

# **ATTACHMENT TO AGENDA ITEM**

**Ordinary Meeting**

**17 September 2019**

**Agenda Item 10.2      Adoption of Amendment C211 to the Greater Shepparton Planning Scheme**

<b>Attachment 1</b>	<b>Post-Exhibition Documentation .....</b>	<b>400</b>
<b>Attachment 2</b>	<b>Submissions Recorder .....</b>	<b>425</b>
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Planning and Environment Act 1987

## GREATER SHEPPARTON PLANNING SCHEME

### AMENDMENT C211

#### EXPLANATORY REPORT

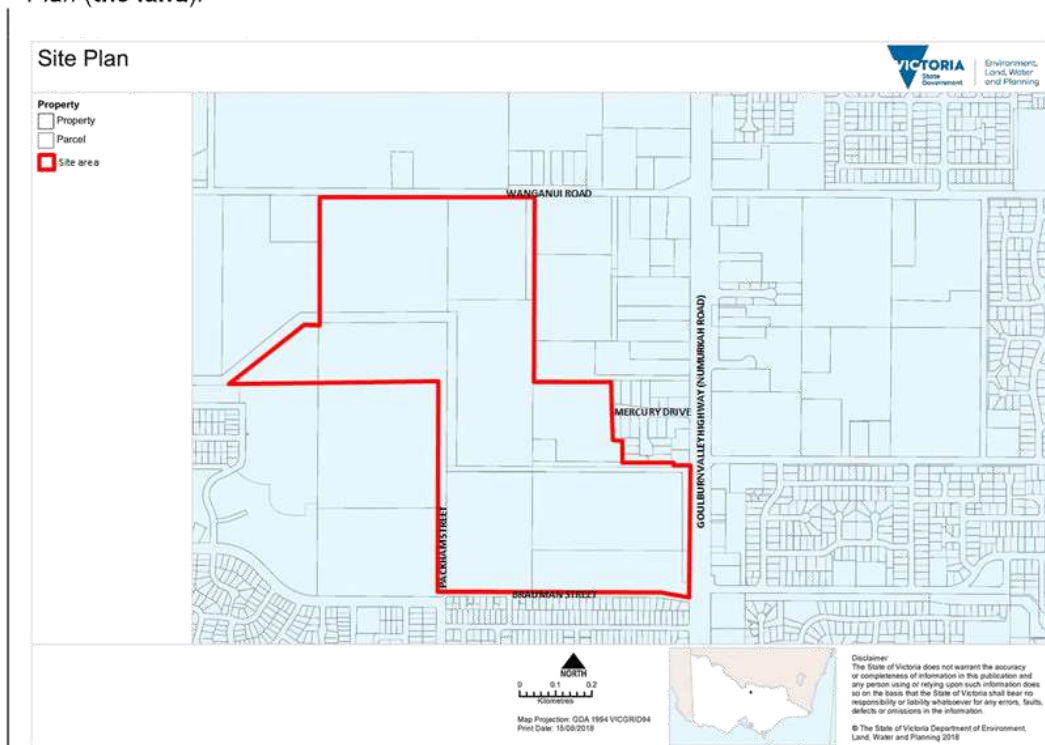
#### Who is the planning authority?

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 the Shepparton Sports and Events Centre, the proposed site for the Munarra Centre for Regional Excellence, and associated land, as shown on *Figure 1 – Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Site Plan (the land)*.



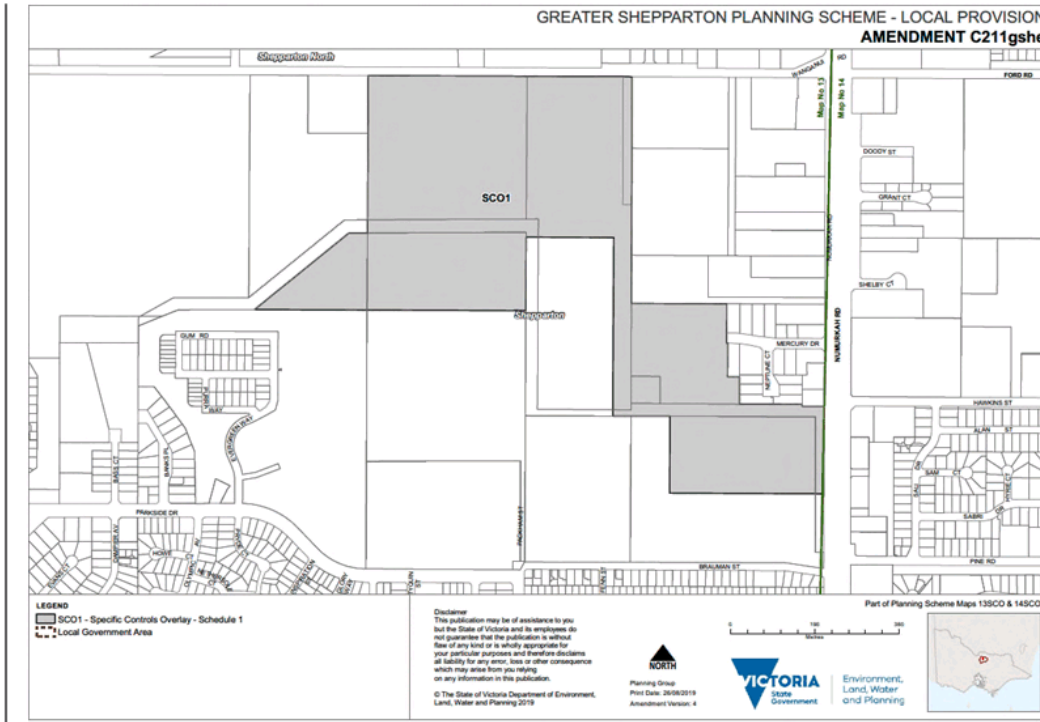


Figure 1 – Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Site Plan

The Amendment applies to approximately 4470ha of land and the following addresses:

- [access road from Wanganui Road to 47 and 55 Wanganui Road, Shepparton;](#)
- [part of the Brauman Street road reserve;](#)
- [part of 10-20 Evergreen Way, Shepparton;](#)
- [part of the Goulburn-Murray Water Drain No.3;](#)
- [20 and 20A Mercury Drive, Shepparton;](#)
- [part of 120-174 Numurkah Road, Shepparton;](#)
- [part of 85 Packham Street and part of 110 Packham Street, Shepparton;](#)
- [part of 45 Parkside Drive, Shepparton; and](#)
- [part of 55 and 75 Wanganui Road, Shepparton.](#)

- ~~85 and 110 Packham Street, Shepparton;~~
- ~~120 - 174 Numurkah Road, Shepparton;~~
- ~~20 and 20A Mercury Drive, Shepparton;~~
- ~~55, 55A and 75 Wanganui Road, Shepparton; and~~
- ~~Part of 45 Parkside Drive, Shepparton.~~

~~The Amendment also applies to part of the Packham Street and Brauman Street road reserves, as well as the Goulburn-Murray Water Drain that traverses the land.~~

~~The land includes:~~

- ~~the existing Shepparton Sports Stadium;~~
- ~~the site for the Munarra Centre for Regional Excellence;~~
- ~~the Rumbalara Football and Netball Club; and~~
- ~~associated areas for drainage infrastructure.~~

The land has a long history of use for open space, recreation and sporting facilities. The land is predominantly within the Urban Floodway Zone, with some sections within the Commercial 2 Zone, Industrial 1 Zone, Public Parks and Recreation Zone, and Public Use Zone, [see Figure 2](#). It is affected by the Land Subject to Inundation Overlay.

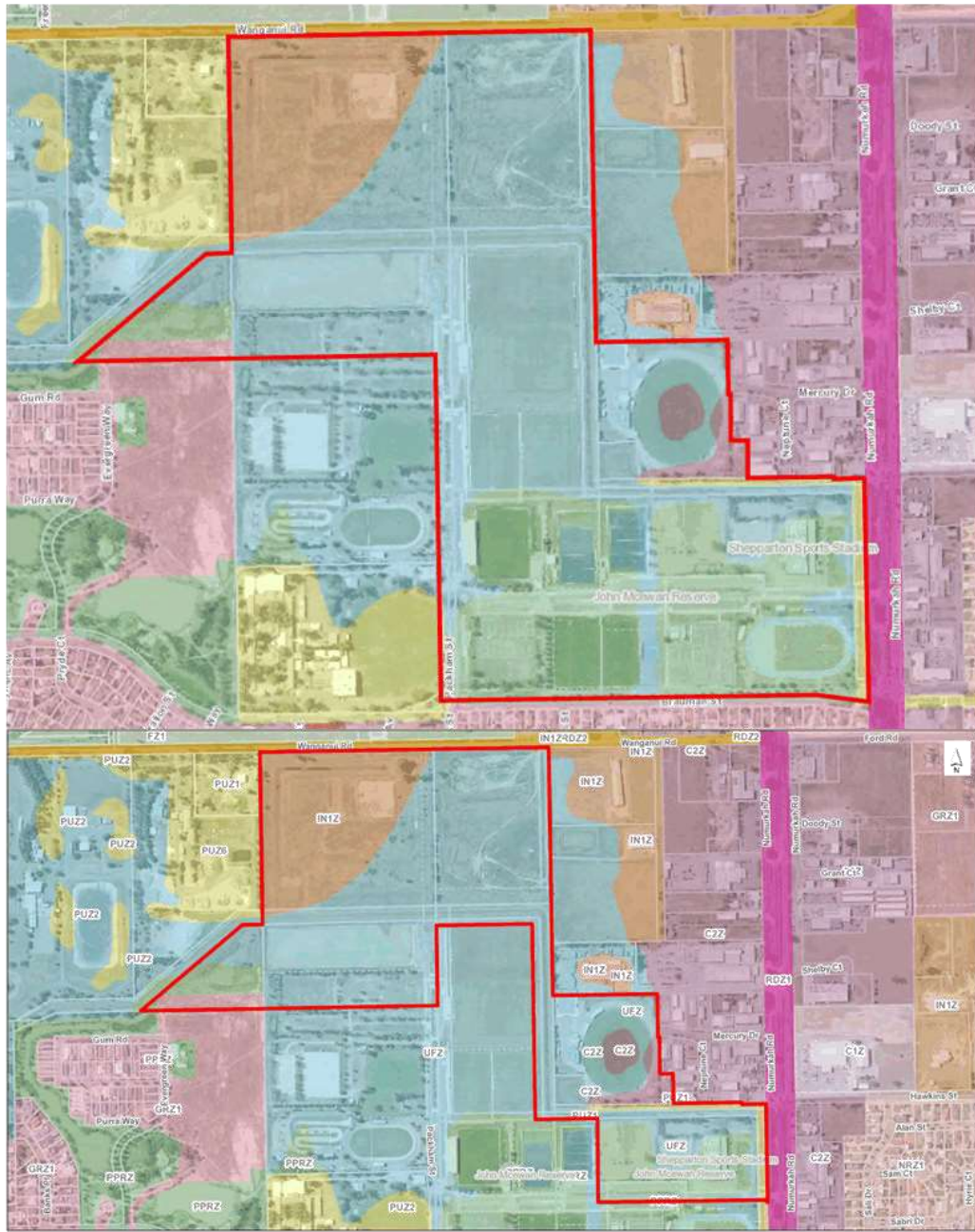


Figure 2 – Zone Map

**What the amendment does**

The Amendment inserts a new Incorporated Document titled *Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre* in the Greater Shepparton Planning Scheme.

Specifically, the Amendment:

- introduces Clause 45.12 Specific Controls Overlay and the Schedule to Clause 45.12 Specific Controls Overlay into the Greater Shepparton Planning Scheme;
- amends the Schedule to Clause 72.04 *Table of Documents Incorporated in this Scheme* to include a new Incorporated Document titled *Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre October 2018* in the planning scheme; and
- inserts Planning Scheme Map Nos. 13SCO and 14SCO to apply a Specific Controls Overlay to the subject land.

### **Strategic assessment of the Amendment**

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

The Amendment is required to expedite the delivery of the new Munarra Centre for Regional Excellence (Munarra), [Rumbalara Re-life \(Rumba Re-life\)](#) and the Shepparton Sports and Events Centre (the SSEC). Munarra [and Rumba Re-life](#) have received State Government funding, which is linked to the delivery of key milestones and specific timeframes. This Amendment will facilitate the timely delivery of the Munarra [and Rumba Re-life](#) project, see [Figures 3, 4 and 5](#).

The land associated with the Amendment lies predominantly within the Urban Floodway Zone (UFZ) where some of the proposed land uses associated with the Amendment are normally prohibited under the zone provisions. However, a number of unique factors affecting the land have been identified by the background technical reports and issues have been addressed in the project plan. To expedite construction in accordance with the funding agreement, an incorporated document is required to implement controls that ensure the development responds appropriately to the land's characteristics.



Figure 3 – Munarra Master Plan

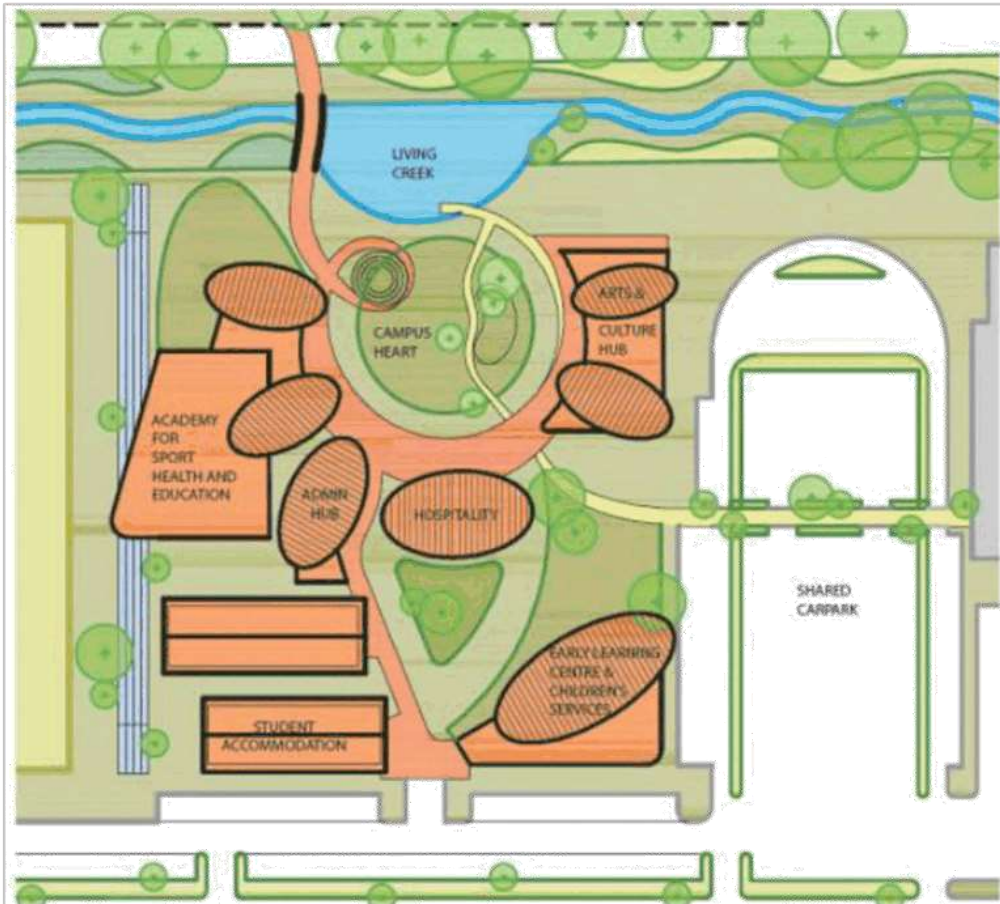


Figure 4 – Munarra Conceptual Campus Layout



Figure 5 – Munarra Integrated Water Management Plan

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

The Amendment implements the following objectives of planning at Section 4 (1) of the *Planning and Environment Act 1987*:

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- (c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a),(b), and (c); and
- (g) to balance the present and future interests of all Victorians.

The Amendment achieves this by facilitating works associated with a regionally significant facility in Shepparton that can be enjoyed by the community. Munarra will include a new employment centre, training, community, cultural performance and conference facilities.

Munarra, [Rumba Re-life](#) and the SSEC have been subject to a thorough strategic planning process in consultation with the Department of Environment, Land, Water and Planning. Background reports have been prepared to guide the Amendment, identifying several site specific risks (primarily flooding) and better ensures that any negative impacts associated with the development of the site are negligible.

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

#### Environmental

The development of the project plan and Incorporated Document have been undertaken in close partnership with the Goulburn Broken Catchment Management Authority and Goulburn-Murray Water to ensure that there are no negative drainage and flooding impacts.

In this regard, a preliminary model of flood behaviour was prepared by Water Technology Pty Ltd and a preliminary drainage strategy was prepared by Chris Smith & Associates Pty Ltd to ensure that the land could support the development envisaged for Munarra, [Rumba Re-life](#), and SSEC and [associated drainage infrastructure](#) outlined in Figures 3, 4 and 5 (above).

Further investigation is required to determine the quantum of drainage and flooding infrastructure required to support the future development of the land, particularly as work progresses on the detailed design options for both development sites. The Incorporated Document requires the preparation of an Integrated Water Management Plan, to be prepared by a suitably qualified consultant, prior to the commencement of any development on the land. It must be prepared to the satisfaction of relevant authorities. This detailed design, once finalised, will ensure that there are no negative environmental impacts associated with the proposed [a](#)Amendment.

#### Social

The Amendment will provide for works associated with a purpose-built educational, sporting, cultural and community centre, which provides pathways to employment and further education for Indigenous Australians and migrants in the region.

Munarra seeks to promote a strong sense of cultural identity, pride and awareness by enabling shared experiences through both planned and incidental contact, providing an opportunity for people to feel connected to their community. It will offer a place of social inclusion, bringing people together to enhance place attachment and belonging, while simultaneously highlighting the precinct, and adjoining destinations and features.

[The State Government funding includes a redevelopment of the current RFNC sporting facilities, including a potential refurbishment of the RFNC changing rooms and grandstand](#)



[facility and the development of new netball courts, to maximise community use and add further value to MCRE. The rejuvenated facility will form an extension of the MCRE and provide valuable training facilities for students and visitors to Munarra, as well as the local community.](#)

[The design process for MCRE and Rumba Re-life is still in its infancy and will be informed by further extensive stakeholder and community consultation.](#)

Redevelopment of the SSEC will generate direct and indirect employment opportunities through construction and ongoing operations. Participation in sporting and recreational activities assists new migrant communities to establish new social networks and to develop marketable skills.

The Amendment does not result in any negative social impacts.

#### Economic

The integrated facilities offered by Munarra, [Rumba Re-life](#) and the SSEC will enable significantly expanded capacity to host major sporting, educational and cultural events, which will increase tourist visitation to the Shepparton area.

It is projected that the SSEC redevelopment will result in a four-fold increase in the number of events per year. As well as increasing the number of events secured in existing sports, many new opportunities are expected in activities not currently able to be hosted at the Stadium. Increased visitation generated by the project will have positive flow on effects to the region's retail and hospitality sectors, creating investment opportunities within the City, and contributing to the sustained growth of the Greater Shepparton region.

The Amendment does not result in any negative economic impacts.

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

The Objective of Clause 13.02 *Bushfire* is to prioritise the protection of human life over all other policy considerations.

The land is not affected by the Bushfire Management Overlay nor is it within a designated Bushfire Prone Area. The land has a long history of use for open space, recreation, and sporting facilities. Consolidation and enhancement of sporting facilities on this land does not impact on bushfire risk. The closest parcel of land that is affected by the Bushfire Management Overlay is approximately 700m (at its closest point) from the land. Even at its closest point the buffer distance between the two parcels of land is considered so large that any risk from ember attack affecting the land is considered to be minimal.

Aside from small recently planted saplings and small trees, there is minimal existing vegetation located on the land. The *Munarra Landscape Plan* envisages additional wetland and dryland planting perpendicular to the existing Goulburn-Murray Water Drain that traverses the land. While it is considered that there will be a general densification of vegetation in specific areas of the land, it is not considered that this additional vegetation will result in an increased risk from bushfire.

The Amendment is consistent with the Local Planning Policy Framework objectives and strategies that apply to the risk of bushfire.

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

Ministerial Direction 1 requires Council to satisfy itself that the use(s) are suitable. Given the historic and ongoing use of the site for recreation and sporting facilities, the proposed use is considered appropriate. Prior to the land's use as a sporting precinct, the land was typically used for agricultural rather than industrial purposes. The Incorporated Document includes a

requirement for an Environmental Management Plan showing the measures proposed to satisfy all relevant environment requirements, including any soil contamination.

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

The Amendment has been considered and assessed against the requirements of Ministerial Direction No. 11 Strategic Assessment of Amendments and meets the requirements of this direction.

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

The Amendment aligns with a number of directions in the *Hume Regional Growth Plan 2014*. In particular, the Amendment facilitates development in Shepparton, which is identified as a Major Growth Location and a Regional City in the [sState](#) wide context.

The Amendment further supports Shepparton's role as the hub for the Goulburn Valley and Hume Region, providing a key example of community infrastructure. It also provides a major piece of social infrastructure, designed to meet local needs that is inclusive, accessible and culturally appropriate, with an emphasis on public space that builds community connections.

The Amendment aligns with the objectives and strategies of Clause 13.03-1S *Floodplain management*. The relevant floodplain management authority has been consulted with in the preparation of the project plan and Incorporated Document. The Incorporated Document requires the preparation of a further Flood Management Report to ensure any impact on the floodway is appropriately managed.

[The Amendment aligns with the objectives and strategies of Clause 18.01-1S \*Land use and transport planning\* and Clause 18.02-3S \*Road system\*. The Incorporated Document requires the preparation of a Traffic Impact Assessment Report \(TIAR\) to be prepared to the satisfaction of the Roads Corporation to ensure any impacts on the existing road network are identified and appropriately managed. In addition, the Amendment appropriately implements the objective and strategies of Clause 18.02-2S \*Public Transport\* by ensuring that pedestrian, cyclist and public transport movements are accommodated in the final Design Plan.](#)

The Amendment implements the objective and strategies of Clause 19.02-3S *Cultural facilities* by improving access to recreation facilities and reinforcing a major precinct for sport of state-wide appeal. It also implements Clause 19.02-4S *Social and cultural infrastructure* by providing enhanced social and cultural infrastructure for the region.

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

The Amendment implements the objectives and strategies of Clause 21.04-5 *Community Life*, including:

- strengthening the image of Shepparton as a regional community and cultural hub through the creation of a state of the art innovative community facility.
- requiring a development that provides accessible public spaces and considers the social, physical, environmental and economic domains, and strengthens links with the indigenous and cultural community in Shepparton.

The Amendment supports the objectives of Clause 21.05-2 *Floodplain and Drainage Management* by recognising the constraints of the floodplain on the use and development of the land.

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

The Amendment makes proper use of the Victoria Planning Provisions to facilitate the development of the Munarra and SSEC by introducing a new Incorporated Document titled *Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre, October 2018* in the Greater Shepparton Planning Scheme. This document provides clear, transparent, tailored planning controls for the land in order to facilitate the development of the site.

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

The development of the project plan for Munarra included engagement with relevant agencies, authorities and community groups, including, Goulburn Broken Catchment Management Authority, Goulburn Valley Water, Yorta Yorta Nation Aboriginal Corporation, Department of Environment, Land, Water & Planning and the Department of Economic Development, Jobs, Transport and Resources. Advice received informed the requirements included in the Incorporated Document.

The design, siting and site works must satisfy conditions imposed by Regional Roads Victoria and the aforementioned agencies, including those of the responsible authority, prior to development commencing on the site.

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

The purpose of the *Transport Integration Act 2010* is to create a new framework for the provision of an integrated and sustainable transport system in Victoria. The vision statement recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible state.

The objectives of the *Transport Integration Act 2010* relate to social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, efficiency, coordination, reliability, safety, health and wellbeing.

The Amendment will have an impact on the transport system. In accordance with the Incorporated Document, the TIAR will assess the impact that development on the site will have on the existing transport system and propose effective management solutions.

The Amendment will result in an intensification of development associated with Munarra, Rumba Re-life and the SSEC. It is considered that ~~the existing arterial road network is considered to~~ can comfortably facilitate any increase in traffic flows that would be generated as a direct result of the development facilitated by the Amendment.

The subject land associated with the Amendment abuts Wanganui Road to the north, which is designated as part of the critical east-west link between Stage 1 of the Goulburn Valley Highway Shepparton Bypass and Shepparton Alternative Route, and abuts Numurkah Road / Goulburn Valley Highway to the east. The Amendment does not seek to create any new access points onto Wanganui Road. The alteration of any existing access points to the site will be required to be undertaken in a manner deemed satisfactory by the relevant roads authority.

The Incorporated Document includes conditions that require the preparation of a Traffic Impact Assessment and Car Parking Plan to be approved by the responsible authority ~~in coordination with and Regional Roads Victoria~~ to the satisfaction of the responsible roads authority.

#### **Resource and administrative costs**

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

The Amendment reduces the administrative burden of the responsible authority by removing

unnecessary planning permit triggers for the use and development of land associated with Munarra, [Rumba Re-life](#) and the SSEC, access to a road in a Road Zone Category 1, car parking, traffic treatments and drainage infrastructure.

#### **Where you may inspect this Amendment**

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

- Greater Shepparton City Council, 90 Welsford Street, Shepparton, or online at the Greater Shepparton City Council website at [www.greatershepparton.com.au](http://www.greatershepparton.com.au); and
- Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

#### **Submissions**

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions regarding the Amendment must be received by **4 March 2019**.

A submission must be written and may be lodged:

- during office hours, at the office of the planning authority, Greater Shepparton City Council, 90 Welsford Street, Shepparton; or
- by email to: [council@shepparton.vic.gov.au](mailto:council@shepparton.vic.gov.au); or
- by post 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: to be held in the week commencing **13 May 2019**.
  - panel hearing: to be held in the week commencing **3 June 2019**.

*Planning and Environment Act 1987***GREATER SHEPPARTON PLANNING SCHEME****AMENDMENT C211****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 1 attached map sheet.

**Overlay Maps**

1. Insert new Planning Scheme Map Nos. 13SCO and 14SCO in the manner shown on the attached maps marked "Greater Shepparton Planning Scheme, Amendment C211".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

2. In Overlays – Clause 45.12, insert a new Schedule in the form of the attached document.
3. In Incorporated Documents – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

GREATER SHEPPARTON PLANNING SCHEME

--/20--  
Proposed C211

**SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY**

**1.0 Specific controls**

--/20--  
Proposed C211

PS Map Ref	Name of incorporated document
SCO1	Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document, <del>October 2018</del> <a href="#">September 2019</a>

## GREATER SHEPPARTON PLANNING SCHEME

31/07/2018  
VC148  
[Proposed C211](#)

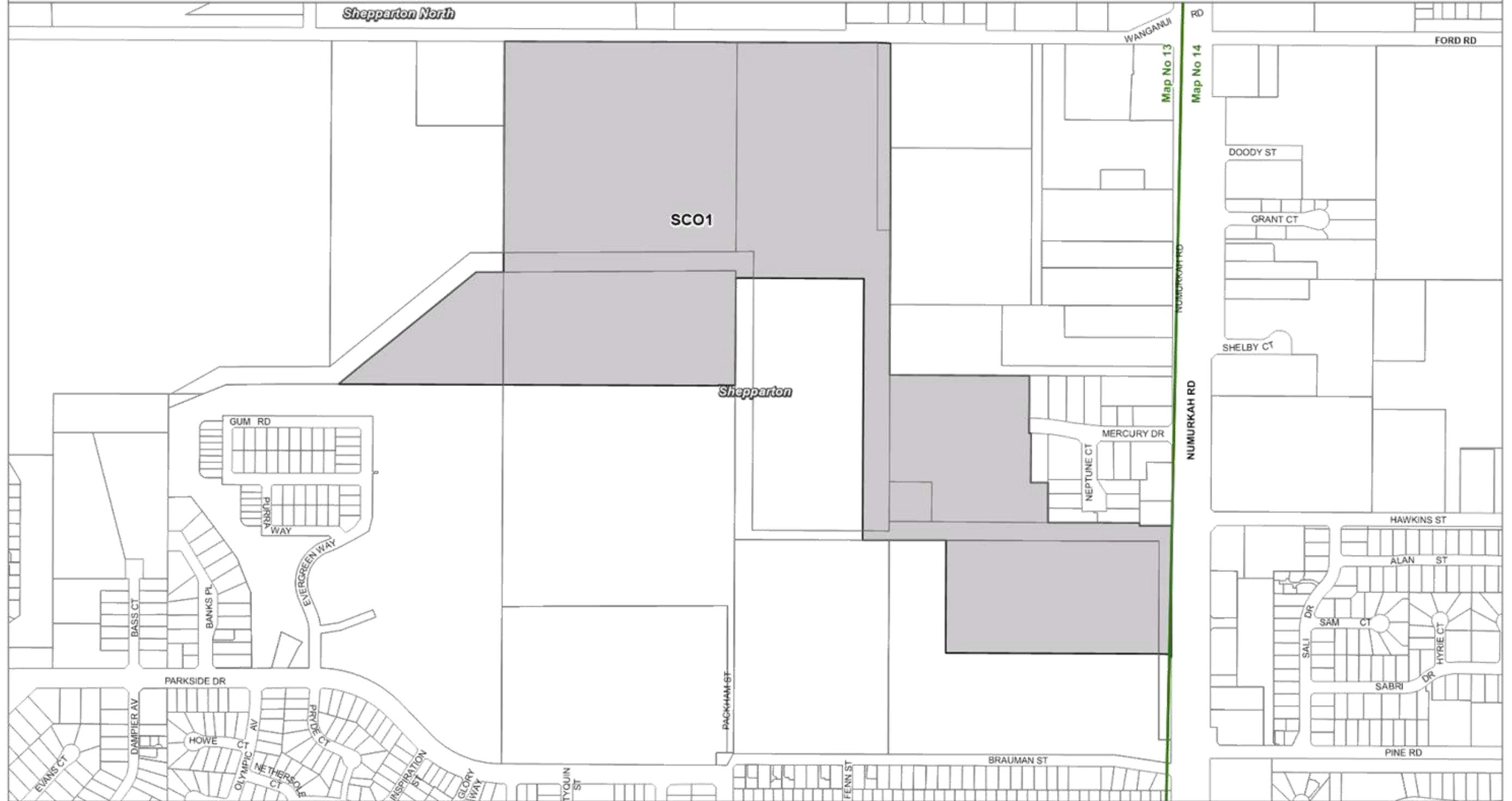
## SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

### 1.0 Incorporated Documents

31/07/2018  
VC148  
[Proposed C211](#)

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 2012	C151
Lake Mokoan Decommissioning Project Planning Scheme Incorporated Document	C113
<a href="#">Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document, October 2018</a>	C211
Mooroopna West Growth Corridor Development Contribution Plan, July 2013	C167
<a href="#">Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document, September 2019</a>	C211
SAM Redevelopment Project, June 2017	C201
Shepparton North and South Growth Corridors: Development Contributions Plans, December 2002 (revised April 2018)	C203
Shepparton Law Courts Redevelopment Project Incorporated Document, March 2015	C176
SPC Modernisation Project Incorporated Document, September 2014	C174
Unilever Tatura Master Plan 2014	C170

# GREATER SHEPPARTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C211gshe



**LEGEND**

- SCO1 - Specific Controls Overlay - Schedule 1
- Local Government Area

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Part of Planning Scheme Maps 13SCO & 14SCO

0 190 380  
Metres

**NORTH**

**VICTORIA**  
State Government

Environment,  
Land, Water  
and Planning







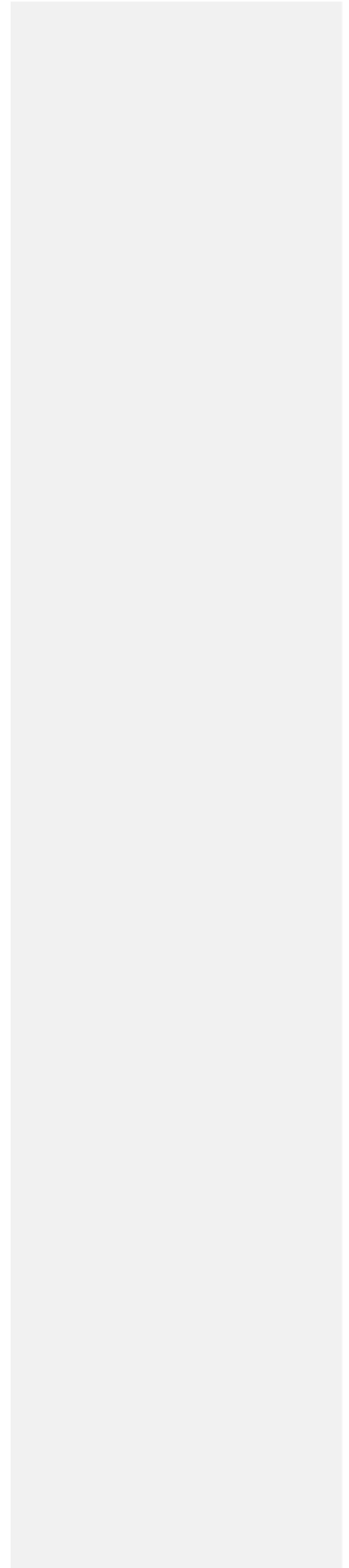
MUNARRA CENTRE FOR REGIONAL EXCELLENCE – INCORPORATED DOCUMENT

## Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre

INCORPORATED DOCUMENT

~~October 2018~~ September 2019

This document is an incorporated document pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987*.



## MUNARRA CENTRE FOR REGIONAL EXCELLENCE – INCORPORATED DOCUMENT

**1. INTRODUCTION**

This document is an incorporated document in the Schedule to Clause 45.12 *Specific Controls Overlay* and Schedule to Clause 72.04 *Table of Documents Incorporated in this Scheme* of the Greater Shepparton Planning Scheme.

The land identified in this document may be used and developed in accordance with the specific controls in this document.

**2. PURPOSE**

The purpose of this document is to facilitate development of the Munarra Centre for Regional Excellence (Munarra), Rumbalara Re-life (Rumba Re-life), and the Shepparton Sports and Events Centre (SSEC) and associated drainage infrastructure.

Comment [MS1]: Post-Panel Change

Comment [MS2]: Post-Panel Change

**3. LAND**

This document applies to land at the existing Shepparton Sports Precinct and associated land parcels, as shown on Figure 1 – Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Site Plan (the Land). This includes:

- the existing Shepparton Sports Stadium;
- the site for the Munarra Centre for Regional Excellence;
- the Rumbalara Football and Netball Club; and
- associated areas for drainage infrastructure.

Comment [MS3]: Post-Panel Change

The document applies to land marked as SCO1 on Greater Shepparton Planning Scheme Map 13SCO, including the following:

- access road from Wanganui Road to 47 and 55 Wanganui Road, Shepparton;
- part of the Brauman Street road reserve;
- part of 10-20 Evergreen Way, Shepparton;
- part of the Goulburn-Murray Water Drain No.3; and
- part of 85 Packham Street and part of 110 Packham Street, Shepparton;
- 20 and 20A Mercury Drive, Shepparton;
- part of 120-174 Numurkah Road, Shepparton;
- part of 85 Packham Street and part of 110 Packham Street, Shepparton;
- part of 45 Parkside Drive, Shepparton; and
- part of 55, 55A and 75 Wanganui Road, Shepparton; and
- part of 45 Parkside Drive, Shepparton;
- part of the Goulburn-Murray Water Drain No.3; and
- part of the Brauman Street road reserve.

The Land also includes part of the Packham Street and Brauman Street road reserves and the Goulburn-Murray Water Drain that traverses the land.

Comment [MS4]: Post-Panel Change

**4. APPLICATION OF PLANNING SCHEME PROVISIONS**

MUNARRA CENTRE FOR REGIONAL EXCELLENCE – INCORPORATED DOCUMENT

Despite any provision to the contrary or any inconsistent provision in the Greater Shepparton Planning Scheme, no planning permit is required for, and nothing in the planning scheme operates to prohibit, control or restrict the use and development of the Land if it is in accordance with the specific controls in this document for the purposes of Munarra and the SSEC.

Comment [MS5]: Post-Panel Change

The use and development of the Land for the purposes of Munarra, Rumba Re-life and the SSEC includes, but is not limited to:

Comment [MS6]: Council does not agree with the Panel's recommendation of the inclusion of a broad concept plan for the developments. As such, mention is not included.

Comment [MS7]: Post-Panel Change

- demolition of existing buildings;
- the use of the land for sporting facilities, including grandstand, netball courts, sporting fields, lighting and other associated uses;
- the use of the land for educational programs and a cultural and arts hub;
- the use of the land for residential accommodation associated with the educational facilities on the land;
- the use of the land for a place of assembly, office, food and drink premises and licensed premises;
- buildings and works associated with Munarra, Rumba Re-life and the SSEC;
- signs;
- removal of vegetation including trees;
- construction or alteration of drainage infrastructure;
- car parking;
- events and temporary buildings or works required for such events; and
- creating or altering access; to a road in a Road Zone Category 1 subject to an approved Traffic Impact Assessment Report (TIAR); and
- any traffic treatment works.

Comment [MS8]: Post-Panel Change

Comment [MS9]: Wording change to address submission from submitter 12.

This control is subject to the conditions in Clause 5 of this document.

If there is any inconsistency between the specific controls in this document and the general provisions of the Greater Shepparton Planning Scheme, the specific controls in this document will prevail.

**5. CONDITIONS**

The use and development of the Land permitted by this document must be carried out in accordance with the following conditions:

- I. Prior to buildings and works being carried out, the following plans must be prepared and submitted for approval to the satisfaction of the responsible authority and relevant authorities.
  - a) An **Existing Conditions Plan** drawn to scale that shows the location, height, and purpose of existing buildings on the site.
  - b) A **Design Plan** for the site, drawn to scale, that shows the following:
    - boundaries and dimensions;

Comment [MS10]: Wording change to address submissions from submitter 11, submitter 12 and submitter 9.

Comment [MS11]: Submitter 12 requested 'the details of any proposed signs within the RDZ1'. The SCO does not apply to any land within the RDZ1, as such this change cannot be accommodated.

MUNARRA CENTRE FOR REGIONAL EXCELLENCE – INCORPORATED DOCUMENT

- the location, height, size and purpose of buildings;
  - elevations, including colours and materials;
  - ground levels;
  - driveways, vehicle parking areas, loading and unloading areas, and waste treatment areas;
  - landscaped areas;
  - details of proposed signs for new buildings/structures; and
  - adjoining roads [and location of any future connection to Wanganui Road.](#)
- c) A **Flood Management Report** [must be approved by the responsible authority](#) [must be prepared to the satisfaction of the relevant floodplain management authority](#); that provides details on:
- the location of the proposed development in relation to flood affected land;
  - the susceptibility of the development to flooding and flood damage;
  - the effect of the development on redirecting or obstructing floodwater; and
  - stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities and any mitigating measures as required.
- d) A **Landscape Plan** that describes:
- any vegetation removal proposed;
  - the vegetation species to be planted;
  - the number and size of trees at maturity and other proposed vegetation; and
  - planting formations, surface treatments and the method of preparing; and draining, watering and maintenance of landscaping areas.
- e) An **Integrated Water Management Plan** must be approved by the responsible authority, that provides details on:
- the provision, location, quantity and treatment of drainage infrastructure on the site; and
  - details of how stormwater runoff will be treated, retained and conveyed to existing drainage in accordance with the Infrastructure Design Manual (*as revised*).
- f) A **Traffic Impact Assessment Report** [must be approved by the responsible authority](#) [must be prepared to the satisfaction of the relevant roads authority](#) that provides details on:
- [the impacts of Munarra, Rumba Re-life and the SSEC on the operation and function of the transport network and identify how to avoid, reduce, manage and mitigate these impacts on the arterial road network;](#)
  - the provision, location, layout and treatment of all vehicle and bicycle parking areas including [end-of-trip](#) facilities, loading and unloading areas within the site, driveways and other access ways within and abutting the site; and
  - [road treatments to and from Numurkah Road \(Goulburn Valley Highway\), Brauman Street and Packham Street, including details on the alteration or creation of any](#)

**Comment [MS12]:** Wording change to address submission from submitter 9.

**Comment [MS13]:** Wording change to address submissions from submitter 12 and submitter 9.

**Comment [MS14]:** Post-Panel Change

**Comment [MS15]:** Wording change to address submission from submitter 12.

MUNARRA CENTRE FOR REGIONAL EXCELLENCE – INCORPORATED DOCUMENT

accesses to a road in the Road Zone Category 1 and any traffic treatment works or installations.

Comment [MS16]: Wording change to address submission from submitter 12.

- g) A **Construction Management Plan** specifying the measures proposed to ensure the construction activity has minimal impact on surrounding areas and trees.
- h) An **Environmental Management Plan** (EMP) showing the measures proposed to satisfy all relevant environment requirements including soil contamination and noise. The EMP must include all relevant monitoring, auditing, reporting and mitigation measures that are relevant to the development and use of the land.
- i) A **Utility Services Plan** detailing the existing services and proposed connections to utility infrastructure.
- j) A **Carparking Plan** that shows the number of spaces to be provided on the Land for Munarra, Rumba Re-life and the SSEC.

Comment [MS17]: Post-Panel Change

- II. The development of the Land must be generally in accordance with the endorsed plans to the satisfaction of the responsible authority. The use and development as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the responsible authority.
- III. The use permitted by this incorporated document must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the activities carried on, including through the transport of materials; appearance of any buildings, works or materials; emission of noise, artificial light, traffic, waste products; or otherwise.

Comment [MS18]: Wording change to address submission from submitter 12.

#### 6. EXPIRY

The use and development permitted by this incorporated document will expire if one of the following circumstances applies:

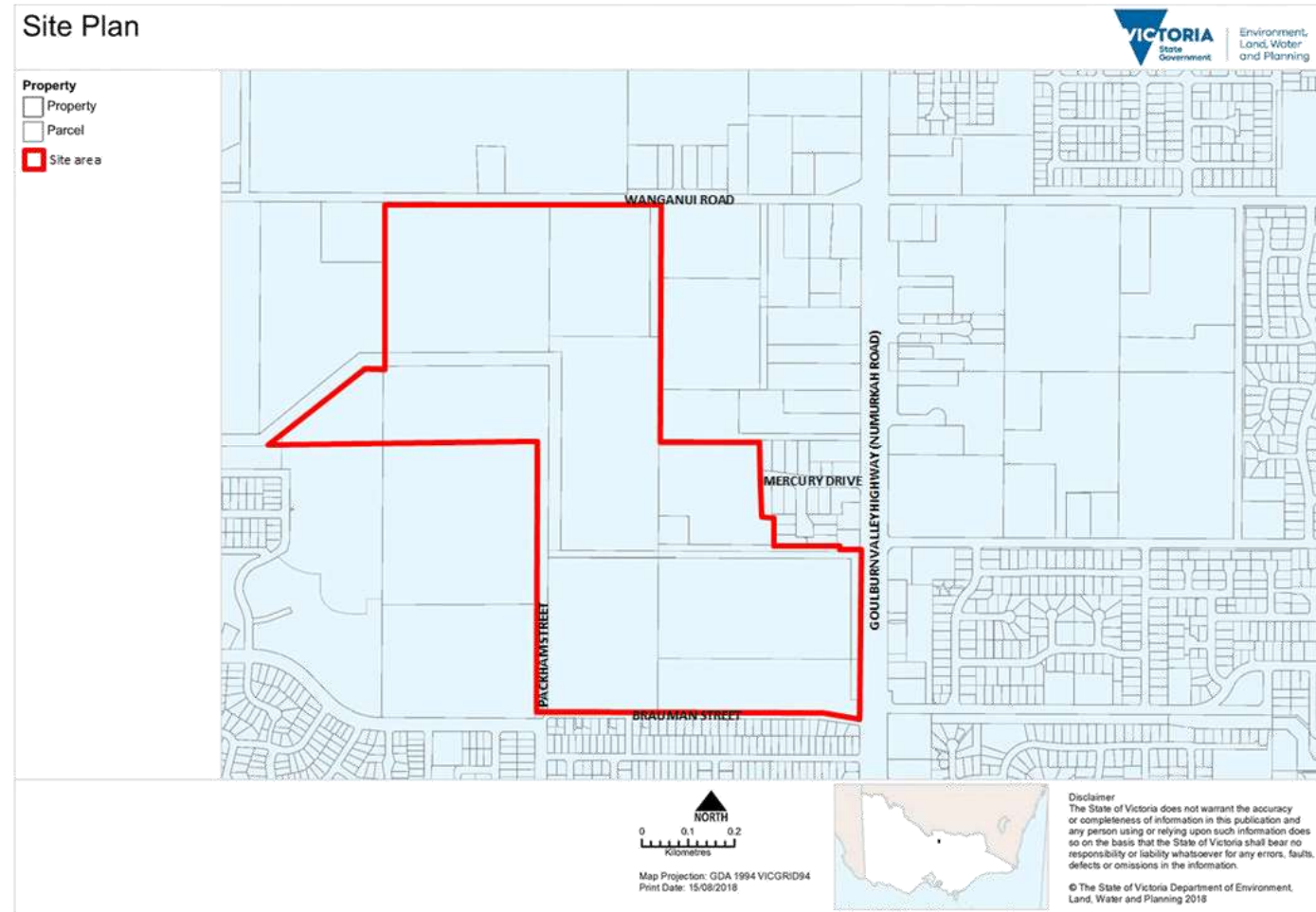
- a) The development is not commenced within two-five years of the date of gazettal of this incorporated document; or
- b) The development is not completed within five-seven years of commencement.

Comment [MS19]: Post-Panel Change

Comment [MS20]: Post-Panel Change

The responsible authority may extend the periods referred to if a request is made in writing before expiry or within six months afterwards.

Figure 1 – Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Site Plan









**AMENDMENT 211 (Munarra Centre for Regional Excellence and  
Shepparton Sports and Events Centre)  
Submission closing date: 4 March 2019  
Trim No: M19/23052**

Sub No.	First Name	Last Name	Organisation	Content of Submission	Date Submission Received	Acknowledgement Letter Sent
1	Ed	Twining	Goulburn Valley Water	Submission makes comments: *Detailed water and sewer servicing assessments have been completed for the sports precinct *Further detailed assessment will be required if there are major changes of the sports precinct and/or feasibility reports available for the other part of the overlay.	24/01/2019	30/01/2019
2	Guy	Tierney	Goulburn Broken Catchment Management Authority	Comments	25/01/2019	30/01/2019
3	Simon	Hollis	Department of Environment, Land, Water and Planning	Comments	5/02/2019	13/03/2019
4	Darren	Viney	Country Fire Authority	Comments	1/03/2019	04/03/2019
5	Roger	Simpson	Environment Protection Authority Victoria	Comments	4/03/2019	05/03/2019
6	Robert	Jolly		Submission requests changes: *Requests the preparation of a Precinct Structure Plan (PSP) for Shepparton North *The preparation of Amendment C211 can undermine the provision of a proper and thorough PSP for Shepparton North *Investigate pedestrian and vehicle movements between retail shops on the eastern side of Numurkah Road and MCRE & SSEC	4/03/2019	05/03/2019
7	Michael	Lorenz	Marl Enterprises (IGA)	Submission requests changes: *Requests the preparation of a Precinct Structure Plan (PSP) for Shepparton North *The preparation of Amendment C211 can undermine the provision of a proper and thorough PSP for Shepparton North *Change the boundaries of the proposed Specific Controls Overlay (SCO) to encompass retail shops on the eastern side of Numurkah Road. *Investigate pedestrian and vehicle movements between retail shops on the eastern side of Numurkah Road and MCRE & SSEC	4/03/2019	05/03/2019
8	James	Atkinson	Rumbalara Aboriginal Cooperative	Submission requests changes: *Council has not considered the cultural and historical connection that Rumbalara Aboriginal Cooperative (RAC) as the land owner and cultural occupier of the land holds with the land. *No direct consultation with RAC has occurred between representatives of RAC and Council *The Amendment will impact the ability for RAC to expand or undertake additional development on their land *A second more formal Letter of Objection will be sent	4/03/2019	05/03/2019
9	Casey	Collins	Spiire	Submission makes comments: *Suggests revision to sections of the Incorporated Document to ensure that the appropriate authorities are consulted with during the preparation of a Flood Management Report and a Traffic Management Impact Assessment Report	4/03/2019	05/03/2019
10	Michael	Patten	Powercor	Comments	4/03/2019	05/03/2019



**AMENDMENT 211 (Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre)**  
**Submission closing date: 4 March 2019**  
**Trim No: M19/23052**

11	Daniel	Cooper	APA	Submission requests changes: *Requests that final design plans be prepared to the satisfaction of APA to review any impacts on APA assets within the curtilage of the SCO	8/03/2019	12/03/2019
12(a)	Jennifer	Baldry	Regional Roads Victoria	Submissions requests changes: *Requests changes to the Explanatory Report to better ensure the amendment is consistent with Clause 18 in the VPP and properly address the relevant requirements of the Transport Integration Act 2010 * Requests revision to sections of the Incorporated Document to ensure that the Roads Corporations are properly consulted with during the preparation of a Traffic Management Impact Assessment Report and states conditions to be met prior to the sign off of a final Design Plan *highlights typos in the Schedule to Clause 45.12 and Schedule to Clause 72.04 *Believes the Amendment proposes an approvals process which is 'out of sequence' and contrary to 'orderly and proper planning'	8/03/2019	12/03/2019
12(b)	Jennifer	Baldry	Regional Roads Victoria	Submission requests changes: *Requests that a condition of the Incorporated Plan be removed	8/03/2019	12/03/2019
13	Ranine	McKenzie	Goulburn-Murray Water	Submission makes comments: *A large sum of work has been undertaken in close partnership with GMW and the GBCMA to ensure there are no negative effects on flooding. *Ongoing consultation should continue to occur with regards to future drainage in the area. *Any works or development affecting drainage should be agreed to by GMW and other relevant authorities.	12/03/2019	13/03/2019
14	Tim	Kanoa	Aboriginal Victoria, Department of Premier and Cabinet, Forest, fire and Regions and the Department of Environment, Land, Water and Planning,	Submission makes comments: *Councils adopted Shepparton Sports Precinct Masterplan 2009 designated space for the future development of the MCRE. At the 2016 August OCM, Council resolved to designate land available to Rumbalara Football Netball Club available for the development of the MCRE. *In 2017-18, the Victorian Government provided \$200,000 to prepare a business case for the development of the MCRE. *In 2018-19, the Victorian Government committed \$23 million over three years for the construction of the MCRE. A further \$5 million was committed from the University of Melbourne. *Outlines what services the MCRE will deliver to the Murray Goulburn Region such as acceleration programs that foster talent, the centre will act as a cultural knowledge hub, and build upon already existing infrastructure. **"Given the benefits of MCRE to Aboriginal people in the Goulburn Murray region and across Australia, DPC and DELWP is highly supportive of an amendment to the planning scheme that will facilitate the construction of the MCRE and the SSEC upgrade." *Outlines how the MCRE will benefit the local region. *Requests to be heard at the upcoming Independent Planning Panel Hearing	6/06/2019	6/06/2019



**AMENDMENT 211 (Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre)**  
**Submission closing date: 4 March 2019**  
**Trim No: M19/23052**

	15 Julie	Weels	University of Melbourne	<p>Submission makes comments:</p> <ul style="list-style-type: none"> <li>*The inclusion of the <i>Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document October 2018</i> in the Greater Shepparton Planning Scheme will help facilitate the development of the MCRE.</li> <li>*The Munarra Academy is identified to be the future home for the existing Academy of Sport, Health and Education (ASHE).</li> <li>*The Incorporated Document is critical to establishing the Munarra Academy and enabling the development of the purpose-built infrastructure to leverage cultural critical. This will encourage further collaboration from project partners to improve student outcomes.</li> </ul>		
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*Planning and Environment Act 1987*

Panel Report

Greater Shepparton Planning Scheme Amendment C211  
Munarra Centre for Regional Excellence and Shepparton  
Sports and Events Centre

12 August 2019



*Planning and Environment Act 1987*

Panel Report pursuant to section 25 of the Act

Greater Shepparton Planning Scheme Amendment C211

Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre

12 August 2019



Con Tsotsoros, Chair

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## Glossary and abbreviations

Act	<i>Planning and Environment Act 1987</i>
ASHE	Academy of Sports, Health and Education
Council	Greater Shepparton City Council
Drainage strategy	<i>Wanganui/ Numurkah Road Drainage Catchment &amp; Flood Analysis Strategy, Chris Smith &amp; Associates, November 2017</i>
Engagement Plan	<i>Munarra Centre for Excellent Aboriginal Stakeholder &amp; Community Engagement Plan</i>
Incorporated Document	<i>Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre October 2018</i>
Munarra Centre or MCRE	Munarra Centre for Regional Excellence
SSEC	Shepparton Sports and Events Centre

## Overview

Amendment summary	
<b>The Amendment</b>	Greater Shepparton Planning Scheme Amendment C211
<b>Common name</b>	Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Site
<b>Brief description</b>	Applies the Specific Controls Overlay to the subject land and incorporates the associated document titled <i>Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre October 2018</i> into the Greater Shepparton Planning Scheme
<b>Subject land</b>	Land shown in Figure 1
<b>Planning Authority</b>	Greater Shepparton City Council
<b>Authorisation</b>	November 2018, subject to conditions
<b>Exhibition</b>	17 January to 4 March 2019
<b>Submissions</b>	<p>Submissions were received from:</p> <ol style="list-style-type: none"> <li>1. Goulburn Valley Water</li> <li>2. Goulburn Broken Catchment Management Authority</li> <li>3. Department of Environment, Land, Water and Planning (Forest, Fire and Regions)</li> <li>4. Country Fire Authority</li> <li>5. Environment Protection Authority Victoria</li> <li>6. Jayme Thomas</li> <li>7. Marl Enterprises</li> <li>8. Rumbalara Aboriginal Cooperative</li> <li>9. Spiire</li> <li>10. Powercor</li> <li>11. APA Group</li> <li>12. Regional Roads Victoria</li> <li>13. Goulburn-Murray Water</li> <li>14. University of Melbourne</li> <li>15. Aboriginal Victoria, Department of Premier and Cabinet and the Department of Environment, Land, Water and Planning (Forest, Fire and Regions)</li> </ol>

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 Greater Shepparton Planning Scheme Amendment C211 | Panel Report | 12 August 2019
 

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Panel process	
<b>The Panel</b>	Con Tsotsoros, Chair
<b>Directions Hearing</b>	Shepparton, 6 June 2019
<b>Panel Hearing</b>	Shepparton, 16 and 17 July 2019
<b>Site inspections</b>	Unaccompanied, 6 June 2019
<b>Appearances</b>	<ul style="list-style-type: none"> <li>- Greater Shepparton City Council represented by Colin Kalms, Manager Building and Planning, supported by:               <ul style="list-style-type: none"> <li>- Heidi Dixon of Department of Environment, Land, Water and Planning</li> <li>- Lucia Lancelotti of Aboriginal Victoria (Department of Premier and Cabinet)</li> <li>- Anthony Corbett of the University of Melbourne</li> </ul> </li> <li>- Rumbalara Aboriginal Cooperative represented by Troy Spencer of T &amp; C Development Services and David Robb of Planit Urban Design and Planning</li> <li>- Jayme Thomas represented by Rob Jolly</li> <li>- Marl Enterprises represented by Craig Bramley</li> </ul>
<b>Citation</b>	Greater Shepparton PSA C211 [2019] PPV
<b>Date of this Report</b>	12 August 2019

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## Executive summary

The City of Greater Shepparton is in Victoria's Hume region and its resident population is forecast to increase from 65,070 in 2016 to 77,690 in 2036. Significant physical and social infrastructure will be needed to support existing and new residents.

The Shepparton Sports Stadium was first opened in 1972 with two courts to support resident needs at that time. It was extended in 1994 to add a further two courts and multi-purpose areas to respond to increasing demand.

Greater Shepparton Planning Scheme Amendment C211 (the Amendment) proposes to implement a new plan for the Munarra Centre for Regional Excellence (Munarra Centre) and Shepparton Sports and Events Centre (SSEC). Collectively, the centres represent an \$88 million investment that will transform the existing facilities at the stadium into a regionally significant sporting, entertainment and events complex.

The Amendment was exhibited from 17 January to 4 March 2019 and received 15 submissions. Three of the submitters presented to the Panel at the Hearing.

Key issues raised in submissions include the Amendment having insufficient strategic assessment and considerations, insufficient consultation, the need for a structure plan and master plan, traffic and parking, drainage, the selection of the Specific Controls Overlay, and drafting issues with the proposed Incorporated Document.

### Panel response to issues

The Amendment was exhibited in accordance with the requirements of the *Planning and Environment Act 1987*. The proposed community consultation program detailed in the *Munarra Centre for Excellent Aboriginal Stakeholder & Community Engagement Plan* can proceed without delaying the Amendment. The community, including Aboriginal stakeholders, are front and centre of this comprehensive program.

The Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework. It does this by, among other things, supporting State planning policies which seek to:

- develop a strong cultural environment and increase access to arts, recreation and other cultural facilities
- reinforce the existing major precincts for arts, sports and major events of state wide appeal
- provide fairer distribution of and access to social and cultural infrastructure.

The Amendment is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded, strategically justified and should proceed subject to addressing the more specific issues raised in this report.

The Specific Controls Overlay is the appropriate planning tool for the subject land and should not be extended to include commercial land on the eastern side of Numurkah Road. Council strategically justified why the overlay and the Incorporated Document should be applied to land associated with the three identified projects but not to the balance of the subject land. The Specific Controls Overlay should only apply to land subject to the three identified

projects so that the balance of the land can continue to be used and developed in line with the existing zones.

There are no existing or foreseeable future traffic, parking or drainage issues which require further detailed reports before the Amendment progresses. In line with the Incorporated Document, it is appropriate to consider these matters in further detail later in the process when design and development details are known.

The Amendment, and proposed revised changes to the Incorporated Document, provide an appropriate framework for guiding future traffic, parking and drainage plans and reports, and for assessing future permit applications. The Incorporated Document provides assurance that the proposal can only proceed after these plans and reports have been prepared to the satisfaction of relevant authorities. Before finalising the Amendment, Council should check whether APA Group is considered a relevant authority and, depending on the outcome, whether Condition 5(l) should be redrafted.

Requiring the Flood Management Report to be prepared to the satisfaction of the relevant floodplain management authority will help ensure that works or development do not negatively impact Drain No 3 which traverses through the subject land. Similarly, requiring the Transport Impact Assessment to be prepared to the satisfaction of the Roads Corporation will ensure that the proposal can only proceed if there is no negative impact on the surrounding road network.

From a drafting perspective, the Incorporated Document would benefit from changes which extend its expiry dates and improve its clarity and operation.

### Recommendations

Based on the reasons set out in this Report, the Panel recommends that Greater Shepparton Planning Scheme Amendment C211 be adopted as exhibited subject to the following:

1. **Reduce the extent of the Specific Controls Overlay so that it only applies to the land subject to the proposed Munarra Centre for Regional Excellence, Rumba Re-life and the Shepparton Sports and Events Centre.**
2. **Amend the Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document, October 2018, as shown in Appendix B, to:**
  - a) **revise the last two points in section 4 to “creating or altering access” and “any traffic treatment works”**
  - b) **require a Design Plan in section 5 to show the location of any future connection to Wanganui Road**
  - c) **require a Traffic Impact Assessment Report in section 5 to:**
    - **be prepared to the satisfaction of the relevant road authority**
    - **provide details on impacts on the operation and function of the transport network and identify how to avoid, reduce, manage or mitigate impacts on the arterial road network**
    - **provide details on altering or creating access to the road in Road Zone Category 1, including any traffic treatment works or installations**
  - d) **require in section 5 that the use not adversely affect traffic**



- e) require a Flood Management Report in section 5 to be prepared to the satisfaction of the relevant floodplain management authority
- f) require in Condition 5(l) that plans be prepared and submitted to the satisfaction of relevant authorities
- g) extend the document's expiry dates
- h) revise Figure 1 to add a broad concept plan for the three proposed projects and change its title to *"Figure 1 – Munarra Centre for Regional Excellence, Rumba Re-life and Shepparton Sports and Events Centre Concept Plan"* to ensure clarity and certainty
- i) not require a permit if the use and development is in accordance with the specific controls of the document and generally in accordance with the concept plan
- j) make drafting related changes which improve its clarity and operation.

# 1 Introduction

## 1.1 The Amendment

### (i) Amendment description

The Amendment proposes to implement a new plan for the Munarra Centre for Regional Excellence (Munarra Centre) and Shepparton Sports and Events Centre (SSEC) by:

- applying the Specific Controls Overlay (SCO1) to the subject land
- inserting Schedule 1 to the Specific Controls Overlay which identifies the subject land on the Planning Scheme Map as SCO1 and applies a new Incorporated Document titled *Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre October 2018* (the Incorporated Document)
- incorporating the Incorporated Document into the Planning Scheme through the Clause 72.04 Schedule.

The exhibited Incorporated Document specifies:

- its purpose to facilitate development of the Munarra Centre and SSEC
- how the subject land can be used and developed despite the provisions of the Planning Scheme
- conditions which require, and include details for, the following plans and reports:
  - Existing Conditions Plan
  - Design Plan
  - Flood Management Report
  - Landscape Plan
  - Integrated Water Management Plan
  - Traffic Impact Assessment Report
  - Construction Management Plan
  - Environmental Management Plan
  - Utility Services Plan
  - Carparking Plan
- that it will expire if development does not commence within two years of gazettal or if development is not completed within five years of commencement.

The Amendment has been broadly informed by:

- Shepparton Sports Precinct Master Plan Traffic Engineering Assessment, Traffix Group Pty Ltd, October 2013
- Economic Analysis of Sports and Recreation, Essential Economics, June 2014
- Wanganui/ Numurkah Road Drainage Catchment & Flood Analysis Strategy, Chris Smith & Associates, November 2017 (Drainage strategy).

**(ii) The subject land**

The Amendment applies to land shown in Figure 1.

Figure 1 Subject land



Source: <https://mapshare.vic.gov.au/vicplan/> and Planning Panels Victoria

**1.2 Background**

1972	Shepparton Sports Stadium was opened in 1972 with two courts
1994	Shepparton Sports Stadium was extended in 1994 with two additional courts and a multi-purpose area
2008	Rumbalara Football Netball Centre promoted the concept of the Munarra Centre in Shepparton and sought funding for the project from the Victorian Government
16 August 2009	Council adopted the Shepparton Sports Precinct Master plan which provided space to the west of the existing Shepparton Sports Stadium for the possible development of the University of Melbourne’s Academy of Sports, Health and Education (ASHE) It is expected that ASHE will relocate to the Munarra Centre

January 2010	A feasibility study was developed in 2010 for the redevelopment of Rumbalara Football Netball Centre and ASHE
2013	Council received \$7.19 million from the Federal Government, \$750,000 from the Victorian State Government and \$200,000 from sporting club contributions to the Greater Shepparton Sports Precinct Redevelopment Council contributed the remaining \$21 million redevelopment
2015	The (then) Minister for Aboriginal Affairs requested more details on the Munarra Centre's positive educational, social and economic impacts on the Goulburn Murray Region
2016	An Overall Development Plan including the Munarra Centre and SSEC was prepared by GMR Engineering
August 2016	Council resolved to make the southern parcel of land available to Rumbalara Football Netball Centre for the development of the Munarra Centre
October to December 2016	Department of Environment, Land, Water and Planning conducted initial community consultations with Rumbalara Aboriginal Cooperative and Yorta Yorta Nation Aboriginal Corporation representatives
August to October 2017	A further round of community consultation in relation to developing the Munarra Centre Business Case was held with Rumbalara Aboriginal Cooperative and Yorta Yorta Nation Aboriginal Corporation
November 2017	Council requested the Minister for Planning to prepare a Planning Scheme Amendment under section 20(4) of the <i>Planning and Environment Act 1987</i> (the Act) to expedite the development of the Munarra Centre and SSEC Chris Smith & Associates Pty Ltd and Water Technology Pty Ltd prepared a Drainage Catchment & Flood Analysis for the Subject Land
December 2017	A Preliminary Overview and Master Plan was prepared by Gresley Abas Architects & Gregory Burgess Architects Pty Ltd to demonstrate how Munarra could be realised on the Subject Land A scoping study was prepared by KPMG Pty Ltd for the Munarra Centre
May 2018	The Minister for Planning recommended that Council prepare an amendment to apply specific controls to the subject land State government provided \$23 million towards the Munarra Centre to be delivered over three years
October 2018	Draft Amendment documentation was prepared by Council officers The Munarra Centre Heads of Agreement signed by all Project Partners University of Melbourne provided a \$5 million in-principle commitment to the Munarra Academy
November 2018	Department of Environment, Land, Water and Planning authorised the Amendment subject to: <ul style="list-style-type: none"> <li>- revising the Amendment documentation to its satisfaction</li> <li>- Council developing and submitting a consultation plan to it before exhibiting the Amendment</li> </ul>

early 2019	Aboriginal Victoria offered to meet with Rumbalara Aboriginal Cooperative Chief Executive Officer – invitations were declined
17 January to 4 March 2019	Council exhibited the Amendment – including direct notice to the Rumbalara Aboriginal Cooperative
March to May 2019	Council considered submissions to the Amendment
May 2019	Council circulated letters of response and proposed post-exhibition changes to the Amendment documentation to submitters
6 June 2019	Directions Hearing held in Shepparton
7 June 2019	Council commenced community consultation with Rumbalara Football Netball Club
26 June 2019	Council conducted community consultation with the new Rumbalara Aboriginal Cooperative Board

### 1.3 The proposal

The Amendment seeks to establish a planning framework which facilitates the use and development of the Munarra Centre, SSEC, Rumba Re-life and associated works.

#### (i) Munarra Centre

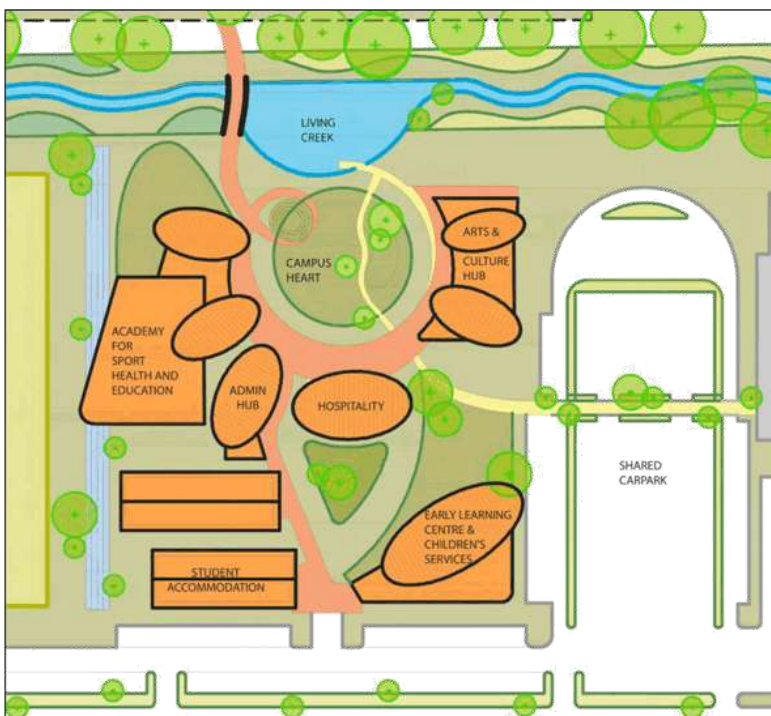
Council submitted that in 2018-19, the Victorian Government committed \$23 million over three years to build the Munarra Centre, as shown in the concept plan in Figure 3. The Centre's consortium of education partners includes the University of Melbourne, La Trobe University, GOTAFE and a range of sporting and cultural organisations. The Munarra Centre will include:

- a multipurpose community facility which acknowledges and celebrates the contributions of Aboriginal people in the Goulburn Murray region
- the Munarra Academy – University of Melbourne's educational facility and the new home for ASHE
- Rumbalara Re-life Project which redevelops the current Rumbalara Football Netball Club sporting facilities.

Figure 2 Munarra Centre Concept Plan



Figure 3 Munarra Centre Concept Plan – Academy campus and multipurpose community facility



**(ii) Shepparton Sports and Events Centre**

The SSEC proposal seeks to upgrade the existing facilities at the stadium and transform it into a regionally significant sporting, entertainment and events complex. Council has committed \$3 million for Stage One of this project in its 10 year Capital Plan. The remaining funding has not yet been secured (see Table 1).

**Table 1 Breakdown of the funding required for Stage One**

<b>Estimated Investment required:</b>	
Federal Government	\$18.5 million
State Government	\$15.5 million
Greater Shepparton City Council (already secured)	\$3 million
Basketball Victoria Country (private)	TBC
<b>Total</b>	<b>\$37 million</b>

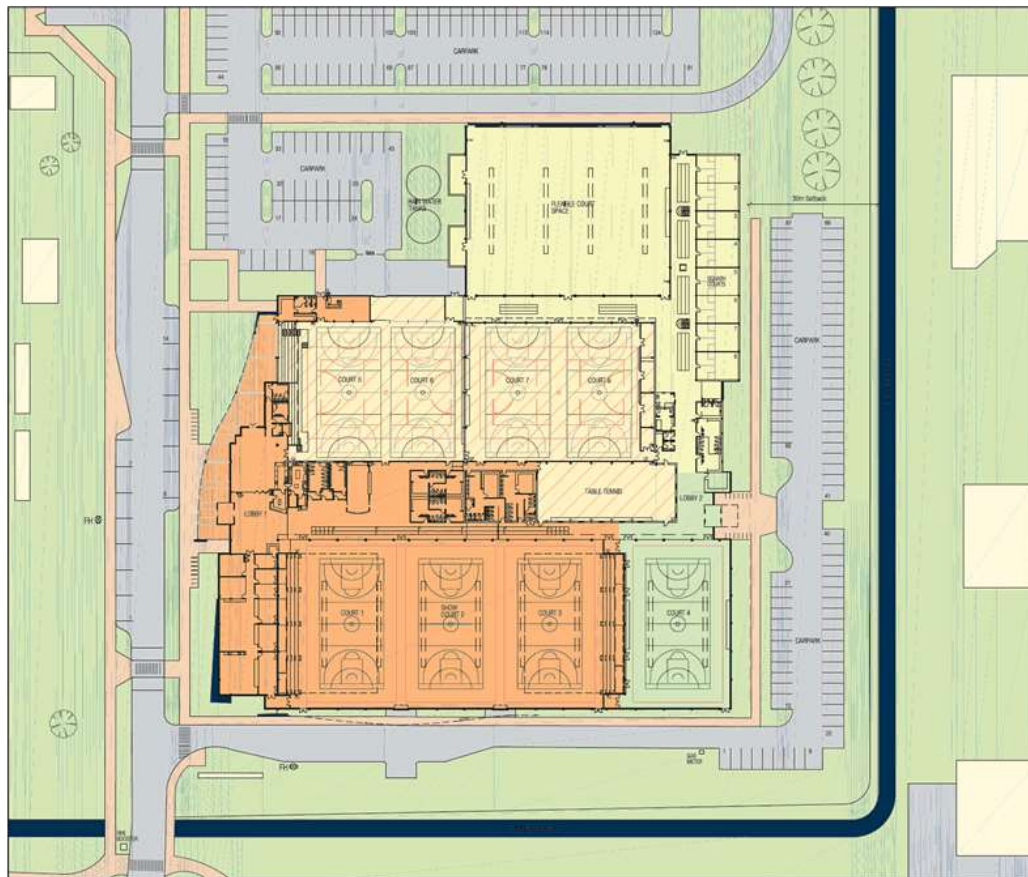
The proposal comprises (see Figure 4 and Figure 5):

- demolition of the front portion of the existing stadium
- three new standard courts, compliant with high level international basketball and netball requirements and suitable for other sports such as volleyball, badminton, futsal and table tennis
- two banks of 3,000 retractable seats to convert the middle court to a high capacity show court for major events
- new facade, signage, front entrance, foyer, reception, storage and common areas
- alterations and additions to wet areas and change rooms
- family friendly and accessible change rooms for visitors with mobility and special needs
- change rooms for umpires and officials
- café with servery, kitchen and storage and adjoining seating and outdoor terraces
- sports house administration area and meeting space for various uses and other sporting users
- external works which:
  - improve access to the Shepparton Sports City precinct
  - upgrade the internal road network, car parking, car park lighting, pedestrian footpaths, bus drop-offs and crossovers
  - include landscaping, drainage and intersection works.

Figure 4 Proposed Shepparton Sports Stadium – artist’s impression



Figure 5 Proposed Shepparton Sports Stadium – layout





#### 1.4 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

Of the 15 submitters, Goulburn Valley Water, Goulburn Broken Catchment Management Authority, Department of Environment, Land, Water and Planning, Country Fire Authority, Environment Protection Authority Victoria, Powercor and Goulburn-Murray Water did not object to the Amendment. Goulburn Valley Water submitted:

- (a) It should be noted that detailed water and sewer servicing assessments have been completed for the sports precinct which forms part of the overlay.
- (b) Further detailed assessment will be required if there are major changes of the sports precinct and/or feasibility reports available for the other part of the overlay.

This Report deals with the issues under the following headings:

- Planning context
- Issues
  - Consultation
  - Strategic justification
  - Commercial land on the east side of Numurkah Road
  - Traffic and parking
  - Drainage
  - High pressure transmission lines
- Specific Controls Overlay and Incorporated Document.

## 2 Planning context

### 2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below. Their relevant objectives and strategies are:

- **13.03-1S (Floodplain management)**

To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

- **18.01-1S (Land use and transport planning)**

To create a safe and sustainable transport system by integrating land use and transport.

- **18.01-2S (Transport system)**

To coordinate development of all transport modes to provide a comprehensive transport system.

- **19.02-3S (Cultural facilities)**

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

- **19.02-4S (Social and cultural infrastructure)**

To provide fairer distribution of and access to, social and cultural infrastructure.

- **21.04-5 (Community life)**

Multipurpose community infrastructure potentially allows for community, recreational and business services in one location, making it more accessible to users and allowing providers to work together.

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

- **21.05-2 (Floodplain and drainage)**

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

### 2.2 Other relevant planning strategy and population forecast

The Hume Regional Growth Plan 2014 provides broad direction for land use and development across the Hume region, as well as more detailed planning frameworks for key regional centres such as Shepparton. The Plan states that Shepparton's identified growth corridors can accommodate up to 17,600 new residents by 2031.

*Victoria in Future 2019*<sup>1</sup> estimates that Greater Shepparton's resident population will increase from 65,070 in 2016 to 77,690 in 2036. This represents an increase of 12,620 people or 19 per cent. Of that population increase, Greater Shepparton is expected to have an additional 1,960 people aged up to 29 years old during the same period.

### 2.3 Planning scheme provisions

The subject land is in the Public Park and Recreation Zone and Urban Floodway Zone and the Amendment proposes to apply the Specific Controls Overlay over the whole of the land.

**Table 2** Zone and overlay purposes

Zones		Overlay
Public Park and Recreation	Urban Floodway	Specific Controls
<b>Common purpose</b>		
To implement the Municipal Planning Strategy and the Planning Policy Framework.		
<b>Other purposes</b>		
<ul style="list-style-type: none"> <li>- To recognise areas for public recreation and open space.</li> <li>- To protect and conserve areas of significance where appropriate.</li> <li>- To provide for commercial uses where appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>- To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.</li> <li>- To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.</li> <li>- To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.</li> <li>- To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).</li> </ul>	<ul style="list-style-type: none"> <li>- To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.</li> </ul>

### 2.4 Ministerial Directions and Practice Notes

Council's Part A submission and the Amendment's Explanatory Report discuss how the Amendment meets the relevant requirements of:

- Ministerial Direction 1 (Potentially contaminated land)
- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Planning Practice Note 46 (Strategic Assessment Guidelines), August 2018.

<sup>1</sup> [www.planning.vic.gov.au/land-use-and-population-research/victoria-in-future](http://www.planning.vic.gov.au/land-use-and-population-research/victoria-in-future)

That discussion is not repeated here.

The *Ministerial Direction on the Form and Content of Planning Schemes* issued under section 7(5) of the Act (Ministerial Direction 7(5)) requires the Specific Controls Overlay to:

- identify the Planning Scheme Map reference for the subject land
- insert the name of the Incorporated Document.

Ministerial Direction 7(5) requires the Incorporated Document to be listed in the Clause 72.04 Schedule.

## 3 Issues

### 3.1 Consultation

#### (i) The issue

The issue is whether the Amendment was exhibited in accordance with the requirements of the Act.

#### (ii) Submissions

Council submitted that it adequately consulted throughout the Amendment process in accordance with the Act. It exhibited the explanatory report, proposed provisions and Incorporated Document from 17 January to 4 March 2019 through:

- letters sent on 14 January 2019 to:
  - land owners and occupiers on 14 January 2019
  - relevant referral authorities
  - prescribed Ministers
- notice in the Shepparton News on 15 January 2019
- notice in the Victoria Government Gazette on 17 January 2019
- notice on the Council and Department of Environment, Land, Water and Planning websites
- a copy of the exhibition documentation in the foyer of the Council offices in Shepparton.

Rumbalara Aboriginal Cooperative submitted that it was not consulted about the Amendment which would impact their land. The Cooperative requested that Council not progress the Amendment until there was consultation with affected stakeholders. At the Hearing, Rumbalara Aboriginal Cooperative provided a letter from the current Chief Executive Officer Mr Atkinson, which stated:

I can confirm that there is no record of any formal consultation to my knowledge of any process having taken place during the periods October – December 2016 and August – October 2017.

I am aware that there has been some very informal approaches to RAC on this matter, however, prior and during my time up until June 2019 there has never been any formal consultation process to engage RAC to the extent that has been suggested in Council's Submission.

Through Ms Dixon, Council submitted that Rumbalara Aboriginal Cooperative had been in administration for the past three years until a month ago. She added:

Mr Justin Mohamed is a previous RAC CEO and was brought back in a co-administrator role to see the RAC through the administrative period and assisted in getting the RAC to a point of independence again. The RFNC<sup>2</sup> had fully briefed Mr Mohamed on the planning of the MCRE and he was supportive of the concept. He

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<sup>2</sup> Rumbalara Football Netball Club

was fully informed and was, and still is, very supportive. Mr Kim Sedic was the CEO just prior to being under administration, and he too was supportive.

Council explained that in early 2019, Aboriginal Victoria offered to meet with the Chief Executive Officer of the Cooperative. It added that “*invitations to do so were repeatedly declined*”. Council invited interested stakeholders to meet one-on-one on 6 February 2019 to discuss the Amendment and only two groups of people booked a meeting. Ms Dixon said that the Rumbalara Football Netball Club had recorded the number and dates of attempts to contact Mr Atkinson. She added that Mr Atkinson initially indicated that he was not available and later did not respond to further attempts.

Council highlighted that a planning permit cannot be lodged to develop the Rumbalara Aboriginal Cooperative’s land without the Cooperative’s permission. It explained that the Cooperative would have more development opportunities because the existing zones do not permit the use and development proposed by the Amendment.

Council submitted that a draft comprehensive consultation plan has been prepared to ensure effective communication with stakeholders. Council, through Ms Lancelotti, provided an extract from the *Munarra Centre for Excellent Aboriginal Stakeholder & Community Engagement Plan*, Department of Premier and Cabinet, revised 10 July 2019<sup>3</sup> (Engagement Plan), which provides details about its proposed engagement program. The Engagement Plan acknowledges:

Whilst the project is still in a development phase, little information has been made public regarding the Centre’s funding and intended role within the community. This has led to increasing unrest amongst the local Aboriginal community, with a number of key stakeholders expressing concerns regarding the project. The project is now in a position to begin a community and stakeholder consultation program to help address some of these concerns and to seek community input into the Centre’s development.

Council explained that further issues regarding consultation are beyond the scope of the Amendment and provided the following information:

In recognition of the important role that the local Aboriginal community will play in shaping Munarra, the consultation will include:

- One-on-one interviews with key individual Aboriginal stakeholders
- Small group meetings with Boards of Aboriginal run organisations and Yorta Yorta family groups
- Public consultations with the Aboriginal community
- A communications campaign to raise awareness and encourage community input.

It explained that after comprehensive engagement with the Aboriginal community, it will conduct wider consultation with the broader community including local traders, business, sporting groups and the community at large.

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<sup>3</sup> Document 9

**(iii) Discussion**

As reflected in submissions on this matter, parties spent considerable time at the Hearing submitting about the extent of consultation. Rumbalara Aboriginal Cooperative owns a portion of the subject land and provides important programs and services to Aboriginal and Torres Strait Islander people in the Greater Goulburn Valley region. Concurrently, Council and its supporting stakeholders are proposing a centre of regional significance that will cater for, among other people, Aboriginal and Torres Strait Islander people in the same region.

The Panel considers the proposed project would benefit from good communication between Council and the Rumbalara Aboriginal Cooperative. It is not the role of the Panel to reconcile previous communication or consultation issues.

To determine whether the Amendment should have further consultation or re-exhibition, the Panel has focussed on whether the Amendment was exhibited appropriately.

The Panel considers that Council met the requirements of the Act by exhibiting the Amendment for at least 30 days and by providing direct and indirect notice to affected parties. This includes a notice in the Victorian Government gazette. Rumbalara Aboriginal Cooperative, Marl Enterprises and Ms Thomas responded by taking the opportunity to:

- prepare a submission to Council regarding the exhibited Amendment
- detail their issues to an independent Panel at the Hearing.

Rumbalara Aboriginal Cooperative opted to base its submission on the issue of insufficient consultation. Its submission included a sentence stating that the Amendment would impact its ability to develop its land without explaining how. The Panel does not agree because, as outlined by Council:

- the existing zones restrict the ability for the Cooperative to use and develop its land – the Amendment will enable more uses and development
- Council cannot develop the Rumbalara Football Netball Centre without approval from the Rumbalara Aboriginal Cooperative.

The Cooperative's submission stated that a more formal and detailed document would follow, however that did not eventuate. Since preparing its initial submission on 4 March 2019, there was adequate time for Rumbalara Aboriginal Cooperative to meet with Council before the Hearing.

The Panel rescheduled the Hearing to a later date to provide the Cooperative a reasonable opportunity to prepare its submission. At the Hearing, the Panel heard the Rumbalara Aboriginal Cooperative's submission about consultation as well as new issues about the Amendment's strategic assessment and considerations and extent of detail in the Incorporated Document.

The Panel asked parties a number of questions to understand:

- why the extent of consultation did not meet their expectations
- whether there was a deficiency which warranted further consultation before progressing the Amendment.

The Panel was not persuaded by submissions or responses that there was a deficiency in the process which warranted further consultation or re-exhibition. Council met, and went

beyond its obligations in the Act by providing an opportunity to meet with, stakeholders early in the process. Council is responsible for providing an opportunity for affected people to make a submission, which the Panel is satisfied it did.

The Amendment represents the early stage of a longer-term development program. There will be considerable ongoing consultation with key stakeholders such as Rumbalara Aboriginal Cooperative once the Amendment introduces the framework to enable more detailed planning and design.

The proposed Engagement Plan should go a long way to ensure comprehensive, relevant and ongoing consultation. The Panel agrees with Council that further issues regarding consultation are beyond the scope of the Amendment.

#### **(iv) Conclusion**

The Panel concludes:

- The Amendment was exhibited in accordance with the requirements of the Act.
- Council's proposed consultation program can proceed without the need to delay the Amendment.

### **3.2 Strategic justification**

#### **(i) The issue**

The issue is whether the Amendment has sufficient strategic justification.

#### **(ii) Submissions**

##### **Policy support**

Council submitted that significant physical and social infrastructure will be required to support the additional new residents in Shepparton by 2031. It explained that the Munarra Centre and SSEC are expected to cost \$53 million and \$30 million respectively. The Victorian Government funded \$23 million for Stage 1 of the Munarra Centre in 2018/19 and funding is now being sought for Stage 2. Funding for the SSEC has not been secured at this stage.

Council considered that the Amendment was strategically justified because it is supported by, and implements, the relevant sections of the Planning Policy Framework outlined in Chapter 2 of this report. It submitted that, specifically:

- the relevant floodplain manager has been consulted; the Drainage Strategy informs about drainage, stormwater retention and water quality improvement in accordance with Council's Infrastructure Design Manual; and the Incorporated Document requires a Flood Management Report to the satisfaction of the floodplain manager (Clauses 13.03-1S and 21.05)
- the Incorporated Document requires a Traffic Impact Assessment to the satisfaction of the Roads Corporation so that potential impacts on the road network can be identified and managed (Clause 18.01-1S)
- the Amendment requires pedestrian, cyclist and public transport movements to be accommodated in the final Design Plan for the Munarra Centre and the SSEC (Clause 18.02-2S)



- the Amendment will improve access to recreation facilities and reinforces a major precinct for sport of state-wide appeal (Clause 19.02-3S)
- the Amendment will provide enhanced social and cultural infrastructure for the Goulburn-Murray region (Clause 19.02-4S)
- the proposed state-of-the-art innovative community facility will strengthen the image of Shepparton as a regional community and cultural hub (Clause 21.04-5)
- the proposed development:
  - will provide accessible public spaces
  - considers the social, physical, environmental and economic domains
  - will strengthen links between the indigenous and non-indigenous communities in Shepparton (Clause 21.04-5).

Rumbalara Aboriginal Cooperative and Ms Thomas submitted that the Amendment's strategic assessment was deficient. They referred to Ministerial Direction 11 and Planning Practice Note 46 for guidance on the degree of strategic assessment required for a major planning scheme amendment. The Cooperative highlighted that the Amendment proposes a new land use and development which is different to what can be approved under the current Public Park and Recreation Zone and Urban Floodway Zone.

#### **Technical support and master planning**

Rumbalara Aboriginal Cooperative submitted:

From a planning perspective, it is surprising that the Amendment includes so little in the way of planning detail yet a good deal of strategic work has been prepared in relation to flooding and drainage, traffic and site layout and design.

This view was shared in other submissions which considered that the Amendment should not progress until:

- traffic, parking and drainage solutions have been reached
- a structure plan has been prepared for the Shepparton North Activity Centre
- a master plan has been prepared for the Munarra Centre or entire subject land.

The Rumbalara Aboriginal Cooperative considered that the Amendment would expedite the planning decision process at the detriment of comprehensive and logical planning and community input. It requested that a draft form of a master plan for the Munarra Centre be informally exhibited for public comment before the Amendment is adopted.

The Panel questioned the interest of Ms Thomas at the Hearing. She considered that the Shepparton North Activity Centre boundary should be confirmed first because it will have implications for the Amendment. Mr Jolly represented Ms Thomas at the Hearing. He explained that Ms Thomas lived in Shepparton, south of the Central Business District and worked in the Goulburn Valley Health medical precinct located south of the subject land and Shepparton North Activity Centre. He added that Ms Thomas was interested in the Amendment and the area because she shopped regularly at Fairley's Supa IGA. Council noted that Ms Thomas lives near Riverside Plaza which offers a full line supermarket and speciality shops.

Council supported a Structure Plan being prepared for the Shepparton North Activity Centre and submitted that such a plan was not integral to the Amendment. It added that the

Amendment would not change the use of the subject land and it would continue to be connected to the broader area through shared paths and access to the arterial road network.

**(iii) Discussion**

**Policy support**

The Panel is somewhat surprised that there is not more specific policy support for an existing and proposed centre of this scale and nature. The centre is not identified in any framework plan. In its next review of the Planning Scheme, Council should consider identifying the Munarra Centre and SECC in one of its strategic plans.

While there is no specific policy, the Panel accepts Council's submission on how planning policy clauses provide broad level support for the Amendment. The Panel adds that Clause 11 of the Planning Scheme directs planning to anticipate and respond to the needs of existing and future communities through, among other things, the provision of recreation and open space and community facilities and infrastructure. An objective of Clause 11.02-1S is to provide sufficient land for recreational and other community uses. In this respect, the Amendment positively responds to Greater Shepparton's anticipated future population.

Accordingly, the Amendment will deliver net community benefit and sustainable development, as required by Clause 71.02-3.

**Technical support**

Planning can be broadly categorised in two stages – strategic and statutory. There is often debate about how much strategic planning should be required upfront and how much should be considered during the permit application process. This will vary depending on the scale and nature of each circumstance.

In this instance, the subject land is part of an existing regional sports and recreation precinct. Most of the land is owned by Council, as the public land manager. The Public Park and Recreation Zone does not require a planning permit for most land uses if conducted by or on behalf of the public land manager. However, a considerable proportion of the subject land is in the Urban Floodway Zone which prohibits most land uses except:

- Informal indoor recreation, which does not require a permit
- Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track), which requires a permit.

The Amendment proposes to establish a consistent planning framework which acknowledges existing land uses and provides conditions and guides for assessing further permit applications. The proposal cannot proceed until the necessary and comprehensive strategic work has been completed. It does this through the Incorporated Document which prohibits the subject land from being used and developed for the intended purpose until a comprehensive list of plans and reports have been prepared to the satisfaction of the responsible authority and other authorities.

The Panel was not presented with submissions that persuaded it that the Amendment should not progress until further technical details are finalised. The Specific Controls Overlay (previously Clause 52.03) envisages the circumstance proposed through the Amendment.

The question for the Panel is therefore not whether these plans and reports should be required upfront but rather whether the Incorporated Document has sufficient checks and balances to guide future plans, reports and associated permit applications. The Panel explores this, in relation to traffic, parking and drainage, in Chapter 3.

One of the plans required by the Incorporated Document is a Design Plan which shows, among other things, the location, height, size and purposes of buildings, driveways, vehicular parking areas, loading and unloading areas, landscaping areas and waste treatment areas. It makes no practical sense to require a Traffic Impact Assessment and Flood Management Report before the Design Plan is finalised.

The Panel does not agree that the Amendment is expediting the planning decision process at the detriment of comprehensive and logical planning and community input. As outlined in Chapter 3.1, the project is being led by a public land manager and statutory authorities to achieve state-of-the-art centres for the existing and future broader regional community. The Engagement Plan puts Aboriginal stakeholders and the community front and centre of the process.

#### **Strategic assessment**

Ministerial Direction 11 does not differentiate between minor and major planning scheme amendments. Its objective is to ensure “*comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces*”. The Amendment’s explanatory report responds to every question required by the direction.

Planning Practice Note 46 provides guidance regarding Ministerial Direction 11. It advises that the level of justification for each consideration and the amendment overall should be proportional to the impact the amendment will have. It adds:

Minor amendments are not required to provide a detailed analysis against the guidelines and generally not required to be supported by detailed strategic studies.

The practice note advises that a type of amendment suitable for a brief assessment includes “*rezoning of land to reflect its current use or ownership, for example, the rezoning of land into Public Park and Recreation Zone when the land has been acquired by local government*”. The Amendment effectively seeks to achieve this outcome by allowing the public land manager, Council, to apply planning provisions which reflect its current use.

Irrespective, the Panel considers that the Amendment has been informed by a thorough strategic planning process, supported by preliminary technical information such as traffic and drainage.

The Panel is satisfied that the Amendment has been appropriately assessed.

#### **(iv) Conclusion**

For the reasons set out in the following chapters, the Panel concludes that the Amendment:

- is supported by, and implements the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified

- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

### **3.3 Commercial land on the east side of Numurkah Road**

#### **(i) The issue**

The issue is whether the Specific Controls Overlay should be extended to include the commercial land on the eastern side of Numurkah Road, including the Shepparton North Activity Centre.

#### **(ii) Submissions**

Council submitted that the Amendment seeks to apply the Specific Controls Overlay to the subject land to facilitate the Munarra Centre, SSEC, Rumba Re-life Project, and associated drainage infrastructure. It added:

In this case, two projects of regional and state significance can be facilitated as a direct result of the Amendment, and the Amendment is required to ensure they are both delivered without any untimely delay.

Marl Enterprises and Ms Thomas considered that the Specific Controls Overlay should be extended to include commercial land on the eastern side of Numurkah Road.

Council responded that there is no strategic justification to realign the Specific Controls Overlay boundary. It added that any future development on the eastern side of Numurkah Road near the subject land can be appropriately assessed through the planning permit process.

#### **(iii) Discussion**

The Panel acknowledges that there is a relationship between the subject land and the surrounding Commercial 1 and 2 zoned land. There are considerable social, economic and environmental benefits associated with co-locating a sports and events precinct and commercial centre. This includes sports and events patrons visiting the commercial centre before and after events. This was evidenced through Mr Bramley for Marl Enterprises, asking Council to inform him of future sporting events so that he can roster additional staff at Fairley's Supa IGA to cater for additional demand.

That said, this relationship in no way requires the sports and events precinct and the commercial centre to be planned through the same strategic planning process. A single strategic planning process for two distinctly different areas could unnecessarily delay future development of the sports and events centre, commercial area, or both. While each area should be planned with their own strategic response, it is important to note that they will be coordinated through a single planning and responsible authority – Council.

The Panel considers that there is no strategic justification to apply the Specific Controls Overlay beyond what is proposed through the Amendment. Chapter 4.2 considers the extent of the overlay within the context of the subject land.

**(iv) Conclusion**

The Panel concludes that the Specific Controls Overlay should not be extended to include the commercial land on the eastern side of Numurkah Road.

**3.4 Traffic and parking****(i) The issue**

The issue is whether the Amendment has appropriately considered traffic matters.

**(ii) Background**

Traffix Group prepared a Traffic Engineering Assessment for the Shepparton Sports Precinct Master Plan in October 2013. It concluded, among other things, that anticipated peak parking demand for the proposed sports precinct can be adequately met on site; the proposed pedestrian facilities are appropriate and will work well; and there is sufficient capacity at identified intersections to accommodate anticipated traffic generation.

The exhibited Incorporated Document requires the subject land to be used and developed in accordance with the following condition:

A Traffic Impact Assessment Report must be approved by the responsible authority that provides details on:

- the provision, location, layout and treatment of all vehicle and bicycle parking areas including end of trip facilities, loading and unloading areas within the site, driveways and other access ways within and abutting the site; and
- road treatments to and from Numurkah Road (Goulburn Valley Highway), Brauman Street and Packham Street.

**(iii) Submissions****Vehicles**

Council submitted that no car parking plan has been prepared for the subject land at this stage. It considered that the Incorporated Document provides a planning framework to guide car parking through the Traffic Impact Assessment Report which itself will provide detailed information.

Council acknowledged that the area surrounding the subject land has changed considerably in the past few years. It submitted that the land uses which influence the Numurkah Road/Hawkins Street intersection include:

- sports fields and recreation facilities – typically peak in the afternoon, evening and Saturday morning
- retail precincts – typically peak in the afternoon and lunchtime on Saturday
- industrial precincts – typically peak during the morning and afternoon
- residential areas – peak during the morning and afternoon periods.

Regional Roads Victoria submitted that the Amendment:

- will have a significant impact on the transport system as defined by the *Transport Integration Act 2010*

- proposes an out-of-sequence process which is contrary to orderly and proper planning because it seeks adoption before considering matters in a Traffic Impact Assessment Report.

It sought an assessment against transport system objectives and decision making principles which considered:

- the existing and future arterial roads including the Goulburn Valley Highway and Wanganui Road
- the impact of further development of the subject land on the safety and efficiency of the arterial road network
- the role of Wanganui Road as part of the east-west link between Stage 1 of Shepparton Bypass and Shepparton Alternative Route
- the nature of any proposed interface between the subject land and Wanganui Road.

Regional Roads Victoria requested additional conditions in Section 5 of the Incorporated Document. Its requests and Council's response are summarised in Table 3.

**Table 3 Regional Roads Victoria requested changes and Council response**

Regional Roads Victoria	Council response
Regional Roads Victoria requested the following conditions in Section 5 of the Incorporated Document:	In the post-exhibition and Hearing version of the Incorporated Document, Council proposed to:
I(b) – the Design Plan should include the adjoining roads, location of any future connection to Wanganui Road, and details of any proposed signs in Road Zone 1	require the Design Plan to show the location of any future connection to Wanganui Road
I(f) – the Traffic Impact Assessment Report must be approved by the Roads Corporation and provide details on: <ul style="list-style-type: none"> <li>- the impacts on the operation and function of the transport network and identify how to avoid, reduce, manage or mitigate these impacts on the arterial road network to the satisfaction of the Roads Corporation</li> <li>- altering or creating access to the road in Road Zone Category 1, including any traffic treatment works or installations</li> </ul>	require the Traffic Impact Assessment Report to: <ul style="list-style-type: none"> <li>- be prepared to the satisfaction of the relevant roads authority</li> <li>- provide details on impacts on the operation and function of the transport network and identify how to avoid, reduce, manage or mitigate these impacts on the arterial road network</li> <li>- provide details on altering or creating access to the road in Road Zone Category 1, including any traffic treatment works or installations</li> </ul>
III – include 'traffic'	Identify traffic in III

Similarly, Spiire suggested that the Traffic Management Impact Assessment Report be prepared to the satisfaction of the relevant roads authority and approved by the responsible authority.

Council submitted that the future Traffic Impact Assessment Report, with requirements sought by Regional Roads Victoria:

... ensures that expected future traffic generation from the land, and the subsequent cumulative impact on the surrounding transport network, will be appropriately considered and managed.

Council submitted that there was an approved planning permit for 177-193 Numurkah Road (existing Fairley's Supa IGA site) which enables retail floorspace expansion which includes two supermarkets and specialty retail. As part of the permit process, Council and the property owner signed a section 173 agreement which prohibits the land from being used and developed:

- (a) until the signalisation and intersection upgrade is complete to the satisfaction of VicRoads and the Council; or
- (b) if the signalisation and intersection upgrade is built by the Council (pursuant to clause 4.7.2), until the sum owed to the Council from the Owner is paid in full.

Council said that it would fund 44 per cent of the Numurkah Road/Hawkins Street intersection upgrade and developers would fund 56 per cent. Of the 56 per cent:

- Fairley's IGA development (northeast of the intersection) would contribute 71 per cent (39.8 per cent of the total cost)
- McDonald's development (southeast) would contribute 6 per cent
- Sofra development (further south) would contribute 6 per cent
- Residential development (east) would contribute 17 per cent.

Marl Enterprises considered that the Amendment did not respond to the vehicular interchange between the subject land and the existing and approved commercial centre and neighbouring shops. At the Hearing, Mr Bramley questioned the fairness of the 177-193 Numurkah Road contribution and said that the Amendment would result in a development which generates more vehicular movements.

Ms Thomas was concerned about traffic generated by both the expanded sports centre and expanded Shepparton North Activity Centre. She added that the second supermarket due to be constructed at Hawkins Street would result in over 6 million people in the area by 2022. In response to questions from the Panel, Mr Jolly:

- submitted that he was not aware of when or if the second supermarket would be constructed at Hawkins Street
- provided a breakdown of his figure of 6 million people
- acknowledged that there were no visitor figures for the existing and expanded sports centre, so he estimated the figures based on his own assumptions.

Mr Jolly submitted there would be a funding issue if the 177-193 Numurkah Road property owner did not develop its land and did not contribute towards the intersection upgrade cost. Council responded that one of the section 173 agreement scenarios anticipates the intersection being upgraded without the 177-193 Numurkah Road development.

Council explained that it has appointed a consultant to prepare an update Transport Impact Assessment Report to understand the performance of the intersection, its design and timing of when the upgrade would be needed. The Report will rely on final designs of the proposed centres.

**Pedestrians and cyclists**

Marl Enterprises submitted that the Amendment does not properly consider pedestrian movements between the subject land and the existing and future retail premises on the eastern side of Numurkah Road.

Council responded that the proposed Incorporated Document includes a condition requiring a Traffic Impact Assessment Report before the subject land can be used and developed for the Munarra Centre and SSEC. It added, when the Numurkah Road/Hawkins Street intersection is signalised, pedestrian movements between the east and west side of Numurkah Road could be sufficiently and safely accommodated.

Council referred to the *Greater Shepparton Cycling Strategy 2013-2017*, December 2013, which proposes a dedicated on-road bicycle lane on Numurkah Road and Brauman Street and an off-road shared path on Numurkah Road. It explained that a shared path has been constructed on the eastern side of Numurkah Road to support pedestrian movements associated with the sports precinct.

**(iv) Discussion**

The Panel supports Regional Roads Victoria's requested changes which Council reflected in the post-exhibition and Hearing versions of the Incorporated Document. The Panel agrees that the exhibited Incorporated Document did not include sufficient requirements to guide a future traffic assessment.

The revised Incorporated Document will ensure that:

- the Report is prepared with sufficient detail and advice to understand potential impact on the surrounding road network
- the Traffic Impact Assessment Report is accepted only if the relevant road authority is satisfied that it achieves the specified requirements
- the subject land can only be developed if the relevant authorities consider that there will be no negative impact on the surrounding road network.

This approach provides an appropriate planning framework for assessing future traffic impacts. As noted above, it makes little practical sense to request a comprehensive traffic impact assessment ahead of detailed design plans which show ultimate access points, on-site parking and internal traffic circulation. These details would direct future traffic matters.

**(v) Conclusions and recommendations**

The Panel concludes:

- There are no existing or foreseeable future traffic or parking related issues to justify the Amendment not progressing.
- In line with the Incorporated Document, it is appropriate to consider detailed traffic and parking matters later in the process when design and development details are known.
- The Amendment, and proposed revised changes to the Incorporated Document, provide an appropriate framework for traffic and parking matters.

The Panel recommends:



**Amend the Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document, October 2018, as shown in Appendix B, to:**

- a) **revise the last two points in section 4 to “creating or altering access” and “any traffic treatment works”**
- b) **require a Design Plan in section 5 to show the location of any future connection to Wanganui Road**
- c) **require a Traffic Impact Assessment Report in section 5 to:**
  - **be prepared to the satisfaction of the relevant road authority**
  - **provide details on impacts on the operation and function of the transport network and identify how to avoid, reduce, manage or mitigate these impacts on the arterial road network**
  - **provide details on altering or creating access to the road in Road Zone Category 1, including any traffic treatment works or installations**
- d) **require in section 5 that the use not adversely affect traffic.**

### **3.5 Drainage**

#### **(i) The issue**

The issue is whether the Amendment appropriately considers drainage matters.

#### **(ii) Background**

A draft Integrated Water Management Plan was prepared by Liesl Malan Landscape Architects Pty Ltd in collaboration with Chris Smith & Associates Pty Ltd in late 2017.

The exhibited Incorporated Document requires the subject land to be used and developed in accordance with the following condition:

A Flood Management Report must be approved by the responsible authority, that provides details on:

- the location of the proposed development in relation to flood affected land
- the susceptibility of the development to flooding and flood damage
- the effect of the development on redirecting or obstructing floodwater
- stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities and any mitigating measures as required.

#### **(iii) Submissions**

Goulburn Broken Catchment Management Authority and Goulburn-Murray Water did not object to the Amendment. Goulburn-Murray Water noted that it requires development proposals to not detrimentally impact its infrastructure, including Drain No 3 which traverses the subject land. It highlighted the project plan and Incorporated Document were prepared in close partnership with Goulburn Broken Catchment Management Authority and Goulburn-Murray Water to ensure there are no negative impacts to drainage. Goulburn-Murray Water requested:

- ongoing consultation regarding future drainage of the area

- any works or development affecting drainage to be agreed to by Goulburn-Murray Water and other relevant authorities.

Spiire suggested that the Flood Management Report be prepared to the satisfaction of the relevant floodplain management authority, to which Council agreed.

At the Hearing, Rumbalara Aboriginal Cooperative questioned how flooding and drainage would be addressed and how their physical constraints would be incorporated into the site design. It requested that the Incorporated Document include a new 'Design and Environment Objectives' clause after the Purpose to guide secondary plans and reports.

#### **(iv) Discussion**

The subject land's existing use and development is evidence that sports, recreation and cultural facilities can co-exist on land with drainage challenges. The Panel was not presented with information that would persuade it that drainage issues were of a scale or nature that needed a flood management report prepared before progressing the Amendment.

Drain No 3 is an important Goulburn-Murray Water asset which forms part of the broader drainage network. The Panel agrees that the future Flood Management Report should be prepared to the satisfaction of the relevant floodplain management authority to assess potential impacts.

The Panel agrees with the Rumbalara Aboriginal Cooperative's aspirations regarding environmental objectives. The Drainage Strategy, prepared in 2017, refers to:

- best practice guidelines and targets for stormwater runoff and treatment
- current Council and Goulburn-Murray Water guidelines for the retention basin
- access safety using flood risk criteria such as the Australian Rainfall and Runoff 2016 Guidelines.

The Integrated Water Management Plan required by the Incorporated Document would need to be approved by the responsible authority and provide details on how stormwater runoff will be treated in accordance with the Infrastructure Design Manual. This comprehensive manual includes objectives, procedures, criteria and detailed requirements for stormwater management.

The Drainage Strategy acknowledges that any works to Drain No 3 would require Goulburn-Murray Water approval. Requiring the Flood Management Report to be prepared to the satisfaction of Goulburn-Murray Water would ensure that it can assess whether the report sufficiently addresses relevant strategies, policies and guidelines. Environmental objectives and measures sought through these documents do not have to be replicated in the Incorporated Document.

#### **(v) Conclusion and recommendation**

The Panel concludes that requiring the Flood Management Report to be prepared to the satisfaction of the relevant floodplain management authority will help ensure that works or development do not result in negative drainage impacts.

The Panel recommends:

**Amend the Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document, October 2018, as shown in Appendix B, to:**

- a) **require a Flood Management Report in section 5 to be prepared to the satisfaction of the relevant floodplain management authority.**

### **3.6 High pressure transmission lines**

#### **(i) Submissions**

High pressure gas pipelines are located near the proposed area. APA Group requested that final designs be forwarded to APA Group to identify any impacts to the existing gas infrastructure and an appropriate response to any identified issue.

Council responded that it proposed to change Condition 5(l) in the Incorporated Document so that plans are prepared to the satisfaction of relevant authorities such as APA Group. It explained that this change would also accommodate changes sought by Regional Roads Victoria and Spiire.

#### **(ii) Conclusion and recommendation**

The Panel concludes:

- There would be benefit in referring relevant plans to APA Group to assess any potential impact on neighbouring high pressure gas pipelines.
- Before finalising the Amendment:
  - Council should check whether APA Group would be considered a relevant authority
  - if APA Group is not considered a relevant authority, the condition should be redrafted to include APA Group.

The Panel recommends:

**Amend the Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document, October 2018, as shown in Appendix B, to:**

- a) **require in Condition 5(l) that plans be prepared and submitted to the satisfaction of relevant authorities.**

## 4 Specific Controls Overlay and Incorporated Document

### 4.1 Specific Controls Overlay

#### (i) The issue

The issue is whether the Specific Controls Overlay is an appropriate provision to apply to the subject land.

#### (ii) Background

The Specific Controls Overlay was introduced into the Victoria Planning Provisions on 31 July 2019 through Amendment VC148. It is similar to the former Clause 52.03 (Specific sites and exclusions) and it appears as an overlay on the Planning Scheme Map.

The purpose of the Specific Controls Overlay is to apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances. Regarding use or development, the overlay specifies:

Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

The Specific Controls Overlay includes expiry provisions.

#### (iii) Submissions

Council submitted that the Specific Controls Overlay is the most appropriate planning provision to facilitate the proposed development. It considered that the overlay provides certainty to secure funding for the next stage of the Munarra Centre and SSEC. Council added that the Munarra Centre, the SSEC and the Rumba Re-life Project are of regional and state significance, and that they will provide positive outcomes for the Greater Shepparton community and the wider region. The Specific Controls Overlay is most suitable to:

- facilitate this investment in a timely, coordinated and consistent manner
- ensure that the Munarra Centre and SSEC can be planned with certainty.

Council noted that the Specific Controls Overlay is the new version of the previous Clause 52.03 (Specific sites and exclusions). It considered the Specific Controls Overlay to be more transparent than the previous Clause 52.03 because it was evident on the Planning Scheme Map.

Council explained that the latter is commonly used by Council to ensure projects of regional and state significance are delivered in a timely manner. It referred to the following examples:

- SPC Modernisation Project, September 2014 (Amendment C174)
- Shepparton Law Courts Site (Amendment C176)
- Shepparton Art Museum Redevelopment Project, June 2017 (Amendment C201)
- Shepparton Art Museum Redevelopment Project, July 2018 (Amendment C208).

A few submissions were concerned because the Specific Controls Overlay would not enable formal notice or consultation.

#### **(iv) Discussion**

The Panel considers that the proposal sought to be facilitated through the Amendment aligns with the purpose of the Specific Controls Overlay. The Panel agrees that Munarra Centre, SSEC and the Rumba Re-life Project are of regional significance. There is a need to achieve a particular land use and development outcome in extraordinary circumstances.

The existing zones and overlays prohibit the existing regional facility from expanding to offer greater diversity and to serve more participants. The Specific Controls Overlay would allow the land to be used and developed in the manner sought through the Amendment.

#### **(v) Conclusion**

The Panel concludes that it is appropriate and justified to apply the Specific Controls Overlay to the subject land.

## **4.2 Incorporated Document**

### **(i) The issues**

The issues are:

- whether the Incorporated Document is appropriate for its intended purpose
- the extent to which the Incorporated Document, and therefore the Specific Controls Overlay, should apply on the subject land
- whether any drafting changes are needed.

### **(ii) Submissions**

At the Hearing, Rumbalara Aboriginal Cooperative submitted that, in the interest of transparency and fairness, the proposed Incorporated Document should include:

- a Munarra Centre master plan which balances detail with flexibility
- an additional purpose stating that the Munarra Centre development should be generally in accordance with the Munarra Centre master plan
- a new condition in Clause 5 to specify the secondary plans and reports to be generally in accordance with the Munarra Centre master plan.

During the 'without prejudice' drafting discussion, the Panel sought comments from parties about changes which may improve the clarity and operation of the Incorporated Document.

The Panel asked questions about:

- how the Incorporated Document would operate in conjunction with the existing planning scheme zones
- including a concept plan to provide certainty about what is being sought.

Council pointed out that the Shepparton Law Courts incorporated document has a plan titled 'Shepparton Law Courts Redevelopment Concept Plan' but the plan itself shows existing circumstances. It said that the Shepparton Art Museum incorporated document shows an aerial map of the site area but no concept plan.

At the Hearing, Council proposed several drafting related changes which were reflected in a post-Hearing version of the Incorporated Document.<sup>4</sup>

Changes include:

- referring specifically to Rumba Re-life, which forms part of the proposal
- deleting specific reference to Munarra and SSEC to clarify that Planning Scheme provision exemptions for using and developing the land apply more broadly than the specified projects
- adding in Condition 5(l) that plans should also be approved by relevant authorities to reflect the need to refer the Flood Management Report and Traffic Impact Assessment Report to the relevant flood plain management authority and relevant roads authority respectively.

To more accurately reflect commencement and completion timeframes, Council proposed to extend the Incorporated Document expiry dates:

- from two to five years from the date of gazettal to commence development
- from five to seven years from commencement to complete development.

### **(iii) Discussion**

Based on drafting discussion held during the Hearing, the Panel understands that the Incorporated Document needs to:

- apply controls which acknowledge two property owners, Council and the Rumbalara Aboriginal Cooperative
- specify appropriate controls for the Munarra Centre, Rumba Re-Life and SSEC projects
- enable parts of the subject land which do not form part of the three projects to continue to be used and developed.

The interrelationship of these three elements complicate the Incorporated Document's drafting. During the Hearing, there was concern that the exhibited version may inadvertently restrict the ability to develop or undertake works to the balance of the subject land not associated with the three projects. Council strategically justified why the

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<sup>4</sup> Document 11

Incorporated Document should be applied to land associated with the three identified projects but not to the balance of the subject land.

Based on the information presented to the Panel, it considers that the Incorporated Document should only apply to land subject to the three identified projects. This would resolve the issue associated with enabling the balance of the land to continue to be used and developed in line with the existing zones.

The Panel is concerned that Council's proposed deletion of reference to the three projects may result in unintended consequences because the unrestricted permit exemption would extend to the Rumbalara Football Netball Club land which is not owned by Council.

The Incorporated Document should not allow the subject land to be used or developed beyond the three proposed projects or what is enabled through the existing zones. Council's proposed drafting would exceed that scope. The Panel considers that the Incorporated Document should be changed to:

- transform Figure 1 into a broad concept plan for the proposed Munarra Centre for Regional Excellence, Rumba Re-life and the Shepparton Sports and Events Centre, with detail similar to that of Figures 3 and 5 of this report
- exempt the need for a permit only if the use and development is in accordance with the specific controls of the document and generally in accordance with the concept plan.

The Panel notes that the Specific Controls Overlay advances the previous Clauses 51.01 and 52.03 (Specific Sites and Exclusions) by identifying the subject land on the Planning Scheme Map. The exhibited Figure 1 site map in the Incorporated Document therefore serves no added purpose. If, however, Figure 1 was transformed into a concept plan, and the controls were amended as described above, it would allow the three projects to proceed subject to more detailed planning required by the Incorporated Document. This approach would prevent the unintended consequence of allowing other uses or development to proceed without a permit beyond the intended scope or any controls in the Incorporated Document.

While not a master plan, a concept plan goes part way to what was sought by the Rumbalara Aboriginal Cooperative.

The Panel considers that Council's other drafting changes should be adopted because they improve the Incorporated Document's clarity and operation. The proposed extended expiry dates more practically reflect a project of this scale and nature. They will allow time to prepare and approve the large number of comprehensive plans and reports which are required before the subject land can be used and developed.

#### **(iv) Conclusions**

The Panel concludes that the Incorporated Document:

- is appropriate to apply to facilitate the proposed development of the subject land
- should only apply to land associated proposed Munarra Centre for Regional Excellence, Rumba Re-life and the Shepparton Sports and Events Centre
- should provide clarity and certainty by:

- including a concept plan which shows a broad spatial representation of the three identified projects, with detail similar to that of Figures 3 and 5 of this report
- requiring the use and development of the land to be in accordance with its specific controls and generally in accordance with the concept plan
- would benefit from changes which extend its expiry dates and make drafting related changes that improve its clarity and operation.

**(v) Recommendations**

The Panel recommends:

**Reduce the extent of the Specific Controls Overlay so that it only applies to the land subject to the proposed Munarra Centre for Regional Excellence, Rumba Re-life and the Shepparton Sports and Events Centre.**

**Amend the Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated Document, October 2018, as shown in Appendix B, to:**

- a) extend the document's expiry dates
- b) revise Figure 1 to add a broad concept plan for the three identified proposed projects and change its title to "*Figure 1 – Munarra Centre for Regional Excellence, Rumba Re-life and Shepparton Sports and Events Centre Concept Plan*" to ensure clarity and certainty
- c) not require a permit if the use and development is in accordance with the specific controls of the document and generally in accordance with the concept plan
- d) make drafting related changes which improve its clarity and operation.



## Appendix A Document list

No.	Description	Provided by
<b>9 July 2019</b>		
1	Part A submission	Council
<b>16 July 2019</b>		
2a	Part B submission	Council
2b	Council submission presentation	Council
3	Rumbalara Aboriginal Co-operative – Submission	Mr Robb
4	Letter – Mr Atkinson to the Panel, 15 July 2019	Mr Robb
<b>17 July 2019</b>		
5	Delivering for all Victorians: Victorian Budget 19/20, p26	Council
6	Submission – Jayme Thomas	Mr Jolly
7	Letter – Jayme Thomas to the Panel, 6 June 2019	Mr Jolly
8	Submission – Marl Pty Ltd (originally Marl Enterprises Pty Ltd)	Mr Bramley
9	Munarra Centre for Regional Excellence Aboriginal Stakeholder and Community Engagement Plan, revised 10 July 2019	Ms Lancelotti
<b>24 July 2019</b>		
10	Submission – Amendment consultation process (as presented at the Hearing)	Council
11	Revised Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Incorporated – with tracked changes discussed at the Hearing	Council

## Appendix B Panel preferred version of the Incorporated Document

[Tracked Added](#)

~~Tracked Deleted~~

## **Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre**

### **Incorporated Document**

October 2018

This document is an incorporated document pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987*.

## 1. INTRODUCTION

This document is an incorporated document in the Schedule to Clause 45.12 *Specific Controls Overlay* and Schedule to Clause 72.04 *Table of Documents Incorporated in this Scheme* of the Greater Shepparton Planning Scheme.

The land identified in this document may be used and developed in accordance with the specific controls in this document.

## 2. PURPOSE

~~The purpose of this document is to~~ facilitate development of the Munarra Centre for Regional Excellence ([Munarra](#)), [Rumba Re-life](#) and the Shepparton Sports and Events Centre (SSEC).

## 3. LAND

~~This document applies to land at the existing Shepparton Sports Precinct and associated land parcels, as shown on Figure 1 – Munarra Centre for Regional Excellence and Shepparton Sports and Events Centre Site Plan (the Land). This includes:~~

- ~~the existing Shepparton Sports Stadium;~~
- ~~the site for the Munarra Centre for Regional Excellence;~~
- ~~the Rumbalara Football and Netball Club; and~~
- ~~associated areas for drainage infrastructure.~~

The [document applies to](#) Land marked as SC01 on Greater Shepparton Planning Scheme Map 13SCO, including ~~es the following~~:

- 85 [Packham Street](#) and [part of](#) 110 Packham Street, Shepparton;
- 120-174 Numurkah Road, Shepparton;
- 20 and 20A Mercury Drive, Shepparton;
- 55, 55A and 75 Wanganui Road, Shepparton; and
- Part of 45 Parkside Drive, Shepparton.

~~The Land also includes part of the Packham Street and Brauman Street road reserves and the Goulburn-Murray Water Drain that traverses the land.~~

## 4. APPLICATION OF PLANNING SCHEME PROVISIONS

Despite any provision to the contrary or any inconsistent provision in the Greater Shepparton Planning Scheme, no planning permit is required for, and nothing in the planning scheme operates to prohibit, control or restrict the use and development of the Land [if it is in accordance with the specific controls in this document and if generally in accordance with the concept plan in Figure 1](#) ~~for the purposes of Munarra and the SSEC.~~

The use and development of the Land for the purposes of Munarra, [Rumba Re-life](#) and the SSEC includes, but is not limited to:

- demolition of existing buildings;

- the use of the land for sporting facilities, including grandstand, netball courts, sporting fields, lighting and other associated uses;
- the use of the land for educational programs and a cultural and arts hub;
- the use of the land for residential accommodation associated with the educational facilities on the land;
- the use of the land for a place of assembly, office, food and drink premises and licensed premises;
- buildings and works associated with Munarra, [Rumba Re-life](#) and the SSEC;
- signs;
- removal of vegetation including trees;
- construction or alteration of drainage infrastructure;
- car parking;
- events and temporary buildings or works required for such events; [and](#)
- ~~creating or altering access to a road in a Road Zone Category 1 subject to an approved Traffic Impact Assessment Report (TIAR);~~ and
- [any](#) traffic treatment works.

This control is subject to the conditions in Clause 5 of this document.

If there is any inconsistency between the specific controls in this document and the general provisions of the Greater Shepparton Planning Scheme, the specific controls in this document will prevail.

## 5. CONDITIONS

The use and development of the Land permitted by this document must be carried out in accordance with the following conditions:

- I. Prior to buildings and works being carried out, the following plans must be prepared and submitted for approval to the satisfaction of the responsible authority [and relevant authorities](#).
  - a) An **Existing Conditions Plan** drawn to scale that shows the location, height, and purpose of existing buildings on the site.
  - b) A **Design Plan** for the site, drawn to scale, that shows the following:
    - boundaries and dimensions;
    - the location, height, size and purpose of buildings;
    - elevations, including colours and materials;
    - ground levels;
    - driveways, vehicle parking areas, loading and unloading areas, and waste treatment areas;
    - landscaped areas;
    - details of proposed signs for new buildings/structures; and
    - adjoining roads [and location of any future connection to Wanganui Road](#).

- c) A **Flood Management Report** ~~must be approved by the responsible authority~~ must be prepared to the satisfaction of the relevant floodplain management authority that provides details on:
- the location of the proposed development in relation to flood affected land;
  - the susceptibility of the development to flooding and flood damage;
  - the effect of the development on redirecting or obstructing floodwater; and
  - stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities and any mitigating measures as required.
- d) A **Landscape Plan** that describes:
- any vegetation removal proposed;
  - the vegetation species to be planted;
  - the number and size of trees at maturity and other proposed vegetation; and
  - planting formations, surface treatments and the method of preparing; and draining, watering and maintenance of landscaping areas.
- e) An **Integrated Water Management Plan** must be approved by the responsible authority, that provides details on:
- the provision, location, quantity and treatment of drainage infrastructure on the site; and
  - details of how stormwater runoff will be treated, retained and conveyed to existing drainage in accordance with the Infrastructure Design Manual (*as revised*).
- f) A **Traffic Impact Assessment Report** ~~must be approved by the responsible authority~~ must be prepared to the satisfaction of the relevant roads authority that provides details on:
- The impacts of Munarra and the SSEC on the operation and function of the transport network and identify how to avoid, reduce, manage and mitigate these impacts on the arterial road network
  - the provision, location, layout and treatment of all vehicle and bicycle parking areas including end of trip facilities, loading and unloading areas within the site, driveways and other access ways within and abutting the site; and
  - road treatments to and from Numurkah Road (Goulburn Valley Highway), Brauman Street and Packham Street, including details on the alteration or creation of any accesses to a road in the Road Zone Category 1 and any traffic treatment works or installations.
- g) A **Construction Management Plan** specifying the measures proposed to ensure the construction activity has minimal impact on surrounding areas and trees.
- h) An **Environmental Management Plan (EMP)** showing the measures proposed to satisfy all relevant environment requirements including soil contamination and noise. The EMP must include all relevant monitoring, auditing, reporting and mitigation measures that are relevant to the development and use of the land.

- i) A **Utility Services Plan** detailing the existing services and proposed connections to utility infrastructure.
  - j) A **Carparking Plan** that shows the number of spaces to be provided on the Land for Munarra, [Rumba Re-life](#) and the SSEC.
- I. The development of the Land must be generally in accordance with the endorsed plans to the satisfaction of the responsible authority. The use and development as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the responsible authority.
- II. The use permitted by this incorporated document must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the activities carried on, including through the transport of materials; appearance of any buildings, works or materials; emission of noise, artificial light, [traffic](#), waste products; or otherwise.

## 6. EXPIRY

The use and development permitted by this incorporated document will expire if one of the following circumstances applies:

- a) The development is not commenced within ~~two~~-[five](#) years of the date of gazettal of this incorporated document; or
- b) The development is not completed within ~~five~~-[seven](#) years of commencement.

The responsible authority may extend the periods referred to if a request is made in writing before expiry or within six months afterwards.

### Figure 1 – Munarra Centre for Regional Excellence, [Rumba Re-life](#) and Shepparton Sports and Events Centre [Site Concept Plan](#)

Include a broad concept plan for each of the proposed projects with detail similar to that in Figures 3 and 5 of this report.