

# **ATTACHMENT TO AGENDA ITEM**

**Ordinary Meeting**

**16 August 2016**

**Agenda Item 8.6      Adoption of Amendment C194 to the Greater Shepparton Planning Scheme (310 Bayunga Road, Tatura - Rezoning)**

**Attachment 1      Attachment 1 - Submission Recorder..... 824**

**Attachment 2      Attachment 2 - Exhibition Documentation..... 825**

**SUBMISSION RECORDER**  
**AMENDMENT C194 (310 Bayunga Road TATURA)**  
 Closing date: 11 July 2016

Sub No.	First Name	Last Name	Organisation	Content of Submission	Assessment of submission	Recommendation	Trim Link	Date Submission received	Date Acknowledgement letter sent
1	Peter	Morrison	Melki Farm Pty Ltd	* Concerns regarding drainage.	* The subject land is included in DPO22. Protection exists within DPO22 to submitter's concerns.	Submission withdrawn, letter received 13/07/2016	2016/32491	21/06/2016	22/06/2016
2	Raelene	Stratton	VicRoads	No Objection			2016/32478	21/06/2016	22/06/2016 via emailed pdf of letter
3	Guy	Tierney	GBCMA	No Objection			2016/32655	22/06/2016	28/06/2016
4	Paul	Kerns	GV Water	No Objection			2016/32682	22/06/2016	28/06/2016
5	Carmel	O'Dwyer	DELWP	No Objection			2016/35123	5/07/2016	6/07/2016
6	Peter	Kerr	EPA Victoria	No Objection			2016/36901	13/07/2016	14/07/2016
7	Leah	Smith	DEOTJR	Provides support for Amendment			2016/37777	14/07/2016	19/07/2016

Planning and Environment Act 1987

**GREATER SHEPPARTON PLANNING SCHEME  
AMENDMENT C194  
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.

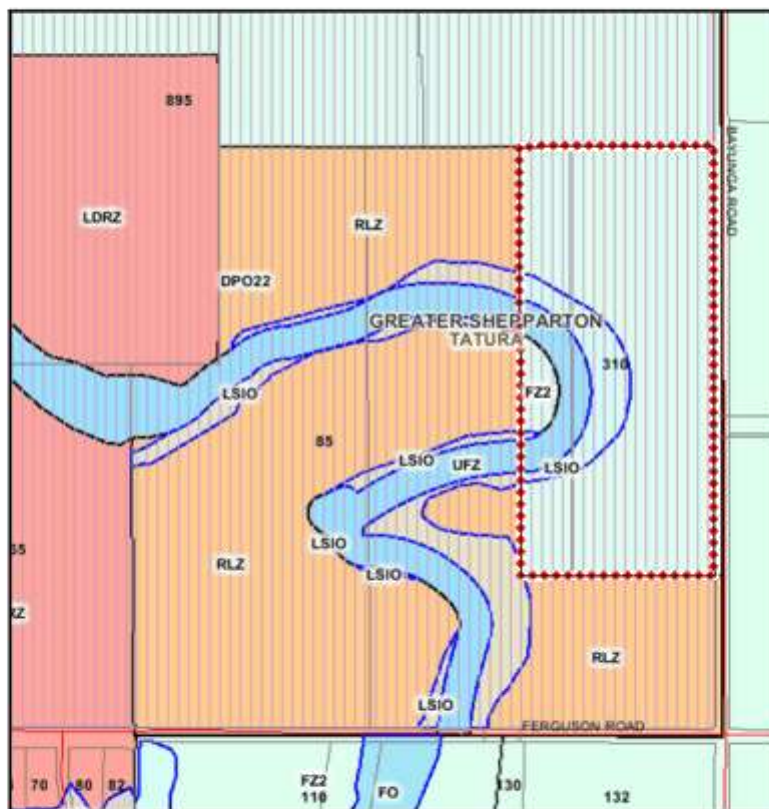
The Amendment has been made at the request of Tatura Abattoirs Pty Ltd.

**Land affected by the Amendment**

The proposed Amendment applies to part of 310 Bayunga Road, Tatura (Lots 1 & 2 TP327412) and measures approximately 16 hectares of land.

The subject land is currently used for agricultural purposes (cropping and horse agistment). It is within the Farming Zone – Schedule 2 (FZ2) and Urban Floodway Zone (UFZ), and is affected by Schedule 22 to the Development Plan Overlay (DPO22) and the Land Subject to Inundation Overlay (LSIO) (see *Figure 1 – Zone and Overlay Map*). The Amendment proposes to rezone only the land in the FZ2 to the RLZ; land in the UFZ will remain in this zone.

Figure 1 - *Zone and Overlay Map* (land to be rezoned is highlighted in red).



### What the amendment does

The Amendment proposes to rezone part of 310 Bayunga Road, Tatura from the Farming Zone – Schedule 2 (FZ2) to the Rural Living Zone (RLZ).

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

- Rezone part of 310 Bayunga Road, Tatura from the FZ2 to the RLZ; and
- Amend Planning Scheme Map No. 6.

### Strategic assessment of the Amendment

#### Why is the Amendment required?

The subject land is within the settlement boundary for Tatura and has been identified for 'Potential Rural Living' within the *Greater Shepparton Housing Strategy 2011* (GSHS).

The current Farming Zone provisions applicable to the land prohibit it from being used for RLZ purposes. An Amendment to rezone the land to RLZ is therefore necessary to implement the recommendations of the GSHS. This will allow the land to be developed for Rural Residential purposes.

As part of Amendment C185 to the Greater Shepparton Planning Scheme (Planning Scheme), the subject area was included in Schedule 22 to the Development Plan Overlay (DPO22), which incorporates the *Tatura North East Concept Plan*. DPO22 and the Concept Plan will guide the comprehensive development of the multiple parcels across various land ownership boundaries.

The subject land is approximately 16 hectares. The provisions of the RLZ allow subdivision of the land to a minimum lot size of two hectares. If rezoned and subdivided, a maximum of 8 lots could be achieved. This allows for the gradual transition of residential densities further from this area. This is in accordance with the GSHS.

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

The proposed Amendment implements objectives a, c, e, f and g of planning in Victoria at Section 4 of the *Planning and Environment Act 1987* as it will facilitate the orderly, fair and economic development of rural residential land in the municipality.

The proposed Amendment implements the objectives of planning in Victoria by facilitating orderly, coordinated development in an area designated for rural residential development. The proposed Amendment balances the interests of the community through the provision of rural residential land to meet the needs of a growing municipality.

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

##### Environmental

The development will not negatively impact on the long term potential growth of Tatura or the agricultural land to the east.

A Land Capability Assessment has been undertaken, which indicates the potential future lots are capable of retaining and disposing of effluent on-site.

The land is not within an area of 'cultural heritage sensitivity', thus there is no mandatory requirement for a Cultural Heritage Management Plan to be undertaken. It is a requirement of the *Aboriginal Heritage Act 2006* that appropriate levels of care should be taken during any excavation works for utilities services provision or house construction on future lots.

There are no significant adverse environmental implications associated with this proposed Amendment.

##### Social

The proposed Amendment is expected to have positive social outcomes. It will facilitate new and unique housing opportunities at a density of which there is currently a limited supply in Greater Shepparton. It will result in the expansion of a new neighbourhood forming part of the established rural residential community within the locality.

The land is in proximity to the established town centre of Tatura, and its social and community infrastructure. The proposed Amendment will result in a net community benefit by providing a pleasant and safe living environment that satisfies demand for rural residential opportunities in Tatura.

There are no significant adverse social implications associated with this proposed Amendment.

#### Economic

The proposed Amendment is expected to have positive economic benefits. Given the proximity of the land to the established built form of Tatura, approximately 3 kilometres, and the rural residential development to the west and south-west of the lands, it is appropriate to rezone this land to the RLZ.

The land is already fragmented and used for limited agricultural purposes. The displacement of irrigated farming land by urban expansion has been strategically addressed within the GSHS. A settlement boundary has been established with an overall strategy of containment for Tatura. The subject area is within the settlement boundary. The containment strategy is necessary to protect the significant agricultural base of the economy from the negative impact of unplanned rural residential development.

The development of the land for residential purposes will create employment opportunities during the planning and construction phases. New housing to be provided on the site will also facilitate economic growth within the municipality by providing housing opportunities to cater for the growing population. This will also improve housing choice within the area.

There are no significant adverse economic impacts associated with this proposed Amendment.

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

The proposed Amendment meets the objectives and gives effect to the strategies to address the risk to life as a priority, property, community infrastructure and the natural environment from bushfire in the State Planning Policy Framework (Clause 13.05-1 *Bushfire planning strategies and principles*). This is mainly because the site is not exposed to extreme bushfire hazard and the site is located within the settlement boundary.

The proposed Amendment is consistent with the Local Planning Policy Framework objectives and strategies that apply to bushfire risk. No local policy for bushfire risk management is required to support the proposed Amendment as bushfire mitigation measures can be readily implemented and the risk can be reduced to an acceptable level.

The Country Fire Authority (CFA) was consulted as part of Amendment C185 and did not object to the Amendment. The CFA will be provided with an opportunity to comment on this proposal during the formal exhibition process associated with this proposed Amendment. Further bushfire assessment will be required at the building permit stage.

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

*Ministerial Direction No. 1 – Potentially Contaminated Land* has been considered. A preliminary soil contamination assessment has been prepared. The assessment concluded that the site does not have a high level of contamination and that it is suitable for residential development. This provides Council confidence that the land is suitable for the proposed future use and development. The proposed Amendment complies with the requirements of Ministerial Direction No. 1.

The proposed Amendment has been prepared in accordance with *Ministerial Direction No. 11 – Strategic Assessment of Amendments*.

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

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

The State Planning Policy Framework (SPPF) objective for urban settlement (Clause 11) aims to ensure that a sufficient supply of land is available for residential, commercial, industrial, recreational, institutional and other public uses. The Clause also aims to facilitate the orderly development of urban areas.

The objective for Planning for Growth (Clause 11.10-3) is *"to focus growth and development to maximise the strengths of existing settlements"*. A policy of this clause is to consider the *Hume Regional Growth Plan 2014 (HRGP)*.

The SPPF (Clause 16.01, 18 and 19.03) promotes good housing and urban design that enhances liveability and residential amenity whilst being cost effective. It states that cost effective development is that which is integrated with existing and future infrastructure; such as, schools, health services and water supply.

The proposed Amendment is consistent with these objectives for the following reasons:

- it aims to implement the HRGP as it supports residential growth in Tatura, which is identified as a *"moderate growth location"*
- it facilitates rural residential development on the urban fringe of the existing township of Tatura and utilises existing infrastructure adjacent to the site. All lots are capable of housing and retaining an on-site effluent disposal system;
- it will minimise the impact of new development on the environment by avoiding development which is remote from existing infrastructure and which may be of adverse impact on other genuine nearby farming land in other locations;
- it will allow for a diverse housing choice for the population, through the development of a rural residential lots (a minimum of two hectares) thus enhancing lifestyle choices for residents; and
- the land is included in DPO22, which will ensure that the future design of any residential subdivision appropriately addresses the objectives and strategies included in the SPPF. Any future Development Plan for the land must demonstrate that the proposed subdivision layout satisfies the design principles contained within the SPPF, including collector / connector road and local access streets, lot sizes, areas of open space and drainage retention areas.

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

The Municipal Strategic Statement (MSS) sets out the requirements for an increase in residential land to accommodate the projected future growth of Tatura, whilst protecting agriculture land. The MSS also recognises that the demand for rural residential land exceeds supply.

Clause 21.04 *Settlement* sets out the projected growth and strategies for housing, as per the findings of the GSHS. The objective of Clause 21.04-3 *Rural residential* is *"to provide land for rural residential purposes, without impacting on the long-term growth potential of urban centres or productive agricultural land"*. The proposed Amendment implements the strategies within Clause 21.04-3 as it is in a location that is identified on the Tatura Growth Framework Plan as being within an area designated for *"Potential Rural Living"*.

The proposed Amendment implements Clause 21.04 and the GSHS by rezoning the land to the RLZ. The proposed Amendment will also provide development options that will improve housing choice within the municipality.

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

There are a number of zones which seek to achieve a residential or rural residential land use outcome. These include the RLZ, LDRZ, Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Township Zone and Mixed Use Zone.

Most of these zones are intended to be applied where higher densities of development are anticipated or exist and, as such, are not appropriate for this area. The GSHS identifies the subject site for "Potential Rural Living" purposes. The RLZ is therefore the most appropriate zones to allow for the rural residential development of the land.

The RLZ limits the minimum lot size for subdivision and, therefore, facilitate residential development at a density which is supported at both the state and local level.

The subject area is included in DPO22, which require all lots have adequate access to facilities and services. This will ensure that a fair and integrated rural residential development is achieved.

The proposed Amendment makes proper use of the Victorian Planning Provisions.

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

Consultation has been undertaken with the Goulburn Broken Catchment Management Authority (GBCMA) as part of Amendment C185 in relation to the drainage and flooding on this land. The GBCMA has indicated that it supports the drainage strategy prepared to support the Amendment. Amendment C185 partially rezoned this land to the Urban Floodway Zone, applied the Land Subject to Inundation Overlay and removed the Floodway Overlay.

All relevant referral authorities will be notified of the Amendment and will have an opportunity to make a submission.

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

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

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

Given the rural residential outcomes intended by this Amendment, the impact of any future development regarding traffic on the surrounding road network will be negligible. The proposed Amendment will not have any significant negative impact on the transport system, as defined by Section 3 of the *Transport Integration Act 2010*.

The Minister has not prepared any statements of policy principles under Section 22 of the *Transport Integration Act 2010*; therefore, no such statements are applicable to this proposed Amendment.

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

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

The proposed Amendment will not have any detrimental effect on resource and administrative costs of Council. It will provide an improved basis for decision-making which will be a benefit to staff administering the Planning Scheme.

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

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

- Greater Shepparton City Council, 90 Welsford Street, Shepparton;
- Goulburn Valley Regional Library, 12-16 Casey Street, Tatura;
- The Greater Shepparton City Council website: [www.greatershepparton.com.au](http://www.greatershepparton.com.au); and
- The Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

### **Submissions**

Any person who may be affected by the proposed Amendment may make a submission to the planning authority. Submissions about the proposed Amendment must be received by **Monday, 11 July 2016**.

A submission must be sent to:

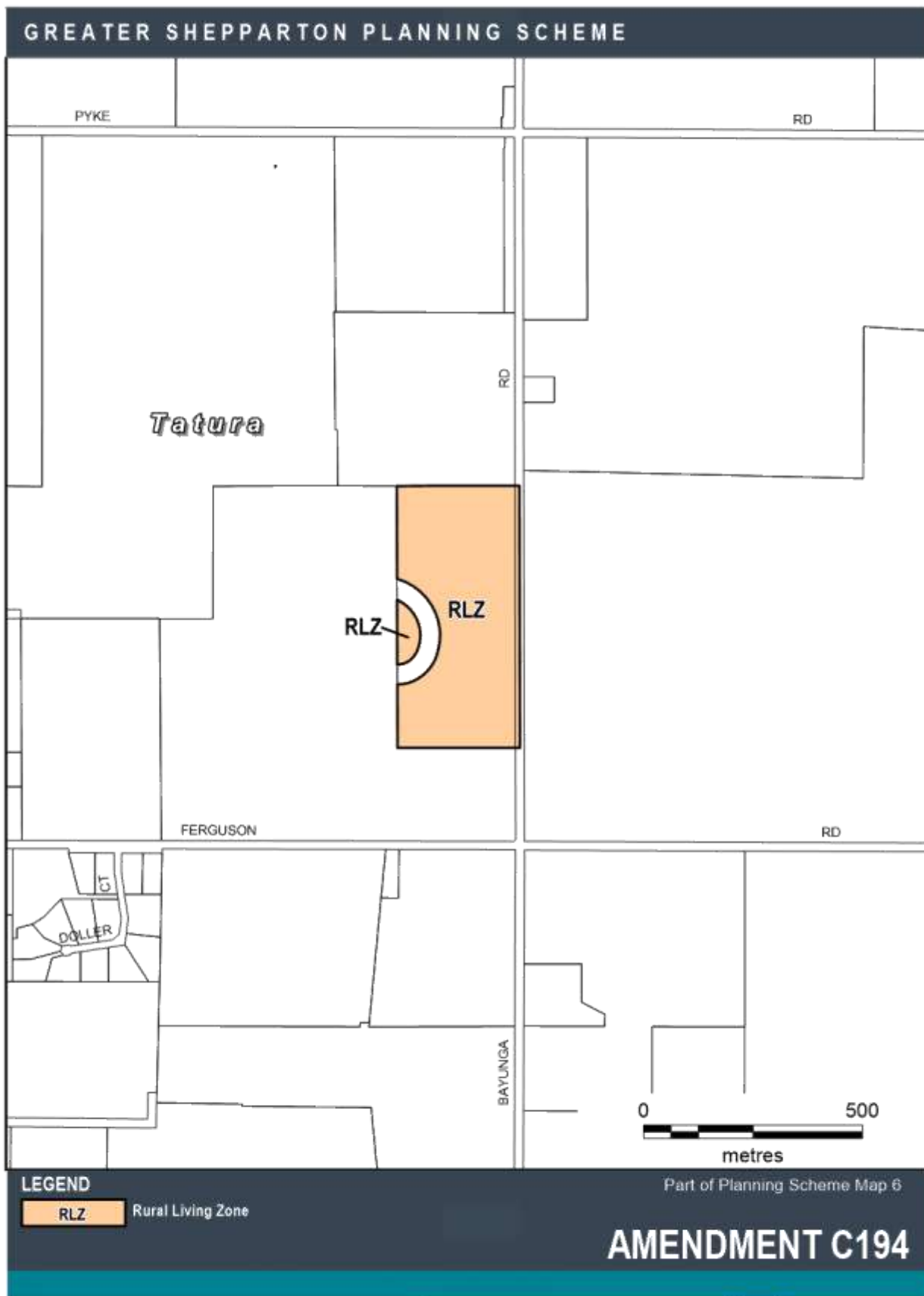
Greater Shepparton City Council  
Locked Bag 1000  
Shepparton, VIC 3632

### **Panel hearing dates**

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

- directions hearing: Week of 8 August 2016
- panel hearing: Week of 5 September 2016





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



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*Planning and Environment Act 1987***GREATER SHEPPARTON PLANNING SCHEME****AMENDMENT C194****INSTRUCTION SHEET**

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

The Greater Shepparton Planning Scheme is amended as follows:

**Planning Scheme Maps**

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

**Zoning Maps**

1. Amend Planning Scheme Map No. 6 in the manner shown on the 1 attached map sheet marked "Greater Shepparton Planning Scheme, Amendment C194".

End of document

# **ATTACHMENT TO AGENDA ITEM**

**Ordinary Meeting**

**16 August 2016**

**Agenda Item 8.7      Consideration of Submissions - Amendment C187 to  
the Greater Shepparton Planning Scheme (Congupna -  
Public Acquisition Overlay)**

**Attachment 1      Submission Recorder ..... 834**

**Attachment 2      Exhibition Documentation ..... 835**

SUBMISSION RECORDER  
 AMENDMENT C187  
 (Using date in July 2016  
 16: 41:00:00)

Sub No.	Sub Name	Last Name	Organisation	Summary of Submission	Summary of Submission	Recommendation	Rec. date	Date Submission received	Date Acknowledgement letter sent
1	Belacane	Orlano	McShane	No Objection			2016/3143	21/06/2016	08/07/2016
2	Don	Timothy	McCRON	No Objection			2016/3048	08/06/2016	01/08/2016
3	Chris	Tracy	EPN	No Objection			2016/3241	21/06/2016	21/06/2016
4	Conor	O'Dwyer	DEUAP	No Objection			2016/3032	03/07/2016	03/07/2016
5	Dean	Le	Cameras Layers's old Land owners (228 Old Diarmuid's Road)	<p>* Concerns about the process for adoption.</p> <p>* Concerns about the Special Rates and Charges referred in the 17 May 2016 CCM minutes proposed to fund the infrastructure.</p> <p>* Concerns that rates will increase once the PWD is applied to the property.</p>	<p>* All aspects of land acquisition and compensation, including valuation, will be undertaken in accordance with the Land Acquisition and Compensation Act 1990.</p> <p>* At the 17 May 2016 Ordinary Council Meeting, Council resolved to endorse the Conguama Urban Drainage Strategy, March 2016 and prepare and submit a Planning Scheme Amendment (PSA) to implement its recommendations. Council has not made a decision on how the preparation and implementation of the infrastructure will be funded.</p> <p>* A Special Rates and Charges scheme is subject to a future Council decision; however no date has been set for this Council decision. This process is separate from the PSA process. The PSA needs to apply the PWD to the land to allow for the acquisition of the land in the future only after Council has a resolution to fund and construct the drainage infrastructure.</p> <p>* Referred to the Revenue and Rates Department for information regarding any potential increase in Council Rates resulting from the application of the PWD to the land.</p>	* Submission withdrawn.	20163610	03/07/2016	17/07/2016 letter of response sent
6	Ben & Tara	James	Adjacent Landowner	<p>* Concerns exist on the location of the proposed basin along Conguama Road (Request that it is moved further east).</p> <p>* Believes that the basin would provide an area for snakes and lizards to live, mosquitoes to breed, create unpleasant odour, and present fire risk.</p> <p>* Object to the 1.8m fence around the dam and the tree barrier surrounding it which will obstruct their view across the land.</p> <p>* Basin would diminish the rural living feeling that they currently enjoy on the land.</p> <p>* Request that access to the back of their lot is retained.</p>	<p>Reasons for proposed basin location:</p> <p>* When initially approached by Council, the landowner of the proposed basin site indicated that this would be their preferred location (best configuration for existing farm land). Proposed basin to discharge into the existing 0.800' drain along Conguama East Road, which is the drain that the Wallace Street drainage currently utilises to Proposed basin location is at lowest corner of paddock. Proposed basin location is closest to drainage catchment which it will serve.</p> <p>* To locate the proposed basin in another location:</p> <p>Further east would require a longer discharge pipe. Further east would require a longer 450mm diameter steel pipe from Wallace Street to the proposed basin (increasing construction cost). If the proposed basin was located further to the east, the basin would need to be deeper (increasing the probability of encountering unfavourable ground conditions).</p> <p>* Once the land is acquired, it will become a Council asset and therefore part of Council's maintenance regime. The fences will be sprayed and open areas mowed periodically. Once constructed, the pump at the proposed basin will be observed regularly by Council officers, ensuring that Council's Maintenance Team will be able to monitor the condition of the basin. If local residents observe any maintenance concerns, they can contact Council to have the issue addressed.</p> <p>* The proposed basin is designed to operate as a dry basin. This means that water shall not be retained permanently within the proposed basin. Water will be completely pumped out of the basin in sufficient time to prevent any issues relating to stagnant water. Water will remain in the basin only during and immediately after a rain event. In a 1 in 100 year event, the basin can fill with water to a depth of 1.87 metres and can discharge into the 0.800' drain at a rate of 9.2 litres per second and will be fully discharged in approximately five days. The weeds at the bed of the basin is designed to freely drain, however, regular maintenance and monitoring of the vegetated weath drain will be required by Council to ensure that the weeds is operating as intended and no ponding water occurs for long periods of time.</p> <p>* The proposed free screen plantation has been removed from the design as a result of submissions. The proposed perimeter fence of the basin can be altered from a 1.8 metre chain wire fence to a rural post and rail fence. With the alteration in fence type, to ensure safety, the basin walls will be tallened to a grade of 1 in 8 to provide a more gradual decline from the perimeter of the basin towards the bed of the basin, meeting the Infrastructure Design Manual requirements.</p>		201638772	03/07/2016	01/07/2016
7	Matthew & Mick Walker		Adjacent landowner	<p>* Concerns exist on the location of the proposed basin along Conguama East Road (Request that it is moved further east).</p> <p>* Believes that the basin would provide an area for snakes and lizards to live, mosquitoes to breed, create unpleasant odour, and present fire risk.</p> <p>* Object to the 1.8m fence around the dam and the tree barrier surrounding it which will obstruct their view across the land.</p> <p>* Basin would diminish the rural living feeling that they currently enjoy on the land.</p> <p>* Request that access to the back of their lot is retained.</p>	<p>Reasons for proposed basin location:</p> <p>* When initially approached by Council, the landowner of the proposed basin site indicated that this would be their preferred location (best configuration for existing farm land). Proposed basin to discharge into the existing 0.800' drain along Conguama East Road, which is the drain that the Wallace Street drainage currently utilises to Proposed basin location is at lowest corner of paddock. Proposed basin location is closest to drainage catchment which it will serve.</p> <p>* To locate the proposed basin in another location:</p> <p>Further east would require a longer discharge pipe. Further east would require a longer 450mm diameter steel pipe from Wallace Street to the proposed basin (increasing construction cost). If the proposed basin was located further to the east, the basin would need to be deeper (increasing the probability of encountering unfavourable ground conditions).</p> <p>* Once the land is acquired, it will become a Council asset and therefore part of Council's maintenance regime. The fences will be sprayed and open areas mowed periodically. Once constructed, the pump at the proposed basin will be observed regularly by Council officers, ensuring that Council's Maintenance Team will be able to monitor the condition of the basin. If local residents observe any maintenance concerns, they can contact Council to have the issue addressed.</p> <p>* The proposed basin is designed to operate as a dry basin. This means that water shall not be retained permanently within the proposed basin. Water will be completely pumped out of the basin in sufficient time to prevent any issues relating to stagnant water. Water will remain in the basin only during and immediately after a rain event. In a 1 in 100 year event, the basin can fill with water to a depth of 1.87 metres and can discharge into the 0.800' drain at a rate of 9.2 litres per second and will be fully discharged in approximately five days. The weeds at the bed of the basin is designed to freely drain, however, regular maintenance and monitoring of the vegetated weath drain will be required by Council to ensure that the weeds is operating as intended and no ponding water occurs for long periods of time.</p> <p>* The proposed free screen plantation has been removed from the design as a result of submissions. The proposed perimeter fence of the basin can be altered from a 1.8 metre chain wire fence to a rural post and rail fence. With the alteration in fence type, to ensure safety, the basin walls will be tallened to a grade of 1 in 8 to provide a more gradual decline from the perimeter of the basin towards the bed of the basin, meeting the Infrastructure Design Manual requirements.</p>		201638144	11/07/2016	
8	Leah	Smith	DEDFR	Provides support for the Amendment			20163777	04/07/2016	04/07/2016

*Planning and Environment Act 1987*

**GREATER SHEPPARTON PLANNING SCHEME  
AMENDMENT C187  
EXPLANATORY REPORT**

**Who is the planning authority?**

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

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

**Land affected by the Amendment**

The proposed Amendment applies to part of 25 Congupna West Road, Congupna (Lot 1 PS717710) and part of 226 Old Grahamvale Road, Congupna (Lot 2 LP207658) as shown below on *Figure 1 – Proposed Public Acquisition Overlay*.

The land at 25 Congupna West Road, Congupna and 226 Old Grahamvale Road, Congupna is situated in the Farming Zone – Schedule 1 (FZ1) and affected by the Land Subject to Inundation Overlay.



*Figure 1 – Proposed Public Acquisition Overlay (Extent shaded in yellow).*

**What the amendment does**

The proposed Amendment seeks to apply the Public Acquisition Overlay (PAO22) to part of 25 Congupna West Road, Congupna and part of 226 Old Grahamvale Road, Congupna.

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

- Amend map 11PAO to include part of 25 Congupna West Road, Congupna and part of 226 Old Grahamvale Road, Congupna; and
- Amend the Schedule to the Public Acquisition Overlay (at Clause 45.01) to include PAO22.

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

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

The proposed Amendment is required to reserve land for the construction of drainage infrastructure necessary to address flooding issues in urban Congupna.

A localised storm event occurred within the region of Congupna during the period of 28 February 2012 to 1 March 2012 that produced rainfall of 200mm to 250mm. It was considered to be around a 1% annual exceedance probability (1 in 100 years ARI) storm event.

During this flood event, sections of the swale drains along both sides of Wallace Street, Congupna (effectively the entire nature strip) were observed to hold water for at least two days, affecting public and private infrastructure.

The *Congupna Urban Drainage Strategy March 2016* (the Strategy) presents the proposed stormwater collection, detention, treatment and discharge layout for the Congupna Township catchment. The Strategy seeks to satisfy the integrated site based stormwater management plan obligations for the catchment. The proposed solution seeks to minimise the drainage and stormwater infrastructure to be maintained and renewed by Council while providing Congupna with an appropriate level of drainage and stormwater, detention and treatment in accordance with the requirements of Greater Shepparton City Council and Goulburn-Murray Water (G-MW).

The Strategy recommends that a drainage upgrade will require the construction of two new retardation basins to be located at the north end of 25 Congupna West Road, Congupna and part of 226 Grahamvale Road, Congupna, abutting Congupna East Road. The land is privately owned and must be acquired to realise the ultimate stormwater drainage infrastructure for the catchment.

Preliminary discussions with landowners have been undertaken; however, Council officers have not been able to negotiate the purchase of this land. The only alternative for Council to acquire this land is through the application of the Public Acquisition Overlay (PAO). This would facilitate the acquisition of the land in accordance with the *Land Acquisition and Compensation Act 1986*.

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

The Strategy identifies the land proposed for inclusion within the PAO for stormwater and drainage infrastructure uses. The acquisition of this land will enable the stormwater and drainage upgrades required to address flooding issues in the urban areas of Congupna. This will result in a safer and more pleasant environment for both the existing and future communities of Congupna. As such, the proposed Amendment is consistent with the objectives of planning in Victoria set out at Sections 4(1)(a), (b), (c), (e), (f) & (g) of the *Planning and Environment Act 1987* (the Act).

In regard to Objective 4(1)(b), it is expected that the proposed acquisition of land will have positive impacts on the subject site and surrounding natural and physical environs. Appropriate infrastructure to store and treat stormwater prior to it discharging into the existing G-MW drain will reduce flood associated risks and damage to property, and infrastructure by storing excess runoff during extreme rainfall events and releasing the stored water over time in a controlled manner.

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

#### Environmental Effects

The proposed Amendment will result in positive environmental outcomes as the realisation of the Strategy will enhance the water quality prior to its discharge into the G-MW drainage system and will reduce the opportunity for water to stagnate in urban Congupna and breed mosquitos or generate strong odours.

The land affected by the proposed Amendment does not appear to have any significant environmental attributes; therefore, applying a PAO to the land will not have any adverse environmental effects.

#### Social Effects

The proposed Amendment will have positive social benefits for the residents of urban Congupna by facilitating the stormwater drainage infrastructure upgrades required to create a safer and more pleasant environment. In addition, the proposed Amendment will reduce the likelihood and severity of flood damage to property and infrastructure during an extreme flood event.

There are no significant adverse social implications associated with this proposed Amendment.

#### Economic Effects

The proposed Amendment will have positive economic benefits by facilitating the stormwater drainage infrastructure upgrades required to address flooding issues in urban Congupna that have had detrimental economic impacts in the past, including damage to property and loss of productivity.

The construction of two new retardation basins in Congupna will reduce the likelihood and severity of flood damage to property and infrastructure by storing excess runoff during extreme rainfall events and releasing the stored water over time in a controlled manner.

There are no significant adverse economic implications associated with this proposed Amendment.

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

The subject land is not located within a Bushfire Management Overlay and the drainage infrastructure proposed in the Strategy will have no impact on the risk of bushfire.

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

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

The proposed Amendment is consistent with Ministerial Direction No. 11 Strategic Assessment of Amendments under Section 12(2)(a) of the Act.

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

The proposed Amendment is consistent with and supportive of the State Planning Policy Framework as follows:

*A strategy of Clause 11.10-3 – Planning for growth is relevant to support growth and development in other existing urban settlements and foster the sustainability of small rural settlements.*

A focus on economic growth and development in Shepparton has been identified as a priority in the *Hume Regional Growth Plan 2014*. The proposed Amendment will facilitate the realisation of stormwater drainage infrastructure, and promote the growth and development in this area of Shepparton.

A strategy of Clause 19.03-2 – *Water supply, sewage and drainage* is to plan urban stormwater drainage systems to include measures to reduce peak flows and assist screening, filtering and treatment of stormwater, to enhance flood protection and minimise impacts on water quality in receiving waters.

The inclusion of the subject land within the PAO will enable Council to acquire the land in order to upgrade the stormwater drainage infrastructure in accordance with the Strategy, and improve water quality, reduce peak flows and enhance flood protection during a flood event.

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

The proposed Amendment is supportive of and assists in the implementation of the Municipal Strategic Statement (MSS) as follows:

A strategy of Clause 21.05-2 – *Floodplain Management* is to ensure all new development maintains the free passage and temporary storage of floodwater, minimises flood damage, is compatible with flood hazard local drainage conditions, and minimises soil erosion, sedimentation and silting.

Two objectives of Clause 21.07-3 – *Urban Stormwater Management* are relevant to the proposed Amendment and are listed below:

- To maintain and enhance stormwater quality throughout the municipality.
- To ensure that new development complies with the Infrastructure Design Manual.

In response to recent flooding in urban Congupna, the proposed Amendment will facilitate the construction of two new retardation basins in accordance with the *Infrastructure Design Manual*. The upgrade to stormwater drainage infrastructure will provide the capacity to store and treat stormwater prior to it discharging into the existing G-MW drain, and reduce flood associated risks and damage to property and infrastructure. The proposed Amendment is consistent with an objective of Clause 21.04-5 – *Community Life* and is listed below:

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

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

The proposed Amendment makes proper use of the Victoria Planning Provisions (VPPs). The purpose of the PAO is to *designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose*.

The subject land is required to serve a public purpose (drainage infrastructure for the storage, treatment and discharge of stormwater). The only overlay within the VPPs that specifically provides for land to be acquired by a public authority is the PAO.

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

During the preparation of the Strategy, G-MW provided "in principle approval" for the location of the proposed drainage infrastructure.

VicRoads was also consulted during the preparation of the Strategy and has provided comments on the location and construction of the proposed drainage infrastructure.

Whilst the relevant agencies have been contact and the views are largely known, all relevant authorities will be notified in accordance with the *Planning and Environment Act 1987*.

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

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



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

The Minister has not prepared any statements or policy principles under Section 22 of the *Transport Integration Act 2010*; therefore, no such statements are applicable to the proposed Amendment.

The proposed Amendment will allow for the implementation of the Strategy. The location of the proposed PAO does not have any transport implications.

### **Resource and administrative costs**

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

The proposed Amendment will not place any unreasonable resource or administrative cost on the Greater Shepparton City Council.

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

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

Greater Shepparton City Council  
90 Welsford Street  
Shepparton

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

### **Submissions**

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **Monday, 11 July 2016**.

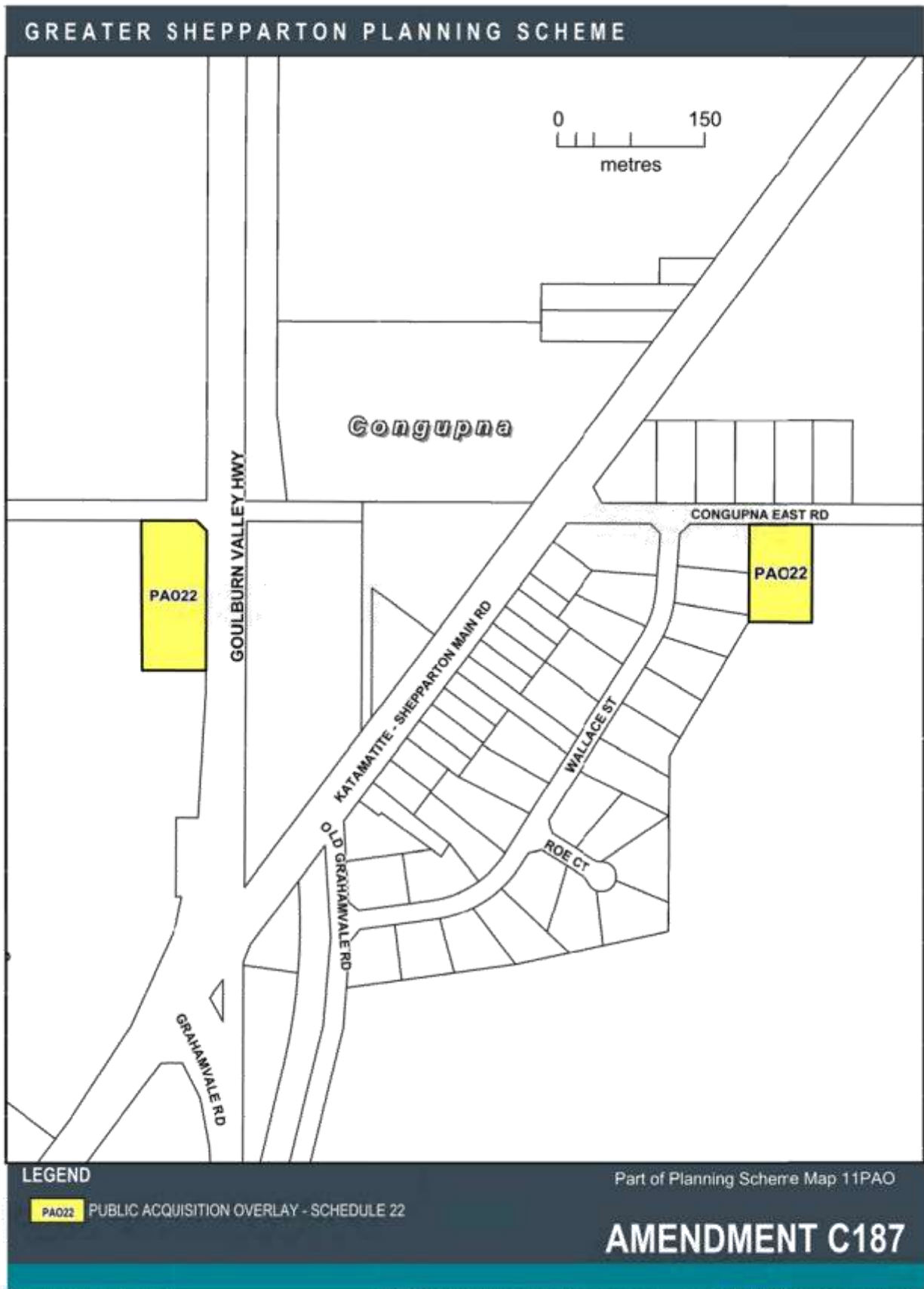
A submission must be sent to:

Greater Shepparton City Council  
Locked Bag 1000  
Shepparton VIC 3632

### **Panel hearing dates**

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

- directions hearing: Week of 8 August 2016
- panel hearing: Week of 5 September 2016



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



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## GREATER SHEPPARTON PLANNING SCHEME

25/02/2016  
C184  
Proposed  
C187

## SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

PS Map	Acquiring Authority	Purpose of Acquisition
PAO1	Roads Corporation	Goulburn Valley Highway duplication and restoration of local access
PAO2	Greater Shepparton City Council	Public car park
PAO3	Vic Roads	Intersection re-alignment at northwestern intersection of Lockwood Road and Midland Highway, Shepparton
PAO4	Greater Shepparton City Council	Goulburn Valley Freight Logistics Centre
PAO5	Goulburn Valley Region Water Authority	Acquisition of land for Shepparton Wastewater Management Facility
PAO6	Goulburn Murray Water	Construction of the Mosquito Depression Drain – Stage 10
PAO7	Roads Corporation	Goulburn Valley Highway – Shepparton Bypass
PAO9	Goulburn Murray Water	Construction of the Mosquito Depression Drain 40 Surface Water Management System
PAO10	Greater Shepparton City Council	Floodway Acquisition-Mooroopna West Growth Corridor
PAO11	Greater Shepparton City Council	Roadway Acquisition-Mooroopna West Growth Corridor
PAO13	Greater Shepparton City Council	256 Hickey Road, Katandra West
PAO14	Greater Shepparton City Council	Community Facilities Acquisition – Mooroopna West Growth Corridor
PAO15	Greater Shepparton City Council	North-South Floodway-Mooroopna West Growth Corridor
PAO16	Greater Shepparton City Council	Link Road-Mooroopna West Growth Corridor
PAO19	VicRoads	293-295 Benalla Road, Shepparton – road widening
PAO20	Greater Shepparton City Council	289 Maude Street, Shepparton – bus interchange
PAO21	Greater Shepparton City Council	420A Goulburn Valley Highway, Shepparton – stormwater management
<u>PAO22</u>	<u>Greater Shepparton City Council</u>	<u>25 Congupna West Road, Congupna and 226 Old Grahamvale Road, Congupna – stormwater management</u>

*Planning and Environment Act 1987***GREATER SHEPPARTON PLANNING SCHEME****AMENDMENT C187****INSTRUCTION SHEET**

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

The Greater Shepparton Planning Scheme is amended as follows:

**Planning Scheme Maps**

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

**Overlay Maps**

1. Amend Planning Scheme Map No. 11PAO in the manner shown on the 1 attached map sheet marked "Greater Shepparton Planning Scheme, Amendment C187".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

2. In Overlays – Clause 45.01, replace Schedule with a new Schedule in the form of the attached document.

End of document