


Delegate's Report

Consideration of Submissions:

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| Responsible Officer: | Alex Smith |
| Amendment Number: | C239gshe |
| Exhibition Period: | 16 June to 18 July 2022 |
| Land affected: | <p>The proposed Amendment applies to approximately 271 hectares of land at Kialla, generally bound by Raftery Road to the north and west, Bennetts Road to the south, and the Goulburn Valley Highway and the Seven Creeks to the east. The majority of the land is included within Investigation Area 2, which is identified in the Kialla and Shepparton South Framework Plan in the Greater Shepparton Planning Scheme.</p>  |

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| Proposal: | <p>The proposed Amendment rezones the majority of land within Investigation Area 2, and that land between Bennetts and Mitchells Roads, that is zoned Rural Living Zone to the Urban Growth Zone to safeguard the area for future development as a strategic residential growth corridor.</p> <p>The Amendment also amends the Municipal Planning Strategy to provide interim guidance for planning permit applications until a precinct structure plan is prepared and implemented for the land through a future planning scheme amendment.</p> <p>The Amendment makes the following changes to the Greater Shepparton Planning Scheme:</p> <ul style="list-style-type: none"> • rezones land to the Urban Growth Zone; • amends Planning Scheme Map Nos. 11 and 25; and • amends Clause 02.03-1 Settlement and 02.04 Strategic framework plans to provide policy support to safeguard the land for future urban development, and to update the Kialla and Shepparton South Framework Plan. <p>A precinct structure plan and development contributions plan will be prepared to provide an overarching strategic framework for the development of the land, to outline the quantum of infrastructure required to support any future development and to apply development costs equitably.</p> <p>The proposed Amendment will also update the Kialla and Shepparton South Framework Plan to reflect the preparation of Amendment C233gshe, which seeks to facilitate use and development of the land at 480 Raftery Road for rural living purposes.</p> |
| Number of Submissions: | 19 |
| Number of Objections: | 3 |
| Exhibited Panel Dates: | Directions hearing: 23 August 2022 Panel hearing: week commencing 19 September 2022 |

Background

Planning Scheme Amendment

Greater Shepparton City Council has proposed Amendment C239gshe and is the planning authority for this Amendment. The Amendment has been made at the request of Greater Shepparton City Council.

Strategic Justification

The proposed Amendment is required to implement the strategic vision for the subject land identified in the *Greater Shepparton Housing Strategy 2011* and included in the Planning Scheme.

The Housing Strategy identified the land as Investigation Area 2 – Raftery Road, Kialla. Clause 02.03-1 *Settlement* of the Planning Scheme states:

in facilitating growth in Shepparton, Kialla and Mooroopna, Council has identified four Investigation Areas that represent land with potential to be rezoned to a higher density residential use due to the proximity to services or growth areas. The areas however presently have significant issues or constraints such as environmental, flooding, infrastructure or land use conflicts. The relevant issues will need to be resolved through a more detailed analysis to determine the potential for higher density development.

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

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

The proposed Amendment implements objectives a, c, f and g of planning in Victoria at Section 4 of the *Planning and Environment Act 1987*. The proposed Amendment implements the objectives of planning in Victoria by providing the appropriate planning tools to allow for the orderly planning of the Investigation Area to occur. This provides for the longer term sustainable use and development of the land. Environmental, social, economic, conservation and resource management issues will be considered as part of the preparation of a future precinct structure plan. This will allow for the creation of a sustainable and liveable community within this important future residential growth corridor.

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

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

The subject land is recognised as being located in a Bushfire Prone Area. The proposed Amendment itself will not impact on the relevant bushfire risk of the subject land as the provisions of the Urban Growth Zone will reflect those of the existing Rural Living Zone.

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

The Amendment supports the Planning Policy Framework and the Municipal Planning Strategy by rezoning land that has been identified for urban development. The proposed Amendment will zone the land Urban Growth Zone to ensure that the land is identified for future residential purposes and that incremental approvals within the investigation area are

avoided. As part of the preparation and implementation of a precinct structure plan, the land will be allocated for housing, employment, recreation, open space, commercial, and community facilities and infrastructure.

All submissions currently received regarding the Amendment have been considered by Council officers and a Planning Panel is required.

Exhibition

The Amendment was exhibited in accordance with the *Planning and Environment Act 1987* from Thursday, 16 June 2022 to Monday, 18 July 2022 and the following notice was provided:

- letters sent to land owners and occupiers on 13 June 2022;
- letters sent to relevant referral authorities on 14 June 2022;
- letters sent to prescribed ministers on 14 June 2022;
- notice in the Shepparton News on 17 June 2022;
- notice in the Victoria Government Gazette on 16 June 2022;
- notice on Greater Shepparton City Council website;
- notice on Department of Environment, Land, Water and Planning website; and
- a copy of the exhibition documentation was placed in the foyer of the Council offices at 90 Welsford Street, Shepparton, and on Greater Shepparton City Council website.

Submissions

19 submissions were received by Council.

Submissions received that did not object to the Amendment

Four of the submissions were received from referral authorities, which did not object to the proposed Amendment. These are:

- Submission 2 – Goulburn Valley Water
- Submission 10 – Goulburn Broken Catchment Management Authority
- Submission 13 – APA Group
- Submission 18 – Goulburn Murray Water

Submissions that supported the Amendment

Eight of the submissions were received supporting the Amendment. These are:

- Submission 3
- Submission 5
- Submission 6 and 6A
- Submission 7
- Submission 9
- Submission 12
- Submission 15
- Submission 16
- Submission 19 – Department of Environment, Land, Water and Planning

Submissions that requested changes to the Amendment.

Three of the submissions were from referral authorities or landowners requesting changes to the Amendment. These are:

- Submission 1
- Submission 11
- Submission 14 – Environment Protection Authority

Submissions received that objected to the Amendment

Three of the submissions were from referral authorities or landowners, which objected to the Amendment. These are:

- Submission 4
- Submission 8
- Submission 17 – Country Fire Authority

Concerns Raised in Submissions and Council Officers' Position

Concerns raised in submissions and Council officers' position relating to the concerns raised in submissions are outlined in this section. Council officers met or held teleconferences with a number of the submitters; the details of these meetings or calls are also detailed in this section.

| Submission numbers | Comments made in submission | Council officers' response |
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| 1 | Supports the Amendment but requests that the land be identified for future employment uses. | <p>It is beyond the scope of this Amendment to identify the exact land uses within the Kialla West Growth Corridor.</p> <p>The future precinct structure plan will identify specific land uses within the Kialla West Growth Corridor and will be implemented through the proposed Schedule to the Urban Growth Zone, which will identify 'applied zones' to implement the precinct structure plan. Council officers cannot consider this request at this stage.</p> |
| 4 | <p>The area is located within a floodplain and has significant ecological values that are put at risk by future urban development.</p> <p>The area is prone to significant weather events and is at risk of flooding.</p> <p>Future urban development will encourage sprawl away from services and supports higher density living.</p> | <p>Investigation Area 2 is located within the settlement boundary at Clause 02-04 Strategic framework plans of the Greater Shepparton Planning Scheme. Investigation Area 2 was identified as a potential residential growth corridor in the <i>Greater Shepparton Housing Strategy 2011</i> and the <i>Shepparton and Mooroopna 2050 Regional City Growth Plan 2021</i> confirmed this identifying the growth corridor as the Kialla West Growth Corridor.</p> <p>Investigation areas identify land that could serve a higher density residential use if development constraints can be resolved. In Investigation Area 2, this includes flooding, bushfire, ecological, and servicing constraints.</p> |

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| | | <p>The Amendment seeks only to safeguard the land for future development as a strategic residential growth corridor. Council is undertaking the investigation for the area as the Kialla West Growth Corridor, which will investigate in detail the relevant planning and environmental constraints in the area, and determine the potential for residential development. The outcome of these investigations will inform the preparation of a precinct structure plan and development contributions plan, which will provide information on appropriate densities for future residential development, identify all regional infrastructure required to support residential development and outline the cost of this infrastructure.</p> <p>Council is preparing a model of flood behaviour, which will determine the suitability of the land to accommodate residential development and what compensatory earthworks must be undertaken to ensure that there are no detrimental flood impacts in a major flooding event to properties outside of the Growth Corridor.</p> <p>Council has completed an ecological assessment, which has identified the extent and type of native vegetation within the Growth Corridor. It is envisaged that land that is determined to be environmentally significant would be managed by Council as public open space, or incorporated within road reserves or open spaces.</p> |
| 8 | <p>Concerns regarding the impacts that the Amendment will have on an existing equestrian business within the Growth Corridor, including:</p> <ul style="list-style-type: none"> • disruption to irrigation and S&D water; • increased inundation from flooding; | <p>The Amendment will not impact upon irrigation activity in the area. The Amendment was referred to Goulburn Murray Water as the manager of the No.2 irrigation channel, which did not object to the Amendment.</p> <p>As part of the investigations for the Kialla West Growth Corridor, Council is preparing a model of</p> |

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| | <ul style="list-style-type: none"> • increased traffic on Mitchell Road; • increased noise, airborne debris and pollution; • ability to evacuate animals in the ability of natural disaster; • safe access into the property onto Mitchell Road; and • impacts from unsupervised pets and trespassing. | <p>flood behaviour that will determine the suitability of the land to accommodate residential development and what compensatory earthworks must be undertaken to ensure that there are no detrimental flood impacts in a major flooding event to properties outside of the Growth Corridor.</p> <p>Council is also undertaking a traffic impact assessment, which will identify all transport infrastructure required to support any residential development in the Growth Corridor. It is Council officers' preference that any future precinct structure plan will identify a central collector road that will intersect with Mitchell Road near the Goulburn Valley Highway. This will allow the majority of Mitchell and Raftery Roads to be retained as local roads that will continue to provide access to existing rural residential properties fronting the roads and the Arcadia Downs estate.</p> <p>A future precinct structure plan will have the ability to manage the interface between urban development and existing properties in the area through the use of appropriate interface or buffer treatments.</p> <p>Other matters raised are not considered to be material planning considerations, are considered to be local laws issues or can only be considered following the preparation of the future precinct structure plan and development contributions plan for the Kialla West Growth Corridor.</p> |
| 11 | The submitter requests that their land on the west side of Raftery Road be included in the Amendment and rezoned. | The Amendment only rezones land that is included within the settlement boundary for Investigation Area 2 and that land between Bennetts and Mitchells Roads, which will be incorporated as part of the Kialla West Growth Corridor. The land on the west side of Raftery Road is outside of the |

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| | | <p>settlement boundary, and has a number of development constraints that will need to be resolved before any development can take place, including bushfire and flooding.</p> <p>The <i>Shepparton and Mooroopna 2050 Regional City Growth Plan</i> contains a medium-term action that the land between Raftery Road and the Arcadia Downs estate may realise some rural residential function in the short-medium term, and can be considered without the preparation of a precinct structure plan or development contributions plan.</p> <p>The submitter has since requested a planning scheme amendment to have their land rezoned for residential purposes.</p> |
| 14 | <p>The EPA recommends the following changes:</p> <ul style="list-style-type: none"> • As per the recommendations outlined in the <i>Soil Contamination Assessment</i>, a preliminary risk screen assessment should be undertaken at the seven sites identified as having a <i>medium</i> potential to contaminate land, to ensure that the requirements of MD1 are met; • Council should give consideration to land use compatibility when progressing this Planning Scheme Amendment; and • Where applicable, Council should ensure compliance with MD1 and MD19, and address these in the Explanatory Report, prior to exhibition of future planning scheme amendments. | <p>Council supports the recommendations from the EPA. The Amendment seeks only to safeguard the land for future development as a strategic residential growth corridor. Detailed investigations of soil contamination are being conducted as part of preparation of the Kialla West Growth Corridor, which will be implemented into the planning scheme as a precinct structure plan through a future planning scheme amendment.</p> <p>The soil contamination assessment has identified seven areas where preliminary risk screen assessments should be undertaken. A future planning scheme amendment to implement the Growth Corridor will seek to apply the Environmental Audit Overlay to enable the preliminary risk screen assessments to be undertaken as part of the future development of the land.</p> <p>Council will shortly commission an adverse amenities assessment for the Growth Corridor, which will ensure the interface between urban</p> |

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| | | <p>development and existing properties in the area can be appropriately managed.</p> <p>Council will amend the explanatory report as a post-exhibition change to include text addressing the requirements of Ministerial Directions 1 and 19.</p> |
| 17 | <p>The submission makes reference to previous advice provided to Council on 17 December 2022 relating to the bushfire assessment for the Kialla West Growth Corridor. The Country Fire Authority is concerned that the Bushfire Assessment has not adequately responded to Clause 13.02 Bushfire of the Planning Scheme.</p> | <p>Council officers acknowledge the comments from the CFA and are working with the CFA to resolve the concern contained in the advice raised on the 17 December 2022 through the preparation of a peer review for the Kialla West Bushfire Assessment.</p> <p>Investigation Area 2 is located within the settlement boundary at Clause 02-04 Strategic framework plans of the Planning Scheme. Investigation Area 2 was identified as a potential residential growth corridor in the <i>Greater Shepparton Housing Strategy 2011</i> and the <i>Shepparton and Mooroopna 2050 Regional City Growth Plan 2021</i> confirmed this identifying the growth corridor as the Kialla West Growth Corridor.</p> |

The following meetings were held with submitters.

- 9:30am on 27 July 2022 at Council offices. Submitter No. 4, Team Leader Strategic Planning and Senior Strategic Planner were in attendance.
- 1:15pm on 29 July 2022 at Council offices. Submitter No. 8, Team Leader Strategic Planning and Senior Strategic Planner were in attendance.
- 3pm on 2 August 2022 at Council offices. Submitter 11, Team Leader Strategic Planning and Senior Strategic Planner were in attendance.
- 3:15pm on 5 August 2022 online via Microsoft Teams. Submitter 17 Country Fire Authority. Senior Strategic Planner was in attendance.
- 9:30pm on 11 August 2022 online via Microsoft Teams. Submitter No. 17 Country Fire Authority, Manager Building Planning and Compliance, and Senior Strategic Planner were in attendance.

- 11pm on 11 August 2022 online via Microsoft Teams. Submitter 14 Environment Protection Authority, Team Leader Strategic Planning and Senior Strategic Planner were in attendance.

Conclusion

The Amendment rezones the majority of land within Investigation Area 2 that is zoned Rural Living Zone to the Urban Growth Zone to safeguard the area for future development as a strategic residential growth corridor.

The Amendment was exhibited in accordance with the *Planning and Environment Act 1987* from 16 June 2022 to 18 July 2022.

18 submissions were received by Council. Of these, six submissions are unresolved and must now be considered by an independent planning panel. Council officers have considered all submissions to the Amendment and engaged with all submitters in an attempt to resolve these concerns. Council officers will continue to engage with submitters; however, it is evident that a number of submissions will remain outstanding.

A planning panel is required to consider all submissions.

Recommendation

Council officers request that a planning panel be appointed to consider all submissions received for proposed Amendment C239gshe to the Planning Scheme.

Panel hearing dates

The following panel hearing dates have been set for this proposed Amendment:

- Directions hearing: 23 August 2022.
- Panel hearing: week commencing 19 September 2022.

Planning Panels Victoria

Greater Shepparton Planning Scheme Amendment C239gshe Investigation Area 2, Kialla and Shepparton South Framework Plan

Panel Report

Planning and Environment Act 1987

7 November 2022

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Greater Shepparton Planning Scheme Amendment C239gshe

Investigation Area 2, Kialla and Shepparton South Framework Plan

7 November 2022



Alison McFarlane, Chair

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Glossary and abbreviations

| | |
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| the Amendment | Greater Shepparton Planning Scheme Amendment C239gshe |
| CFA | Country Fire Authority |
| Council | Greater Shepparton City Council |
| DPO1 | Development Plan Overlay Schedule 1 |
| EPA | Environment Protection Authority Victoria |
| MD1 | <i>Ministerial Direction 1 – Potentially contaminated land</i> |
| MD19 | <i>Ministerial Direction 19 – Preparation and content of amendments that may significantly impact the environment, amenity and human health</i> |
| RLZ | Rural Living Zone |
| RLZ1 | Rural Living Zone Schedule 1 |
| UGZ | Urban Growth Zone |

Overview

Amendment summary

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| The Amendment | Greater Shepparton Planning Scheme Amendment C239gshe |
| Common name | Investigation Area 2, Kialla and Shepparton South Framework Plan |
| Brief description | Rezone Investigation Area 2 from Rural Living Zone Schedule 1 to Urban Growth Zone |
| Subject land | Land in Kialla generally bound by Raftery Road to the north and west, Bennetts Road to the south, and Goulburn Valley Highway and Sevens Creeks to the east |
| Planning Authority | Greater Shepparton City Council |
| Authorisation | 24 May 2022 |
| Exhibition | 16 June to 18 July 2022 |
| Submissions | Number of Submissions: 19 Requested changes or conditions: 6 Refer Appendix A |

Panel process

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| The Panel | Alison McFarlane, Chair |
| Directions Hearing | Video conference, 23 August 2022 |
| Panel Hearing | A Hearing was not conducted. The matter was considered by the exchange of written material at the agreement of parties and the Panel |
| Site inspections | Unaccompanied, 29 August 2022 |
| Parties to the Hearing | Greater Shepparton City Council represented by Michael MacDonagh, Team Leader, Strategic Planning and Alex Smith, Senior Strategic Planner Villawood Pty Ltd represented by Mesh |
| Citation | Greater Shepparton PSA C239gshe [2022] PPV |
| Date of this report | 7 November 2022 |

Executive summary

Greater Shepparton is experiencing increased population growth resulting in demand for more housing.

Greater Shepparton Planning Scheme Amendment C239gshe (the Amendment) seeks to rezone 271 hectares of land in Kialla from Rural Living Zone Schedule 1 to Urban Growth Zone. This land is the second of four 'investigation areas' identified for residential growth in the *Greater Shepparton Housing Strategy, 2011*.

The purposes of the Urban Growth Zone are to manage the transition of non-urban land into urban land and to safeguard non-urban land from use and development that could prejudice its future urban development. A precinct structure plan must be prepared and included in the Greater Shepparton Planning Scheme before urban development proceeds.

Council has commenced preparation of the technical studies needed to inform a future precinct structure plan for Investigation Area 2. A threshold issue that will determine the form and density of future development is flooding. A model of flood behaviour prepared by Council has demonstrated approximately 204 hectares of development could be accommodated within Investigation Area 2, without increasing flood levels on surrounding land. On the basis that this threshold issue can be resolved, Council has initiated the Amendment to safeguard the land from inappropriate development.

Exhibition of the Amendment attracted nineteen submissions, thirteen of which supported the Amendment, including agency submissions from Goulburn Valley Water, Goulburn-Murray Water, Goulburn Broken Catchment Management Authority and the Department of Environment, Land, Water and Planning (Environment portfolio).

The remaining six submissions raised the following issues:

- whether contamination and land use compatibility issues are properly addressed by the Amendment
- whether the Amendment satisfies policy for bushfire planning
- whether urban development of a flood prone area with significant riverine and floodplain ecological values is appropriate
- whether land in Investigation Area 2 should be rezoned for employment uses
- whether future urban development will negatively impact an established equestrian centre
- whether part of the land at 400 Raftery Road should be rezoned to UGZ.

Council has taken a proactive approach to working with submitters to address their concerns. As a result, four of the six opposing submissions were resolved to the submitters' satisfaction after the Panel was established. The Panel has not undertaken detailed enquiries into the matters raised by these submitters. The Panel notes that before development of the land proceeds, a precinct structure plan is required for the land. The technical studies required to inform the precinct structure plan will address many of the issues of concern to submitters, including contamination, land use compatibility and amenity, bushfire policy, flooding, environmental and traffic impacts, constraints of the land and management of traffic and amenity impacts.

Of the remaining two submissions, the Panel concludes:

- A precinct structure plan is required before any land in Investigation Area 2 is zoned for employment uses.
- There is no strategic justification to rezone part of the land at 400 Raftery Road, Kialla to Urban Growth Zone.

In relation to the technical drafting of the Amendment, the Panel concludes the Development Plan Overlay Schedule 1 is not required to safeguard the land from inappropriate development if the land is rezoned to Urban Growth Zone.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Greater Shepparton Planning Scheme Amendment C239gshe be adopted as exhibited, subject to the following:

- 1. Update the Explanatory Report to address Ministerial Direction 1 and Ministerial Direction 19 as follows:**
 - a) Under 'Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?', insert:**

'The Amendment has considered Ministerial Direction 1 – Potentially Contaminated Land. The land has been previously used for agricultural purposes, which does not fall under the definition of potentially contaminated land under this direction. Council has commissioned a preliminary site investigation for the land as a background report for the Kialla West Growth Corridor, which will investigate the potential for land contamination on the site based on current and historic land uses, and site visits. The recommendations of the preliminary site investigation including any requirements for additional soil contamination assessments will be incorporated into the future precinct structure plan.

The Amendment complies with Ministerial Direction 19 Part A - Ministerial Direction on the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health. The EPA has provided Council with advice on potentially contaminated land and land use compatibility on the land. Council will consider the EPA's advice when preparing the future precinct structure plan.
- 2. Delete Development Plan Overlay Schedule 1 from the land.**

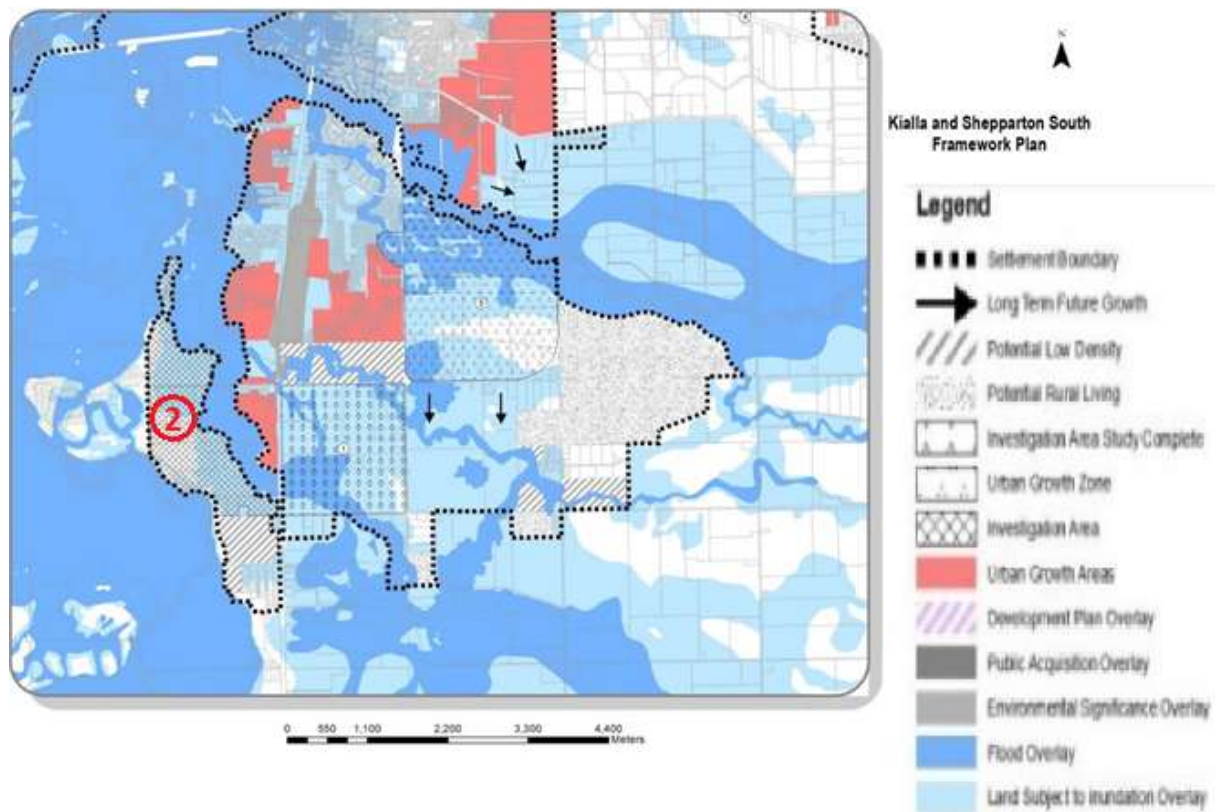
1 Introduction

1.1 The Amendment and planning permit application

(i) The subject land and surrounds

Greater Shepparton Planning Scheme Amendment C239gshe (the Amendment) applies to 271 hectares of land in Kialla, generally bound by Raftery Road to the north and west, Bennetts Road to the south, and the Goulburn Valley Highway and the Seven Creeks to the east. Most of the land is identified as 'Investigation Area 2' on the Kialla and Shepparton South Framework Plan (Figure 1 and Figure 2).

Figure 1 Kialla and Shepparton South Framework Plan



The land is zoned Rural Living Zone Schedule 1 (RLZ1). It is included in Development Plan Overlay Schedule 1 (DPO1) and Specific Controls Overlay Schedule 3. Part of the land is included in the Bushfire Management Overlay and Land Subject to Inundation Overlay.

The site has a history of agricultural land use. It continues to be used for farming purposes, and is developed with dispersed dwellings and associated outbuildings (Figure 3).

Figure 2 Land affected by the Amendment within Investigation Area 2



Figure 3 Land affected by the Amendment aerial image



(ii) The Amendment

The purpose of the Amendment is to safeguard the land for future development as a residential growth area. The Amendment proposes to do this by:

- rezoning the land from RLZ1 to Urban Growth Zone (UGZ)
- amending the Municipal Planning Strategy to provide interim guidance for planning permit applications until a Precinct Structure Plan is prepared and implemented.

The Amendment also proposes to update the Shepparton South Framework Plan to reflect the preparation of Amendment C239gshe, which proposes to reduce the minimum lot size of RLZ1 land at 480 Raftery Road, Kialla from 8 hectares to 2 hectares.

1.2 Background

Council provided a detailed background to the Amendment and chronology of events in its submission. The Panel has summarised this in Appendix B.

Council further explained:

- Greater Shepparton is experiencing increased population growth and changing demographic trends, resulting in demand for a greater amount and variety of housing.

- The *Greater Shepparton Housing Strategy, 2011* identified the area around Raftery Road, Kialla as Investigation Area 2. It states “*further work is required on land conditions, servicing and development potential before future zoning options can be fully assessed and determined*”.
- A model of flood behaviour was completed in April 2020, which determined that a developable area of around 204 hectares could be accommodated within Investigation Area 2, on fill up to 30 centimetres, without increasing flood levels outside of the investigation area.
- On the basis that this threshold issue could be resolved, Council officers elected to proceed with the further investigation of the land for residential development, and to consider development of the land at a standard residential density.
- Council allocated budget in the 2021/2022 and 2022/2023 financial years to prepare the background reports to inform a precinct structure plan and development contributions plan to guide the future development of the land and identify and cost the quantum of infrastructure required to support the future development of the land.

1.3 Procedural issues

At the Directions Hearing, the Panel noted the parties requesting to be heard (Council and Villawood Kialla Pty Ltd) supported the Amendment. The Panel sought the views of the parties on whether it may be suitable to conduct the Panel process without a Public Hearing. All agreed to the matter proceeding by exchange of written material (‘on the papers’).

The Panel reserved the right to convene a Hearing should it be unclear on any critical matters raised in submissions. Upon its review of submissions, the Panel decided convening the Hearing was unnecessary and advised parties of its decision.

1.4 Summary of issues raised in submissions

Nineteen submissions were received following exhibition of the Amendment. Thirteen submissions supported the Amendment including agency submissions from Goulburn Valley Water, Goulburn-Murray Water, Goulburn Broken Catchment Management Authority and the Department of Environment, Land, Water and Planning (Environment portfolio).

Of the remaining six submissions, two submissions were received from government agencies. The Environment Protection Authority Victoria (EPA) questioned whether contamination and land use compatibility issues had been properly addressed by the Amendment. Country Fire Authority (CFA) questioned whether the Amendment had properly responded to bushfire policy.

A submission from the Goulburn Valley Environmental Group Incorporated opposed urban development of a flood prone area with significant riverine and floodplain ecological values.

Submitter 8 objected to the Amendment because of its potential to impact on an established equestrian centre.

Two submissions requested changes to the Amendment. Submission 1 requested land at 75 Mitchell Road, Kialla be rezoned for employment uses. Submission 11 requested land at 400 Raftery Road be rezoned to UGZ.

1.5 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 a site visit, submissions and other material presented to it regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Strategic issues
- Resolution of submissions
- Form and content of the Amendment.

2 Strategic issues

2.1 Planning context

This chapter identifies planning context relevant to the Amendment. Appendix B provides further details regarding relevant provisions and policies.

Table 1 Planning context

| | Relevant references |
|---|--|
| Victorian planning objectives | - section 4 of the <i>Planning and Environment Act 1987</i> (PE Act) |
| Planning Policy Framework | - Clauses 11.02-1S (Settlement), 11.02-1L (Investigation areas), 12.01-1S (Protection of Biodiversity), 12.01-1L (Biodiversity), 13.02-1S (Bushfire Planning), 13.03-1S (Floodplain management), 13.04-1S (Contaminated and Potentially Contaminated Land), 16.01-1S (Housing supply), 16.01-2S (Housing affordability), 19 (Infrastructure) |
| Municipal Planning Strategy | - Clauses 02.03-1 (Settlement), 02.03-2 (Environmental and landscape values), 02.03-3 (Environmental risks and amenity), 02.04 (Strategic Framework Plans) |
| Other planning strategies and policies | - Hume Regional Growth Plan |
| Planning scheme provisions | - Rural Living Zone - Development Plan Overlay Schedule 1 - Land Subject to Inundation Overlay - Bushfire Management Overlay - Specific Controls Overlay Schedule 3 |
| Ministerial directions | - <i>Ministerial Direction on the Form and Content of Planning Schemes</i> under section 7(5) of the <i>Planning and Environment Act 1987</i> - <i>Ministerial Direction 1 (Potentially Contaminated Land)</i> - <i>Ministerial Direction 11 (Strategic Assessment of Amendments)</i> - <i>Ministerial Direction 12 (Urban Growth Areas)</i> - <i>Ministerial Direction 19 (Preparation and content of amendments that may significantly impact the environment, amenity and human health)</i> |
| Planning practice notes | - Planning Practice Note 46: Strategic Assessment Guidelines, August 2018 - Planning Practice Note 47: Urban Growth Zone, June 2015 |

2.2 Submissions

Council submitted rezoning Investigation Area 2 to UGZ will safeguard it from inappropriate development that may prejudice its future role and function as an urban growth corridor. This approach is consistent with *Planning Practice Note 47: Urban Growth Zone, June 2015* which identifies the purposes of the UGZ as:

- to manage the transition of non-urban land into urban land

- to safeguard non-urban land from use and development that could prejudice its future urban development.

The Practice Note provides the UGZ may be applied to land adjacent to regional cities and towns where a strategy has been prepared that clearly identified the land is suitable for future urban development.

Council noted the same approach was taken for Investigation Area 3 by way of Greater Shepparton Planning Scheme Amendment C195. The C195 Panel concluded:

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

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

...

Overall, the Panel encourages Council to adopt a similar approach sooner rather than later with regard to the other Investigation Areas by utilising the UGZ where appropriate.

2.3 Discussion and conclusion

For the reasons set out in this Report, the Panel concludes that the Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Resolution of submissions

3.1 Environment Protection Authority Victoria

(i) The issue

The issue is whether contamination and land use compatibility issues are properly addressed by the Amendment.

(ii) Submissions

In its submission to Council, EPA noted that in May 2022, it advised that Council should:

- undertake further work to determine the potential for contamination at the subject site and to ensure that the requirements of *Ministerial Direction 1 – Potentially Contaminated Land* (MD1) are met
- consider land use compatibility between intended future uses of the land and existing/neighbouring land uses
- update the draft Explanatory Report to address MD1 and *Ministerial Direction 19 – Preparation and content of amendments that may significantly impact the environment, amenity and human health* (MD19).

Following receipt of this advice, a *Soil Contamination Assessment, June 2022* was prepared and provided to the EPA. This identified seven subzones across the site with a ‘medium’ potential for contamination.

EPA recommended Council should:

- require the preparation of a Preliminary Risk Screen Assessment at the seven sites identified as having a medium potential for contamination, to ensure that the requirements of MD1 are met
- give consideration to land use compatibility when progressing the Amendment
- ensure compliance with MD1 and MD19, and address these in the Explanatory Report, prior to exhibition of future planning scheme amendments.

Council provided a copy of a letter it sent to EPA dated 17 August 2022.¹ This advises:

- Council will likely seek to apply an Environmental Audit Overlay to the seven sites that have a medium potential for contaminated land, consistent with the approach Council is taking to manage the same issue in the Shepparton South East Precinct Growth Area.
- Council will commission an adverse amenities assessment to inform future management of dust, odour and air emissions.
- Council supports revisions to the Explanatory Report to address MD1 and MD19 as follows:

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

The proposed Amendment has considered Ministerial Direction 1 – Potentially Contaminated Land. The land has been previously used for agricultural purposes, which does not fall under the definition of potentially contaminated land under this direction. Council has commissioned a preliminary site investigation for the land as a background

¹ Document 7

report for the Kialla West Growth Corridor, which will investigate the potential for land contamination on the site based on current and historic land uses, and site visits. The recommendations of the preliminary site investigation including any requirements for additional soil contamination assessments will be incorporated into the future precinct structure plan.

The proposed Amendment complies with Ministerial Direction 19 Part A - Ministerial Direction on the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health. The EPA has provided Council with advice on potentially contaminated land and land use compatibility on the land. Council will consider the EPA's advice when preparing the future precinct structure plan.

In reply, EPA advised the issues it raised had been adequately addressed.²

(iii) Discussion

The Panel acknowledges the issues raised by EPA have been addressed by Council to the EPA's satisfaction. On this basis, the Panel has not undertaken detailed enquiries into the matters raised by this submitter.

The purpose of the Amendment is to safeguard the opportunity for the land to be used and developed for residential purposes in the future. A precinct structure plan setting out the layout and form of future land use and development will be informed by investigations into a range of complex issues, including the contamination and land use compatibility issues raised by the EPA.

It is appropriate that these issues be investigated as part of the precinct structure planning process. Proposed changes to the Explanatory Report set out the purpose of these future investigations.

(iv) Conclusion and recommendation

The Panel concludes:

- It is appropriate for contamination and land use compatibility issues to be fully assessed through preparation of a precinct structure plan for the area.

The Panel recommends:

1. Update the Explanatory Report to address Ministerial Direction 1 and Ministerial Direction 19 as follows:

a) Under 'Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?', insert:

The Amendment has considered Ministerial Direction 1 – Potentially Contaminated Land. The land has been previously used for agricultural purposes, which does not fall under the definition of potentially contaminated land under this direction. Council has commissioned a preliminary site investigation for the land as a background report for the Kialla West Growth Corridor, which will investigate the potential for land contamination on the site based on current and historic land uses, and site visits. The recommendations of the preliminary site investigation including any requirements for additional soil contamination assessments will be incorporated into the future precinct structure plan.

² Document 8

The Amendment complies with Ministerial Direction 19 Part A - Ministerial Direction on the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health. The EPA has provided Council with advice on potentially contaminated land and land use compatibility on the land. Council will consider the EPA's advice when preparing the future precinct structure plan.

3.2 Country Fire Authority

(i) The issue

The issue is whether the Amendment satisfies policy for bushfire planning.

(ii) Submissions

In its submission to Council, CFA advised a draft *Strategic Bushfire Risk Assessment, November 2021* (draft bushfire risk assessment) had not adequately responded to bushfire policy.

Council provided a copy of a letter it sent to CFA dated 16 August 2022.³ This notes Council is working to resolve concerns about the draft bushfire risk assessment, including through a peer review process.

In reply, CFA advised it is satisfied with Council's process and it did not require change to the Amendment.

(iii) Discussion

The Panel acknowledges the issues raised by CFA have been addressed by Council to CFA's satisfaction. On this basis, the Panel has not undertaken detailed enquiries into the matters raised by this submitter.

The purpose of the Amendment is to protect the opportunity to develop the land for residential purposes in the future. A precinct structure plan will determine the overall layout of future development and will be informed by a range of technical assessments, including an assessment of bushfire risk.

The UGZ will prevent the intensification of urban land uses on the site until a precinct structure plan is prepared and implemented into the Planning Scheme. This ensures risks to human life from bushfire are not increased by rezoning the land to UGZ, consistent with policy for bushfire planning (Clause 13.02-1S).

(iv) Conclusion

The Panel concludes:

- Bushfire policy issues will be further assessed through preparation of a precinct structure plan for the area.

³ Document 9

3.3 Goulburn Valley Environmental Group Incorporated

(i) The issue

The issue is whether urban development of a flood prone area with significant riverine and floodplain ecological values is appropriate.

(ii) Submissions

Goulburn Valley Environmental Group Incorporated did not support the Amendment. Its submission to Council stated rezoning land with high environmental values in a floodplain should be “cautiously considered”.

Council submitted the Amendment seeks only to safeguard the land for future development, and further investigations are required to assess planning and environmental constraints before the development capacity of the land is resolved.

Council provided a copy of a letter it sent to the Goulburn Valley Environmental Group Incorporated dated 16 August 2022.⁴ This advises:

- Council is preparing a model of flood behaviour for the area. This will determine the suitability of the land for residential development and the compensatory earthworks required to ensure there are no flood impacts to surrounding land. The model of flood behaviours will use the latest hydraulic model calibration from the *Shepparton Mooroopna 1% AEP (Annual Exceedance Probability) Flood Mapping Project 2021*, which includes up-to-date LiDAR flown in December 2019 and a climate change component.
- Council has also completed an ecological assessment, which has identified the extent and type of native vegetation. It is envisaged that as development occurs within the Growth Corridor, land that is determined to be environmentally significant or subject to flooding would be managed by Council as public open space. Council will also seek to protect native vegetation by incorporating it within road reserves or open spaces in future proposed subdivision layouts.

In response, Goulburn Valley Environmental Group Incorporated advised Council its concerns about the Amendment had been addressed ‘to the extent currently possible’ and no further changes to the Amendment were required.⁵

(iii) Discussion

The Panel acknowledges Council’s explanation of the Amendment is acceptable to the Goulburn Valley Environmental Group Incorporated. On this basis, the Panel has not undertaken detailed enquiries into the matters raised by this submitter.

The layout and form of future land use and development will be set out in a precinct structure plan informed by a range of technical assessments, including flood modelling and ecological assessments.

⁴ Document 1

⁵ Document 3

The purpose of the Amendment is to safeguard the opportunity for future development, rather than enable development. It is satisfactory that issues raised by the submitter be fully examined through the future structure planning process.

(iv) Conclusion

The Panel concludes:

- Flooding and environmental constraints will be assessed through preparation of a precinct structure plan for the area.

3.4 Submission 1

(i) The issue

The issue is whether land in Investigation Area 2 should be rezoned for employment uses.

(ii) Submissions

In their submission to Council, Submitter 1 confirmed support for the Amendment as an “*interim measure*”. The submitter requested land at 75 Mitchell Road, Kialla be rezoned for “*employment uses*” to complement the future residential use of the growth area and to provide opportunities to live and work locally.

Council submitted this request was beyond the scope of the Amendment, noting the future precinct structure plan would resolve the location of preferred land uses.

Council provided a copy of a letter it sent to Submitter 1 dated 16 August 2022.⁶ This sets out how more detailed planning of the area will occur over time.

The purpose of investigation areas is to identify land that could serve a higher density residential use if the development issues or constraints, such as environmental, flooding, infrastructure or land use conflicts, can be resolved.

Council is undertaking this detailed analysis for the Kialla West Growth Corridor via a two stage process. This first stage, via Amendment C239gshe, identifies the bulk of the land for future urban development and seeks to safeguard it from any development that could prejudice its long term urban development potential.

The second stage will involve understanding the development constraints of the land including bushfire, cultural heritage, ecological, flooding, stormwater drainage, traffic, utilities, etc. This is done through the preparation of individual assessments. Council has engaged a number of consultants over the past two financial years to undertake these assessments. This work is expected to be complete in late 2022. These detailed assessments will determine the development potential and, critically, the density of any future residential development and the future uses to be accommodated within the Growth Corridor.

Once this second stage is complete, the assessments will then inform the preparation of a precinct structure plan, which will serve as a master plan for the Kialla West Growth Corridor, and a development contributions plan, which will ensure that developers in the Growth Corridor pay their equitable share for infrastructure to support any future residential development. A second planning scheme amendment will then be prepared to incorporate both plans in the Planning Scheme to allow for the future development of the land.

As a result, Amendment C239gshe cannot identify land within the Kialla West Growth Corridor for specific uses. This can only be resolved as part of the preparation of the precinct structure plan and related planning scheme amendment documentation, notable the

⁶ Document 1

proposed Schedule to the Urban Growth Zone that would identified 'applied zones' within the growth corridor. Council officers can only consider your request for your land to be identified for commercial uses at that time.

Villawood Kialla Pty Ltd (Submitter 7 and the only other party to the Panel process) supported Council's response to Submission 1, agreeing that preferred land uses would be resolved through the future precinct structure plan and relevant technical studies. It also noted the potential designation of land for employment purposes is likely to attract opinion from other including adjacent and nearby landowners, such that *"it would be inappropriate for the Panel to consider the merits of Submission 1 at this time"*.

(iii) Discussion

There is currently no strategic justification to rezone 75 Mitchell Road, Kialla for employment uses. Future development of Investigation Area 2 is at an early stage of planning. It would be premature, and beyond the scope and purpose of the Amendment, to designate land for employment uses until technical studies are completed and a precinct structure plan is prepared.

(iv) Conclusion

The Panel concludes:

- A precinct structure plan is required before any land in Investigation Area 2 is zoned for employment uses.

3.5 Submission 8

(i) The issue

The issue is whether future urban development will negatively impact an established equestrian centre.

(ii) Submissions

Submitter 8's submission to Council raised various concerns about the impact of the Amendment on an established equestrian centre. These concerns included impacts on availability of stock and domestic water, increasing risk of inundation, noise, traffic and air pollution.

Council provided a copy of a letter it sent to Submitter 8 dated 16 August 2022.⁷ In addition to investigations on flooding and environmental values, Council noted:

- A traffic impact assessment will be prepared to identify transport infrastructure required to support future development.
- A future precinct structure plan will manage the interface between urban development and existing properties, including through use of buffers.
- Goulburn-Murray Water has confirmed future development will not impact on existing irrigation activity.

In reply, Submitter 8 confirmed their concerns had been addressed.

⁷ Document 4

(iii) Discussion

The Panel acknowledges Council's explanation of the Amendment is acceptable to Submitter 8. On this basis, the Panel has not undertaken detailed enquiries into the matters raised by this submitter.

Broadly, the Panel notes Investigation Area 2 is located within the settlement boundary of Shepparton South and Kialla (Figure 1) and strategically identified as an investigation area for growth. The detailed investigations outlined by Council will inform the future development capacity and urban structure of the area. Inundation, noise, traffic and interface issues raised by Submitter 8 will be fully examined through the precinct structure planning process.

(iv) Conclusion

The Panel concludes:

- A future precinct structure plan will be informed by technical studies that address the flooding and environmental constraints of the land and management of traffic and amenity impacts.

3.6 Submission 11**(i) The issue**

The issue is whether part of the land at 400 Raftery Road should be rezoned to UGZ.

(ii) Submission

In their submission to Council, Submitter 11 requested part of 400 Raftery Road be rezoned as part of the Amendment to avoid leaving an isolated area of large lots adjoining standard residential development.

Council provided a copy of a letter it sent to Submitter 11 dated 15 August 2022⁸ which noted:

- 400 Raftery Road, Kialla is not included within Investigation Area 2 or the Kialla West Growth Corridor.
- There is no strategic justification to include this land in the Amendment.
- The *Shepparton and Mooroopna 2050 Regional City Growth Plan* indicates that the land between Raftery Road and the Arcadia Downs estate may realise some rural residential function in the short-medium term.
- Council can consider a request to change the planning controls to allow for rural residential development for some properties on the west side of Raftery Road, subject to resolution of flooding and bushfire risk constraints.

Villawood Kialla Pty Ltd agreed with Council that the land may have some potential for rural residential development, subject to resolution of constraints.

(iii) Discussion

There is no strategic justification to rezone land outside Investigation Area 2 or the Kialla West Growth Corridor to UGZ.

⁸ Document 6

The Panel notes the *Shepparton and Mooroopna 2050 Regional City Growth Plan* provides qualified support for future rural living development of part of 400 Raftery Road, Kialla. Provided constraints can be overcome, a rural living estate may be an appropriate interface to a conventional residential development on the east side of Raftery Road. This would be subject to a separate planning scheme amendment process.

(iv) Conclusion

The Panel concludes:

- There is no strategic justification to rezone part of the land at 400 Raftery Road, Kialla to Urban Growth Zone.

4 Form and content of the Amendment

4.1 Submissions

DPO1 currently applies to all the land affected by the Amendment. In response to a direction from the Panel, Council advised the overlay was applied to safeguard the land from inappropriate development while site investigations are undertaken. A development plan has not been approved and the control is, ultimately, now redundant given the provisions of the UGZ require a precinct structure plan be prepared to guide the future development of the land.

4.2 Discussion

The UGZ and DPO1 both safeguard the land from inappropriate development while a plan is resolved for residential development of the land. As Council's preference is to provide a precinct structure plan rather than development plan, DPO1 is redundant once the UGZ is applied to land.

While the exhibited Amendment did not propose removal of DPO1, this change is largely administrative and inconsequential given a development plan has not been approved for the land.

4.3 Conclusions and recommendations

The Panel concludes:

- DPO1 is not required if the land is zoned UGZ.

The Panel recommends:

- 2. Delete Development Plan Overlay Schedule 1 from the land.**

Appendix A Submitters to the Amendment

| No. | Submitter |
|-----|--|
| 1 | Insight Property Holdings |
| 2 | Goulburn Valley Water |
| 3 | Vivienne Erickson |
| 4 | Goulburn Valley Environmental Group Inc |
| 5 | Denis and Gaby Verwilghen van Galen |
| 6 | Therese and Stuart Nicholson |
| 7 | Villawood Properties/Villawood Kialla Pty Ltd |
| 8 | Amanda Hocking |
| 9 | Kialla West Land Corporation |
| 10 | Goulburn Broken CMA |
| 11 | Morley Park Stud |
| 12 | Graeme and Dianne Ingram |
| 13 | APA Group |
| 14 | Environment Protection Authority Victoria |
| 15 | Fitzwood Pty Ltd |
| 16 | Chris Smith and Associates for Rex Piastri and Therese Nicholson |
| 17 | Country Fire Authority |
| 18 | Goulburn-Murray Water |
| 19 | Department of Environment, Land, Water and Planning |

Appendix B Background and chronology

| Date | Event |
|---------------------------------|---|
| August 2009 | Council resolved to adopt the <i>Greater Shepparton Housing Strategy, 2009</i> . This identified land in Kialla West as an investigation area. |
| March 2010 | Request for Authorisation of Amendment C93, which sought to implement the <i>Greater Shepparton Housing Strategy, 2009</i> into the Planning Scheme. |
| 16 September - 15 November 2010 | Amendment C93 was exhibited and received 54 submissions. |
| March 2011 | The Amendment C93 Panel recommended that Investigation Area 2 and the settlement boundary be extended to include all land to the north that is currently zoned Rural Living Zone. Council agreed with this recommendation. |
| June 2011 | Council resolved to adopt an updated <i>Greater Shepparton Housing Strategy, 2011</i> as part of the adoption of Amendment C93. |
| June 2012 | Amendment C93 approved by the Minister for Planning which implemented the <i>Greater Shepparton Housing Strategy, 2011</i> into the Planning Scheme. |
| July 2019 | Council began the investigation for Investigation Area 2 by commissioning a model of flood behaviour. |
| September 2019 | Council released the <i>Draft Shepparton and Mooroopna 2050: Regional City Growth Plan</i> for public consultation. The Growth Plan designated land within Investigation Area 2 to the east side of Raftery Road as the Kialla West Growth Corridor and noted that the area is appropriate for medium term residential development. |
| April 2020 | The model of flood behaviour for Investigation Area 2 was finalised and it determined the developable area of Investigation Area using the hydraulic model calibration data within the <i>Shepparton and Mooroopna Flood Mapping and Flood Intelligence Project 2019</i> . Council committed 2020/2021 budget to commission all background reports needed to complete the investigation of the Investigation Area to inform the future Kialla West Growth Corridor. |
| 30 March 2021 | Council resolved to adopt the <i>Shepparton and Mooroopna 2050: Regional City Growth Plan</i> . The Growth Plan continues to identify land within Investigation Area 2 to the east side of Raftery Road as the Kialla West Growth Corridor. |
| July 2021 | Council provided additional strategic planning funding in the 2021-2022 financial year budget to begin preparing additional background reports for the Kialla West Growth Corridor. |
| 24 May 2022 | Authorisation for Amendments C233gshe and C239gshe received from the Department of Environment, Land, Water and Planning. |
| 16 June – 18 July 2022 | Exhibition of Amendments C233gshe and C239gshe, which receive a total of 31 submissions. |
| 29 July 2022 | Council officers, under delegation, requested an independent Planning Panel for the Amendments to consider all submissions to the Amendments. |

Appendix C Planning context

C1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Victorian planning objectives

The Amendment will assist in implementing State policy objectives set out in section 4 of the PE Act by facilitating orderly, coordinated development in an area designated for rural living development, and balancing the interests of the community through the provision of rural living residential land to meet the needs of a growing municipality.

Clause 11 (Settlement)

The objective of Clause 11.02-1S (Supply of urban land) is to *“ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses”*. The objective of Clause 11.02-1L (Investigation areas) is to *“coordinate the assessment, planning, development and servicing of investigation areas in an integrated manner”*. The Amendment will ensure that the land is identified for future residential purposes and that incremental approvals within the investigation area are avoided. As part of the preparation and implementation of a precinct structure plan at a later date, a sufficient supply of land will be available for residential and related purposes.

Clause 12 (Biodiversity)

The objective of Clause 12.01-1S (Protection of biodiversity) is to *“protect and enhance Victoria’s biodiversity”*.

Clause 13 (Environmental risks and amenity)

The objective of Clause 13.02-1S (Bushfire planning) is to *“strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life”*.

The objective of Clause 13.03-1S (Floodplain management) is to assist the protection of:

- life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows
- 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, wetland or coastal health.

The objective of Clause 13.04-1S is to *“ensure that contaminated and potentially contaminated land is used and developed safely”*.

Clause 16 (Residential development)

The objective of Clause 16.01-1S (Housing supply) is to *“facilitate well-located, integrated and diverse housing that meets community needs”*. The objective of Clause 16.01-2S is to *“To deliver more affordable housing closer to jobs, transport and services.”* The UGZ will facilitate the future

release of land for residential purposes in a timely manner ensuring that land supply is sufficient to meet demand and will assist in increasing housing choice and improving housing affordability.

Clause 19 (Infrastructure)

Clause 19 (Infrastructure) provides that planning for development should ensure social and physical infrastructure is provided in a way that this efficient, equitable, accessible and timely. Council submitted land will be allocated for transport links and infrastructure, including bus, bicycle travel, health and education facilities, water supply, sewerage and drainage and telecommunications at the precinct structure planning stage.

C2 Municipal Planning Strategy

Clause 02.03-1 (Settlement) sets out the forecast growth for Greater Shepparton between 2006 and 2016 (12,307 persons) based on *Victoria in Future, 2016* projections. Shepparton, Mooroopna and Kialla are expected to accommodate the majority of this growth.

Four 'investigation areas' are identified as land with potential to be rezoned to a higher density residential use due to their proximity to services or growth areas. Further assessment of these areas is required to determine their capacity to overcome environmental, flooding and infrastructure servicing constraints.

Council proposes to meet a residential growth target of 9,100 dwellings across the municipality infill (10 per cent) and greenfield development (90 per cent), where greenfield development will comprise:

- 60 per cent conventional living (450-800 square metre lots)
- 20 per cent medium density housing (450 square metre lots)
- 15 per cent low density living (2,000-8,000 square metre lots)
- 5 per cent rural living (2-8 hectare lots).

Council submitted the Amendment supports this Clause by providing for the expansion of the Kialla urban area and containing urban growth to identified growth areas in order to achieve a more compact built up area. The Amendment applies to an identified growth corridor and a future precinct structure plan will provide a coordinated approach for the future sustainable development of the subject land and will, ultimately, assist in providing housing diversity and affordability within the municipality.

Clause 02.04 (Strategic framework plans) includes the framework plan for the Kialla and Shepparton South area (**Error! Reference source not found.**). The Amendment land is identified as 'Investigation Area 2' on this Framework Plan.

Council noted the Amendment acknowledges that significant constraints must be resolved to determine the development potential of the investigation area.

C3 Other relevant planning strategies and policies

(i) Hume Regional Growth Plan

The Hume Regional Growth Plan provides broad direction for land use and development across the Hume region, as well as more detailed planning frameworks for the key regional centres of Shepparton, Wangaratta, Wodonga and Benalla. Shepparton is a major regional city and major growth location in this plan.

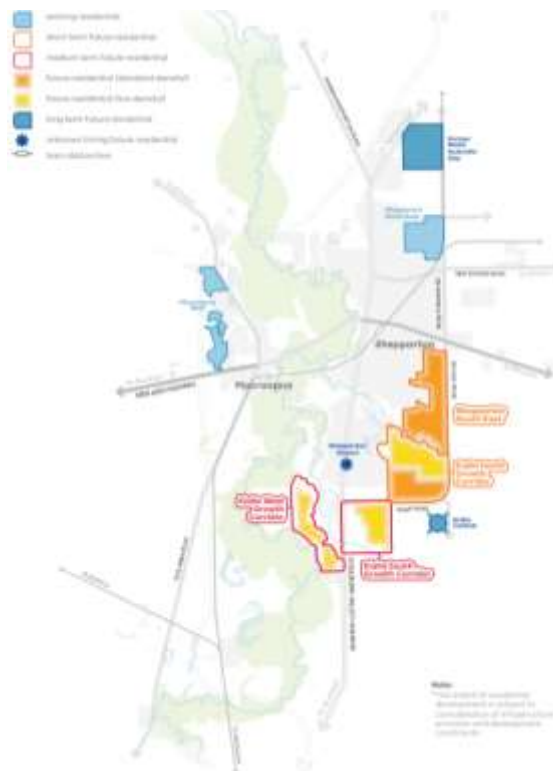
(ii) Shepparton Mooroopna Growth Plan

The *Shepparton and Mooroopna 2050: Regional City Growth Plan* (the Growth Plan) was prepared by the Victorian Planning Authority, in collaboration with Council. The Growth Plan is a high-level and broad strategy that:

- sets out the future vision for Shepparton and Mooroopna
- guides sustainable future growth and development over 30 years
- identifies the steps needed to manage growth
- defines projects and infrastructure required to support growth.

The Growth Plan formally changes the designation of Investigation Area 2 to the Kialla West Growth Corridor (Figure 4). The Growth Corridor is nominated as a low density residential area. Standard density residential development will be considered if flooding, access, bushfire and servicing constraints can be resolved. It notes the preparation of the model of flood behaviour to show the extent of developable land.

Figure 4 Shepparton and Mooroopna Residential Growth Corridors



The Growth Plan was adopted by Council in March 2021. An amendment to implement the Growth Plan into the Planning Scheme will be pursued in 2023.

C4 Planning scheme provisions

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

(iii) Zones

The land is in the RLZ. The purposes of this Zone are:

To provide for residential use in a rural environment.

To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.

To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The land is proposed to be zoned UGZ. The purposes of this Zone are:

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

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

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

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

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

(iv) Overlays

The land is subject to DPO1. The purposes of the Overlay are:

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

A development plan has not been approved under the overlay schedule.

The land is subject to the Bushfire Management Overlay. The purposes of the Overlay are:

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The land is subject to the Land Subject to Inundation Overlay. The purposes of the Overlay are:

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development. To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

The land is subject to the Specific Controls Overlay Schedule 3 (Goulburn-Murray Water: Connections Project and Water Efficiency Project) (SCO3). The purposes of the Overlay are:

To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

SCO3 applies to most of the Kialla West Growth Corridor and is in close proximity to the Goulburn-Murray Water Number 2 irrigation channel. Council submitted the Amendment will not have any impact on SCO3 or on the Goulburn-Murray Water Number 2 irrigation channel.

C5 Ministerial Directions and Practice Notes

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018 (PPN46). That discussion is not repeated here.

The Ministerial Directions and Planning Practice Notes relevant to the Amendment are:

- *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the *Planning and Environment Act 1987*
- *Ministerial Direction 1 (Potentially Contaminated Land)*
- *Ministerial Direction 12 (Urban Growth Areas)*
- *Ministerial Direction 19 (Preparation and content of amendments that may significantly impact the environment, amenity and human health)*
- *Planning Practice Note 47: Urban Growth Zone, June 2015.*

Appendix D Document list

| No. | Date | Description | Provided by |
|-----|---------|--|--------------------------------|
| 1 | 26/8/22 | Council letter of response to Submitter 1 | Council |
| 2 | 26/8/22 | Council letter of response to Submitter 4 | Council |
| 3 | 26/8/22 | Submitter 4 reply to Council | Council |
| 4 | 26/8/22 | Council letter of response to Submitter 8 | Council |
| 5 | 26/8/22 | Submitter 8 reply to Council | Council |
| 6 | 26/8/22 | Council letter of response to Submitter 11 | Council |
| 7 | 26/8/22 | Council letter of response to Submitter 14 | Council |
| 8 | 26/8/22 | Submitter 14 reply to Council | Council |
| 9 | 26/8/22 | Council letter of response to Submitter 17 | Council |
| 10 | 26/8/22 | Submitter 17 reply to Council | Council |
| 11 | 31/8/22 | Panel Directions and Timetable | Planning Panels Victoria (PPV) |
| 12 | 9/9/22 | Distribution List Version 2 | PPV |
| 13 | 16/9/22 | Greater Shepparton Housing Strategy, updated May 2011 | Council |
| 14 | 16/9/22 | Amendment C239gshe Delegates Report, Consideration of Submissions, August 2022 | Council |
| 15 | 16/9/22 | Greater Shepparton City Council Minutes of Meeting 30 March 2021 | Council |
| 16 | 16/9/22 | Greater Shepparton C239gshe Explanatory Report Post Exhibition Changes | Council |
| 17 | 16/9/22 | Greater Shepparton C195 Panel Report | Council |
| 18 | 16/9/22 | Greater Shepparton C93 Panel Report | Council |
| 19 | 16/9/22 | Greater Shepparton City Council Minutes of Meeting 17 May 2011 | Council |
| 20 | 16/9/22 | Memorandum – Shepparton Investigation Area No 2 Flood Modelling | Council |
| 21 | 16/9/22 | Shepparton and Mooroopna 2050 Regional Growth Plan, March 2021 | Council |
| 22 | 16/9/22 | Council Submission to Panel | Council |
| 23 | 16/9/22 | Villawood Kialla Pty Ltd Submission to Panel | Villawood Kialla Pty Ltd |
| 24 | 28/9/22 | Council confirmation no further submissions | Council |
| 25 | 5/10/22 | Panel correspondence to parties confirming Public Hearing not required | PPV |

Planning and Environment Act 1987

GREATER SHEPPARTON PLANNING SCHEME

AMENDMENT C239GSHE

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 approximately 271 hectares of land at Kialla, generally bound by Rafferty Road to the north and west, Bennetts Road to the south, and the Goulburn Valley Highway and the Seven Creeks to the east.

The majority of the land is included within Investigation Area 2, which is identified in the Kialla and Shepparton South Framework Plan in the Greater Shepparton Planning Scheme.



Figure One – Land affected by the Amendment within Investigation Area 2.

What the amendment does

The Amendment rezones the majority of land within Investigation Area 2 that is zoned Rural Living Zone to the Urban Growth Zone to safeguard the area for future development as a strategic residential growth corridor.

The Amendment also amends the Municipal Strategic Statement to provide interim guidance for planning permit applications until a Precinct Structure Plan is prepared and implemented for the land through a future planning scheme amendment.

The Amendment makes the following changes to the Greater Shepparton Planning Scheme:

- rezones land to the Urban Growth Zone;
- amends Planning Scheme Map Nos. 11 and 25;
- deletes the Development Plan Overlay (DPO1) from the land; and
- amends Clause 02.03-1 *Settlement* and 02.04 *Strategic framework plans* to provide policy support to safeguard the land for future urban development, and to update the Kialla and Shepparton South Framework Plan.

A Precinct Structure Plan and Development Contributions Plan will be prepared to provide an overarching strategic framework for the development of the land that outlines the quantum of infrastructure required to support any future development and to apply development costs equitably.

The Amendment will also update the *Kialla and Shepparton South Framework Plan* to reflect the preparation of Amendment C233gshe which seeks to facilitate use and development of the land at 480 Raftery Road for rural living purposes.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to acknowledge the strategic vision for the subject land as identified in the *Greater Shepparton Housing Strategy 2011* and the planning scheme.

The Housing Strategy identified the land as Investigation Area 2 – Raftery Road, Kialla. Clause 02.03-1 *Settlement* of the planning scheme states:

In facilitating growth in Shepparton, Kialla and Mooroopna, Council has identified four Investigation Areas that represent land with potential to be rezoned to a higher density residential use due to the proximity to services or growth areas. The areas however presently have significant issues or constraints such as environmental, flooding, infrastructure or land use conflicts. The relevant issues will need to be resolved through a more detailed analysis to determine the potential for higher density development.

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

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

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

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

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

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

Environmental Effects

The Amendment will not have any significant detrimental environmental impacts.

Similar planning permit triggers for the removal of native vegetation that apply under the Rural Living Zone apply under the Urban Growth Zone. The planning scheme provides protection for native vegetation under Clause 52.17 – *Native Vegetation*. The Amendment will not change the provisions of Clause 52.17.

Detailed precinct structure planning is required prior to the land being made available for residential development. Future development will have environmental effects, including possible development of land which is affected by the Land Subject to Inundation Overlay and the Floodway Overlay, significant earthworks, soil contamination, and the potential removal of native vegetation. The preparation of a Precinct Structure Plan for the land will seek to minimise environmental impacts of future development and will incorporate the most up-to-date planning controls that address flood, fire and vegetation protection controls.

Social Effects

The Amendment will have positive social effects by ensuring that the strategic vision for the land is clearly articulated to the community. It will enable community participation in the preparation of the Precinct Structure Plan that will seek to facilitate detailed planning for the future residential development of the growth corridor. The preparation of the Precinct Structure Plan will reflect the most up-to-date planning controls and provide the community with increased flood and fire protection.

Economic Effects

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

Does the Amendment address relevant bushfire risk?

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

The Amendment itself will not impact on the relevant bushfire risk of the subject land as the provisions of the Urban Growth Zone will reflect those of the existing Rural Living Zone

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

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

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 considered Ministerial Direction 1 – *Potentially Contaminated Land*. The land has been previously used for agricultural purposes which does not fall under the definition of potentially contaminated land under this direction. Council has commissioned a preliminary site investigation for the land as a background report for the Kialla West Growth Corridor, which will investigate the potential for land contamination on the site based on current and historic land uses, and site visits. The recommendations of the preliminary site investigation including any requirements for additional soil contamination assessments will be incorporated into the future Precinct Structure Plan.

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

The Amendment is consistent with Ministerial Direction No 12, *Urban Growth Areas* and will facilitate the orderly development of land within Investigation Area 2.

The Amendment complies with Ministerial Direction 19 Part A - *Ministerial Direction on the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health*. The EPA has provided Council with advice on potentially contaminated land and land use compatibility on the land. Council will consider the EPA's advice when preparing the future Precinct Structure Plan.

The Amendment accords with the *Victoria Planning Provisions Practice Note – Urban Growth Zone, June 2008*, which states that the Urban Growth Zone may be applied to land adjacent to regional cities and towns where a strategy has been prepared that clearly identifies that the land is suitable for future urban development. In this case, the GSHS have identified that the land is suitable for urban development subject to further investigation. It is clear that the rezoning of the subject land to the Urban Growth Zone will not in itself allow urban use and development to proceed.

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

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

Clause 11.01 Settlement

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

The Amendment will provide appropriately zoned and serviceable land for future communities through the application of the Urban Growth Zone. As part of the preparation and implementation of a Precinct Structure Plan, the land will be allocated for housing, employment, recreation, open space, commercial and community facilities and infrastructure.

Clause 11.02 Managing growth

The objectives of this clause relate to the supply of urban land, planning for growth areas, structure planning, sequencing of development and open space and to ensure that the assessment, planning, development and servicing of the investigation areas are coordinated.

The application of the Urban Growth Zone will ensure that the land is identified for future residential purposes and that incremental approvals within the investigation area are avoided. As part of the preparation and implementation of a Precinct Structure Plan at a later date, a sufficient supply of land will be available for residential and related purposes.

Clause 16 Housing

The Urban Growth Zone will facilitate the future release of land for residential purposes in a timely manner. This will ensure that land supply is sufficient to meet demand and will assist in increasing housing choice and improving housing affordability. The Precinct Structure Plan process will provide for residential development that will be cost effective in the provision of

infrastructure, be more energy efficient, and incorporate water sensitive urban design principles.

Clause 19 Infrastructure

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

How does the Amendment support or implement the Municipal Planning Strategy?

The Amendment implements the Municipal Planning Strategy (MPS). Clause 02.03 and 02.04 contains a series of Growth Management Plans which were developed in the Housing Strategy to provide guidance as to how and where Greater Shepparton will grow. These Growth Management Plans were incorporated into the Planning Scheme with a series of *Framework Plans*.

The *Kialla and Shepparton South Framework Plan* identifies the subject land as Investigation Area 2. The Planning Scheme acknowledges that significant constraints must be resolved to determine the development potential of the investigation area.

The Amendment is in accordance with the following objectives of *Clause 02.03-1 Settlement*:

- *Providing for the expansion of the Shepparton, Mooroopna and Kialla urban areas and the outlying townships without negatively impacting on productive agricultural land.*
- *Containing urban growth to identified growth areas in order to achieve a more compact built up area.*

The Precinct Structure Plan will provide a coordinated approach for the future sustainable development of the subject land and will, ultimately, assist in providing housing diversity and affordability within the municipality.

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

The Amendment makes proper use of the Victoria Planning Provisions by applying the Urban Growth Zone, which is the most appropriate zone to protect land in a growth area for future development. The Urban Growth Zone offers a clear process for converting and preparing land for urban development. The use of this zone will provide certainty to landholders that the land can be developed for urban purposes, allowing for planning work to be undertaken.

The purpose of the Urban Growth Zone is to:

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

The Housing Strategy identifies the land for future residential development. The application of the Urban Growth Zone will protect the land from use and development that could reduce its long term urban development potential. The Urban Growth Zone allows existing farming and other rural activities to continue until a Precinct Structure Plan is implemented and urban development can commence.

The Amendment will remove the Development Plan Overlay (DPO1), which was applied to the land within Investigation Area 2 to safeguard it from inappropriate development until investigations have taken place. No development plan has been approved on the land and the control is, ultimately, now redundant given the provisions of the Urban Growth Zone, which will achieve the same outcome by requiring that a future precinct structure plan be prepared to guide the future development of the land.

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

The formal views considerations of any other relevant agencies and authorities was undertaken in preparing the Housing Strategy directions, and will be sought when preparing the Precinct Structure Plan for the land to provide suitable and tailored planning controls for future development.

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

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

The Amendment itself will not impact on transportation network as it does increase housing density until a Precinct Structure Plan is implemented through a future planning scheme amendment. The subsequent Amendment required to give effect to the Precinct Structure Plan will impact on the transportation network. Detailed planning through the development of a Precinct Structure Plan will assess potential impacts and address any necessary transportation infrastructure upgrades.

Resource and administrative costs

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

The Amendment will have a negligible impact on the resource and administrative costs of the responsible authority as the application of the Urban Growth Zone may result in a small increase in lot excision planning permit applications. This expected increase in planning permit applications is not unreasonable and the responsible authority is well equipped to assess these applications.

The implementation of the subsequent planning provisions will result in significant costs to the responsible authority, from both an administrative and resource perspective. The Urban Growth Zone requires detailed planning to be undertaken through the preparation of a Precinct Structure Plan and a Development Contributions Plan, which will have financial implications for the council. The council supports planning for the future development of the land and the cost of preparing these plans, which has been budgeted for and will be recovered, in part, over the life of the development of the land through the application of the Development Contributions Plan Overlay.

Where you may inspect this Amendment

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

- Greater Shepparton City Council offices at 90 Welsford Street, Shepparton;
- The Greater Shepparton City Council website at www.greatershepparton.com.au; and
- The Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.