2.

A portion of land in the road and road reserve along Kyabram-Rochester Road, Kyabram between the intersections of Lilford Road and Webb Road is zoned FZ1. The road is managed by VicRoads; therefore, the Amendment proposes to rezone this land to RDZ1.

The Amendment proposes to include permit exemptions in the Schedule to Clause 44.03 (Floodway Overlay) and in the Schedule to Clause 44.04 (Schedule to the Land Subject to Inundation Overlay) of the Planning Scheme. These schedules refer to the business zone, which has been replaced by the commercial zone(s). The Amendment proposes to extend the permit exemption for the construction of a fence to include the Activity Centre Zone (ACZ). The Amendment does not propose to introduce any new controls within this Schedule.

The Heritage Overlay (HO141) incorrectly applies to land in the road reserve adjacent to 52 Orr Street, Shepparton. The proposed Amendment corrects this error.

The *Greater Shepparton Heritage Incorporated Plan 2013* (GSHIP) seeks to apply external paint controls to a limited number of places within the Central Business Area Precinct (HO160). The application of the GSHIP to the Precinct was excluded in error from the approved Schedule causing external paint controls to apply to all properties within the Precinct. The proposed Amendment is required to remove the external paint controls applying to places within the Central Business Area Precinct through the application of the GSHIP and limiting the number of places that these controls apply to.

The proposed Amendment is required to correct spelling, grammar and formatting errors in the Planning Scheme.

The proposed Amendment is required to insert the recommendations of a number of adopted strategies into the Planning Scheme. These strategies are the:

Calder Woodburn Memorial Avenue Conservation Management Plan 2001

The Calder Woodburn Memorial Avenue is of historic, aesthetic and social significance to the State of Victoria for its commemorative association with servicemen who died during the Second World War and is included in the Victorian Heritage Register. The *Calder Woodburn Memorial Avenue Conservation Management Plan 2001* identifies conservation policies, management objectives and strategies for the Memorial Avenue.

Greater Shepparton Cycling Strategy 2013-2017

The *Greater Shepparton Cycling Strategy 2013-2017* provides a review of the cycling facilities that were implemented since the adoption of the *Greater Shepparton Bicycle Strategy Review 2006* and sets the direction for cycling in Greater Shepparton from 2013 to 2017 and incorporates the vision until 2023.

The *Greater Shepparton Cycling Strategy 2013-2017* provides a cycling network framework that illustrates the existing facilities and future needs for cyclists in Greater Shepparton. This document includes a detailed action and implementation plan, including a capital works and funding strategy to deliver this cycling network.

overlay controls that presently apply to the land. This document was prepared in the 2011 and required review.

The *Strategic Review of Tatura Industrial Land Addendum Report (Interim) – Tatura Abattoirs Site, June 2016* recommends the future application of the Special Use Zone to ensure that Council is able to respond to the future growth and development needs of the Tatura Abattoirs site.

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

The proposed Amendment seeks to implement the objectives of planning in Victoria and at Section 4(1) of the *Planning and Environment Act 1987* (the Act) by ensuring the most up to date and correct information is available for the administration of the Planning Scheme. This will assist in providing for the fair, orderly, economic and sustainable use and development of land in the municipality and balance the present and future interests of all Victorians.

The amendment is consistent with the following objectives of planning in Victoria 4(1)(a), (b), (c), (d), (e), (f), and (g):

- to provide for the fair, orderly, economic and sustainable use, and development of land;
- to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value;
- to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;
- to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e); and
- to balance the present and future interests of all Victorians.

The correction of errors and anomalies and the implementation of adopted strategies within the Planning Scheme are actions which will assist in implementing the objectives of the Act.

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

Environmental Effects

The proposed Amendment seeks to implement the recommendations of the *Greater Shepparton Environmental Sustainability Strategy 2014-2030*, strengthening Council's ability to provide positive environmental sustainability outcomes and to undertake future strategic work.

The proposed Amendment seeks to implement the recommendations of the *Greater Shepparton Resource Recovery Precinct Feasibility and Site Selection Study 2016*, providing guidance relating to the establishment resource recovery operations in both the short and long term horizon.

The proposed Amendment will ensure a net community benefit by strengthening the ability for the Planning Authority to protect significant native vegetation, landscapes and waterways. Additionally, the proposed Amendment offers a net community benefit by providing clarity in relation to resource recovery operations, which will assist in the establishment of these operations within the municipality and assist in the reduction of waste.

Social effects

The proposed Amendment has positive social effects as it removes the need for landowners to apply for planning permits for land that is incorrectly included in an overlay or zone. The

The Amendment proposes to introduce a number of adopted strategies into the Planning Scheme relating to the objectives of this clause, which will provide clarity to the Planning Authority in deciding planning applications.

- The objective of Clause 15.03-1 – *Heritage Conservation* is:

To ensure the conservation of places of heritage significance.

A strategy of this clause is to:

Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.

The Amendment proposes to correct errors and anomalies in the Planning Scheme to better meet the objectives of planning in Victoria. In particular, this Amendment will ensure that the correct planning controls apply to places of cultural heritage significance.

- The objective of Clause 17.02-2 – *Design of industrial development* is:

To facilitate the sustainable development and operation of industry and research and development activity.

The proposed Amendment seeks to implement the recommendations of the *Greater Shepparton Resource Recovery Precinct Feasibility and Site Selection Study 2016*, which provides guidance for establishment of resource recovery operations within the municipality.

- The objective of Clause 19.03-5 – *Waste and resource recovery* is:

To avoid, minimise and generate less waste to reduce damage to the environment caused by waste, pollution, land degradation and unsustainable waste practices.

The proposed Amendment seeks to implement the recommendations of the *Greater Shepparton Resource Recovery Precinct Feasibility and Site Selection Study*, which will assist in the establishment of resource recovery operations within the municipality.

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

A requirement of the *Local Government Act 1989* is for Council to prepare a Council Plan. The *Greater Shepparton Council Plan 2013-2017* is the key document that drives the strategic direction of Council. The Council Plan was informed by and prompted the preparation of a number of adopted strategies. The Amendment proposes to update specific clauses of the MSS, to ensure these adopted strategies, and thus the strategic direction of the Council Plan, are reflected in the Planning Scheme.

The proposed Amendment is consistent with the LPPF and better implements the objectives of the MSS by providing objectives and requirements for land use and development throughout the municipality.

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

The Amendment makes proper use of the Victoria Planning Provisions (VPP).

The Amendment proposes to correct spelling, grammar and formatting errors, clarify the intent of planning controls, and correct mapping anomalies within the zone and overlay mapping in the Planning Scheme.

The proposed Amendment applies the appropriate planning provisions to land throughout the municipality allowing the planning controls contained within the VPPs to be correctly applied.

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 **29 May 2017**.

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: The week of 3 July 2017.
- panel hearing: The week of 24 July 2017.

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GREATER SHEPPARTON PLANNING SCHEME

AMENDMENT C197

INSTRUCTION SHEET

The planning authority for this amendment is 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. 4 and 18 in the manner shown on the 2 attached maps marked "Greater Shepparton Planning Scheme, Amendment C197".

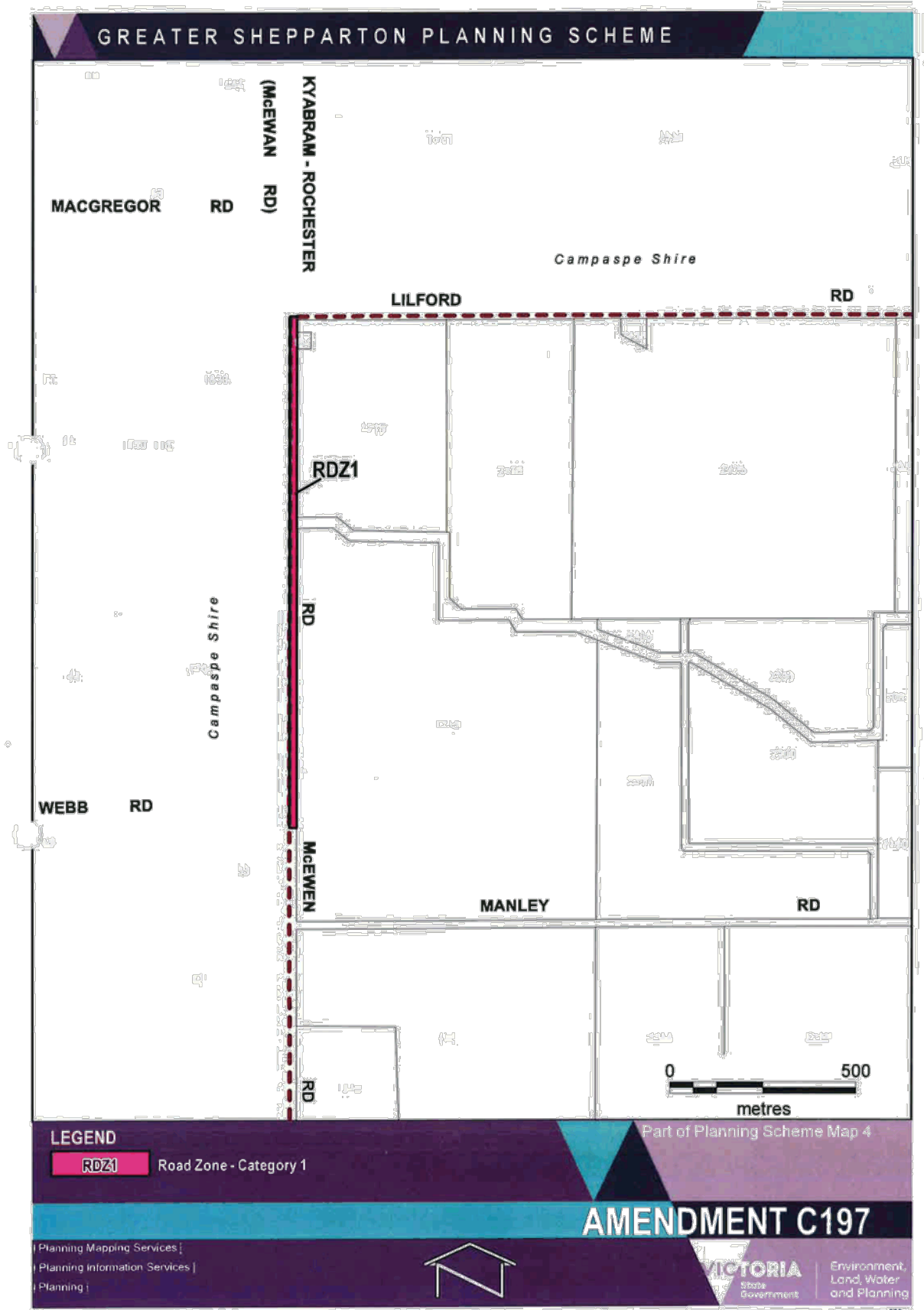
Overlay

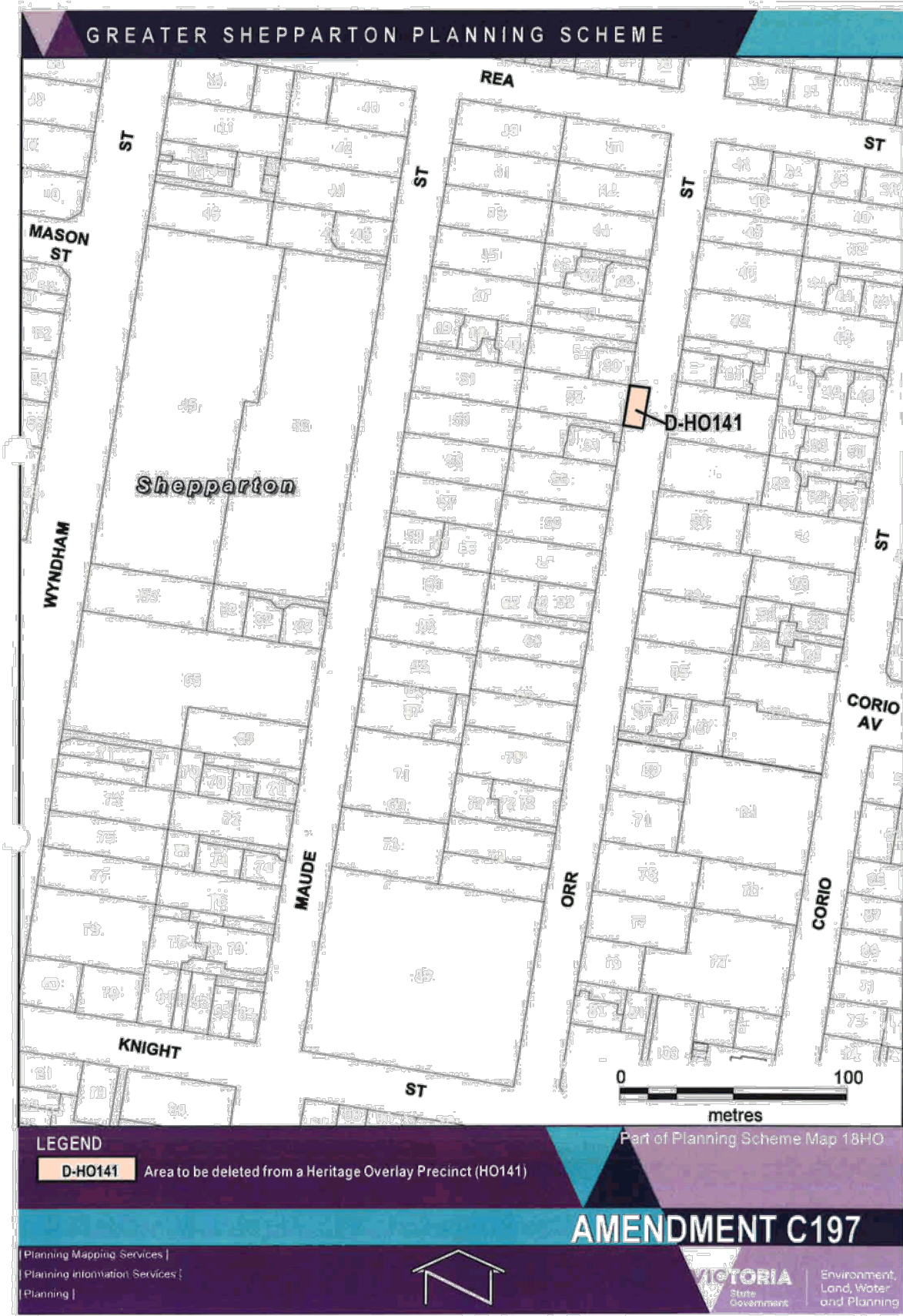
2. Amend Planning Scheme Map No.18HO in the manner shown on the 1 attached maps marked "Greater Shepparton Planning Scheme, Amendment C197".

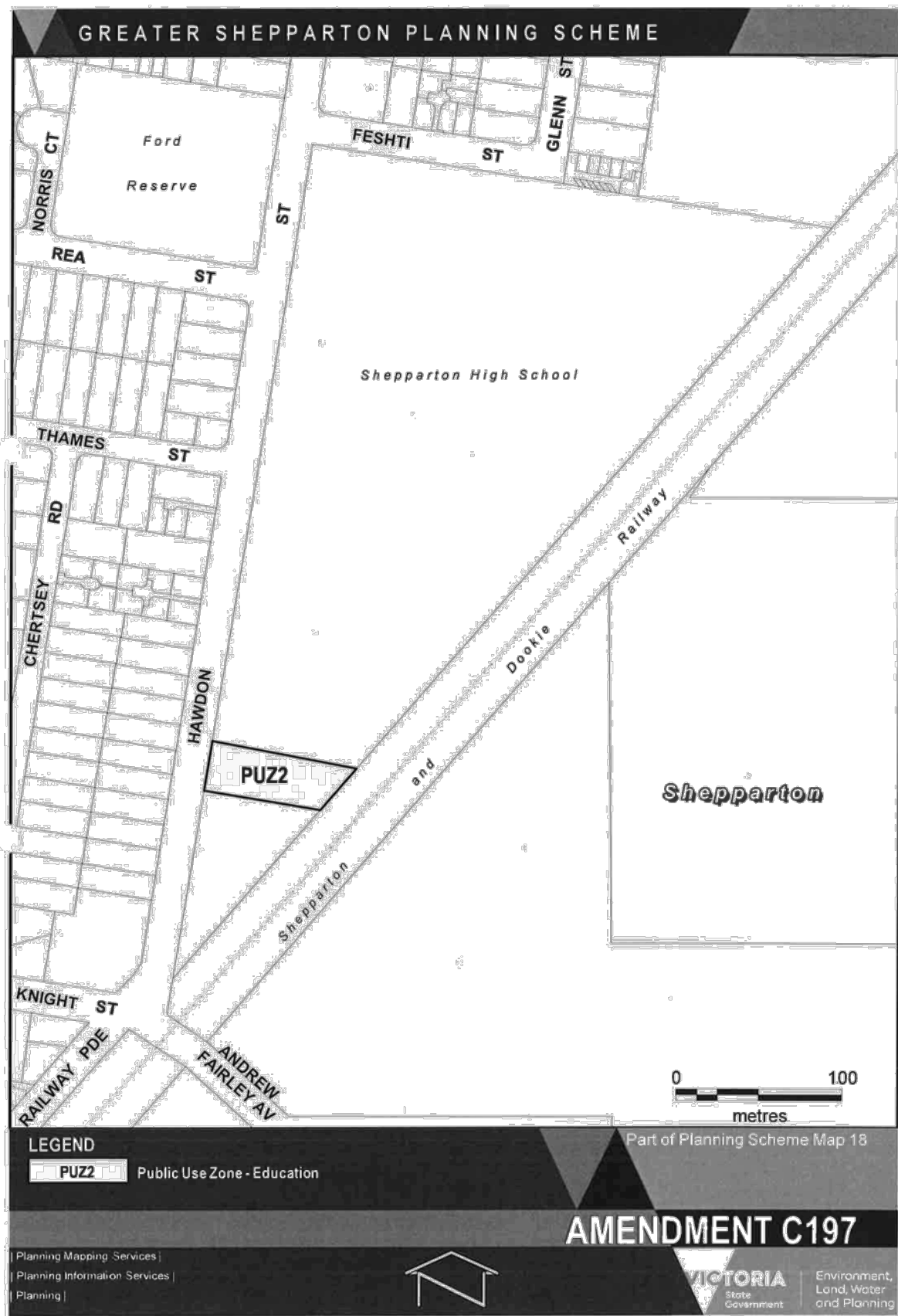
Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In Local Planning Policy Framework – replace Clause 21.04 with a new Clause 21.04 in the form of the attached document.
4. In Local Planning Policy Framework – replace Clause 21.05 with a new Clause 21.05 in the form of the attached document.
5. In Local Planning Policy Framework – replace Clause 21.06 with a new Clause 21.06 in the form of the attached document.
6. In Local Planning Policy Framework – replace Clause 21.07 with a new Clause 21.07 in the form of the attached document.
7. In Local Planning Policy Framework – replace Clause 21.09 with a new Clause 21.09 in the form of the attached document.
8. In Zones – Clause 37.01, replace Schedule 6 with a new Schedule 6 in the form of the attached document.
9. In Zones – Clause 37.01, replace Schedule 9 with a new Schedule 9 in the form of the attached document.
10. In Zones – Clause 37.08, replace Schedule 1 with a new Schedule 1 in the form of the attached document.







GREATER SHEPPARTON PLANNING SCHEME

21.04

03/03/2016

C162

Proposed C197

21.04-1

03/03/2016

C162

SETTLEMENT**Urban Consolidation and Growth**

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

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

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

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

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

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

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

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

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- Investigation Area 3 – Adams Road area, Kialla. This area is directly adjacent to the Kialla Lakes Estate though is significantly impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.
- Investigation Area 4 – (Investigation Area 10 in Clause 21.06-4 Industry) east of Doyles Road, Grahamvale. There are a number of land use interface issues to be addressed in this area. There is a mix of agriculture, residential estates such as Dobsons Estate and the Shepparton East and Lemnos industrial areas. Further investigation is required in this area following finalisation of the Industrial Strategy. Investigations will include issues associated with present industry, potential for expansion of industrial and / or residential uses and developments, future servicing requirements and agricultural impacts.
- Investigation Area 5 – Dhurringile Road, Tatura. The land is opposite the Tatura Milk Industries. The future role of this land is dependent on the identification of measures to ensure possible conflicts between the potential residential uses on this land and industry in the immediate area are effectively managed.
- Investigation Area 6 – Toolamba. The area is located to the south west of the existing township. The density of residential development will be dependent on the outcome of current investigations into the provision of sewerage to the land. In the absence of sewerage, the density of future residential development will be dependent on Land Capability Assessment.

Objectives - Urban Consolidation and Growth

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

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

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

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

To minimise the impacts of housing on the natural environment.

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

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

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

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

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

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

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

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

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

To ensure protection of ground water and natural systems.

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

Policy Guidelines - Urban Growth and Consolidation

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

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

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

Incremental Change Areas:

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

Incremental Change Areas are generally in locations that:

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

Strategies - Incremental Change Areas

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

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

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

Policy Guidelines - Substantial Change Areas

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

- New development that contributes to a diversity of housing types, sizes, styles and designs shall be supported.
- New development that contributes to higher residential densities shall be encouraged.
- The consolidation of available lots shall be encouraged to allow for larger scale development.
- Mixed-use developments which incorporate residential uses above commercial or retail uses shall be encouraged.
- Higher density residential development within or immediately adjacent to significant commercial areas shall be supported.
- Appropriate, well designed housing for people with special needs shall be encouraged.
- Increased residential densities in areas where there is a significant environmental risk such as flooding and wildfire shall be discouraged unless an appropriate design response can be provided to the satisfaction of Council.
- Development at the edges of substantial change areas shall be sensitively designed to respond to any adjoining minimal change areas or incremental change areas.

21.04-3
19/09/2013
C121

Rural Residential

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

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

Locations for potential low density and rural living in the *Framework Plans* include areas outside of the main residential growth corridors of Shepparton and Kialla such as Kialla Central as well as land around other urban areas and townships. On the other hand, areas of

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Policy guidelines - Rural Residential

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

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

21.04-410/12/2015
C92**Urban Design**

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

The *Shepparton CBD Strategy October 2008* aims to promote Shepparton's image and identity as a regional centre by improving architectural and urban design quality in its built environment. Streetscape definition and a sense of activity and vitality will be achieved by more consistency in building form, with multi-storey buildings having ground floor facades with active frontages.

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

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

- Energy efficient building designs.
- Use of energy efficient appliances.
- Rainwater harvesting.
- Water wise landscaping.

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- Ensure that buildings in the vicinity of the river are oriented towards the riverside environment.
- Design building frontages in the core retail areas and along main pedestrian streets to have 75 per cent 'active' frontages to add to the activity and vitality of the streets. This can be achieved through clear glazing, locating entrances off principal street spaces and providing balconies or terraces at the upper levels.
- On larger sites, avoid expanses of blank walls. Provide visual interest through a range of colours or textures, installing displays or through variations in the form of the building.
- Ensure the scale, mass and height of new commercial developments respects the prevailing neighbourhood character.
- Ensure building frontages avoid long expanses of solid walls and incorporate design elements and a variety of materials that create articulation and visual interest.
- Protect vistas to historic or significant buildings forming part of the streetscape.
- Ensure the creation of 'walkable neighbourhoods' that afford priority to pedestrians and provide safe and sheltered pedestrian routes within and through residential neighbourhoods and commercial centres.
- Ensure a high degree of connectivity and access within and between neighbourhoods for all modes of transport.
- Ensure subdivision design incorporates a variety of high-quality and useable open spaces that are well integrated with surrounding development.
- Ensure the design of new development contributes to the safety of its surroundings.
- Ensure new subdivisions respect and respond to valued local ecological qualities.
- Encourage landscaping of sites to retain existing vegetation where practical.
- Encourage the use of indigenous and low maintenance plant species.
- Ensure that the location, form and size of signs complement the dominant character of any urban or rural landscape, building, site or area on which they are erected.
- Control the location, size and scale of advertising signage, especially in key precincts of the Shepparton CBD and town centres.

Policy Guidelines - Advertising Signs

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

- Fewer signs displaying a simple clear message are encouraged.
- Advertising signage is encouraged to be primarily for business identification providing basic identification information of the business.
- Suspended under-verandah signs should be limited to one per shopfront, except on large premises where the limit should be one per ten metres of shop front.
- Above-verandah signs should be attached to the upper facade or parapet, parallel/horizontal to the road with minimal projection.
- Sky signs, high wall signs, projecting off-wall signs on upper facades and signs that project above parapets, wall, verandahs, roof lines or building fascias are discouraged in all areas.
- Freestanding signs should be limited to one sign per premises with multiple occupancies encouraged to share sign space.
- 'V' board signs are discouraged in all areas.

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To ensure the costs of development are equitably distributed.

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

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

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

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

To provide dignified and equitable accessibility in to and within public spaces and new developments.

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

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

To encourage the innovative use of land for community use.

Strategies - Community Life

- Encourage “supported living” (nursing homes, hostels) in proximity to community and commercial services and activities.
- Locate facilities and service centres where they can be accessed by public transport and/or walking/cycle paths.
- Encourage flexible design to meet all user groups’ needs over the lifecycle and changing demographic structures.
- Identify a medical service precinct around the existing Goulburn Valley Base Hospital.
- Promote clustering of facilities to enable multi use and sharing of community facilities.
- Link the provision of facilities with the release of new subdivisions, through the approval of Structure Plans and a Development Contributions Plan.
- Provide for student accommodation in the redevelopment areas within the Shepparton CBD, including shop top housing.
- Encourage plans for new university and educational campuses to display contemporary and innovative architectural styles.
- Establish a preferred precinct for the development of post-secondary and tertiary educational facilities to the north east of the Shepparton CBD (the “Shepparton Tertiary Education Precinct”).
- Encourage development on only one side of the road where land is adjacent to public open space.
- Provide for passive surveillance of open space and limit the ‘privatisation’ of public open space.
- Ensure that subdivisions include flood free areas of public open space where possible.
- Encourage the provision of linear links between existing and proposed open space areas and between urban areas.
- Encourage links to the Goulburn and Broken Rivers shared path network to promote environmental assets.
- Integrate the Shepparton CBD and river spaces with adjacent areas through improved visual connections and linkages to attract pedestrians, cyclists and tourists to the riverine areas.

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Policy Guidelines – Non-Residential Uses

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

Child Care Centres

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

Medical Centres/Veterinary Clinics

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

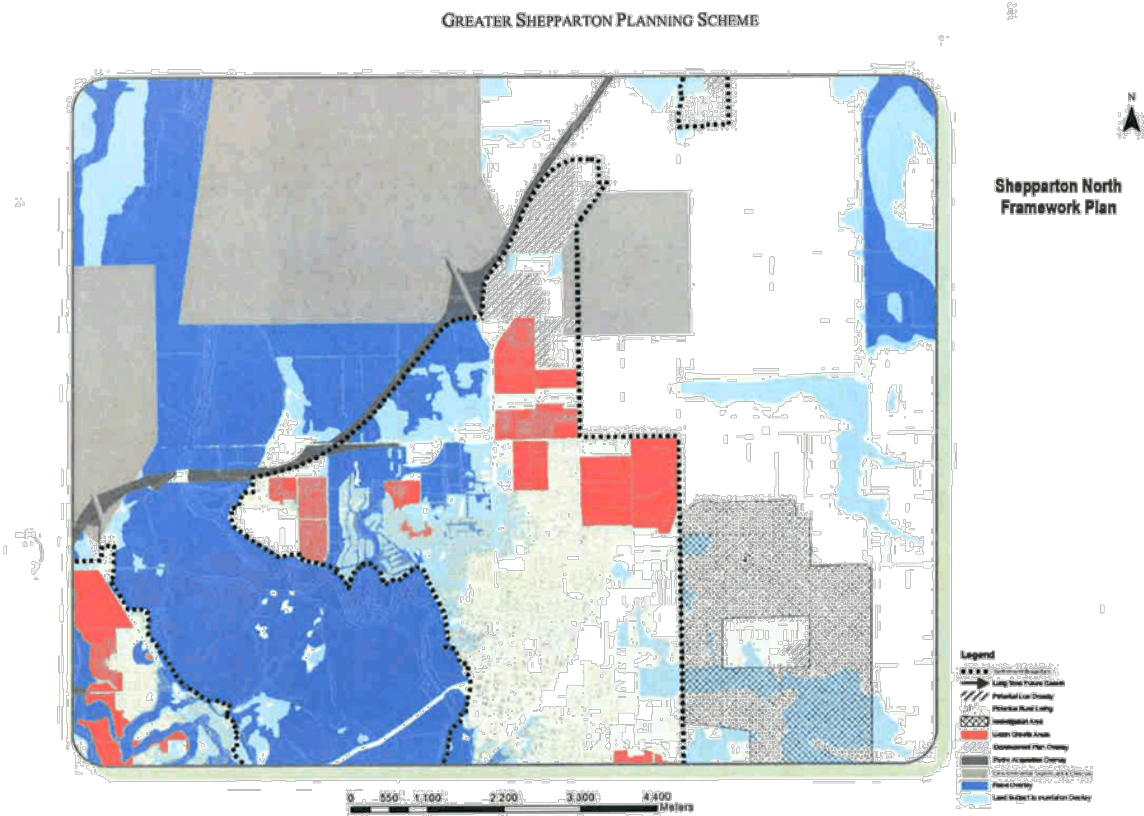
Display Homes

- Display homes should primarily be located in areas experiencing new residential and building activity.
- Display homes in established residential areas are discouraged.
- Display homes are encouraged to locate together in residential estates forming a display home centre.
- Display homes should be located on main or collector roads with corner locations preferred.
- The establishment of individual display homes should not isolate private residential dwellings.
 - The site on which a display home is located should be of sufficient size to provide adequate car parking, pedestrian access, and landscaping.
- Display homes should be adequately landscaped so that they do not detract from the surrounding residential environment and streetscape.
- Traffic generated by display homes should not be detrimental to the existing or proposed road network and traffic movements in the area.
- A variety in housing type and style, including dual occupancy and multi unit developments, is encouraged.
- Display homes that adopt energy efficiency principles are encouraged.
- Consistency of signage is encouraged within display home centres.
- Signage is encouraged to be sympathetic to the surrounding area.

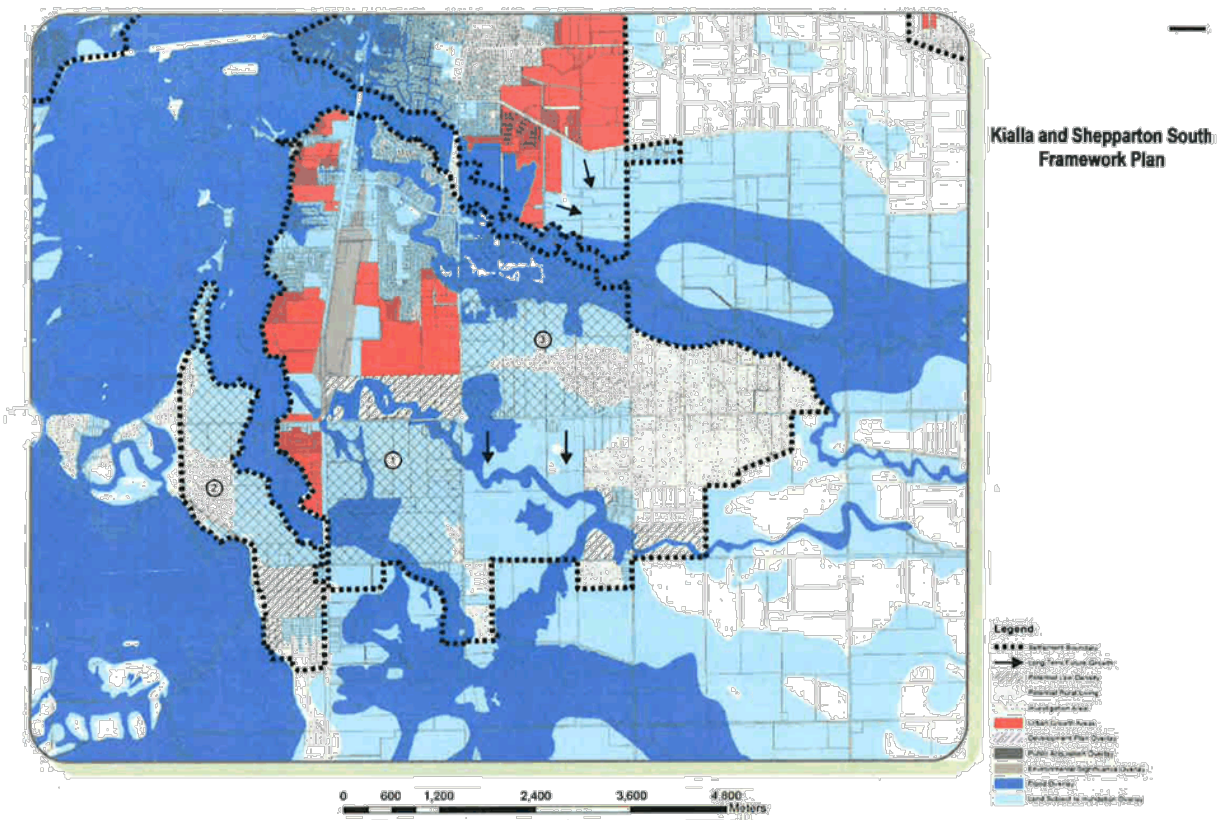
21.04-7
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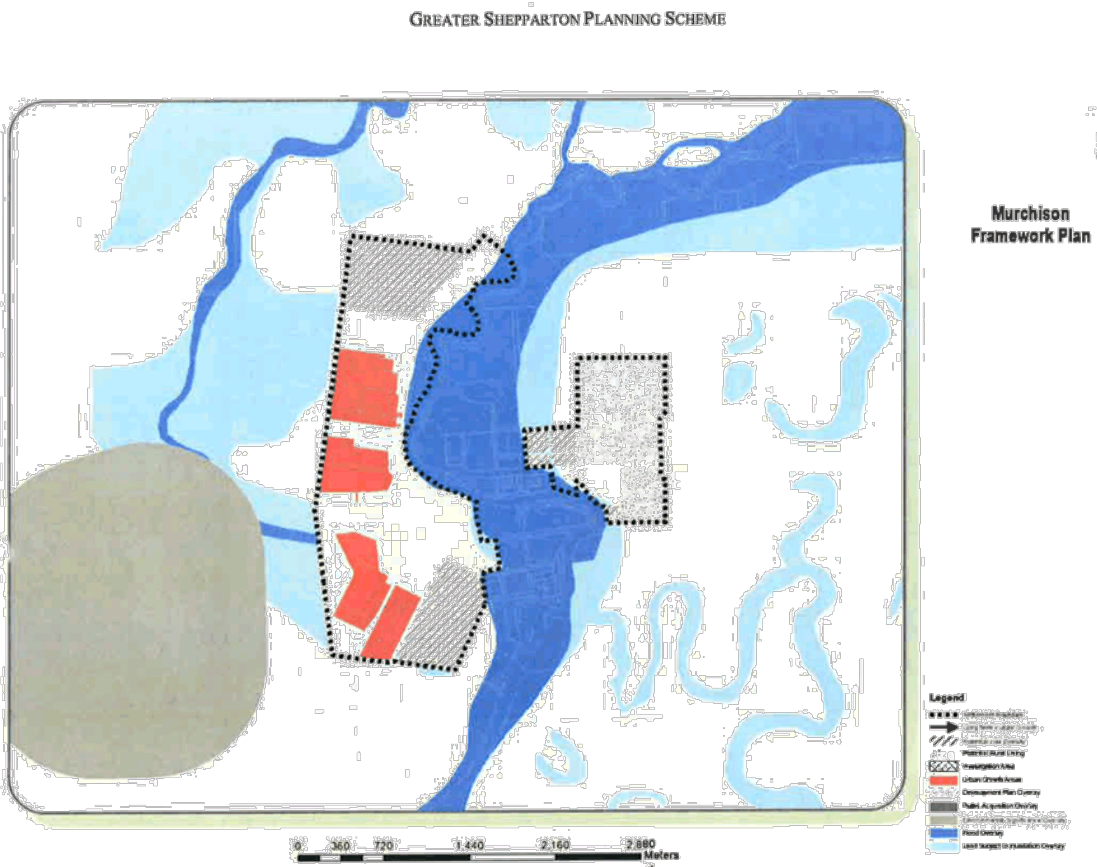
Strategic Work Program***Undertaking further strategic work – Settlement***

- Monitor housing trends.

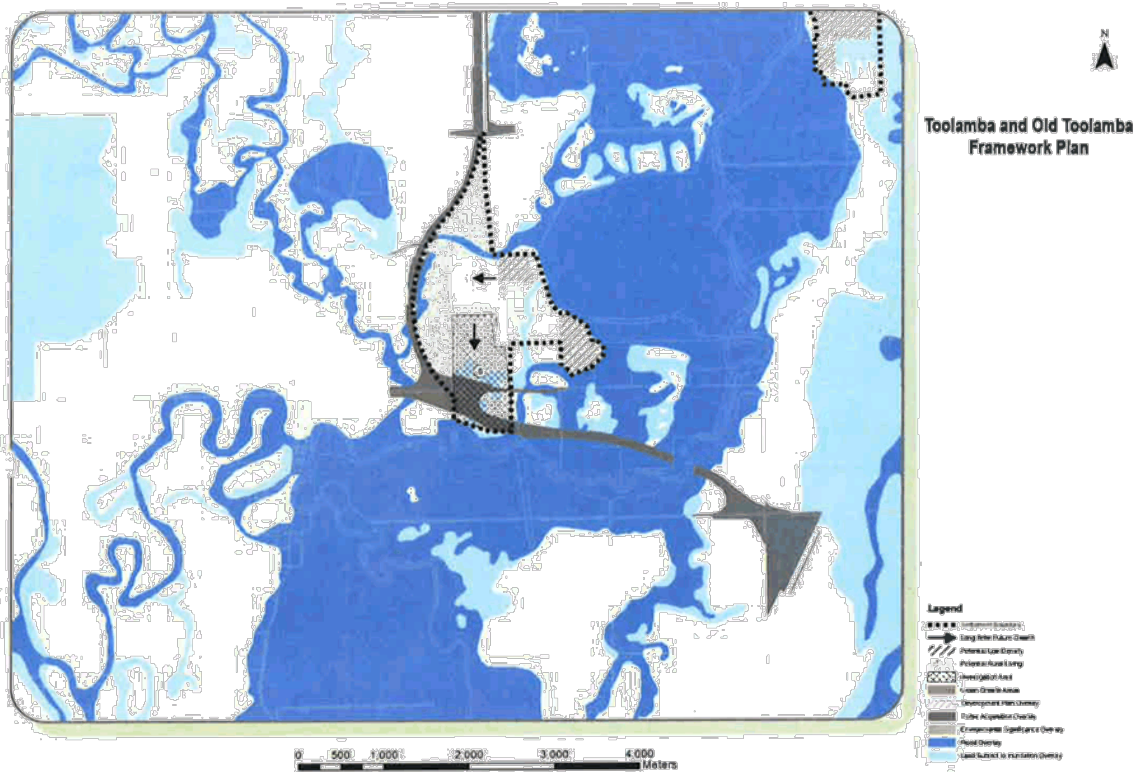


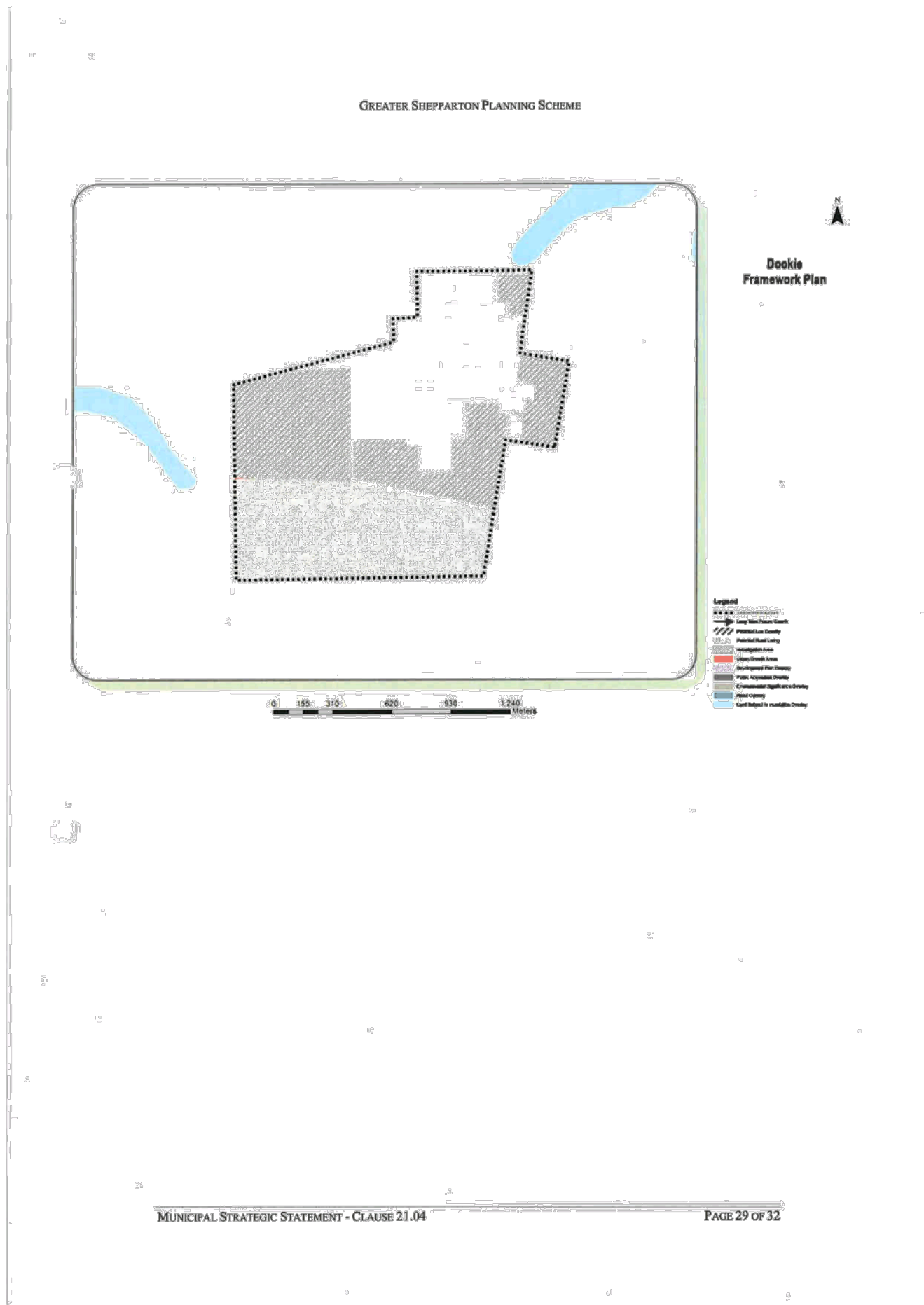
GREATER SHEPPARTON PLANNING SCHEME

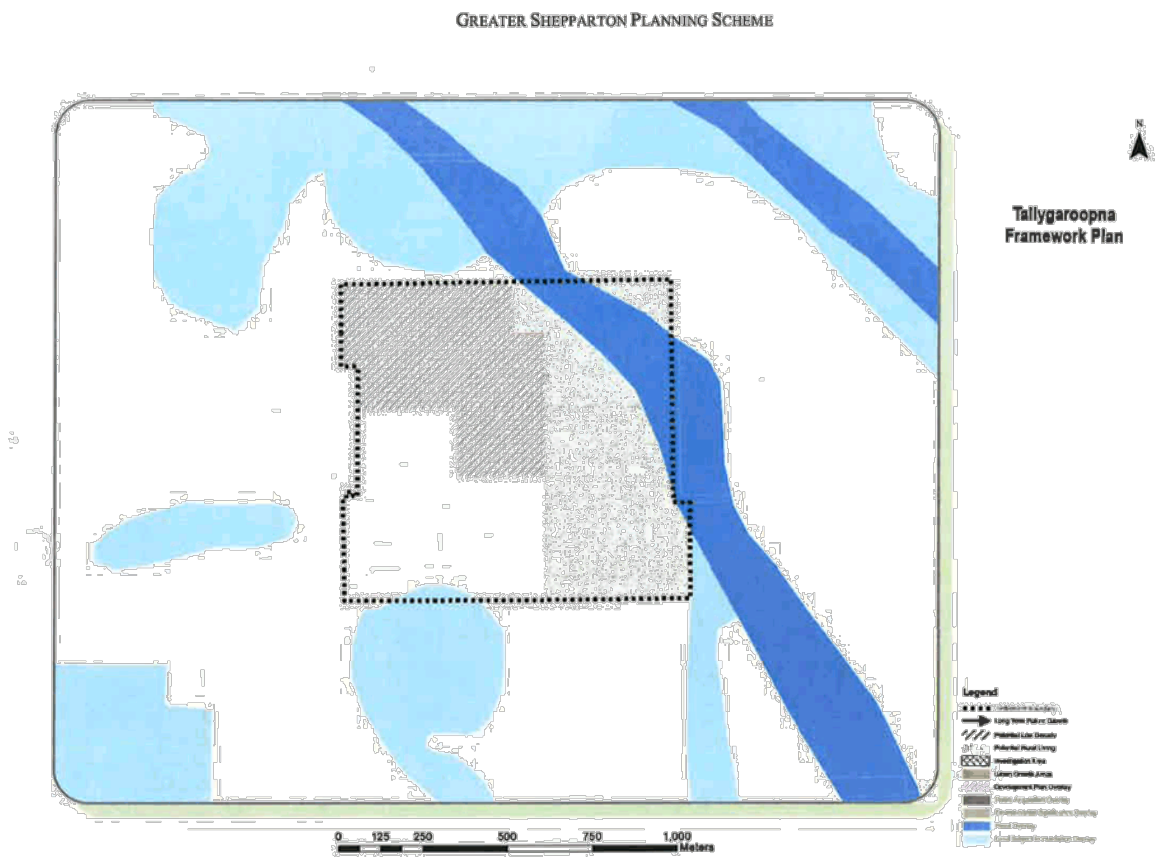




GREATER SHEPPARTON PLANNING SCHEME







GREATER SHEPPARTON PLANNING SCHEME

21.05

03/10/2013

C110 Proposed C197

21.05-1

ENVIRONMENT**Natural Environment and Biodiversity**19/09/2013
C121

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

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

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

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

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

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

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

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

Objectives - Natural Environment & Biodiversity

- To maintain and enhance biodiversity of native flora and fauna communities
- To protect and manage the natural resources of water, air and land.
- To identify natural landscape features which are to be protected and managed.

Strategies - Natural Environment & Biodiversity

- Protect remnant areas of native vegetation, streamlines, wetlands and other environmentally sensitive features.
- Ensure appropriate identification of native vegetation on land to be developed or subdivided.

21.05-2

19/09/2013

C121

Floodplain and Drainage Management

The catchments of the various rivers and streams within the municipality include areas of flood prone land, where flooding has historically caused substantial damage to the natural and built environment. Floods are naturally occurring events and the inherent functions of the floodplains to convey and store floodwater should be recognised and preserved to

GREATER SHEPPARTON PLANNING SCHEME

Strategies - Best Practice Land Management

- Promote energy efficient and sustainable built form and development.
- Ensure all new developments have adequate reticulated services or effluent disposal systems to protect watercourses and water quality.
- Support innovative methods of effluent disposal such as composting.
- Encourage the development of surface water management systems with run-off into natural systems or into reuse storage for irrigation
- Encourage ecologically sustainable development principles and technologies.
- Assist carbon emission reduction.
- Promote the use of appropriate water saving measures.

21.05-4 Cultural Heritage03/10/2013
C110

Clause 15.03 of the State Planning Policy Framework (SPPF) identifies the need for cultural heritage policy to guide decisions on development and demolition of all places affected by heritage controls.

The Council aims to ensure that places of pre settlement and post settlement cultural heritage significance within the municipality are preserved for future generations. These places of natural and cultural heritage significance include buildings, collections, streetscapes, remnants of settlements, places of Aboriginal cultural heritage significance, significant landscapes and natural features.

Places of cultural heritage significance are highly valued by the community. The continued conservation, protection and maintenance of these places of cultural heritage significance are important to the Council.

The Council acknowledges the traditional custodians of the land which now comprises Greater Shepparton, whose descendants have a long ancestral history in the area. A number of places of cultural heritage significance have been recognised. However more detailed investigation is needed to ascertain the importance of these places.

Greater Shepparton has a rich and varied built cultural heritage reflecting its origins as a pastoral area during the mid-19th century. The Goulburn Valley is one of the more successful settlement areas following the Land Selection Acts. This is reflected in the development of Shepparton, Tatura and Mooroopna during the late 19th century and into the 20th century. This growth was consolidated by Closer Settlement policies, linked with the establishment of irrigation in the region. There is a strong 20th century inheritance of built cultural heritage fabric, a consequence of the success of horticultural enterprises and post war migration, as well as the development of Shepparton as an important regional centre.

An extensive range of places of state and local cultural heritage significance remain to tell the story of Greater Shepparton, its people and their aspirations. These places are intrinsically valuable and make an important contribution to the social, cultural, environmental and economic quality of life in Greater Shepparton.

The Greater Shepparton City Council recognises that places of cultural heritage significance exist in a dynamic context. In particular, there is substantial interest to adapt and develop places of cultural heritage significance to suit contemporary uses and lifestyles. This policy therefore seeks to maintain the integrity of places of cultural heritage significance whilst accommodating the needs of current and future inhabitants.

■ Conservation Policy**■ Policy Basis**

The policy implements the findings of the *Greater Shepparton City Council Heritage Study Stage I*, the *City of Greater Shepparton Heritage Study Stage II* and the *Greater Shepparton Heritage Study Stage IIB*, by providing guidelines that support the continued conservation of places of cultural heritage significance whilst allowing opportunities for new development in appropriate circumstances. The policy also supports the objectives found in the SPPF.

The Policy:

GREATER SHEPPARTON PLANNING SCHEME

- Corio Street - 37, 38, 39, 40, 42, 43 and 46.
- Corio Street - London Plane Trees [HO128].
- Orr Street - 29, 30, 31, 32, 35, 36, 37, 40, 42, 44, 45 and 47.
- Rea Street - 33, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50-52, 51, 53, 54, 55, 57, 59, 61, 64, 66, 68, 70 and 72.

How is it significant?

It is of local historic, social and aesthetic cultural heritage significance to the Greater Shepparton City

Why is it significant?

It is of historic and social cultural heritage significance as it provides tangible physical evidence of the residential development from the 19th century through to the 1940s.

The north precinct demonstrates the later subdivisions that occurred from the turn of the 20th century. This is reflected in the smaller allotments and the predominance of the late Edwardian and Inter-War residences.

It is of historic significance for its association with the surveyor and prominent landowner Alfred Leahy. Leahy completed the township survey of Shepparton in 1874 and also surveyed many other towns in the district including Nurmurkah Nathalia and parts of Mooropna. Street names in the precinct, many of which were chosen by Leahy reflect significant figures in the early development of Shepparton: Corio Street was named after Corio Bay by Alfred Leahy, whose wife originated from Geelong; Knight Street was named after the early resident and landowner, Frederick P Knight; and; Orr Street refers to John Orr, who was the MLA for the Murray districts between 1862 and 1880. A large area of the precinct originally formed part of Leahy's Shepparton Park estate and was subdivided after his death.

HERCON Criteria A & G

It is of aesthetic significance for its consistency of, Edwardian, Federation and Inter-War domestic buildings. In particular Rea Street has a fine grouping of timber Inter-War cottages. The precinct's aesthetic qualities are further enhanced by mature plantings of street trees.

HERCON Criteria D & E**SHEPPARTON RESIDENTIAL PRECINCT SOUTH (HO141)**

The history and description for this precinct are the source of evidence for the following Statement of Significance.

Statement of Significance**What is significant?**

The Shepparton Residential Precinct South. It demonstrates the ongoing residential development which has occurred in Shepparton from the late nineteenth century, through the Edwardian and Inter-war years, to the 1940s showing the close pattern of development which evolved as the town expanded.

Places that contribute to the significance of the precinct include:

- Corio Street - 54, 56, 60-62, 63, 64-68, 65, 67, 69, 70, 71, 72-74, 76, 80-82, 81, 83, 84, 85-87, 89, 90, 92, 93-95, 94, 96, 97 and 99.
- Corio Street - London Plane Trees [HO 128].
- Knight Street - 101 and 103.
- Orr Street 54, 56, 58, 60, 66-68, 70, 72, 74-76, 75, 77, 78-84, 79 and 86.

How is it significant?

It is of local historic, social and aesthetic cultural heritage significance to the Greater Shepparton City

Why is it significant?

GREATER SHEPPARTON PLANNING SCHEME

What is significant?

The Tatura Township Precinct is significant as it assists in demonstrating the development of Tatura from the 1860s and through to the post World War Two period. The Tatura Precinct is associated with the Land Selection Acts, Closer Settlement, the development of irrigation, the increasing intensification of agriculture in the region and post war migration.

Physical evidence of the changes associated with the continued settlement of Tatura from its beginning as the Whim to the post war development of the township is significant.

The evolution of the settlement pattern of Tatura is of note. Casey Street was originally designated as the main commercial street but Hogan Street (as a thoroughfare) evolved into the commercial centre of Tatura.

Hogan Street is distinctive for its eclectic mix of residential, ecclesiastic, public buildings and commercial architecture. This eclectic mix is in part a result of the change from a residential street in the 19th century to the main commercial street in the 20th century. This has created a distinctive character that exists for most of the length of Hogan Street.

Of note within the precinct are:

- the shops with attached residences at the west end of Hogan Street;
- the presence of the Catholic Church, and this includes the schools and former convent are defining architectural and historic elements within the township;
- the two houses [123 & 125] located within the commercial centre demonstrate the early residential character of Hogan Street;
- the Interwar shopfronts including the shop fronts that have retained a high degree of integrity;
- the former Rodney Shire Offices;
- the Commercial Hotel with its distinctive Interwar architecture; and
- the typical regional architectural expressions that are associated with the commercial development of Hogan Street.

The commercial centre is unified by the extent of modest and architecturally restrained 19th and 20th century shop fronts. The post-World War II infill places contribute to the scale of commercial development that was established during the turn of the 20th century and the Interwar period. The Interwar period shop fronts while modest in scale provide a strong architectural character within the township. The architecture associated with post war development has a spare and utilitarian character that is inspired by the stripped aesthetics that are associated with modernist ethics.

Places that contribute to the cultural heritage significance of the precinct include:

Hogan Street; 42 - 50 [Commercial Hotel on the Tatura-Rushworth Road], 49 [Irrigation & POW Museum], 54 - 56, 58, 60, 61, 62 - 64, 65 - 75 [including the Sacred Heart Roman Catholic Church & Sacred Heart School, and those lots addressing Hunter Street], 70 - 82 [Convent of Mercy & St Mary's School], 77 - 79 [Mechanics' Institute], 81 - 83 [Victory Hall], 84 - 86, 85, 95 - 101 [73 - 77 Park Street], 1/106, 107, 108-110, 109,111&113, 115, 117, 123, 124, 125, 126 - 128, 130, 132 - 134, 133, 137, 139, 141, 143, 145 - 147, 148, 152 and 158 - 162 [Criterion Hotel].

Hunter Street; [Sacred Heart Church & School 65 - 75 Hogan Street].

Park Street; 73 - 77 [95 - 101 Hogan Street].

Walshe Street; 2 - 10.

How is it significant?

The Tatura Precinct is of local historic, aesthetic and social significance to the Greater Shepparton City.

Why is it significant?

The Tatura Township Precinct is of historic and social significance as it provides tangible physical evidence of the character and type of settlement from the late 1860s and through to the Post World War II period.

GREATER SHEPPARTON PLANNING SCHEME

- 97 Fryers Street; 99 Fryers Street; 219-225 Wyndham Street; 296 Wyndham Street; 310-312 Wyndham Street & 261-267 Wyndham Street.
- ▣ Places that contribute to the cultural heritage significance of the precinct include:
 - ▣ Fraser Street; 13-23 [Fairley's Building - cnr of Fraser and Maude Streets].
 - ▣ Fryers Street; 44, 46-48, 50, 52, 54-56, 58-62 [Fairley's Building], 61-65, 67, 69-71 [172 Maude Street], 73-83 [Hotel Australia], 86-88, 92, 94, 96-98, 97-101, 100, 113-115 & 125-127 [Former Baptist Church - Friar's Cafe].
 - ▣ Maude Street; 136-140, 142-156, 158-162, 172 [69 - 71 Fryers Street], 174-198 [Fairley's Building - cnr Maude and Fryers Streets], 179-193 [Camera House - south-east cnr Fryers & Maude Streets] & 200-210 [Fairley's Building - cnr of Fraser and Maude Streets].
 - ▣ Wyndham Street; 219-225, 227-241 [Mechanics' Institute], 238-240, 243-245, 261-267, 269-275, 279-283 [Kilpatrick's Building], 285-289 [Fairley's Building], 288, 290-292, 296, 310-312, 314-316.

How is it significant?

The Shepparton Central Business Area Precinct is of historic, social and aesthetic significance to the Greater Shepparton City.

Why is it significant?

The precinct is of historic and social significance as it provides tangible physical evidence of the settlement pattern of the commercial area of Shepparton. The built fabric demonstrates the historic and aesthetic character associated with each major phase of development.

HERCON Criteria A & G

It is of aesthetic and architectural significance for the representative examples of architecture from each period. These examples provide physical evidence of the variety of architectural styles, scale of development and the types of building materials and finishes that were used in their construction.

HERCON Criteria D & E**MACINTOSH STREET PRECINCT (HO199)**

The history and description for the precinct are the sources of evidence for the following Statement of Significance.

Statement of Significance**What is Significant?**

The Macintosh Street Precinct which includes: 3, 7, 9, 11, 13, 15 Macintosh Street and 537 Wyndham Street, Shepparton.

How is it Significant?

The Macintosh Precinct is of local historic, social and aesthetic significance to the Greater Shepparton City.

Why is it Significant?

It is of historic and social significance as it demonstrates the character of residential expansion to the south of the CBD.

It demonstrates the changing character of housing developments during the pre and immediate post World War II eras.

The precinct is representative of the limited extent of the southward residential expansion of the city during the 1900s - 1940s. Expansion to the south during the late 19th and early 20th century was less extensive when compared to the more rapid and expansive housing developments that were occurring to the north of the central business area.

Macintosh and Wyndham Streets were developed in response to a demand for residential land that was driven by an economic prosperity which was linked to the increasing success

-GREATER SHEPPARTON PLANNING SCHEME

The Tatura Residential Precinct West is of historic significance as it provides tangible physical evidence of the character and type of residential development during the late 19th and early 20th century.

The precinct is of historic significance as it assists in demonstrating the impact of the *Land Selection Acts* and the *Closer Settlement Acts* - as Tatura was settled in response to these Land Acts.

It provides physical evidence of the impact of the development of irrigation technologies as the early 20th century prosperity and growth of the town is linked to these developments.

It contributes to an understanding of the settlement pattern of the whole township during the 19th and early 20th century.

HERCON Criteria A

The Tatura Residential Precinct West is of aesthetic significance for its representative late 19th and early 20th century residential architecture.

It is of aesthetic significance for the diversity of regional vernacular architecture from the late 19th and early 20th century.

HERCON Criteria D

2, 4, 6, 8 & 10 Casey Street is a row of early 20th century terraces and is a distinctive and a rare building type for the municipality.

HERCON criteria B & E

Its architectural detailing and styling demonstrates typical characteristics associated with the period and its early 20th century architecture.

HERCON Criteria D

Definitions

Adaptation	<i>Adaptation</i> means modifying a place to suit the existing use or a proposed use.
Associations	Associations mean the special connections that exist between people and a place.
Compatible Use	<i>Compatible Use</i> means a use which respects the cultural heritage significance of a place. Such a use involves no, or minimal, impact on cultural heritage significance.
Conservation	<i>Conservation</i> means all the processes of looking after a place so as to retain its cultural heritage significance.
Contributory	A <i>Contributory</i> place contributes to the cultural heritage significance of a precinct.
Cultural Heritage Significance	<i>Cultural Heritage Significance</i> means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural heritage significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.
Fabric	<i>Fabric</i> means all the physical material of the place including components, fixtures, contents and objects.
Facade	<i>Facade</i> refers to the principal elevation of a building. It generally refers to one exterior elevation of a building, usually, but not always, the front elevation.
Heritage Place	A <i>Heritage Place</i> , in the context of this plan, may consist of a site, area, land, landscape, building, group of buildings or other works and may include components, contents, spaces and views. Heritage places have cultural heritage significance. If located within a precinct, these places are identified as being either 'Individually Significant', 'Contributory' or 'Non-Contributory' within the Greater Shepparton Planning Scheme.
Heritage Precinct	A <i>Heritage Precinct</i> , in the context of this plan, is a precinct of cultural heritage significance and consists of 'Contributory'

GREATER SHEPPARTON PLANNING SCHEME

In considering an application for a Planning Permit under the Heritage Overlay, it is policy to:

- Conserve and maintain significant places in accordance with the accepted conservation standards of the ICOMOS Burra Charter.
- Conserve the fabric of the place, such as a building(s), structure(s), tree(s), fence(s), settlement pattern(s) etc. where these have been identified as contributing to a significant place or contributory item within any precinct.

In particular:

Restoration

- Encourage the accurate restoration or reconstruction of missing or modified elements using available historical or physical evidence as the basis for decision-making.
- Encourage the removal of non-significant or intrusive elements, particularly where this assists with an appropriate interpretation of the cultural heritage significance of the precinct.
- Encourage any restoration scheme to retain unpainted surfaces and to encourage the use of paint colours appropriate to the period of the building
- Encourage the repair, retention and uncovering of original or significant building fabric and other significant elements of places of cultural heritage significance using non-abrasive methods of removing paint from brick or masonry surfaces.

Additions, Alterations and Infill

- To promote design excellence which clearly supports places of cultural heritage significance identified as Individually Significant or Contributory.
- Encourage contemporary design and avoid development that distorts the historic evidence by simply copying or reproducing historic styles or detailing.
- Alterations and additions should be distinguishable from the original fabric of an Individually Significant or Contributory cultural heritage place.
- Ground floor alterations and additions to Individually Significant and Contributory cultural heritage places should be set back from the front wall in order to allow the façade to retain its primacy and integrity, particularly when viewed from the street. Ensure that, where possible, alterations and additions to Individually Significant and Contributory cultural heritage places are concealed from adjoining streets and public open space (refer to the *Greater Shepparton Heritage Incorporated Plan*).
- Alterations and additions to Individually Significant and Contributory cultural heritage places should retain as much of the original fabric and layout as possible. 'Facadism' is strongly discouraged.
- Alterations and additions to Individually Significant and Contributory cultural heritage places should be compatible in terms of materials, size, proportions, mass, height, setback, texture, colour, plan configuration, solid-to-void ratio and other features of the building and, where relevant, the precinct.
- Encourage the use of paint colours appropriate to the period of the place. Any existing unpainted surfaces should not be painted.
- Re-roofing or a roof extension should respect the original roofing material. Where it is appropriate, a galvanised corrugated metal roofing material should be used. If an alternative roofing material is proposed it must be sympathetic to the historic character of the place.
- The profile of visible sections of the roofline of Individually Significant and Contributory cultural heritage places should not be altered.
- In precincts, buildings should be no higher than adjacent Contributory buildings.
- Maintain the predominantly single-storey character of residential precincts.
- Maintain the mix of two-storey and single-storey character of the commercial precinct areas.

Fences

GREATER SHEPPARTON PLANNING SCHEME

- Any signage within a precinct should complement the character of the precinct and should not dominate the place.
- Any external paint scheme which constitutes signage or corporate branding, and deemed to be inappropriate, should be avoided.
- Pre-manufactured signage will not be encouraged.

Garages/Carports/Sheds

- The location of a proposed garage, carport or shed must be offset from the building line to ensure that these structures do not dominate the street frontage.

Adaptive re-use of buildings

- A prohibited use may be considered for a place of cultural heritage significance identified in the Schedule to the Heritage Overlay, provided that it enables the place to continue to be used and maintained, furthers the cultural heritage and zone objectives, and has regard to the surrounding land use. The Council reserves the right to enter into Section 173 Agreements to guide such redevelopment proposals.

Trees

- Require the retention of those plantings which contribute to the cultural heritage significance of a place.
- Encourage replanting of a similar species of tree, in accordance with a Council street tree policy, where the removal of a significant street tree in a place of cultural heritage significance is unavoidable.

Decision Guidelines

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

- The *Greater Shepparton Heritage Incorporated Plan, May 2013*.
- The citation/s in the *Greater Shepparton City Council Heritage Study Stage I*, the *City of Greater Shepparton Heritage Study Stage II* and the *Greater Shepparton Heritage Study Stage IIB* for the place.
- Whether the restoration or the reconstruction of missing fabric or the removal of non-significant alterations and/or additions will assist in the maintenance of the cultural heritage significance of the place.
- Whether the proposal will assist in the conservation of the place.
- Whether the proposal will assist adaptive re-use that is compatible with the on-going conservation of the place.

In addition, when considering an application to use land for a use which would not normally be permitted (as provided for in the Schedule to Clause 43.01), the responsible authority will also consider the following, as appropriate:

- Whether the proposed use and any associated buildings and works will be compatible with the characteristics and settings of the place where:
 - Use means the functions of a place, as well as the activities and practices that may occur at the place.
 - Compatible use means a use which respects the cultural heritage significance of a place. Such a use involves no, or minimal, impact on cultural heritage significance.
 - Setting means the area around a place, which may include the visual space.
- Whether the proposed use will retain the cultural heritage significance of the place – the new use of a place should involve minimal change to significant fabric and use, should respect associations and meanings, and where appropriate should provide for continuation of practices which contribute to the cultural heritage significance of the place.
- Whether new construction, demolition, intrusions or other changes to the place adversely affect the setting or relationships.
- The need for alteration or demolition of original building fabric.
- The reversibility of any alterations.

GREATER SHEPPARTON PLANNING SCHEME

21.06 ECONOMIC DEVELOPMENT

03/03/2016
C162
Proposed C197

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

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- 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.

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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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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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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.

The ILR determined that there are significant challenges in accommodating material recycling facilities, eco industries and other such land uses that require extensive storage areas or buffer requirements from adjacent sensitive land uses in Greater Shepparton. Resource recovery operations include waste processing and material recycling, such as composting, biogas cogeneration, and metal, glass and paper recycling. In this sense, resource recovery is primarily related to recycling, reprocessing and re-use of materials that would otherwise go to landfill, creating significant positive environmental outcomes.

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- 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.

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.

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- 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.
- Direct materials recycling/resource recovery 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 4,000m² 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.

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Objectives - Commercial/Activity Centres

To 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*.

To strengthen the Shepparton CBD's role as an office and commercial location.

To consolidate the traditional retail core including a continued focus of providing specialty retailing and entertainment.

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 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.
- 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*.
- Encourage national brand retailers and specialty retail to locate in the CBD core area.
- 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.
- Encourage the redevelopment of peripheral areas of the Shepparton CBD including expansion to Sobraon Street.
- Encourage cafes, restaurants and alfresco dining in a dining and entertainment precinct in Fryers St.
- 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.
- Consider the expansion of the Shepparton Marketplace subject to an Economic Impact Assessment but only if such expansion would not adversely 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.

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

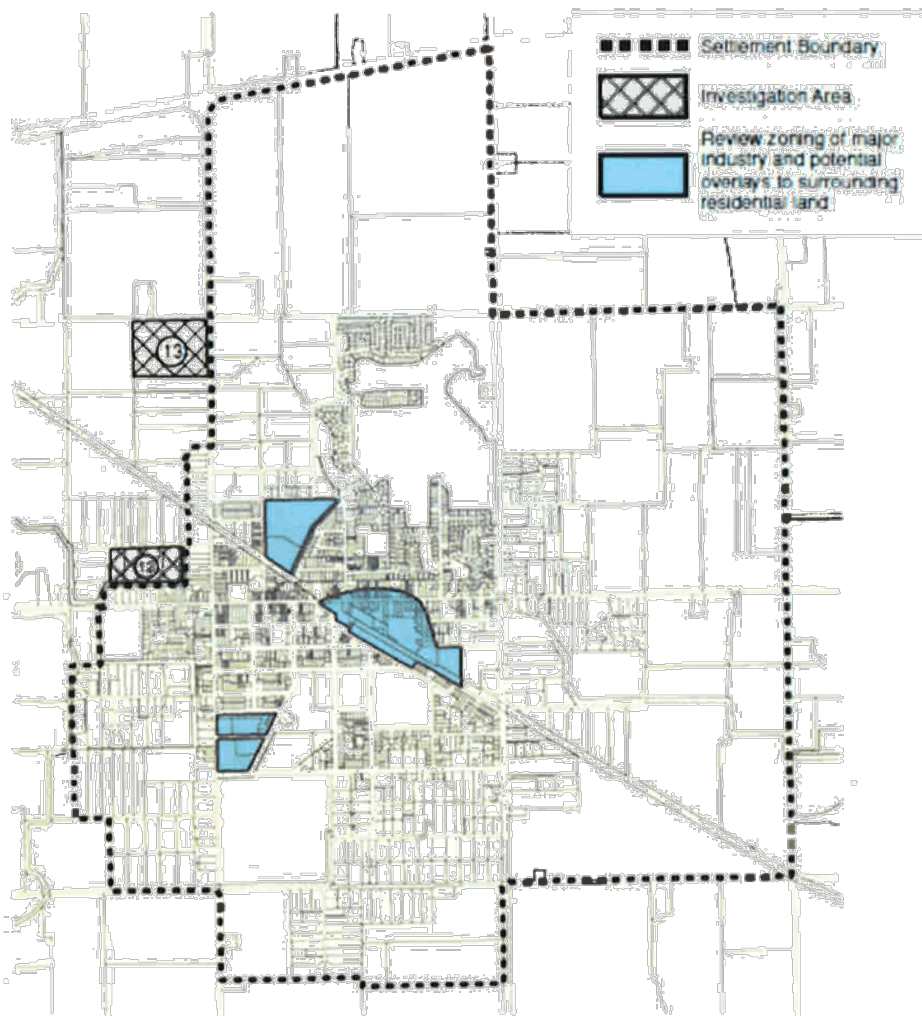
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Strategic Work Program**Undertaking further strategic work - Economic Development**

- 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 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 regional approach to resource recovery with the Goulburn Valley Waste and Resource Recovery Group 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~~
- ~~Apply the Special Use Zone to the Tatura Abattoirs site.~~
- Investigate application of noise attenuation controls surrounding industrial sites in Tatura.
- Undertake a Rural Living review.

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- ■ ■ ■ ■ Settlement Boundary
- ▣ Investigation Area
- Review zoning of major industry and potential overlays to surrounding residential land

Tatura Industrial Framework Plan

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21.07 INFRASTRUCTURE

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Transport

The development and maintenance of safe and efficient traffic and transport systems throughout the municipality is a priority. Key initiatives requiring implementation include:

- Provision of demand orientated public transport to remote locations, especially for community services;
- Fast train link to Melbourne;
- The development of a second river crossing;
- The development of the GV Link freight logistics centre at Mooroopna and associated freeway access;
- The potential relocation of the Shepparton aerodrome but only following detailed feasibility investigations in the demand for air services, the capacity of the existing facility, and potential locations for a new facility. This issue becomes more critical as the southern growth corridor develops, with implications for adjacent land use;
- The development of an integrated road network for general road users which seeks to minimise intrusion to the local road networks and the central Shepparton area;
- Land use planning and freight infrastructure to reduce amenity impacts of freight on central Shepparton and Mooroopna areas, decrease conflict between freight and other road users and improve transport efficiency;
- The development of the Goulburn Valley Highway Shepparton Bypass;
- Linkages between the Goulburn Valley Highway Shepparton Bypass and the surrounding arterial road network in order to reduce traffic intrusion to the central shopping areas; and
- An integrated transport network to better link road and rail freight which will work to reduce freight traffic intrusion to the central Shepparton and Mooroopna areas.
- The encouragement of bicycle facilities and infrastructure in accordance with the draft Greater Shepparton Bicycle Cycling Strategy 2013-2017.
- Road widening where required, particularly in areas where traffic is likely to increase as a result of the Goulburn Valley Highway Shepparton Bypass.
- The planning of freeways and highways and the planning and control of land use and development in the areas through which they pass should be coordinated and integrated especially on the Goulburn Valley Highway.
- Planning for car parking is important for the continuing development of Shepparton's business and retail sector.
- In order to help facilitate public car parks, it is proposed to implement a cash-in-lieu contribution scheme whereby contributions for unmet parking requirements can be used to acquire land for car parking and to develop and improve car parks to support the consolidation and growth of the CBD.
- Council has prepared the Shepparton Central Business District Parking Precinct Plan 2003 to guide future decisions in relation to parking in the town centre, particularly in making provision for cash-in-lieu contributions.

Objectives - Transport

- To ensure the safety and efficient functioning of the roads for a variety of users.

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- Require an application for a noise sensitive use and development (including subdivision) to be accompanied by a report by a qualified acoustic consultant outlining the necessary noise control measures which should be undertaken. (22.03)
- Ensure that parking associated with non-business uses in or adjacent to the CBD does not impact upon on-street parking related to business or for CBD activities.

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Urban and Rural Services

The following is an overview of the key urban and rural infrastructure provision issues for communities throughout Greater Shepparton.

- The impact of growth and subsequent augmentation requirements of water supply infrastructure have been determined.
- Shepparton, Mooroopna, Tatura, Murchison and Merrigum all have reticulated sewerage services managed by Goulburn Valley Water and there are no proposals to provide this service to any other community within the next 10 years.
- Goulburn Valley Regional Waste Management anticipates that within the next 20 years technology may change the way we are currently treating and managing waste with government regulations expected to limit the amount of waste going to landfill with greater emphasis on recycling and green waste reuse.
- All new developments must incorporate water sensitive urban design principles and developers must consider stormwater quality, include erosion and sediment control plans in accordance with the Best Practice Environmental Management Guidelines for Urban Stormwater.
- Shepparton, Mooroopna, Tatura and Merrigum have natural gas reticulation supply and there are no plans for natural gas extension to other townships in the municipality.
- Goulburn Murray Water is responsible for the supply and distribution of irrigation water for rural use and the long term operational goal for the organisation is to continue to deliver water as efficiently as possible with the minimum amount of cost. Automation of channel structures has been introduced to the channel network system and replacement of open channels with pipelines will be ongoing.
- There is a need to ensure that new development provides physical and community infrastructure through development contributions plans or pre-development agreements as part of development plans.
- There is a need to implement the infrastructure and development contributions of the Greater Shepparton Bicycle Cycling Strategy 2013-2017.
- The Council encourages a high standard of infrastructure provision for new development in accordance with the Infrastructure Design Manual which in some cases requires a higher standard to be achieved.

Objectives - Urban and Rural Services

- To ensure that waste management facilities are protected from the encroachment of unsuitable development.
- To ensure a continued supply of high quality water for urban and rural use.
- To protect irrigation infrastructure from urban development.
- To provide telecommunications facilities available to all areas of the municipality.
- To discourage the use of the rural drainage network to facilitate urban or industrial expansion.

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21.07-4 Strategic Work Program03/03/2016
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- Develop a statutory plan for the Shepparton Alternate Route.
 - Develop a parking precinct plan for the CBD to establish a set of appropriate rates for the future provision of parking in the CBD, including cash-in-lieu contributions as part of major developments where there is an identified need.
 - Prepare a strategy for future use of remnant parcels of land created by the construction of the Goulburn Valley Highway Shepparton Bypass.
 - Undertake a traffic study investigating the options for the development of a north-south arterial road network to comprise Archer Street, Lockwood Road, Andrew Fairly Avenue, Hawdon Street and Verney Road to complement the current north-south arterial road network.
 - Provide for the future expansions of the Cosgrove landfill site by identifying a Public Acquisition Overlay.
 - Provide for a Murchison waste transfer station site north of Murchison by identifying a Public Acquisition Overlay.
 - Prepare stormwater management plans all major subdivisions and building construction sites of greater than 1,000 sqm.
 - Develop a Transport Strategy for the Shepparton CBD to allow safe and efficient movement for all users, including pedestrians.
 - Investigate the feasibility of, and the site and location requirements for, a relocated regional airfield.
 - Undertake a feasibility analysis of a rail link to the GV Link freight logistics centre at Mooroopna.
 - Investigation of a rail bypass around the Shepparton town centre, along a similar route to the Goulburn Valley Highway Shepparton Bypass.
 - Support and encourage the investigation of a fast train link.
 - Facilitate the extension of natural gas to remote townships, through continued liaison with power servicing authorities.
- Ensure new developments cater for telecommunications infrastructure

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REFERENCE DOCUMENTS**SETTLEMENT**

Encouraging Arts in the Community, City of Greater Shepparton
Greater Shepparton 2030 Strategic Report Strategy Plan 2005
Greater Shepparton Housing Strategy, David Lock Associates, 2011
Greater Shepparton Universal Access and Inclusion Plan 2013-2017
Infrastructure Design Manual, Shire of Campaspe, City of Greater Bendigo, Greater Shepparton City Council
Mooroopna West Growth Corridor Structure Plan, Maunsell Australia, January 2013
Recreation and Open Space Strategy, City of Greater Shepparton, 1998
Shepparton Tertiary Education Precinct, 2004
South Shepparton Community Infrastructure Needs Assessment 2011
Technical Notes – Urban Design Specifications, City of Greater Shepparton
Urban Design Framework, City of Greater Shepparton, March 1999
Urban Design Framework – Shepparton North and South Business Areas

ENVIRONMENT

Best Policy and Practice Guidelines for Dryland Irrigation in Dryland Catchments, Goulburn Broken Catchment Management Authority, 2001
Biodiversity Map, Department of Natural Resources and Environment
Calder Woodburn Memorial Avenue Conservation Management Plan 2001
Catchment and Land Protection Act, 1994
'City of Greater Shepparton Heritage Study Stage Two', Allom Lovell and Associates, 2003
Crown Land Standard Planning Permit Conditions, DSE 2003
Draft Goulburn Broken Catchment Water Quality Strategy, Goulburn Broken Catchment Management Authority, 2003
Floodplain Management Guidelines for Whole Farm Plans, Goulburn Broken CMA
Goulburn Broken Catchment Management Authority By Law 1 Waterways Protection
Goulburn Broken Catchment Strategy, Goulburn Broken CMA, 2003
Goulburn Broken Catchment Vegetation Management Strategy, Goulburn Broken CMA
Goulburn Broken Nutrient Management Strategy, Goulburn Broken CMA
Goulburn Broken Regional Floodplain Management Strategy, Goulburn Broken CMA 2002
~~*Heritage Rivers Act 1992*~~
Greater Shepparton Environmental Sustainability Strategy 2014-2030

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INFRASTRUCTURE

Community Surface Drainage Schemes – Guidelines for Design, Community Surface Drainage Co-ordinating Committee, March 1997

~~*Greater Shepparton Bicycle Strategy Review*, PBAI Australia, 2006~~

~~*Greater Shepparton Cycling Strategy 2013-2017*~~

~~*Greater Shepparton Freight and Land Use Strategy 2013*~~

Municipal Transport Plan, City of Greater Shepparton, December 1998

Regional Waste Management Plan, Goulburn Valley Regional Waste Management Group, July 1998

Roadside Management Plan, City of Greater Shepparton, 1999

Shepparton Bypass Planning Study Report, Ove Arup & Partners, 1998

Significant Drainage Lines Map series, Goulburn Murray Water and Goulburn Broken Catchment Management Authority, July 1998

Surface Drainage Feasibility Study, Guilfus Congupna Community Drainage Group, December 1992

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SCHEDULE 6 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ6**.

GV LINK FREIGHT LOGISTICS CENTRE

Purpose

- To facilitate the development of the GV Link freight logistics centre.
- To provide for warehousing, packaging, storage and distribution of goods and associated uses consistent with GV Link.
- To provide for manufacturing activity only in association with GV Link.
- To provide that the development of GV Link is staged in an orderly manner, having regard to essential services, transport facilities, environmental and flooding considerations.
- To ensure that the development enhances the visual quality of the surrounding area.
- To ensure that access to the site is for operators at a range of scales.

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Table of uses

Section 1 - Permit not required

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Carnival	Must meet the requirements of a "Good Neighbour" Code of Practice for a Circus or Carnival, October 1997
Circus	Must meet the requirements of a "Good Neighbour" Code of Practice for a Circus or Carnival, October 1997
Crop raising	
Extensive animal husbandry	
Home occupation	
Industry	Must be generally in accordance with the purposes of Schedule 6 to the Zone and the GV Link Development Plan.
Informal outdoor recreation	
Mail centre	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Search for stone	Must not be costeaning or bulk sampling.
Service station	The land must be at least 30 metres from land (not a road) which is in a residential zone, Business 5 Zone, Capital City Zone or 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.

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Use	Condition
	<p>Must not adversely affect the amenity of the neighbourhood including through the:</p> <ul style="list-style-type: none"> • Transport of materials, goods or commodities to or from the land. • Appearance of any stored goods or materials. • Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Section 2 - Permit required

Use	Condition
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Business 5 Zone, 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.
Agriculture (other than Apiculture, Crop raising, Extensive animal husbandry, and Intensive animal husbandry)	
Caretaker's house	
Convenience shop	
Education centre	Must not be a primary or secondary school.
Equestrian supplies	
Industry (other than Warehouse, Shipping container storage, Transport terminal and a use generally in accordance with the purposes of Schedule 6 to the zone and the GV Link Preliminary Concept Plan)	
Leisure and recreation (other than Informal outdoor recreation)	
Lighting shop	Must be in one occupation with a leasable floor area of at least the amount specified in the schedule to this zone. If no amount is specified, the leasable floor area must be at least 500 square metres.
Materials recycling	The land must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or education centre.
Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)	
Office	The leasable floor area must not exceed 500 square metres.
Party supplies	

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- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority;
 - Whether a licence under the Dangerous Goods Act 1985 is required.
 - The likely effects, if any, on the neighbourhood, including:
 - Noise levels;
 - Air-borne emissions;
 - Emissions to land or water;
 - Traffic, including the hours of delivery and despatch;
 - Light spill or glare.

An application to use land for a caretaker’s house and any other sensitive land use must be accompanied by the following information, as appropriate:

- A preliminary environmental assessment;
- Siting details that avoid intrusion on the required buffers for nearby agricultural uses including intensive animal husbandry.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- The application is consistent with the zone objectives;
- The application is generally consistent with the GV Link Development Plan;
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities;
- The effect that nearby industries may have on the proposed use;
- The drainage of the land;
- The availability of and connection to services;
- The effect of traffic to be generated on roads;
- The interim use of those parts of the land not required for the proposed use;
- Any natural or cultural values on or near the land.

3.0
03/03/2016
C162

Subdivision

Permit requirement

A permit is required to subdivide land.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of

GREATER SHEPPARTON PLANNING SCHEME

- Construction details of all drainage works, driveways and vehicle parking and loading areas;
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area;
- A report must be submitted to the responsible authority addressing any potential amenity impact on nearby areas.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 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.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Whether the application is generally in accordance with the GV Link Development Plan.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The potential amenity impact on adjoining and nearby residential and urban areas.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

5.0
19/01/2006
VC37

Advertising signs

This zone is in Category 4 (Sensitive areas)

GREATER SHEPPARTON PLANNING SCHEME

06/12/2012
C151
Proposed C197

SCHEDULE 9 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ9**.

TATURA MILK INDUSTRIES – HOGAN STREET, TATURA

Purpose

To promote the use and development of the land consistent with the *Greater Shepparton Planning Scheme Tatura Milk Industries Master Plan 2011*.

To provide for the continued use and development of the land by Tatura Milk Industries for the manufacture of milk-related or allied food products in a manner which minimises the impact on the amenity of surrounding areas.

To provide safe and efficient vehicle ingress to and egress from the land.

1.0
06/12/2012
C151

Table of uses

Section 1 - Permit not required

Use	Condition
Home occupation	
Industry	Must be associated with the manufacture of milk-related or allied food products.
Informal outdoor recreation	
Minor utility installation	
Railway	
Tramway	
Warehouse	Must be associated with the manufacture of milk-related or allied food products.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Agriculture (other than intensive animal husbandry)	
Caretaker's house	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Manufacturing sales	
Place of assembly	
Shop (other than Adult sex bookshop)	The leasable floor area must not exceed 200 square metres.
Utility installation (other than Minor utility installation)	
Any other use not in Section 1 or 3	

GREATER SHEPPARTON PLANNING SCHEME

- Driveways, vehicle parking areas and loading and unloading areas.
- Proposed landscape areas.
- External storage and waste treatment areas.
- Elevations, including the colour and materials of all buildings and works.
- A **Stormwater Management Plan** specifying details of how stormwater runoff will be conveyed into existing drainage works.
- A **Construction Management Plan** specifying the measures proposed to ensure that construction activity has minimal impact on surrounding areas.
- A **Fencing Plan** showing details of boundary fences, including the height, location, design and treatment of the fences.
- A **Landscape Plan** describing the vegetation species to be planted, the number of trees, planting formations, earth mounding, surface treatments and the method of preparing, draining, watering and maintaining the landscape areas.
- A **Traffic Management Plan** providing details on:
 - Vehicle, pedestrian and bicycle access points at the property boundaries.
 - The location and treatment of circulation areas, driveways and other accessways within and abutting the site.
 - The location, layout and treatment of all vehicle and bicycle parking areas and loading and unloading areas within and abutting the site.
- An **Environmental Management Plan (EMP)** showing the measures proposed to satisfy all relevant environmental requirements to ensure minimal impact on surrounding areas. The EMP must include all monitoring, auditing, reporting and mitigation measures that are relevant to the use and development of the land.
- A **Noise Reduction Plan** providing details on the expected levels of noise at the property boundaries and the ameliorating measures proposed to reduce the levels of existing noise.
- An **Air Emissions Reduction Plan** providing details on the expected levels of air emissions and the ameliorating measures proposed to reduce the levels of existing emissions.
- A **Staging Plan** identifying the likely sequence and timing of development and the obligations on the land owner to implement the landscaping and acoustic treatment requirements of the *Greater Shepparton Planning Scheme Tatura Milk Industries Master Plan 2011*.
- A **Heritage Maintenance Plan** identifying a regular maintenance program and the obligations on the land owner to implement scheduled works.

Before any of the above plans are approved for a building or works, the land owner must advise the responsible authority whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

Except with the written consent of the responsible authority, the following must be constructed or carried out either before the occupation of an approved building or works; or within 24 months of the approval of Amendment C151 (whichever is the sooner).

- The landscaping in accordance with the Landscape Plan.
- The boundary fences in accordance with the Fencing Plan.
- The circulation areas, driveways and other accessways in accordance with the Traffic Management Plan.
- The drainage of the building or works in accordance with the Stormwater Management Plan.

4.0
06/12/2012
C151

Car parking

The number of car spaces to be provided on the land for an industry for the manufacture of milk-related or allied food products or an associated warehouse must be to the satisfaction of the responsible authority.

GREATER SHEPPARTON PLANNING SCHEME

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C184
 Proposed C197

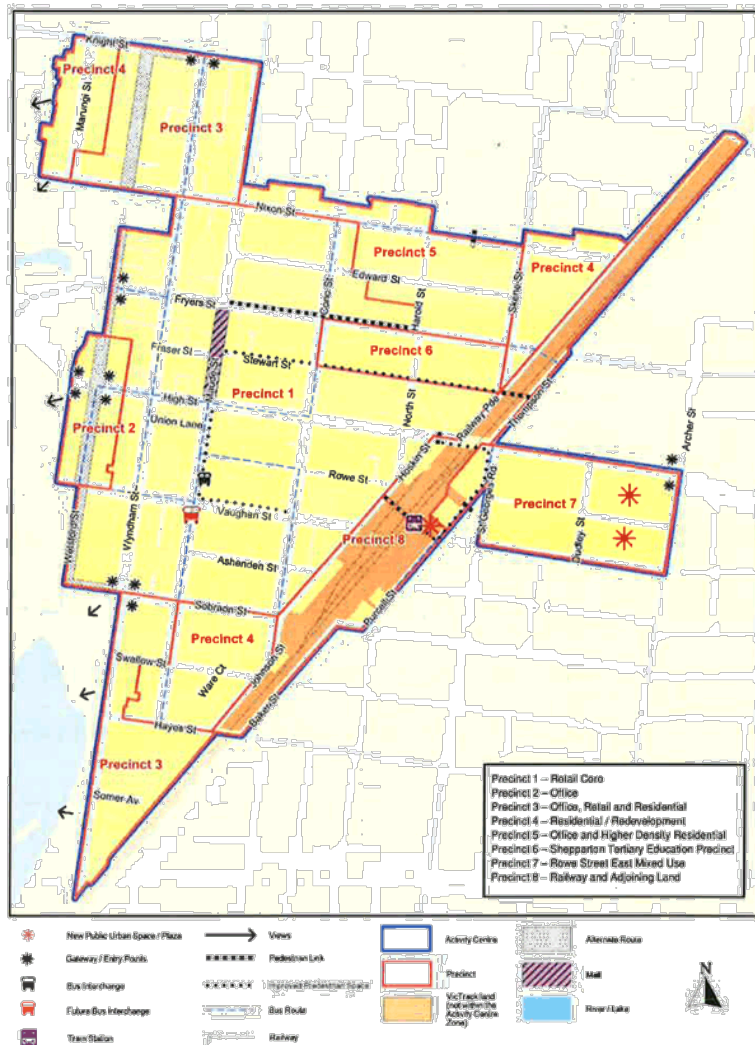
SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ1**.

Shepparton Central Business District (CBD)

1.0
 10/12/2015
 C92

Shepparton CBD Framework Plan



GREATER SHEPPARTON PLANNING SCHEME

- To encourage safe and convenient access to the river and public spaces, including the railway station.

3.0
19/05/2016
C184

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution and Dwelling)	Must not be located 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 in Precincts 1, 7 or 8.
Child care centre	Must be in Precincts 1, 2, 6, or 7 or Sub-precincts 3B, or 8A. Any frontage at ground floor level must not exceed 2 metres.
Cinema	Must not be in Precinct 4. In Sub-precincts 3A and 3C the site must adjoin, or have access to, a road in a Road Zone. In Precinct 1 must not front a road at ground floor level, except for entry foyers.
Cinema based entertainment facility	Must be in located in Precincts 1 or 2, or Sub-precincts 3B or 8A.
Display home	Must be located 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 located 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).
Home occupation	
Informal outdoor recreation	
Minor utility installation	
Office	Must not be in Sub-precincts 4A, 4B, 4D, 8B or 8C.

GREATER SHEPPARTON PLANNING SCHEME

Use	Condition
Landscape gardening supplies (other than Plant nursery)	Must not be in Precincts 4 or 5 or Sub-precincts 3A, 3C, 8B or 8C.
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Mail centre	Must not be located in Precinct 4 or Sub-precincts 8B or 8C.
Medical centre – if the Section 1 condition for Office is not met	
Motor vehicle, boat or caravan sales	Must not be in Precincts 4 or 5 or Sub-precincts 3A, 3C, 8B or 8C.
Nightclub	Must not be in Precinct 4.
Office (other than Medical centre) – if the section 1 condition is not met	Must not be in Sub-precincts 4A, 4B, 4D or 8C.
Place of assembly (other than Amusement parlour, Cinema, Nightclub and Place of worship)	
Plant nursery	
Retail premises (other than Community market, Food and drink premises, Landscape gardening supplies, Motor vehicle, boat or caravan sales, Shop, and Trade supplies) – if the Section 1 condition is not met	Must not be in Sub-precincts 4A, 4B, 4D or 8C.
Service station	The site must either: Be in Precincts 1, 2 or Sub-precinct 3B, or have direct access to a road in a Road Zone.
Shop (other than Adult sex book shop and Convenience shop) – if the Section 1 condition is not met	Must not be in Precincts 4 or 5 or Sub-precincts 3A, 3C or 9C.
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.
Transport terminal (other than Bus terminal, and Railway station)	Must not be located in Precincts 4 or 5.
Utility installation (other than Minor utility installation)	
Warehouse (other than Mail centre)	Must not be in Precincts 4 or 5 or Sub-precinct 8C. Must not be a purpose listed in the table to Clause 52.10.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Agriculture (other than Animal keeping)
Animal boarding
Brothel

GREATER SHEPPARTON PLANNING SCHEME

- 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**

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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.
- 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.

GREATER SHEPPARTON PLANNING SCHEME

- 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 and any other mechanical equipment should be carefully 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

- 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

- To encourage the 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 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

10/12/2015
C92

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"> ▪ the site on the north-west corner of Sobraon and Wyndham Streets where a front setback should accommodate dining areas. ▪ any additional levels above 11.5 metres (3 storeys) to be setback 5 metres from the building frontage.
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.

5.1-4

10/12/2015
C92

Precinct guidelines

General

- Core retail activities, particularly anchor department stores and entertainment uses in the retail core, should be consolidated and clustered.
- 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.

Maude Street Mall

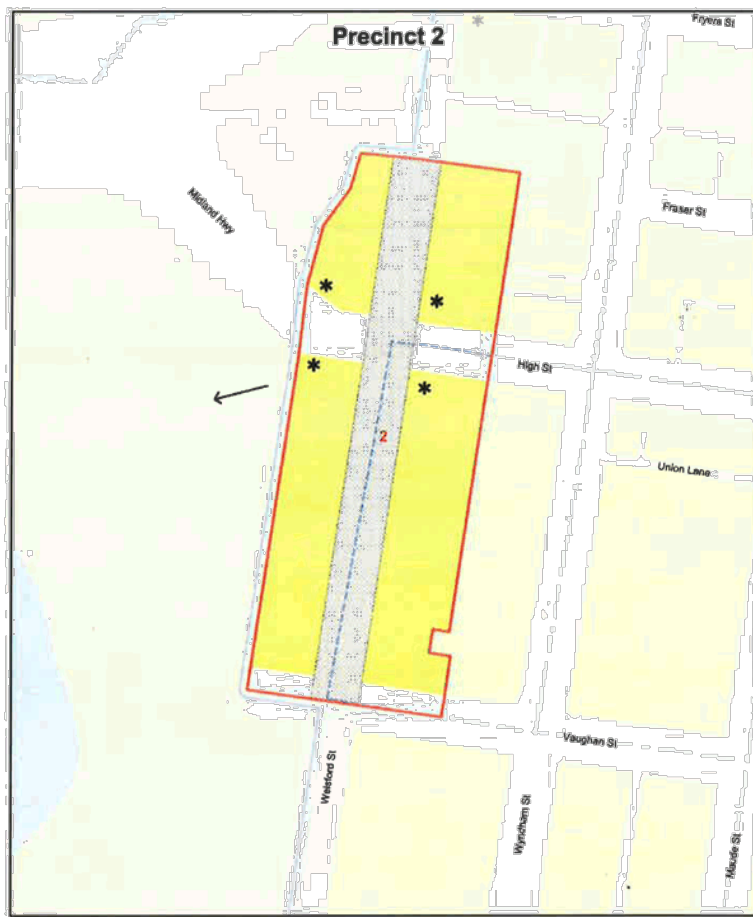
GREATER SHEPPARTON PLANNING SCHEME

5.2 Precinct 2 – Office

10/12/2015
C92

5.2-1 Precinct map

10/12/2015
C92



5.2-2 Precinct objectives

10/12/2015
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 open space.

GREATER SHEPPARTON PLANNING SCHEME

Sub-precinct	Preferred building height	Preferred street wall height	Preferred setbacks
			<p>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> <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>

5.3-4 Precinct guidelines

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Proposed C197

- A mix of medium density residential, small office and peripheral retail uses should be located in the precinct.
 - New development should reflect the gateway role of the precinct as the southern and northern entry points to the CBD.
 - New uses should compliment retail, commercial and office uses in Precincts 1 and 2.
 - In Sub-precinct 3A, 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.

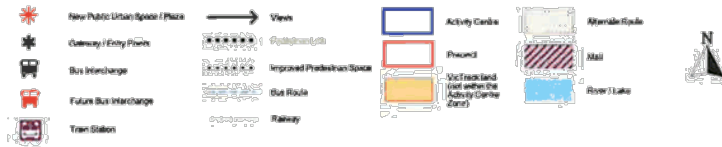
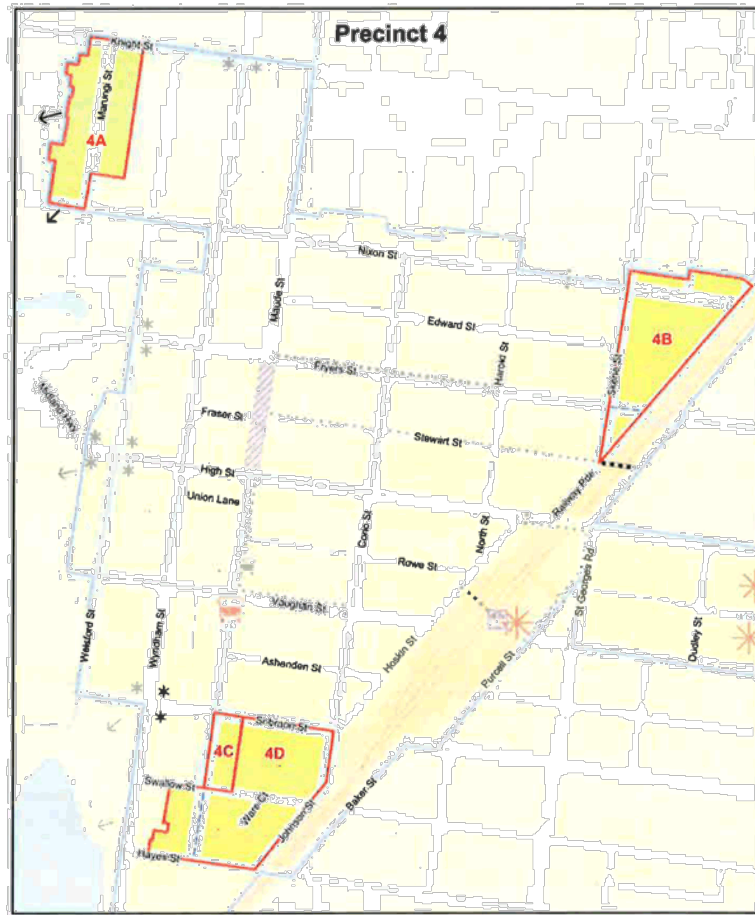
GREATER SHEPPARTON PLANNING SCHEME

5.4 Precinct 4 – Residential / Redevelopment

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C184

5.4-1 Precinct map

10/12/2015
C92



5.4-2 Precinct objectives

10/12/2015
C92

- To retain the high level of amenity of established residential areas surrounding the CBD.
- To encourage medium-density housing in the peripheral residential areas.

GREATER SHEPPARTON PLANNING SCHEME

- 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

- To improve pedestrian links across Nixon Street to Deakin Reserve.

5.5-3

19/05/2016
C184

Precinct requirements

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

19/05/2016
C184

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.

GREATER SHEPPARTON PLANNING SCHEME

- 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.

5.6-3
10/12/2015
C92

Precinct requirements

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
19/05/2016
C184

Precinct guidelines

- 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

- To facilitate the redevelopment with uses that will take advantage of the precinct's location next to the railway station and with buildings that provide active frontages to the street.
- To upgrade Purcell Street as a key pedestrian link between the CBD and the railway station.
- To ensure that buildings provide improved interfaces to open spaces and surrounding residential uses.
- To upgrade Karibok Park with a focus on pedestrian access to Shepparton Plaza.

5.7-3

10/12/2015
C92

Precinct requirements

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

19/05/2016
C184

Precinct guidelines

- 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.

GREATER SHEPPARTON PLANNING SCHEME

- 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
C92

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

6.0
19/05/2016
C184

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 (d), 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.

7.0
19/05/2016
C184

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

SCHEDULE TO THE HERITAGE OVERLAY

09/06/2016
C197
Proposed C197

The requirements of this overlay apply to both the heritage place and its associated land.

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	Ardmona								
HO1	Holy Trinity Anglican Church, 146 Lenne Road, Ardmona	yes	no	yes	no	no	yes		no
HO2	Former Church, 100 Lenne Road, Ardmona	yes	no	yes	no	no	no		no
HO3	Pair of Norfolk Island Pines (<i>Araucaria heterophylla</i>), Lenne Road, Ardmona (10 Varapodio Lane)	no	no	yes	no	no	no		no
HO4	House, 610 Simson Road, Ardmona	no	no	no	no	no	no		no
HO5	Ardmona Primary School, 580 Turnbull Road, Ardmona	no	no	yes	no	no	yes		no
	Bunbartha								
HO101	Fairley Downs, 5250 Barmah-Shepparton Road, Bunbartha	no	no	no	yes	no	no		no
	Byrneside								
HO6	Former St Patrick's Roman Catholic Church, 10 Byrneside-Kyabram Road, Byrneside	yes	no	no	no	no	yes		no
HO7	Byrneside Public Hall, 5390 Midland Highway, Byrneside	yes	no	no	no	no	yes		no

* GREATER SHEPPARTON HERITAGE INCORPORATED PLAN (GSHIP)
** TO DETERMINE THE PLACES THAT THE CONTROLS IN THIS SCHEDULE APPLY TO, PLEASE REFER TO THE GREATER SHEPPARTON HERITAGE INCORPORATED PLAN MAY 2013

HERITAGE OVERLAY – SCHEDULE

GREATER SHEPPARTON PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO17	Gladstone Hotel, 44 Mary Street, Dookie	no	no	no	no	no	no		no
HO18	St Mary's Roman Catholic Church, 93 Saddleback Road, Dookie	yes	no	no	no	no	yes		no
	Harston								
HO19	Former Springvale-Girgarre East Presbyterian Church, 915 Springvale Road, Harston	yes	no	no	no	no	yes		no
HO20	Harston Memorial Hall, 125 Harston Road, Harston	yes	no	no	no	no	yes		no
	Katandra West								
HO21	St Mary's Anglican Church, 7-9 Lincoln Street, Katandra West	yes	no	no	no	no	yes		no
	Kialla								
HO22	Calder Woodburn Memorial Avenue, Goulburn Valley Highway, Kialla, Kialla West and Arcadia					yes Ref No H1975	no		no
	Kialla West								
HO206	Kialla West Cemetery, 7374 Goulburn Valley Highway, Kialla West	no	no	yes	no	no	no		no
HO23	Uniting Church & Hall, 7105 Goulburn Valley Highway, Kialla West	yes	no	no	no	no	yes		no

* GREATER SHEPPARTON HERITAGE INCORPORATED PLAN (GSHIP)
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HERITAGE OVERLAY – SCHEDULE

GREATER SHEPPARTON PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	111-113 Waverley Avenue, Merrigum								
HO33	St Matthew's Anglican Church, 115 Waverley Avenue, Merrigum	yes	no	no	no	no	yes		no
HO34	Merrigum Uniting Church, 131-137 Waverley Avenue, Merrigum	yes	no	no	no	no	yes		no
HO144	Log Structures, Stable and Barn, 50 Merrigum-Ardmona Road, Merrigum – Snelling's Property	yes	yes	no	no	no	no		no
HO145	Log Structure, 745 Dunbar Road, Merrigum	yes	yes	no	no	no	no		no
	Moorilim								
HO35	Former Catholic Church, 5455-5465 Goulburn Valley Highway, Moorilim	yes	no	no	no	no	yes		no
	Mooroopna								
HO36	St Andrew's Uniting Church & Hall, 2 Alexandra Street, Mooroopna	yes	no	yes	no	no	yes		no
HO37	Pepper Tree, St Andrew's Uniting Church, 2 Alexandra Street, Mooroopna	no	no	yes	no	no	no		no
HO38	Mooroopna North Primary School, 835 Ardmona Road, Mooroopna North	yes	no	no	no	no	yes		no
HO39	SPC Ardmona Canteen (Former Post Office), 30 Young Street, Mooroopna	no	no	no	no	no	no		no
HO40	Mooroopna Hospital, 2-6 McLennan Street,	yes	no	no	yes	no	yes		no

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	162 McLennan Street, Mooroopna								
HO52	Mooroopna Primary School, 16-18 O'Brien Street, Mooroopna	no	no	yes	no	no	no		no
HO53	Pepper Trees, Mooroopna Primary School, 16-18 O'Brien Street, Mooroopna	no	no	yes	no	no	no		no
HO54	Mooroopna Railway Station, 70 Young Street, Mooroopna	yes	no	no	no	no	yes		no
HO148	House, 2 Archer Street, Mooroopna	no	yes	no	no	no	yes	GSHIP*	no
HO143	Log Structure, 1040 Tatura Undera Road, Mooroopna North West – Delaney's Hut	yes	yes	no	no	no	no		no
	Murchison								
HO56	Murchison East Railway Station, 20 Cassidy's Road, Murchison East	yes	no	no	no	no	yes		no
HO57	Prisoner of War Camp No. 13, 410 Wet Lane, 510 Wet Lane, Part of 256 Angle Road and 1201 Basin Road, Murchison	no	no	no	no	no	yes		no
HO58	Day's Flour Mill Complex, 77 Day Road, Murchison					yes Ref No. H1523	yes		no
HO59	Railway Hotel, 4910-4920 Goulburn Valley Highway, Murchison East	no	no	yes	no	no	no		no
HO60	Gregory's Bridge Hotel, 10 High Road, Murchison East					yes Ref No. H963	yes		no

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HERITAGE OVERLAY – SCHEDULE

GREATER SHEPPARTON PLANNING SCHEME

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	Pine Lodge								
HO72	Uniting Church, 580 Pine Lodge South Road, Pine Lodge (corner of New Dookie Road and Pine Lodge)	yes	no	no	no	no	yes		no
HO207	Pine Lodge Cemetery, 1600 Midland Highway, Pine Lodge	no	no	yes	no	no	no		no
	Shepparton								
HO73	SPC Ltd., Andrew Fairley Avenue, Shepparton	no	no	no	no	no	no		no
HO74	Algeciras, 3 Clarke Court, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO75	Scott's Church, 134-140 Fryers Street, Shepparton	yes	no	no	no	no	yes		no
HO77	Shepparton High School, 31-73 Hawdon Street, Shepparton	no	no	no	no	no	yes		no
HO78	Furphy House, 132 Hayes Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO79	Shepparton Court House, 8 High Street, Shepparton	yes	no	no	no	no	yes		no
HO80	Terminus Hotel, 212-226 High Street, Shepparton	no	no	no	no	no	no		no
HO81	Goulburn Valley Hotel, 233-251, High Street, Shepparton	no	no	no	no	no	no		no
HO82	Ivanhoe, 9 Ivanhoe Court, Shepparton	no	no	no	no	no	no	GSHIP*	no

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GREATER SHEPPARTON PLANNING SCHEME

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HO100	Co-Operative Butter Factory, 440-452 Wyndham Street, Shepparton	no	no	no	no	no	no		no
HO128	Street Trees, Corio Street, Shepparton	no	no	yes	no	no	no		no
HO129	Helping Hand Statue, Fryers Street (cnr Welsford Street) Shepparton	no	no	no	no	no	no		no
HO132	McGuire's Punt crossing, Goulburn River, Shepparton	yes	no	no	no	no	no		no
HO133	House, 112 Knight Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO134	Memorial Obelisk, Welsford Street (cnr: Sobraon Street) Shepparton	no	no	no	no	no	no		no
HO135	Waterworks building and tower, 174-194 Welsford Street, Shepparton	no	no	no	no	no	yes		no
HO138	Shops, 336 - 338 Wyndham Street, Shepparton	no	no	no	no	no	no		no
HO140	Shepparton Residential Precinct North, Shepparton**	no	no	no	no	no	no	GSHIP*	no
HO141	Shepparton Residential Precinct South, Shepparton**	no	no	yes	no	no	yes	GSHIP*	no
HO150	Bangerang Cultural Centre, 45 Parkside Drive, Shepparton	no	no	no	no	yes Ref No H1082	yes		no
HO151	Philippine House, Parkside Gardens, Parkside Drive, Shepparton	yes	no	yes	no	no	yes		no

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HERITAGE OVERLAY – SCHEDULE

GREATER SHEPPARTON PLANNING SCHEME

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	Shepparton (adjoins carpark at 103-107 Welsford Street)								
HO172	Dunstan's Building, 337-339 Wyndham Street, Shepparton	no	no	no	no	no	no		no
HO173	Skene Street Group, Shepparton (60, 62, 64 and 66 Skene Street)	no	no	no	no	no	no	GSHIP*	no
HO174	Nixon Street Group, Shepparton (132, 134, 138-140, 142, 144, 150 and 156 Nixon Street)	no	no	no	no	no	no	GSHIP*	no
HO175	Deakin Reserve, 135-145 Nixon Street, Shepparton	no	no	yes	no	no	yes		no
HO176	158 Nixon Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO177	160-162 Nixon Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO178	78-80 & 82-84 Clive Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO179	79-81 Clive Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO180	83 Clive Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO181	9-11 Knight Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO182	13-15 Knight Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO183	21 Knight Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO184	22-24 Knight Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO186	61 Maude Street, Shepparton	no	no	no	no	no	no	GSHIP*	no

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HERITAGE OVERLAY – SCHEDULE

GREATER SHEPPARTON PLANNING SCHEME

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HO202	Radio Australia, 490 Verney Road, Shepparton	no	no	no	no	no	yes		no
HO203	664 Wyndham Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO204	658 Wyndham Street, Shepparton	no	no	no	no	no	no	GSHIP*	no
HO205	St Augustine's Anglican Church, 93 Maude Street, Shepparton	yes	no	yes	no	no	yes		no
HO209	Masonic Lodge, 161 Welsford Street, Shepparton	yes	no	no	no	no	yes		no
HO210	20 Fryers Street, Shepparton	no	no	no	no	no	no		no
	Tallygaroopna								
HO102	Mackenzie's Butcher Shop, 7 Victoria Street, Tallygaroopna	no	no	no	no	no	no		no
HO103	Soldiers' Memorial Hall, 21 Victoria Street, Tallygaroopna	no	yes	no	no	no	yes		no
	Tatura								
HO106	All Saints' Anglican Church & Rectory, 18-20 Francis Street, Tatura	yes	no	no	no	no	yes		no
HO113	Tatura Court House, 220 and part of 222 Hogan Street, Tatura	yes	no	no	no	no	yes		no
HO114	St Andrew's Hall, 239 Hogan Street, Tatura	yes	no	no	no	no	yes		no
HO115	St Andrew's Presbyterian Church, 241-243	yes	no	no	no	no	yes		no

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HERITAGE OVERLAY -- SCHEDULE

GREATER SHEPPARTON PLANNING SCHEME

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HO213	Casey Street Group, Tatura (25, 27, 29 and 31 Casey Street)	no	no	no	no	no	no		no
HO214	Railway Reserve, 163-167 and part of 202-218 Hogan Street, Tatura	no	no	no	no	no	no		no
HO215	Robert MacTier VC Memorial Gardens, part of 202-218 Hogan Street, Tatura	no	no	yes	no	no	no		no
HO216	179 and 183-185 Hogan Street, Tatura	no	no	no	no	no	no		no
HO217	187-189 and the rear of 191-193 Hogan Street, Tatura	no	no	no	no	no	no		no
HO218	201 Hogan Street, Tatura	no	no	no	no	no	no		no
HO219	Wallis Victoria Hotel, 205-207 Hogan Street, Tatura	no	no	no	no	no	no		no
HO220	209 Hogan Street, Tatura	no	no	no	no	no	no		no
HO221	229 Hogan Street, Tatura	no	no	no	no	no	no	GSHIP*	no
HO222	237 Hogan Street, Tatura	no	no	no	no	no	no	GSHIP*	no
HO223	249 Hogan Street, Tatura	no	no	no	no	no	no	GSHIP*	no
HO224	253 Hogan Street, Tatura	no	no	no	no	no	no	GSHIP*	no
HO225	257 Hogan Street, Tatura	no	no	no	no	no	no	GSHIP*	no
HO226	259 Hogan Street, Tatura	no	no	no	no	no	no	GSHIP*	no
HO227	252-254 Hogan Street, Tatura	no	no	yes	no	no	no	GSHIP*	no

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HERITAGE OVERLAY – SCHEDULE

GREATER SHEPPARTON PLANNING SCHEME

03/03/2016
C162
Proposed C197

SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**.

EAST SHEPPARTON INDUSTRIAL AREA (FLORENCE STREET)

1.0
03/03/2016
C162

Design objectives

- To ensure that the standard of development and infrastructure design (including urban stormwater management to encourage drainage permeability) in the East Shepparton Industrial Area is of a high quality given its strategic location and high exposure in relation to Doyles Road. Doyles Road currently acts as the Shepparton Alternative Route and will be a major perimeter road for Shepparton following the construction of the Goulburn Valley Highway Shepparton Bypass.
- To ensure development acknowledges the role of Doyles Road as the Shepparton Alternative Route by avoiding the construction of buildings and ancillary facilities within the designated future alignment of Doyles Road.
- To provide a high standard of road design and construction for transport vehicles to up to B-Double size.
- To provide for a range of lot sizes, including industrial lots exceeding 4,000m².
- To provide a permeable and interconnected street network in the East Shepparton Industrial Area.

2.0
03/03/2016
C162

Buildings and works

All buildings and works must comply with the following standards, unless it can be demonstrated that an alternative approach achieves the design objectives of this overlay control.

- That all buildings and ancillary facilities be set back a minimum of 40 metres from the alignment of Doyle's Road at 1 October 2001. Applications for the location of buildings and ancillary facilities within the setback shall only be considered where consent of the Road Corporation is granted.
- The facade of all buildings facing Doyles Road must be constructed of brick or concrete. All other facades must be constructed with brick or concrete to a minimum height of 2 metres above ground level. The facades of concrete tilt slab buildings must be painted or treated to the satisfaction of the responsible authority.
- Open storage areas and garbage receptacles must not be visible from any road, reserve or other public land.
- All other buildings (that is those not adjacent to Doyles Road) must be set back at least 12 metres from the frontage. For corner lots, buildings must be set back at least 6 metres from the side street boundary.
- A landscaping strip of at least 6 metres wide must be provided along and within the frontage of all lots in areas not occupied by sealed driveways. For all corner lots, a landscaping strip of at least 3 metres wide must be provided along the side boundary facing a road.
- A landscaping strip of at least 1.5 metres width from the front of the property to the building line shall be provided along side boundaries that abut a road.
- All driveways and car parking in the setback area between a road frontage and the building line must be constructed of an impervious all-weather seal coat such as concrete or bitumen. Pervious surfaces that reduce the rate of rainfall run-off and have a

GREATER SHEPPARTON PLANNING SCHEME

- The Road Corporations comments on the impact of buildings and works within 40m of the alignment of Doyles Road at 1 October 2001 on:
 - their ability to undertake a widening of Doyles Road in a timely and cost efficient manner,
 - future road safety, amenity and visibility,
 - functioning of any internal roads, access/egress points, loading facilities and parking bays
- The effective incorporation of waterwise urban design elements into site development, buildings and works.
- The design and layout of the proposed development including setbacks from property boundaries.

5.0
19/01/2008
VC37

Waterwise landscape design

For practical reasons, landscaping within industrial areas needs to be hardy and low maintenance. There are advantages in minimising water usage, particularly over the longer term. This trend is becoming increasingly apparent in new industrial areas, where the technology of applying "waterwise" principles can result in landscaping that is low cost, low maintenance and visually attractive.

The following waterwise landscape design principles are offered as an alternative to conventional landscape treatment, but are not a mandatory requirement. Council recommends that owners and developers of industrial sites seek further information or visit "waterwise" demonstration sites.

Preferred waterwise landscape design principles:

- Use of indigenous plants.
- Use of local natural materials (e.g. stone)
- Incorporated gypsum and mounded soil to aid drainage.
- Use of garden mulch using recycled timber.
- Mulch spread to 75mm depth to avoid drying and associated cracking.
- Mulch used to suppress weeds and seeds in soil, reducing spray treatment of weeds.
- Use of pathway paving rather than concrete to allow water permeability.
- Use of plantation grown timber for seating.
- Storage of roof run-off to supplement irrigation.

The above measures should aim to reduce maintenance and annual water use to the extent that only periodic irrigation will be required for plant growth.

6.0
03/03/2016
C162

Advertising signs

In addition to any requirement in the zone, the following requirements must be met;

- Signs are permitted on the facades of buildings, but must not extend above the roofline.
- Signs should not unreasonably obscure the identity of adjoining businesses.
- Freestanding signs are permitted within the landscaped area provided they do not exceed 1 metre in height and 1.5m² in area. The use of natural materials is preferred in the construction of freestanding signs.

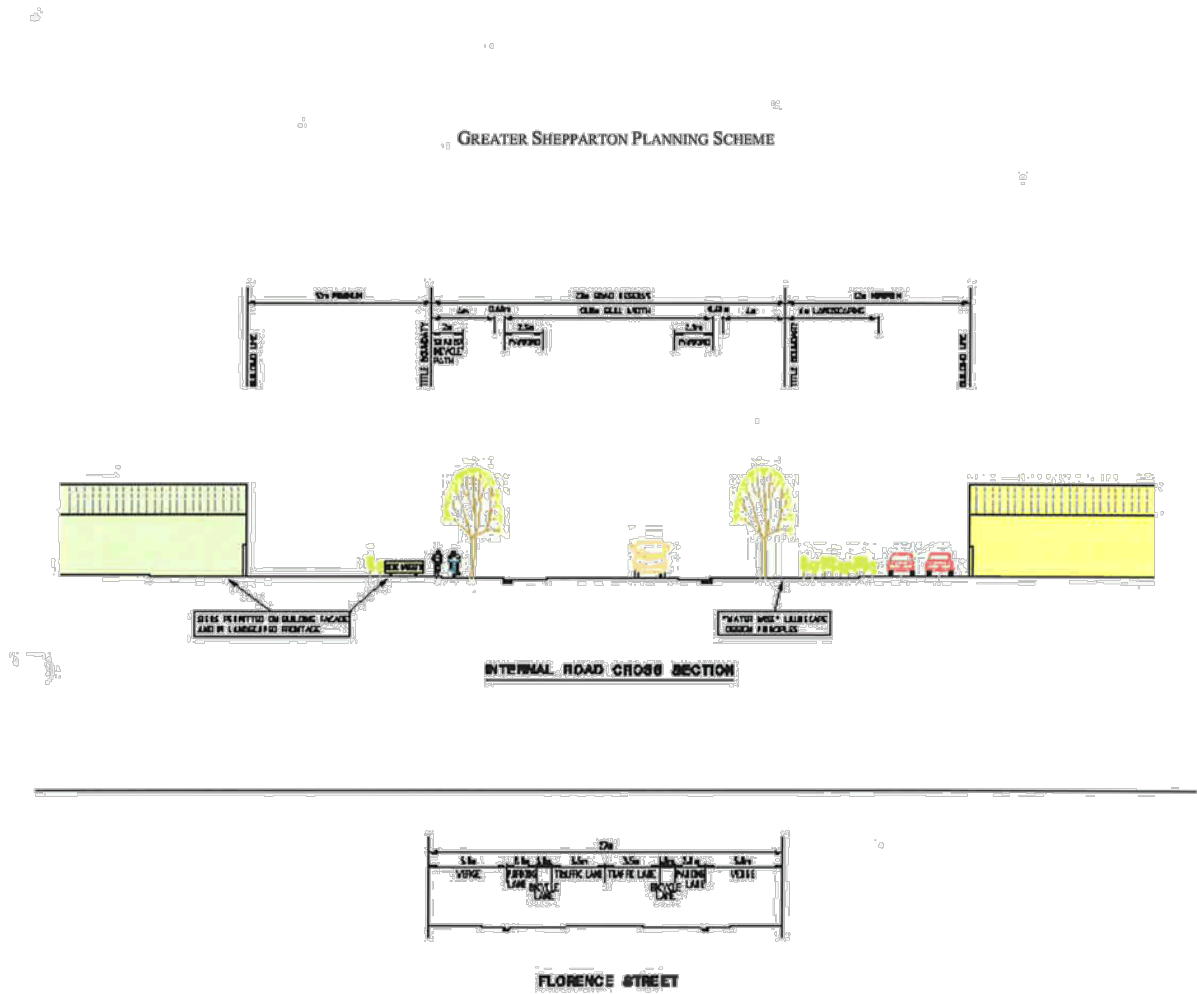


Figure 2

GREATER SHEPPARTON PLANNING SCHEME

SCHEDULE 23 TO THE DEVELOPMENT PLAN OVERLAY

01/09/2016
C98(Part 2)
Proposed C197

Shown on the planning scheme map as **DPO23**.

Verney North Growth Corridor - North**1.0 Requirement before a permit is granted**

01/09/2016
C98(Part 2)

Before any new use, development or subdivision commences, a development plan must be prepared and approved by the Responsible Authority.

A permit may be granted before a development plan has been prepared for the purpose of:

- subdividing land into two allotments or re-subdividing existing allotments so as to not increase the number of lots;
- a single dwelling on a lot; or
- any buildings and works associated with the ongoing maintenance or operation of the subject site.

2.0 Conditions and requirements for permits

01/09/2016
C98(Part 2)

An application for planning permit must include, as relevant:

- a stormwater management plan detailing how stormwater will be collected and treated within the development. The plan must be prepared in accordance with the Infrastructure Design Manual and must include details of measures to prevent potential off site impacts, terms for cost sharing if the stormwater system must be up-sized to cater for stormwater from surrounding land and consider ongoing maintenance of the stormwater management measures.

Conditions, as appropriate, must be included on any planning permit issued to subdivide or develop land with regard to recommendations made by the assessments and specialist reports submitted in support of the Development Plan.

3.0 Requirements for development plan

01/09/2016
C98(Part 2)
Proposed C197

A Development Plan may be prepared for all or any part of the growth corridor.

The Development Plan may be amended to the satisfaction of the Responsible Authority.

The Development Plan must demonstrate, as appropriate:

- General consistency with the *Verney North Growth Corridor Concept Plan - North*.
- The proposed subdivision layout of the proposed development of the land, including roads, areas of open space, drainage retention areas, and any staging of the development.
- The relationship of the land to the adjoining land and treatment(s) at the interface with existing ongoing and future land uses, particularly those with potential amenity impacts.
- The shared pathway network, including opportunities to link paths to any networks on abutting land, and any public transport services.
- The layout of major areas of public open space and the type of facilities, if any, to be provided for users of the open space.

GREATER SHEPPARTON PLANNING SCHEME

1. An infrastructure plan approved by the Responsible Authority, which identifies the anticipated staging and timing of the provision of infrastructure. The infrastructure plan should address, as appropriate:
- The provision, staging and timing of stormwater drainage works.
 - The provision, staging and timing of roadworks (including bus stops and associated works) both internal and external in accordance with the approved traffic management plan.
 - The provision, staging and timing of landscaping works for local parks, stormwater drainage reserves and regional landscaping works.
 - The securing of the infrastructure and utility services as may be necessary by way of an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* or by other means acceptable to the Responsible Authority.
 - Any other infrastructure related matter reasonably requested by the Responsible Authority associated with the subdivision of land.
 - Identification of any agency or person responsible for provision of particular items of infrastructure.

Before approving the Development Plan, the Responsible Authority must consider the following, and may include conditions where appropriate:

- The environmental, ecological, landscape, archaeological, cultural heritage and historical values and features of the site.
- The comments and any requirements of Goulburn Murray Water and in particular any matters relevant to its policy regarding acceptance of urban and industrial water to Goulburn Murray Water Drains.
- The comments and requirements of VicRoads with particular regard to the following:
 - Any requirement to upgrade and/or relocate the intersection of Grace Road with the Goulburn Valley Highway if it is to be used for access to the development site and Notre Dame College.
 - The need for the provision of a buffer between residential dwellings within the Development Plan area and the alignment of the proposed Goulburn Valley Highway (Shepparton Bypass).
 - The need for noise attenuation measures as a result of the proposed Goulburn Valley Highway (Shepparton Bypass).
- The need for any agreement to be made pursuant to the provisions of Section 173 of the *Planning and Environment Act 1987* with respect to matters arising from the proposed use and development, including the use of such agreements to:
 - reduce potential land use conflict at the residential and agricultural interface.
 - set out requirements for the stormwater system for the development including measures to prevent potential off site impacts and terms for cost sharing if the stormwater system must be up-sized to cater for stormwater from surrounding land.
- Any requirements and/or views of the Greater Shepparton City Council and referral authorities regarding urban design and landscaping, traffic works, stormwater disposal, engineering works, environmental protections and enhancement, sewerage, drainage or flood mitigation works required to properly service the proposed use and development of the land.

GREATER SHEPPARTON PLANNING SCHEME

25/08/2011
C138
Proposed C197

SCHEDULE TO THE FLOODWAY OVERLAY

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

1.0**Permit requirement**

25/08/2011
C138
Proposed C197

A permit is not required to construct or carry out the following buildings or works:

- a single or multiple industrial, retail or office building extension where the combined ground floor area of the extension since 29th July 1999 is not greater than 100 m²;
- a single or multiple dwelling extension where the combined ground floor area of the extension since 29th July 1999 is not greater than 20 m²;
- an upper storey extension to an existing building within the existing building footprint;
- a pergola, veranda, decking, garage, carport or domestic shed adjacent to an existing dwelling;
- an in-ground swimming pool with open style security fencing adjacent to an existing dwelling;
- a pump shed;
- a wooden or metal paling fence or cyclone mesh fence in a residential, ~~business commercial or industrial or activity centre zone~~ (not including a brick, masonry, or concrete wall);
- an agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a farming zone with a floor area not more than 100 m²;
- a sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure;
- an outdoor advertising sign/structure;
- a mast, antenna, lighting or telecommunications tower;
- an accessway constructed at general natural surface elevations;
- roadworks carried out by a public authority;
- earthworks/dam in accordance with the Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010 at Clause 81 and approved by the responsible authority and the floodplain management authority; and
- earthworks/flood mitigation works in association with the Goulburn Valley Freight Logistics Centre provided such works are in accordance with a Flood Management Plan approved by the responsible authority and the floodplain management authority.

2.0**Decision Guidelines – Greater Shepparton Local Floodplain Development Plans**

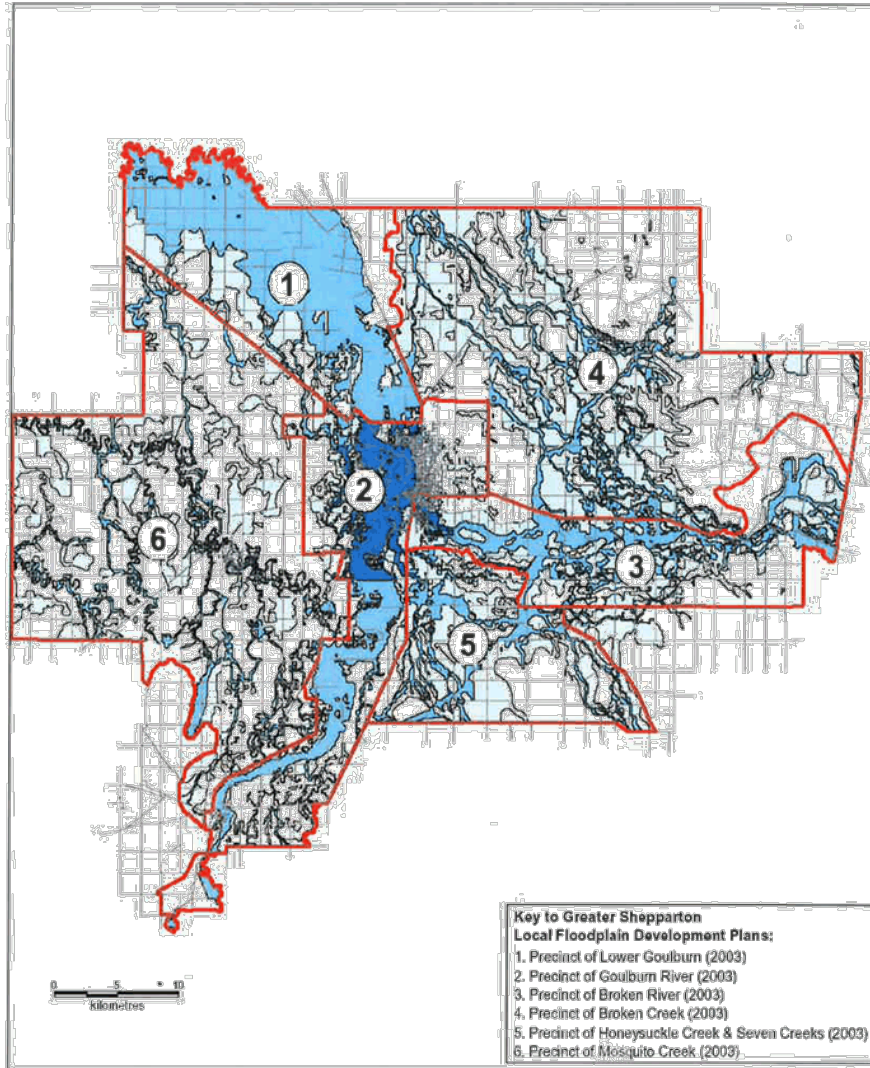
25/08/2011
C138

In addition to the Decision Guidelines in Clause 44.03-5, before deciding on an application, the responsible authority must consider the following relevant local floodplain development plans, which has been incorporated at Clause 81 of this scheme, as indicated on the attached map:

- Precinct of Lower Goulburn (2006);
- Precinct of Goulburn River (2006);
- Precinct of Broken River (2006);

GREATER SHEPPARTON PLANNING SCHEME

Greater Shepparton Local Floodplain Development Plans



Key to Greater Shepparton Local Floodplain Development Plans:

1. Precinct of Lower Goulburn (2003)
2. Precinct of Goulburn River (2003)
3. Precinct of Broken River (2003)
4. Precinct of Broken Creek (2003)
5. Precinct of Honeysuckle Creek & Seven Creeks (2003)
6. Precinct of Mosquito Creek (2003)

LEGEND

	Roads
	Precinct Boundary
	LSIO region
	FO region
	UFZ region

The above Greater Shepparton Local Floodplain Development Plans are incorporated documents of Clause 81 of the Greater Shepparton Planning Scheme which contain flood information and specific development requirements.
 These maps showing FO, LSIO & UFZ areas are indicative only and not to be used as a substitute for the planning scheme maps.



PREPARED BY: PLANNING DATA AND MAPPING TEAM
 DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT

FLOODWAY OVERLAY - SCHEDULE

PAGE 2 OF 2

GREATER SHEPPARTON PLANNING SCHEME

11/02/2016
C179
Proposed C197

SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO**.

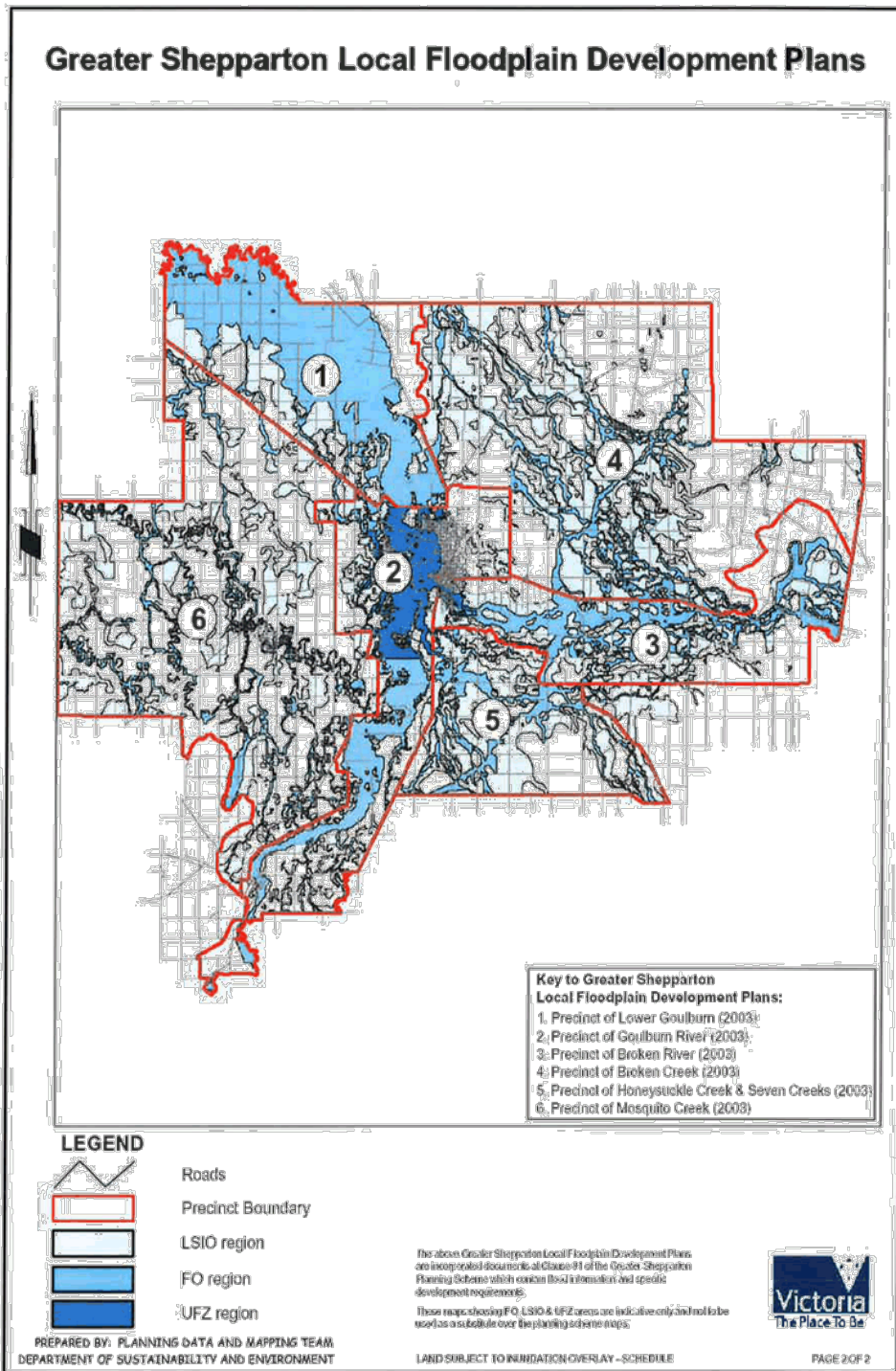
1.0**Permit requirement**

11/02/2016
C179
Proposed C197

A permit is not required to construct or carry out the following buildings or works:

- a single dwelling on an allotment within General Residential Zones, Neighbourhood Residential Zones, Residential Growth Zones where the floor level is at least 300 mm above the 100-year ARI flood level, or a higher level set by the responsible authority;
- a replacement dwelling where the floor level is at least 300 mm above the 100-year ARI flood level, or a higher level set by the responsible authority;
- a single or multiple dwelling extension where:
 - the combined ground floor area of the extension since 29th July 1999 is not greater than 20 m²; or
 - the owner can demonstrate to the satisfaction of the responsible authority that the floor height of the proposed dwelling extension/s is at least 300 millimetres above the 100-year ARI flood at the date of enquiry.
- an upper storey extension to an existing building within the existing building footprint;
- a pergola, verandah, decking, garage, carport, domestic shed, spa or swimming pool adjacent to an existing dwelling; including the extension to any of the aforementioned;
- an agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a farming zone with a floor area not more than 130 m²;
- a new industrial, retail, or office building within any industrial, or business commercial or activity centre zone of Mooroopna, Shepparton and Tatura where the floor level is at least 300 millimetres above the 100-year ARI flood level, or a higher level set by the responsible authority;
- an extension to an existing industrial, retail or office building provided that the total ground floor area of the building is less than 130 m²;
- a fence in a residential, business commercial, or industrial or activity centre zone;
- open type fencing (not including solid fences such as wooden or metal paling fences, cyclone mesh fences or brick, stone or concrete wall);
- an outdoor advertising sign/structure;
- a pump shed;
- a hay shed with open sides;
- a sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure;
- a mast, antenna, lighting or telecommunications tower;
- an accessway constructed at general natural surface elevations;
- roadworks carried out by a public authority;

GREATER SHEPPARTON PLANNING SCHEME



GREATER SHEPPARTON PLANNING SCHEME

SCHEDULE TO CLAUSE 81.01

Name of document	Introduced by:
Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, Standards Australia Limited, 2015	VC107
Dhurringile Prison Extension, Incorporated Document, December, 2013	GC4
Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire, August 2015	GC35
Goulburn-Murray Water Connections Project Incorporated Document, August 2015	GC35
Goulburn-Murray Water Native Vegetation Code of Practice, February 2011	C161
Greater Shepparton Floodplain Development Plan – Precinct of Mosquito Depression, October 2006	C32
Greater Shepparton Floodplain Development Plan – Precinct of Broken River, October 2006	C32
Greater Shepparton Floodplain Development Plan – Precinct of Broken Creek, October 2006	C32
Greater Shepparton Floodplain Development Plan – Precinct of Goulburn River, October 2006	C32
Greater Shepparton Floodplain Development Plan – Precinct of Honeysuckle and Seven Creeks, October 2006	C32
Greater Shepparton Floodplain Development Plan – Precinct of Lower Goulburn, October 2006	C32
Greater Shepparton Heritage Incorporated Plan, May 2013	C110
Greater Shepparton Planning Scheme Tatura Milk Industries Master Plan 2011 ²	C151
Lake Mokoan Decommissioning Project Planning Scheme Incorporated Document	C113
Mooroopna West Growth Corridor Development Contribution Plan, July 2013	C167
Shepparton North and South Growth Corridors, Development Contribution Plans – December 2002 (updated October 2003)	C11
Shepparton Law Courts Redevelopment Project Incorporated Document, March 2015	C176
SPC Modernisation Project Incorporated Document, September 2014	C174
Unilever Tatura Master Plan 2014	C170

**SUBMISSION RECORDER
AMENDMENT C197**
Closing date: 29 May 2017
Trim: M17/34088

Sub No.	First Name	Last Name	Organisation	Street Address	Suburb	State	P. Code	Content of Submission	Assessment of Submission	Recommendation	Date Submission Received
1	Neil	Repacholi	Goulburn-Murray Water	PO Box 165	Tatura	VIC	3616	No objection		No action required	5/05/2017
2	Guy	Tierney	Goulburn Broken Catchment Management Authority	PO Box 1752	Shepparton	VIC	3632	No objection		No action required	22/05/2017
3	Paul	Kerrins	Goulburn Valley Water	PO Box 185	Shepparton	VIC	3632	No objection		No action required	23/05/2017
4	Ben	Kneebone	EPA North East	PO Box 1007	Wangaratta	VIC	3676	No objection		No action required	25/05/2017
5	Andrew	Morphett	DELWP	PO Box 879	Seymour	VIC	3660	Support		No action required	24/07/2017
6	Rocky	D'Agostino	Land owner	PO BOX 493	Shepparton	VIC	3632	Objection * Believes that there are other anomalies that the proposed Amendment should also correct.	*Submitter No. 6's concerns are outside of the scope of this Amendment and should be considered as part of a future anomalies amendment.	* Refer to Panel	30/05/2017

SUBMISSION RECORDER
AMENDMENT C197
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Trim: M17/34088

Acknowledgement Letter Sent
10/5/2017
23/05/2017
18/07/2017
13/06/2017
24/07/2017
30/05/2017

Planning and Environment Act 1987

Panel Report

Greater Shepparton Planning Scheme Amendment C197

27 September 2017



Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Greater Shepparton Planning Scheme Amendment C197

27 September 2017



Con Tsotsoros, Chair



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Appendix A – Victorian Charter of Human Rights



Overview

Amendment summary	
The Amendment	Greater Shepparton Planning Scheme Amendment C197
Brief description	The Amendment proposes to correct spelling, grammar, formatting, zone and overlay errors, and clarify planning provisions, update the Municipal Strategic Statement to reference adopted strategies and introduce some of their recommendations into the Planning Scheme.
Subject land	All land in the municipality
Planning Authority	Greater Shepparton City Council
Authorisation	28 March 2017
Exhibition	27 April to 29 May 2017
Submissions	<ul style="list-style-type: none"> - Goulburn-Murray Water - Goulburn Broken Catchment Management Authority - Goulburn Valley Water - Environment Protection Authority - Department of Environment, Land, Water and Planning - Rocky D'Agostino
Panel process	
The Panel	Con Tsotsoros (Chair)
Directions Hearing	None held
Panel Hearing	None held
Site inspections	No visit made
Appearances	This report has been prepared on the papers based on correspondence sent to Planning Panels Victoria
Date of this Report	27 September 2017

Executive summary

(i) Summary

Greater Shepparton Planning Scheme Amendment C197 (the Amendment) seeks to correct spelling, grammar, formatting, zone and overlay errors, and clarify planning provisions, update the Municipal Strategic Statement to reference adopted strategies and introduce some of their recommendations into the Planning Scheme.

The Amendment was exhibited from 27 April to 29 May 2017 and received six submissions. Four submissions did not object to the Amendment and Goulburn-Murray Water, which objected to changes to Clause 21.05, later withdrew its objection to that matter. The remaining objecting submission was from Mr D'Agostino.

Key issues raised in Mr D'Agostino's submission related to Council's instrument of delegation, the planning scheme process associated with the Amendment's purpose, whether proposed changes align with the Amendment's purpose and the Greater Shepparton Planning Scheme review scope.

Having considered the submission, the Panel finds that:

- there is no apparent concern about how Council has managed the Amendment process
- Council has used good practice to address planning scheme errors in line with processes enabled through the *Planning and Environment Act 1987*
- The explanatory report clearly articulates the scope of the planning scheme review, and changes proposed by the Amendment align within this scope.
- proposed changes such as those in Activity Centre Zone Schedule 1, Design and Development Overlay Schedule 1 and the Land Subject to Inundation Overlay Schedule either neutrally translate references to previous zones or clarify provisions.

The Panel commends Council for proactively seeking to correct provisions in the Greater Shepparton Planning Scheme to improve its clarity and operation.

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is strategically justified because it will improve the Greater Shepparton Planning Scheme's clarity and operation. The Amendment should proceed subject to addressing any issues raised in submissions as discussed in this report.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Greater Shepparton Planning Scheme Amendment C197 be adopted as exhibited.

1 Introduction

1.1 The Amendment

The Amendment proposes to correct spelling, grammar, formatting, zone and overlay errors, clarify the intent of planning provisions, update the Municipal Strategic Statement to reference adopted strategies and introduce some of their recommendations into the Planning Scheme.

The Amendment's explanatory report comprehensively describes changes proposed by the Amendment for the following planning provisions:

- Clauses 21.04, 21.05, 21.06, 21.07, 21.09 of the Municipal Strategic Statement
- Special Use Zone Schedules 6 and 9
- Activity Centre Zone Schedule 1
- Heritage Overlay Schedule
- Design and Development Overlay Schedules 1 and 23
- Floodway Overlay Schedule and Land Subject to Inundation Overlay Schedule
- Clause 81.01 Schedule
- Heritage Overlay (HO141) being removed from land in a road reserve
- part of 31-73 Hawdon Street, Shepparton being rezoned from the Industrial 3 Zone to the Public Use Zone
- a portion of land in the road and road reserve along Kyabram-Rochester Road, Kyabram being rezoned from Farming Zone Schedule 1 to the Road Zone (Category 1).

1.2 Panel process

When requesting a Panel be appointed, Council also requested that the matter be conducted 'on the papers'. On the papers is a process where the Panel considers all issues raised in submissions without the need for oral submissions at a Hearing.

For procedural fairness, the Panel wrote to parties on 31 July 2017, providing them with an opportunity to confirm whether they agreed to the 'on the papers' process instead of a Hearing. On 8 August 2017, Mr D'Agostino provided written confirmation of his agreement.

The following documents were tendered as part of the Panel process:

- Document 1: Council's submission, 18 August 2017
- Document 2: Mr D'Agostino's submission to the Panel (referred to as Submission 6b in Council's submission), 27 August 2017
- Document 3: Council's submission – Right of reply, 8 September 2017.

1.3 Issues dealt with in this report

Four submissions did not object to the Amendment.

Goulburn-Murray Water originally objected to changes proposed for Clause 21.05. Goulburn-Murray Water met with Council on 24 July 2017 to discuss its concerns and subsequently withdrew its objection to that clause.

This report considers issues raised in one objecting submission from Mr D'Agostino.

2 Planning context

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

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

2.1 Policy framework

Council submitted that the Amendment is supported by the following clauses in the State Planning Policy Framework:

- 10.04 (Integrated decision making)
- 11 (Settlement)
- 15.03-1 (Heritage conservation)
- 17.02-2 (Design of industrial development)
- 19.03-5 (Waste and resource recovery).

Council submitted that the Amendment is consistent with the Local Planning Policy Framework and better implements the objectives of the Municipal Strategic Statement by providing land use and development objectives and requirements.

2.2 Planning scheme provisions

The Amendment affects the following zones and overlays:

- Zones: Special Use, Activity Centre, Industrial 3, and Farming
- Overlays: Design and Development, Heritage, Floodway, and Land Subject to Inundation.

2.3 Ministerial Directions

The explanatory report states that Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

In its submission, Council acknowledged that the exhibited amendment documentation does not align with the Ministerial Direction on the Form and Content of Planning Schemes because the Direction was revised after the Amendment was prepared. It added that redrafting the documentation may, in some cases, appear substantive and could be viewed as transformative. Council submitted that it intends to work with the Department of Environment, Land, Water and Planning to align Greater Shepparton Planning Scheme provisions with the Ministerial Direction.

2.4 Discussion and conclusions

The Panel agrees that the Amendment met the requirements of the Ministerial Direction on the Form and Content of Planning Schemes when it was prepared and before it was exhibited from 27 April to 29 May 2017. This Ministerial Direction was changed on 9 April

2017 and gazetted on 24 May 2017 to provide more detailed direction on preparing local planning content. The Panel has not undertaken a full review of the Amendment in accordance with the revised Direction, but found examples such as the Activity Centre Zone Schedule 1 and Special Use Zone Schedule 6 which exceed the number of objectives specified in the Direction. It is noted that Council intends to work with the Department of Environment, Land, Water and Planning to align local content with the Ministerial Direction.

There is no reason why local schedules could not be revised in a policy neutral manner to meet the Ministerial Direction and be included in the Amendment. Correcting anomalies between the local provisions and the Ministerial Direction aligns with the Amendment's intent. However, it may take considerable time to carefully draft policy neutral provisions and the Amendment should not be unnecessarily delayed. What is considered neutral to one party may be interpreted differently by another. There will be further opportunity, such as through the State Government's Smart Planning Program, to change these provisions in the future.

The Panel concludes that the Amendment is:

- supported by, and implements, the relevant sections of the State and Local Planning Policy Framework
- strategically justified because it will improve the Greater Shepparton Planning Scheme's clarity and operation
- should proceed subject to any Panel recommended changes which respond to issues discussed in the following chapter.

3 Rocky D'Agostino submission

Mr D'Agostino's submission to the exhibited Amendment stated that the Amendment proposes changes which go beyond correcting omissions and anomalies and did not align with the *Local Government Act 1989*. He considered that the Amendment documentation to be inappropriate and incomplete.

Mr D'Agostino expanded upon his original submission by basing his objection on four points related to:

1. Council's instrument of delegation
2. the planning scheme process associated with the Amendment's purpose
3. whether proposed changes align with the Amendment's purpose
4. the Greater Shepparton Planning Scheme review scope.

3.1 Instrument of delegation

(i) Submissions

Mr D'Agostino was concerned that Council officers did not have delegation to conduct their duties for the Amendment and submitted:

The letter dated 28 March 2017 from the Minister of Planning to Mr Peter Harriot CEO Greater Shepparton City Council is specific in respect to the extent of authorisation of Delegation from the Minister.

Council responded that the letter dated 28 March 2017 from the DELWP authorising the Amendment states:

Under delegation from the Minister for Planning, in accordance with section 8A of the Planning and Environment Act 1987 (the Act) I authorise your council as planning authority to prepare the amendment subject to the following conditions ...

Council submitted that the letter refers to the Minister for Planning delegating his power to enable DELWP to authorise the Amendment on his behalf. It does not refer to delegation from Council's Chief Executive Officer to its officers.

Mr D'Agostino referred to the *Local Government Investigations and Compliance Inspectorate Protecting integrity: Central Goldfields Shire Council investigation*, August 2017 report. He drew comparisons with commentary about Central Goldfields Shire Council and Greater Shepparton council officer activities.

Mr D'Agostino submitted that the term "*to the satisfaction of the responsible authority*" lacks clarity and transparency regarding delegating power to Council.

Council responded that Mr D'Agostino was referring to a term used in Greater Shepparton Planning Scheme zone and overlay schedules. It clarified that the Amendment does not propose to change this content.

(ii) Discussion

The purpose of authorising the Amendment was to identify whether it is consistent with State policy or interests and so that it appropriately uses the Victoria Planning Provisions. The Minister for Planning often delegates this process to the Department of Environment, Land, Water and Planning through an instrument of delegation. This is separate to the planning authority's power enabled through the *Planning and Environment Act 1987*. A planning authority, in this instance Council, would have its own instrument of delegation so that officers can conduct work on its behalf. The power being delegated is enabled under the *Planning and Environment Act 1987* – not the *Local Government Act 1989*.

There was no information provided to the Panel to raise concern that Council did not conduct its activities within the relevant statutory framework. Irrespective, section 166 of the *Planning and Environment Act 1987* enables the Panel to consider issues raised in submissions despite any defect, failure or irregularity in the preparation of the Amendment. The Panel accepts Council's submission on this matter.

Regarding the term "*to the satisfaction of the responsible authority*", the Panel review the Amendment documentation and could not find any proposal to change this term. This is a commonly applied process in planning schemes throughout Victoria. The Panel considers that any change to this planning provision would be outside the Amendment's intent, as described in the explanatory report. The Panel accepts Council's submission on this matter.

(iii) Conclusion

The Panel concludes:

- There was no information provided to raise concern about how Council has managed the Amendment process.
- The *Planning and Environment Act 1987* enables the Panel to consider issues despite any technical defects.
- Any change to the planning provision "*to the satisfaction of the responsible authority*" would be outside the Amendment's intent.

3.2 Planning scheme amendment process**(i) Submissions**

Mr D'Agostino queried whether the Amendment proposed to correct errors or change the Planning Scheme. Mr D'Agostino submitted that the "slip rule" should be used to resolve spelling, grammar, formatting, zone and overlay errors. He said that this rule is commonly used in panel hearings and legal cases.

In its submission, Council summarised the Amendment's purpose from the explanatory report:

The purpose of the Amendment is to correct spelling, grammar, formatting, zone and overlay errors, to clarify the intent of planning controls, update the Municipal Strategic Statement to include various adopted strategies as reference documents, and introduce the recommendations into the Planning Scheme.

Council acknowledged that the Planning Scheme could still be interpreted if spelling, grammar, formatting, zone and overlay errors proposed to be corrected by the Amendment were overlooked. It added that the Amendment also proposes to correct errors that can be misinterpreted and need to be changed and submitted:

Given that the Amendment is required to correct these zone and overlay errors, Council officers believe it is prudent to address other errors and anomalies identified within the Planning Scheme.

Council submitted that:

- using the planning scheme amendment process to make corrections is good planning practice
- the Amendment was prepared in accordance with the *Planning and Environment Act 1987*.

(ii) Discussion

The Panel commends Council for proactively seeking to correct provisions in the Greater Shepparton Planning Scheme to improve its clarity and operation. While the Panel understands Mr D'Agostino's concern about planning scheme errors, it agrees with Council that it is prudent to address all errors while correcting errors that can be misinterpreted. Addressing all errors can minimise unnecessary costs and delays in the future. The Panel accepts Council's submission on this matter.

(iii) Conclusion

The Panel concludes:

- Council has used good practice to address planning scheme errors in line with processes enabled through the *Planning and Environment Act 1987*.

3.3 Alignment with the Amendment's purpose

(i) Submissions

Mr D'Agostino questioned the phrase "*to clarify the intent of the planning controls*" in the Planning Scheme because he did not consider the Amendment achieves this purpose. He questioned changes to Design and Development Overlay Schedule 1 and considered that they changed the intent of the planning provisions. Council responded that only two grammatical changes are proposed for Design and Development Overlay Schedule 1 – adding a bracket and deleting a full stop.

Mr D'Agostino submitted that the Amendment "*is a misuse of power and is in contravention of a number of laws and the Victorian Charter of Human Rights*". He added:

Amendments must be clear and precise and properly representing the intent of the amendment with transparency and must be subject to a thorough and complete review before approval by the Minister or adoption by Council, notwithstanding previous amendments may not have been subject to those processes, the Council, now, without justification is requiring the Panel

Chairman to change with a stroke of a pen the previous adopted Planning Scheme that may or may not have fundamental problems

Council responded that it was unclear how the Amendment could be perceived as contravening any laws or the Victorian Charter of Human Rights. Council submitted that it has not proposed any post-exhibition changes and reiterated that the Amendment was prepared through a transparent process in accordance with the *Planning and Environment Act 1987*. It clarified that not every change proposes to clarify the intent of the planning provisions. It explained that some changes are simple spelling, grammatical or formatting corrections.

(ii) Discussion

The Panel does not consider that any of the proposed changes change the intent of any clause in the Planning Scheme.

The Panel was not provided with information to support the submission that the Amendment contravenes any law or the Victorian Charter of Human Rights. Having reviewed the proposed changes and the Charter (Appendix A of this report), the Panel agrees with Council's submission that changes proposed by the Amendment do not raise any concerns. As discussed earlier in this report, section 166 of the *Planning and Environment Act 1987* enables a Panel to consider issues raised in an amendment even if it has technical defects.

(iii) Conclusion

The Panel concludes:

- Proposed changes referred to in Mr D'Agostino's submission align with the Amendment's purpose and do not change the intent of any planning provision.
- There is insufficient information to support the submission that the Amendment contravenes any law or the Victorian Charter of Human Rights.

3.4 Planning Scheme review scope

The Amendment proposes to:

- Activity Centre Zone Schedule 1: change two references from 'verandas' to 'verandahs' and change a reference from 300 metres to 300 square metres
- Design and Development Overlay Schedule 1: add a missing bracket and delete a full stop
- Land Subject to Inundation Overlay Schedule: replace reference to the Business Zone which has not existed since 2013 with the Commercial and Activity Centre Zone.

(i) Submissions

Mr D'Agostino questioned the scope of the Planning Scheme review and referred to the Activity Centre Zone Schedule 1, Design and Development Overlay Schedule 1 and Land Subject to Inundation Overlay Schedule as examples. He found it disturbing that the Amendment was proposing changes to Activity Centre Zone Schedule 1 while Amendment

C192 was concurrently proposing to change the same schedule. He referred to strategies and provisions in these schedules and queried how some could be implemented.

Council responded that the Amendment clarifies, but does not change, the intent of the three schedules.

(ii) Discussion

The Panel notes that it is not uncommon for different amendments to propose changes to the same clause in the same Planning Scheme to enable them to progress without unnecessary delay. As the Amendment proposes to make corrections, it is unlikely that this would conflict with amendments proposing substantive changes to planning policy or provisions.

The Panel considers changes proposed for the Land Subject to Inundation Overlay Schedule to be a neutral translation and other changes in the other schedules to clarify provisions. The Panel accepts Council's submission on this matter.

(iii) Conclusion

The Panel concludes:

- Changes proposed for the Activity Centre Zone Schedule 1, Design and Development Overlay Schedule 1 and Land Subject to Inundation Overlay Schedule either neutrally translate references to previous zones or clarify provisions.
- The explanatory report clearly articulates the scope of the planning scheme review.
- Changes proposed by the Amendment align within the identified review scope.

3.5 Recommendation

The Panel recommends that Greater Shepparton Planning Scheme Amendment C197 be adopted as exhibited.

Appendix A – Victorian Charter of Human Rights

The Victorian Charter of Human Rights and Responsibilities contains the following rights (sections of the Act shown in brackets):

- Your right to recognition and equality before the law (section 8)
- Your right to life (section 9)
- Your right to protection from torture and cruel, inhuman or degrading treatment (section 10)
- Your right to freedom from forced work (section 11)
- Your right to freedom of movement (section 12)
- Your right to privacy and reputation (section 13)
- Your right to freedom of thought, conscience, religion and belief (section 14)
- Your right to freedom of expression (section 15)
- Your right to peaceful assembly and freedom of association (section 16)
- Your right to protection of families and children (section 17)
- Your right to taking part in public life (section 18)
- Cultural rights (section 19)
- Property rights (section 20)
- Your right to liberty and security of person (section 21)
- Your right to humane treatment when deprived of liberty (section 22)
- Rights of children in the criminal process (section 23)
- Your right to a fair hearing (section 24)
- Rights in criminal proceedings (section 25)
- Right not to be tried or punished more than once (section 26)
- Retrospective criminal laws (section 27).

Post-Exhibition Changes are being drafted now, in accordance with the Panel recommendations.