



**STRATHBOGRIE SHIRE COUNCIL**  
**PLANNING COMMITTEE**  
**AGENDA**

**MEETING TO BE HELD ON TUESDAY 24 MAY 2016**  
**AT THE EUROA COMMUNITY CONFERENCE CENTRE**  
**COMMENCING AT 4.00 P.M.**

**Councillors:**

Malcolm Little (Chair)	(Hughes Creek Ward)
Colleen Furlanetto	(Seven Creeks Ward)
Alister Purbrick	(Lake Nagambie Ward)
Patrick Storer	(Honeysuckle Creek Ward)
Debra Swan	(Lake Nagambie Ward)
Robin Weatherald	(Mount Wombat Ward)
Graeme (Mick) Williams	(Seven Creeks Ward)

**Officers:**

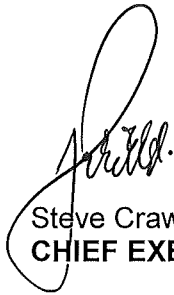
Steve Crawcour - Chief Executive Officer  
Phil Howard - Director, Sustainable Development  
Emma Kubeil - Executive Manager, Sustainable Development  
Kathryn Pound - Manager, Planning  
Cameron Fraser - Senior Planner  
Roy Hetherington - Director, Asset Services  
David Woodhams - Director, Corporate and Community

**Business:**

1. Welcome
2. Acknowledgement of Traditional Land Owners  

*'I acknowledge the Traditional Owners of the land on which we are meeting.  
I pay my respects to their Elders, past and present, and the more recent  
custodians of the land'*
3. Apologies
4. Confirmation of Minutes of the Planning Committee meeting held on  
Tuesday 12 April 2016

5. Disclosure of Interests
6. Planning Reports
7. Other Business



Steve Crawcour  
**CHIEF EXECUTIVE OFFICER**

19 May 2016

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution

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**PLANNING COMMITTEE REPORT NO. 1 (DIRECTOR, SUSTAINABLE DEVELOPMENT – PHIL HOWARD)**

**6.1 Planning Permit Processing - Statutory Days**

**Author and Department**

Director, Sustainable Development / Sustainable Development Directorate

**Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

**Summary**

For the period of April 2016, Council's planning department processed all permit applications under the sixty day statutory timeframe. This was only achieved by 8 Councils out of 79 (based on the Government reporting). The monthly average for rural Councils was 76% compared to our 100%. The median processing days were 58 for all rural Councils and Strathbogie was only 48.

The total permits issued by Strathbogie Shire Council for April was 13 and estimated development investment was \$1,943,530.

This is an excellent result that is worth noting and an excellent achievement for the planning staff and Council who have continued to improve processes and procedures to drive economic development into the Shire, while ensuring proper planning controls are put in place.

It is recommended that Council note the report.

**RECOMMENDATION**

**That the report be noted.**

**Background**

Councils in Victoria are required to report on their planning permit processing to the State Government on a monthly basis and are benchmarked against other like municipalities. One of the main criteria is processing days which is currently legislated at 60 (statutory) days under the *Planning & Environment Act 1987*. After this timeframe an applicant can seek a determination at the Victorian Civil and Administrative Tribunal (VCAT).

Statutory days do not include time taken by applicants to submit further information, if required.

**Alternative Options**

N/A

6.1 Planning Permit Processing - Statutory Days (cont.)

**Risk Management**

N/A

**Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

**Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

**Financial / Budgetary Implications**

No financial implications.

**Economic Implications**

The statistics support good economic initiatives for the Shire.

**Environmental / Amenity**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

**Community Implications**

The report supports good customer service initiatives for the community.

**Victorian Charter of Human Rights and Responsibilities Act 2006**

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

**Legal / Statutory Implications**

The report is consistent with the relevant Acts.

**Consultation**

N/A

**Attachments**

Planning Permit Activity Reporting System (PPARS) - April 2016

## Planning Permit Activity Monthly Report

Select Year/Month:

To print this page, click [here](#).

### Strathbogie - April 2016

The following is a summary of the planning permit activity for which the [Strathbogie Shire Council](#) was the Responsible Authority.

The figures shown below are correct as at the generated date of this Report. The [hyperlinked figures](#) will search for the relevant current data in the Planning Permit Activity Reporting System (PPARS) and can only be accessed by registered Council users.

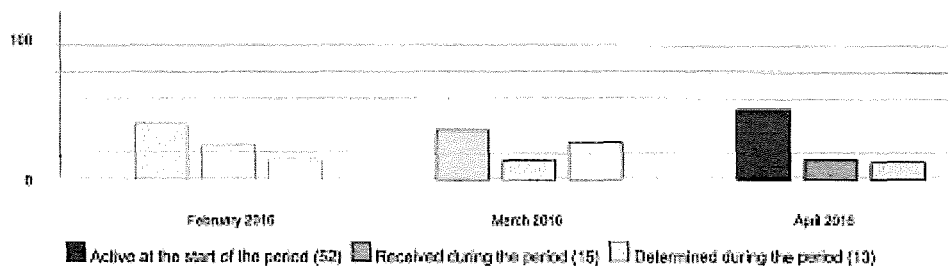
Click on the  icon for further information about how these figures are calculated.

For further information about any of these figures, please contact the relevant [Responsible Authority](#).

### Application activity

	This Month	Last Month	% Change	Financial Year to Date	Rural Average
Total applications received	15	15	0%	183	27
New permit application	13 (87%)	14 (93%)	-7%	154 (84%)	22
Amended permit application	2 (13%)	1 (7%)	100%	29 (16%)	5
Combined permit application	0 (0%)	0 (0%)	0%	0 (0%)	0
Total responsible authority outcomes	33	28	-54%	381	29
Notices of Decision to issue permit (includes amended permits)	12 (36%)	28 (100%)	-57%	170 (44%)	26
Refusal	0 (0%)	0 (0%)	0%	2 (1%)	0
Withdrawn, not required, lapsed	1 (3%)	0 (0%)	0%	9 (5%)	2
Final outcomes	14	33	-53%	182	28
New permit issued	13 (93%)	25 (83%)	-40%	148 (75%)	21
Amended permit issued	0 (0%)	5 (17%)	-100%	28 (15%)	4
Combined permit issued	0 (0%)	0 (0%)	0%	0 (0%)	0
No permit issued	1 (7%)	0 (0%)	0%	11 (8%)	3

### Applications received and decided



Planning Permit Activity in Victoria Online

Page 2 of 4

Performance figures

	This Month	Last Month	Financial Year to Date	Rural Average	SMR Average
<b>Applications with:</b>					
Public notice	2	10	66	11	5
Further information	3	13	76	10	6
Referrals	2	10	66	13	7
Submissions	3	1	20	2	1
<b>Financial</b>					
Total value of fees for applications received	\$4,454	\$7,629	\$65,324	\$16,458	\$15,600
Average fee per application received	\$287	\$513	\$302	\$517	\$1,106
Total estimated cost of works for permits issued	\$1,943,530	\$2,638,078	\$26,925,749	\$9,745,210	\$8,586,586
Average cost of works per permit issued	\$148,502	\$57,936	\$147,305	\$380,020	\$538,159
<b>Processing times</b>					
Average gross days to Responsible Authority determination	48	58	60	112	135
Median processing days to Responsible Authority determination	48	55	39	58	53
Completed within sixty days	100%	75%	67%	78%	76%
Average gross days to final outcome	102	112	81	111	129
Median processing days to final outcome	54	56	41	57	51
<b>VicSmart applications</b>					
Received	0	0	0	1	0
Completed	0	0	0	1	0
Completed within ten days	0%	0%	0%	86%	20%

Reviews at the Victorian Civil and Administrative Tribunal

Under review at the start of the period: 0

	This Month	Last Month	% Change	Financial Year to Date
<b>Grounds for appeal* on appeals lodged:</b>				
Section 77: Appeal against refusal by RA	0	0	0%	0
Section 79: Appeal against failure to grant	0	0	0%	0
Section 80: Appeal against conditions	0	0	0%	0
Section 82: Appeal against issue of permit	0	0	0%	0
<b>Total determinations</b>				
Affirmed	0	0	0%	0
Varied	0	0	0%	0
Sol Asize	0	0	0%	0
Withdrawn/Struck out	0	0	0%	0
Remitted	0	0	0%	0
<b>Processing times</b>				
Average gross days to determination	0	0	0%	0
Median processing days to determination	0	0	0%	0

\*Appeals may have multiple grounds for review, and thus may be listed more than once.

**Outcomes for Permits Issued**

**Application categories for permits issued**

Note that permits may have more than one category.

	This Month	Last Month	Financial Year to Date
Change or extension of use	2	5	22
Alterations to a building, structure or dwelling	0	1	22
Extension to an existing dwelling or structure associated with a dwelling	0	0	13
Extension to an existing building or structure (other than a dwelling)	0	0	1
One of more new buildings	4	15	60
Single dwelling	1	7	25
Multi-dwelling	1	1	5
Other buildings and works (including septic tanks, dams, earthworks)	0	1	2
Demolition	0	0	0
Native vegetation removal	1	1	9
Other vegetation removal	0	2	4
Consolidation	0	0	1
Subdivision of land	0	0	11
Subdivision of buildings	0	2	4
Subdivision - Change to covenant and/or restrictions	0	2	3
Subdivision - Removal of covenant	2	0	1
Subdivision - Realignment of boundary	0	1	0
Liquor license	0	0	7
Waiving of parking requirement	0	0	2
Signage	0	0	2
Telecommunications facility	0	0	2
Other	0	0	0

**Dwellings**

The net number of additional dwellings approved is 3

**Subdivisions**

The net number of lots created from subdivision approval is 0



**Change of Land Use**

The following table displays the proposed land uses for issued permits (new and combined) where there was a change in land use.

	This Month	Last Month	Financial Year to Date
Agriculture	0	0	1
Food and drink premises	0	0	2
Industry and warehouse	0	1	1
Leisure and recreation	0	0	1
Office	0	2	5
Place of assembly	0	0	2
Residential / Accommodation	2	0	18
Retail premises	0	0	0
Vacant	0	0	0
Child care	0	0	0
Education centre	0	0	0
Mineral extraction	0	0	0
Pressure boat facility	0	0	0
Transport terminal	0	0	0
Utility installation	0	0	1
Mixed use	0	0	0
Other	0	0	0

For further information or to provide feedback, please contact the **PPARS Administrator**  
 Version 2.1 - Generated 15/05/2016

**COMMITTEE REPORT NO. 2 (MANAGER, PLANNING – KATHRYN POUND)**

**6. PLANNING REPORTS**

**6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown**

**Application Details:**

Application is for:	Use and development of land for a Residential Hotel
Applicant's/Owner's Name:	Spiire Australia
Date Received:	29 March 2016
Statutory Days:	7
Application Number:	P2016-033
Planner: Name, title & department	Kathryn Pound Manager Planning Sustainable Development Department
Land/Address:	Land in Plan of Consolidation 151351, Volume 11335 Folio 117 468 Mitchellstown Road, Mitchellstown VIC 3608
Zoning:	Farming Zone
Overlays:	Floodway Overlay
Under what clause(s) is a permit required?	Clause 35.07-2 Use of the land in the Farming Zone Clause 35.07-4 Buildings and works in the Farming Zone Clause 44.03-1 Buildings and works in the Floodway Overlay
Restrictive covenants on the title?	No
Current use and development:	Winery
Is a Cultural Heritage Management Plan required?	The site is located in an area of potential Aboriginal Cultural Heritage Sensitivity, however the applicant has declared that the site has been subject to significant ground disturbance and therefore a CHMP is not required.

**Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown  
Road, Mitchellstown (cont.)

**Summary**

- The proposal is for the Use and development of land for a Residential Hotel at the Mitchelton winery.
- The winery has been in operation since 1973 and comprises a cellar door, chocolate factory and café, restaurant, conference facilities, offices, car parking, wine manufacturing facilities, viewing tower and amphitheatre.
- The site has an area of 19.45 hectares and is one of several adjoining parcels in the same ownership, with lots to the east and west being larger and developed with vineyards.
- The site is located in the Farming Zone and is partly affected by the Floodway Overlay.
- The application was advertised and no objections were received.
- The application was referred internally to Council's Health Officer and the Asset Services Department who did not object to the proposal and recommended the inclusion of conditions and notes on the decision.
- The application was referred to the Goulburn Broken Catchment Management Authority (GBCMA) who objected to the proposal on flood related grounds. Council does not have to refuse the application because of this, however the GBCMA's response is treated as an objection.
- In order to inform the recommendation, Council Officers commissioned independent advice from GMR Engineering in relation to potential flood risk from the current version of the proposal. The advice concludes that the development of the hotel as an elevated structure is the most appropriate solution and offers no increased level of flood risk. This is compared with an earlier version of the proposal preferred by the GBCMA in which the hotel was a structure on an earth fill embankment.
- An assessment of the proposal against the Farming Zone, Floodway Overlay and relevant state and local policies has revealed that the proposal is consistent with the applicable provisions of the Strathbogrie Planning Scheme.
- The proposal is a significant development which will create local jobs, directly contribute to tourism and have many positive flow-on effects to the regional economy.
- The application has been assessed within the 60 day statutory timeframe.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Planning Permit, with conditions as set out in the recommendation.

- 6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

## RECOMMENDATION

### That Council

- having caused notice of Planning Application No. P2016-033 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme

and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Issue a Notice of Decision to Grant a Planning Permit under the relevant provisions of the Strathbogie Planning Scheme including the Farming Zone and Floodway Overlay in respect of the land known as Land in Plan of Consolidation 151351, Volume 11335 Folio 117, 468 Mitchellstown Road, Mitchellstown VIC 3608, for the Use and development of land for a Residential Hotel, in accordance with endorsed plans, subject to the following conditions:

#### Prior to the commencement of the development

1. Prior to the commencement of use and development, amended plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. Such plans must be generally in accordance with the plans submitted with the application (prepared by Stephen D'Andrea dated September 2015, Revision A) but modified to show:
  - (a) The finalised design of the hotel.
  - (b) A full schedule of external materials and colours. The external cladding of the proposed buildings, including the roof, must be constructed of new materials of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.
  - (c) Full details of proposed landscape and construction works associated with the pool area.
  - (d) A landscape masterplan.
  - (e) Details of waste management.
  - (f) Any additional areas to be set aside/ constructed for car parking and/ or vehicle access.
2. Prior to the commencement of the development, a Traffic Impact Assessment Report (TIAR) detailing the access and circulation movements, car parking, loading and unloading, etc. must be provided to and approved by the Responsible Authority. This must have regard to the requirements of the Infrastructure Design Manual (IDM).

6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

3. Prior to the commencement of the development, detailed plans showing all proposed works in accordance with the TIAR and any relevant Australian Standards including those relating to parking and access for people with disabilities, must be provided to and approved by the Responsible Authority.

Development in accordance with endorsed plans

4. The use and development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.

Engineering Conditions

5. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/ Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system. Consideration must also be given to drainage including drainage of the carpark area, to the satisfaction of the Responsible Authority. Where applicable, provisions should be made to ensure runoff is controlled regarding pollutants before entering the river system.
6. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991) and to the satisfaction of the Responsible Authority.
7. Any damage to the Responsible Authority's assets (i.e. sealed roads, kerb and channel, trees, nature strip etc), and boundary fences, must be repaired at the cost of the applicant all to the satisfaction of Responsible Authority.

General conditions

8. The amenity of the area must not be detrimentally affected by the use, through the:
  - (a) Appearance of any building, works or materials;
  - (b) Transport of materials, goods or commodities to or from the land;
  - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
  - (d) Presence of vermin, and;
  - (e) Others as appropriate.

6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

**Permit Expiry**

9. This permit will expire if one of the following circumstances applies:
- (a) The development is not started within two (2) years of the date of this Permit;
  - (b) The development is not completed within four (4) years of the date of this Permit; or
  - (c) The use is not commenced within four (4) years of the date of this Permit.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

**Planning Notes:**

- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.
- This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.
- Should the future development be used for a commercial enterprise involving handling of food or drink, hairdressing, beauty therapy, myotherapy, colonic irrigation, skin penetration or tattooing or be providing accommodation to more than four (4) persons then the applicant must contact the Environmental Health Department of Council for further advice concerning legislative requirements.

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**Proposal**

This proposal is for the use and development of land for a residential hotel. The hotel is to be located to the north west of the existing winery complex.

6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

The hotel is of a contemporary, flat roofed design with an overall height of up to 10.73 metres. It comprises a total of 60 suites over two storeys. All suites have balconies facing east or west. The hotel entry is located adjacent to the existing buildings on the site, with lobby, reception, office and amenities areas located in the southern part of the building. Apart from the southern portion, the building is to be constructed above ground level on a series of poles. A swimming pool with associated amenities and landscaping is also proposed as part of the hotel development, to be located on the east side of the hotel building.

The design of the hotel has not been finalised, and the plans submitted as part of the application do not include detailed information as to materials and colours and other specifications. This will be dealt with through conditions on the permit.

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### **Subject site & locality**

The subject site constitutes the Mitchelton Winery. Specifically it is the Land in Plan of Consolidation 151351, Volume 11335 Folio 117 at 468 Mitchellstown Road, Mitchellstown. The site is irregular in shape with a total area of 19.45 hectares. It is one of several adjoining parcels in the same ownership, with lots to the east and west being larger and developed with vineyards. The winery has been in operation since 1973, and comprises a cellar door, chocolate factory and café, restaurant, conference facilities, offices, car parking, wine manufacturing facilities, viewing tower and amphitheatre. The winery is accessed via Mitchellstown Road and abuts the Goulburn river on its north side. Jetty facilities enable access from Nagambie by boat.

The site is located approximately 12 kilometres south west of Nagambie. Mitchellstown Road is a sealed road, accessed via an exit from the Goulburn Valley Freeway. The site and surrounds are zoned Farming, aside from the river which is zoned Special Use. The CFA occupies part of the subject site on Mitchellstown Road. Surrounding properties are generally used for agricultural purposes.

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### **Permit/Site History**

Various planning permits have been issued for the site in the past, including:

- P2015-131 Use of land for place of assembly (Day on the Green event) twice a year for three years
- P2014-108 Use of the land for a place of assembly on 13 December 2014
- P2013-137 Development of land for an extension to an existing building and a pergola and gazebo
- P2013-089 Use and development of land for the reconstruction of a wharf and associated infrastructure
- P2002-050-2 Variation to an existing liquor license

6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

**Public Notification**

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining land owners
- Placing (a) sign on site

The notification has been carried out correctly.

Council has received no objections to date (aside from the response of the GBCMA which is discussed later in this report).

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**Consultation**

No additional consultation has been undertaken.

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**Referrals**

External Referrals/Notices required by the Planning Scheme:

<b>Referrals/Notice</b>	<b>Advice/Response/Conditions</b>
Section 55 Referrals	GBCMA: objected to the proposal – see the discussion in the assessment below.
Section 52 Notices	Public notification.

<b>Internal Council Referrals</b>	<b>Advice/Response/Conditions</b>
Asset Services	No objection, subject to conditions. These have been included in the recommendation, as appropriate.
Environmental Health	It was advised that a Works Approval license may be required from the EPA for wastewater systems. It has since been clarified that there is an existing license which will cover this development, and it does not need to be amended. Notes were also recommended for inclusion, and these have been included in the recommendation, as appropriate.

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**Amendment of the plans**

Following the public notification and referral of the application, the applicant provided amended plans to Council and requested that the application be amended pursuant to Section 57 of the *Planning and Environment Act 1987*. Council consented to the request.



6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

The original plans showed a three storey building, with 56 suites, in the same location but being slightly wider and longer. It was also proposed to be raised above ground level on poles.

It was not considered necessary to re-advertise or re-refer the application, as the overall scale of the development is not significantly increased, nor is the design significantly altered in a way that would impact on any adjoining properties. Further, the overall design, being a raised structure on poles, remains the same.

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### **Assessment**

#### **The zoning of the land and any relevant overlay provisions**

##### **Farming Zone**

Purpose:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

A planning permit is required to use the land for a residential hotel and to carry out the buildings and works in the Farming Zone.

A Residential hotel is defined under Clause 74 of the planning scheme as:

*Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.*

The proposed hotel will form part of and complement the existing winery which occupies the site and much of the surrounding land. The winery is connected to vineyards which are an agricultural use, and therefore there is a strong nexus between the hotel and an ongoing agricultural activity. This is consistent with the purposes of the Farming Zone.

Importantly, the hotel would not limit the agricultural productivity of adjoining land, because of its siting: alongside the existing winery buildings and separated from the nearest properties by the river which acts as a substantial buffer by virtue of its width and vegetation along both sides of its banks. This vegetation will also limit most views of the new building from outside of the site. Further, the hotel building will be at least 170 metres away from the nearest privately owned land.

The hotel will facilitate more employment opportunities which is also consistent with the purpose of the Farming Zone.

6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

In response to the applicable Decision guidelines of the Farming Zone, the following has been considered:

- The proposal is consistent with the relevant SPPF and LPPF provisions, as discussed elsewhere in this report.
- The relevant Catchment Strategy has been considered, with advice given by the GBCMA.
- There is an existing waste water disposal system on site (specifically on land further to the south, where there are a series of ponds), which it is understood can accommodate increased waste water generation that will result from the development.
- The use has a strong nexus to an existing successful agricultural use (vineyards), and will contribute to the ongoing sustainable land management.
- The site is suitable for the use and development, as the hotel will form an additional component of the overall tourism complex and will not detract from existing agricultural land. The site, adjacent to the river and existing buildings, means that the proposal is compatible with adjoining and nearby land uses, notably agricultural ones.
- The use will support and enhance the agricultural production, by increasing visitation to the winery complex as a whole.
- The development will not adversely affect soil quality or permanently remove land from agricultural production. In particular, the land has previously been cleared to provide fill for the adjoining complex and is currently forms part of the garden area around the complex.
- The use and development will not limit the operation and expansion of adjoining and nearby agricultural uses, for the siting and locality reasons previously discussed.
- It is unlikely that the land would ever be returned to an agricultural use, since it is located between the existing complex and the amphitheatre where it is separated from the vineyards.
- An integrated land management plan has not been provided as part of the application.
- The buildings and works will be located adjacent to the existing complex, on existing garden areas where the land has already been modified through the winery development.
- As previously explained, due to the location of the building, despite being three storeys it will have minimal visibility from outside of the site.
- The building will have a high quality, contemporary appearance which will add to the scenic qualities of the locality, which already include the notable river and heritage buildings on the site.
- As discussed elsewhere in this report, the original 1970s buildings have been identified as having heritage significance, however the new building will not adversely impact on them or detract from their significance.
- The hotel will utilise existing infrastructure, including the existing road and driveway access, car parking facilities and waste water management facilities.
- It is unlikely that the development will require traffic management measures, since the complex already receives a high volume of visitation.

6.2 Planning Permit Application No. P2016/033  
- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

Notwithstanding this, conditions are recommended for inclusion on the permit as recommended by Council's Assets team which require more detailed information regarding traffic management prior to the commencement of the development.

Overall the proposal is consistent with the provisions of the Farming Zone.

**Floodway Overlay**

Purpose:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 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, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality in accordance with the provisions of relevant State Environment*
- *Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

A permit is required for buildings and works in the Floodway Overlay, which affects the northern part of the site.

The GBCMA are a recommending referral authority for the proposal, pursuant to the provisions of the Floodway Overlay. They advised in a letter dated 26 April 2016 that they object to the granting of the permit on the following grounds:

1. *Submitted plans differ from those previously approved.*
2. *Current proposal introduces dangerous precedent of allowing floodwaters to flow under a building, exposing it to indeterminate forces from flood debris.*

The GBCMA had previously provided written advice to the permit applicant in a letter dated 2 February 2016. This stated that they did not object to the proposal, subject to conditions. This advice was based on a previous version of the proposal, in which the key difference was that the building was to be constructed on an earth fill embankment.

Because the GBCMA are a recommending referral authority, not a determining referral authority, for this application, Council is not required to refuse the application because they have objected. However, their submission is treated as an objection and Council cannot grant a planning permit if it is determined to support the proposal. Rather, a Notice of Decision to Grant a Planning Permit must be issued first and the GBCMA may appeal Council's decision to VCAT if they disagree with it.

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In order to inform this recommendation, Council Officers commissioned independent advice from GMR Engineering in relation to the current version of the proposal. Specifically, as to whether there would be an increase in flood-related risk from the proposed structure (being supported on piles) in comparison to the original structure put before the GBCMA (being supported on an earth fill pad).

GMR Engineering provided advice to Council dated 14 May 2016. This has been circulated in full to Councillors prior to the Planning Committee Meeting today. In preparing the advice, they reviewed the application and the response of the GBCMA, undertook a site visit, reviewed flood mapping, considered site observations and considered the protection of structures within flood prone areas. The latter included a consideration of various reference materials, including the findings of the Queensland Floods Commission of Inquiry.

The advice sets out some potential mitigation measures, being engineering solutions which could be used to mitigate likely risks and threats. These are general measures such as 'Adoption of robust structure' that are commonly used. These are matters that would be primarily dealt with at the building permit stage and it is not necessary to require further information regarding these mitigation measures, for instance through a condition on the permit.

The advice concludes the following on page 12:

*"The GBCMA's concerns that approval of this development will potentially create a precedent is not justification for the refusal of this proposal. Consideration of any development proposal needs to be based upon the merits of the proposal, ie. including the siting circumstances, the orientation of the structure, the geometry of the waterway and the terrain.*

*The orientation of the structure relative to the river is also well suited to an elevated structure, making any direct debris impact unlikely and easily deflected. The site for the proposed hotel is hydraulically compatible with the waterway, having a steady slope away from the existing embankment and is freely draining, making this site ideally suited to the construction of an elevated structure.*

*There are well established and proven engineering solutions readily available to ensure a sustainable, robust and successful outcome. With appropriate design, any inundation of the site is likely to involve low velocity water, which will drain away freely and result in minimal debris movement.*

*In consideration of the above development proposal, my observations, the potential threats, identified risks and countermeasures, I conclude that the development of the proposed hotel as an elevated structure is the most appropriate solution and offers no increased level of risk in comparison to a structure constructed on an earth fill embankment."*

Overall, despite the concerns of the GBCMA, on consideration of the independent advice provided by GMR Engineering Services, the proposal for an elevated structure is an appropriate outcome in an area subject to flooding. Further, it will not increase the level of flood risk compared with a structure on an earth fill embankment (as preferred by the GBCMA).

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Further, the proposal is consistent with the provisions of the Floodway Overlay. In particular, the development will maintain the free passage and temporary storage of floodwaters, minimise flood damage, is compatible with the flood hazard and will not cause any significant rise in flood level or flow velocity. Nor will it cause any other adverse impacts on the river and flood plain health.

**The State Planning Policy Framework (SPPF)**

The proposal has been assessed against each of the following relevant sections of the SPPF.

Clause 11.05-3 Rural Productivity

Objective

- *To manage land use change and development in rural areas to promote agriculture and rural production.*

The proposal does not introduce an inappropriate land use in a rural area. Rather, it introduces a new component to an existing use that has a strong nexus with agricultural uses.

Clause 11.10 Hume regional growth

Objective

- *To develop a more diverse regional economy while managing and enhancing key regional economic assets.*

The proposal is consistent with this policy and with the Hume Regional Growth Plan, contributing to tourism and economic growth objectives. It is a significant development which will have positive employment and tourism benefits.

Clause 13.02-1 Floodplain management

Objective

*To assist the protection of:*

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

The proposal is consistent with this provision and will not cause any unreasonable flood related risk or otherwise detriment the floodplain area, as discussed in detail previously.

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- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

Clause 14.01-1 Protection of Agricultural Land

Objective

- *To protect productive farmland which is of strategic significance in the local or regional context.*

As previously discussed, the development will not reduce the amount of productive farmland, or adversely impact on adjoining agricultural uses.

Clause 14.02-1 Catchment planning and management

Objective

- *To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.*

The proposal will not cause any unreasonable impacts on the waterway.

Clause 15.01-2 Urban design principles

Objective

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

The proposal is consistent with the urban design strategies set out at this Clause. In particular:

- The proposal is for a high quality, contemporary designed building.
- The building is to be sited on a flat section of the property, which has already been modified.
- The hotel will not interrupt any important landmarks, views and vistas. Rather, it will be situated next to the existing buildings to the north west where it will not block views of them or of the river from within the site.
- Existing vegetation on the site and particularly along the river will also ensure that the building does not appear bulky or dominant within the landscape.
- The entry of the hotel is located adjacent to the existing buildings, where it will be accessible and identifiable to visitors.
- The hotel incorporates substantial amounts of windows and balconies, providing outlooks for the guests and passive surveillance around the facility.
- No unsafe spaces are created by the development.
- The building has been sited to make use of natural light and views.
- Landscape details associated with the pool will be required to be provided through a condition.

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- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

Clause 15.01-5 Cultural identify and neighbourhood character

Objective

- *To recognise and protect cultural identity, neighbourhood character and sense of place.*

The proposal is consistent with this objective, as the siting and design that is responsive to the features of the place, including the contours, existing vegetation and existing buildings.

Clause 15.02-1 Energy and resource efficiency

Objective

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

The building has been sited to make use of natural light with balconies and windows which will enable some natural ventilation.

Clause 15.03-1 Heritage conservation

Objective

- *To ensure the conservation of places of heritage significance.*

As discussed in more detail later in this report, the original 1970s buildings have heritage significance. However this development will not impact on their significance.

Clause 15.03-2 Aboriginal cultural heritage

Objective

- *To ensure the protection and conservation of places of Aboriginal cultural heritage significance.*

The site is located in an area of potential Aboriginal Cultural Heritage Sensitivity under the Aboriginal Heritage Act and Regulations. However the applicant has declared that the site has been subject to significant ground disturbance and therefore a Cultural Heritage Management Plan is not required. The significant ground disturbance is a result of the soil from this part of the site having been used to fill the area now occupied by the existing buildings, with survey levels showing the extent of cutting in this area, as submitted by the applicant.

Clause 17.01-1 Business

Objective

- *To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

The proposal will contribute to the economic growth of Nagambie and the surrounding region, providing a higher-end accommodation option for visitors. It also contributes to the ongoing viability of the winery which provides important services for the community, including function, entertainment and dining.

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- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

Clause 17.03-1 Facilitating tourism

Objective

- *To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.*

The proposal will have a direct positive impact on tourism in the region, providing another accommodation choice to visitors. A number of large scale events occur in the region, including at the Nagambie Regatta Centre, but there are insufficient accommodation options locally to accommodate all attendees. The hotel will provide this, retaining and attracting more tourists to the area.

The hotel is a well-designed building, sited with existing tourist attractions in an appropriate location. There are already multiple access options to the site, with the boat services in addition to road connectivity.

Clause 18 Transport

*Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.*

The proposal will utilise existing transport networks, notably roads and the boat service. This is acceptable given that the hotel is being located at an existing winery facility. More detailed transport information will be required through a condition on the permit. A detailed assessment of car parking occurs elsewhere in this report.

Clause 19.03 Development infrastructure

Relevant objectives include

- *To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.*
- *To reduce the impact of stormwater on bays and catchments.*
- *To avoid, minimise and generate less waste to reduce damage to the environment caused by waste, pollution, land degradation and unsustainable waste practices.*

The proposal is generally consistent with the relevant development infrastructure provisions. Being located with existing facilities, use of existing waste water facilities will occur. Appropriate stormwater management to minimise impacts on the river is dealt with through conditions on the permit. Details regarding waste management will be required through a condition on the permit, to Council's satisfaction.

**The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies**

The proposal has been assessed against each of the following relevant sections of the LPPF.



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Clause 21.01-2 Key influences

A key influence to the shire is economic growth:

*Development and growth is important, and within the Strathbogie Shire there are many opportunities for growth in the food, wine and equine industries and value-adding to the existing primary production, industries and retail enterprises/sectors.*

This proposal is an example of a value-adding development to an existing winery, consistent with this key influence.

Clause 21.02-4 Rural Zones

Objectives

- *To protect and maintain established farming areas.*
- *To ensure suitable land is available to provide for emerging rural enterprises, e.g. intensive animal husbandry, horticulture and equine industry.*

The proposal is consistent with this policy, since it is co-locating a hotel with an existing winery with no impact on established farming areas. In fact, the hotel will contribute to the ongoing viability of the vineyards.

Clause 21.02-6 Building Material – Muted Tones

Objective

- *To ensure that all structures blend in with the surrounding environment and that the aesthetic amenity of the area is preserved and/or enhanced.*

Full details of materials and colours have not been provided with the application, however conditions will be included on the permit to ensure that this objective is met.

Clause 21.03-4 Nagambie

Objective

- *To grow Nagambie as an agricultural service centre as well as a visitor, lifestyle and retirement centre.*

The proposal is consistent with this objective, contributing to the growth of the Nagambie area particularly providing more amenities for visitors.

Clause 21.04-3 Water

Objective

- *To manage our water resources.*

The proposal utilises an existing cleared parcel of land near the river. Conditions will ensure that there are no unreasonable impacts on the river.

Clause 21.04-4 Native vegetation and biodiversity

Objective

- *To protect and enhance the natural environment.*

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- Use and Development of Land for a Residential Hotel ~ 468 Mitchellstown Road, Mitchellstown (cont.)

While vegetation is required to be removed, including 16 trees, and some of it is native, but mostly not indigenous to the area, it is vegetation that was planted as part of the original winery development in the 1970s to form part of the gardens. Therefore there is no trigger for the removal of the vegetation under Clause 52.17 Native vegetation.

Some of the trees are very large and contribute to the amenity of the area. However, they are required to be removed to facilitate the development and the applicant has submitted that a landscape masterplan will be prepared. This will include suitable replacement plantings. A condition will require that this be submitted prior to the commencement of the development. Importantly, there are many other trees and other vegetation on the site which are not affected by the development and will continue to contribute to the biodiversity of the site and surrounds.

Clause 21.04-6 Flooding

Objective

- *To protect and manage floodplains.*

As previously discussed in detail in this report, the proposal will not adversely affect the floodplain nor cause any unreasonable flood risk.

Clause 21.04-8 Heritage

Objective

- *To recognise and protect places of heritage, cultural and social significance.*

The proposal is consistent with the heritage provisions, as discussed in more detail later in this report.

Clause 21.06-3 Tourism

Objective

- *To promote the Shire as a tourism destination.*

The proposal will directly contribute to attracting visitors to the region, and is supported by this policy. In particular, the Goulburn River is identified in this provision as being a tourism opportunity within the shire.

Clause 21.07 Sustainable infrastructure

This includes:

*Council encourages a high standard of infrastructure provision for new development. Council has adopted an 'Infrastructure Design Manual' ('Manual') which provides comprehensive infrastructure design criteria which will be consistently applied. Council has adopted the 'Manual' to:*

- *Clearly document Council's requirements for the design and construction of infrastructure;*
- *Standardise development proposals to expedite engineering approvals;*  
*and*

6.2 Planning Permit Application No. P2016/033  
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- *Ensure that minimum design criteria are met in regard to the design and construction of infrastructure with the Municipality.*

Conditions on the permit will ensure that any infrastructure required to be constructed as part of the development will be in accordance with the Manual.

**Relevant Particular Provisions**

**Clause 52.06 Car parking**

There is no specified car parking rate for a Residential hotel (or for Accommodation or Residential building, the two land uses under which Residential hotel is nested). Therefore pursuant to Clause 52.06-5A, car parking spaces must be provided to the satisfaction of the responsible authority.

There is already a large car parking set aside on the site. It is understood that this will be used to accommodate guests of the hotel. This is considered to be acceptable at this time.

Further, a condition on the permit will require that any additional areas to be set aside/ constructed for car parking and/ or vehicle access must be shown on the final plan submitted for endorsement. A more detailed traffic report will also be required to be prepared, so if it reveals that additional parking is required, it can be included on the plans accordingly. There is ample room on the site to provide additional car parking so as to minimise impacts on agricultural land and existing vegetation.

**Clause 52.17 Native vegetation**

As previously outlined, while native vegetation is required to be removed from the site, including 16 trees, it was planted as part of the original winery development in the 1970s to form part of the gardens. Therefore there is no trigger for the removal of the vegetation under Clause 52.17 Native vegetation, as the exemption for 'Planted vegetation' is met.

**Clause 52.34 Bicycle facilities**

The required bicycle facilities for a Residential building (under which a Residential hotel is nested) set out in Table 1 to Clause 52.34-3 are only triggered in developments of four or more storeys. As this is a three storey development, there is no requirement to provide bicycle facilities on the site.

**The decision guidelines of Clause 65**

Clause 65.01, *Approval of an application or plan*, states that; *before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*

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- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

The proposal is generally consistent with these decision guidelines, for the various reasons outlined throughout this report.

**Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)**

As previously discussed, the proposal is consistent with the Hume Regional Growth Plan in providing accommodation facilities that will contribute to tourism within the region.

**Relevant incorporated, reference or adopted documents**

There are no incorporated, reference or adopted documents of particular relevance to this application.

**Relevant Planning Scheme amendments**

Planning Scheme Amendment C04, which was exhibited in 2015, seeks to include various properties across the shire identified in the Strathbogie Heritage Study 2013 into the Heritage Overlay. This includes both individual sites and precincts, and includes the subject site. The study identifies that the main winery buildings constructed during the early 1970s are significant and gives the following explanation (page 117 of Volume 3, part 2):

*Established in 1969 and officially opened in 1974, Mitchelton Winery is historically significant as an early example of a winery complex, purpose designed as a tourist destination. It has associations with entrepreneur Ross Shelmerdine, distinguished winemaker Colin Preece and architects Robin Boyd and Ted Ashton. (AHC Criteria A4)*

*The winery is of aesthetic significance for its distinct bold forms, both the battered, buttress-like elements, mainly to the axial colonnade, as well as the sweeping roof forms of the lower buildings and the pyramidal, bellcast roof of the tower, which is a landmark feature. The influence of Franciscan Mission architecture is evident in the white walls and design of the colonnades, as well as the similar palette of materials. (AHC Criterion E1)*

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The proposed development does not affect the identified heritage significance of the place. This is because it does not involve any works to the existing 1970s buildings. Rather, it involves a completely separate hotel complex. The hotel complex will be easily identified as a contemporary development, distinguishable from the original winery buildings. Being located on the north west side of the complex, the new three storey building will not detract from the existing buildings. It will also not prevent views of the heritage buildings from the key viewpoints of the approaches from the driveway and the river. Overall, the new hotel building will complement the existing buildings, including the original 1970s ones, as a separate and contemporary building located to one side of the complex.

**Risk Management**

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

**Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

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**Summary of Key Issues**

This proposal is a significant development which will create local jobs, directly contribute to tourism and have many positive flow-on effects to the regional economy. It provides a high quality accommodation option for visitors to the area, which is currently lacking.

The hotel will form part of and complement the existing winery, and therefore there is a strong nexus between the hotel and an ongoing agricultural activity. This is consistent with the purposes of the Farming Zone

Despite the concerns of the GBCMA, on consideration of the independent advice provided by GMR Engineering Services, the proposal for an elevated structure is an appropriate outcome in an area subject to flooding. Further, it will not increase the level of flood risk compared with a structure on an earth fill embankment (as preferred by the GBCMA).

In summary, the proposal meets the objectives of the State Planning Policy Framework, Local Planning Policy Framework, Farming Zone and Floodway Overlay.

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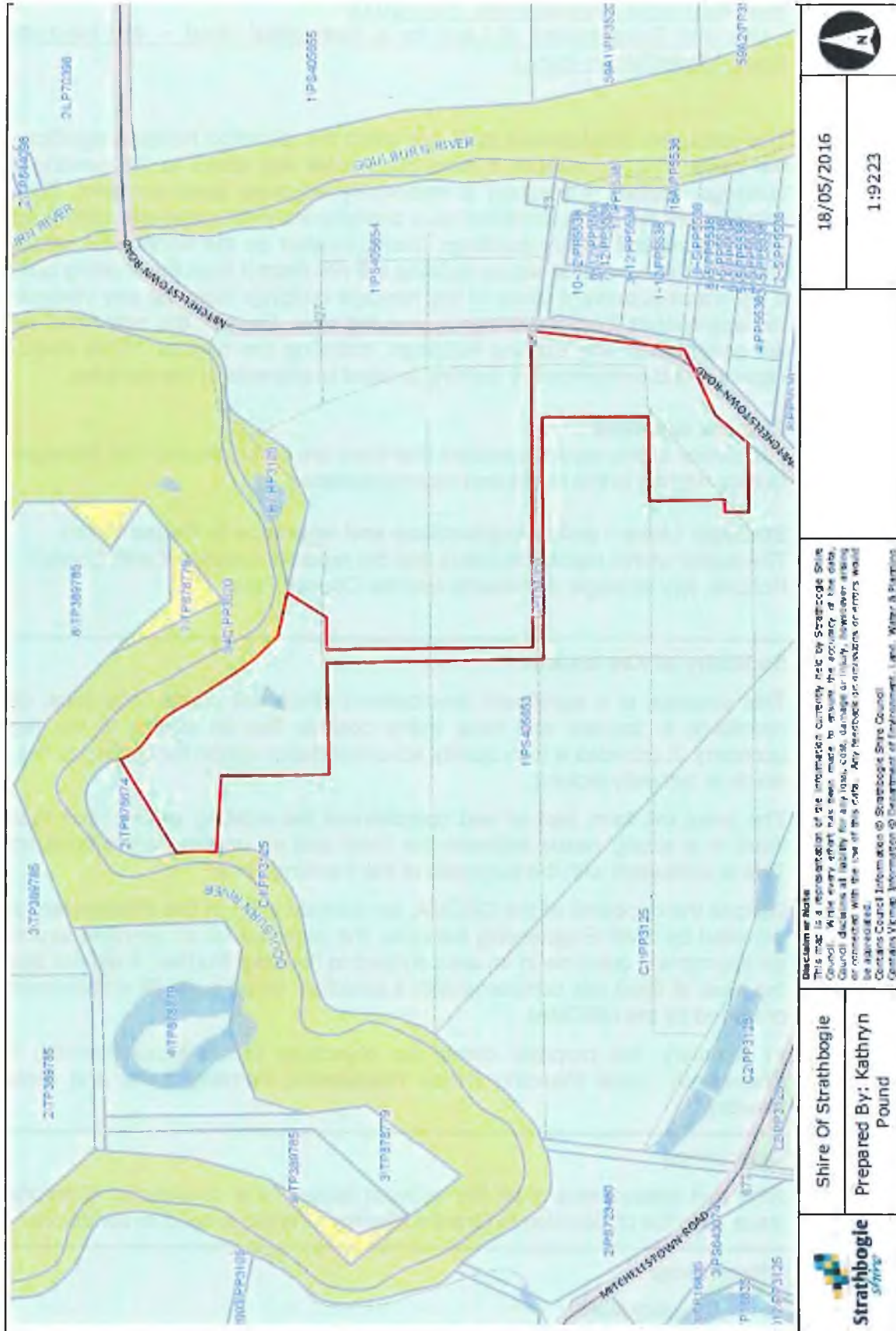
**Conclusion**


After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to Grant a Planning Permit, subject to conditions.

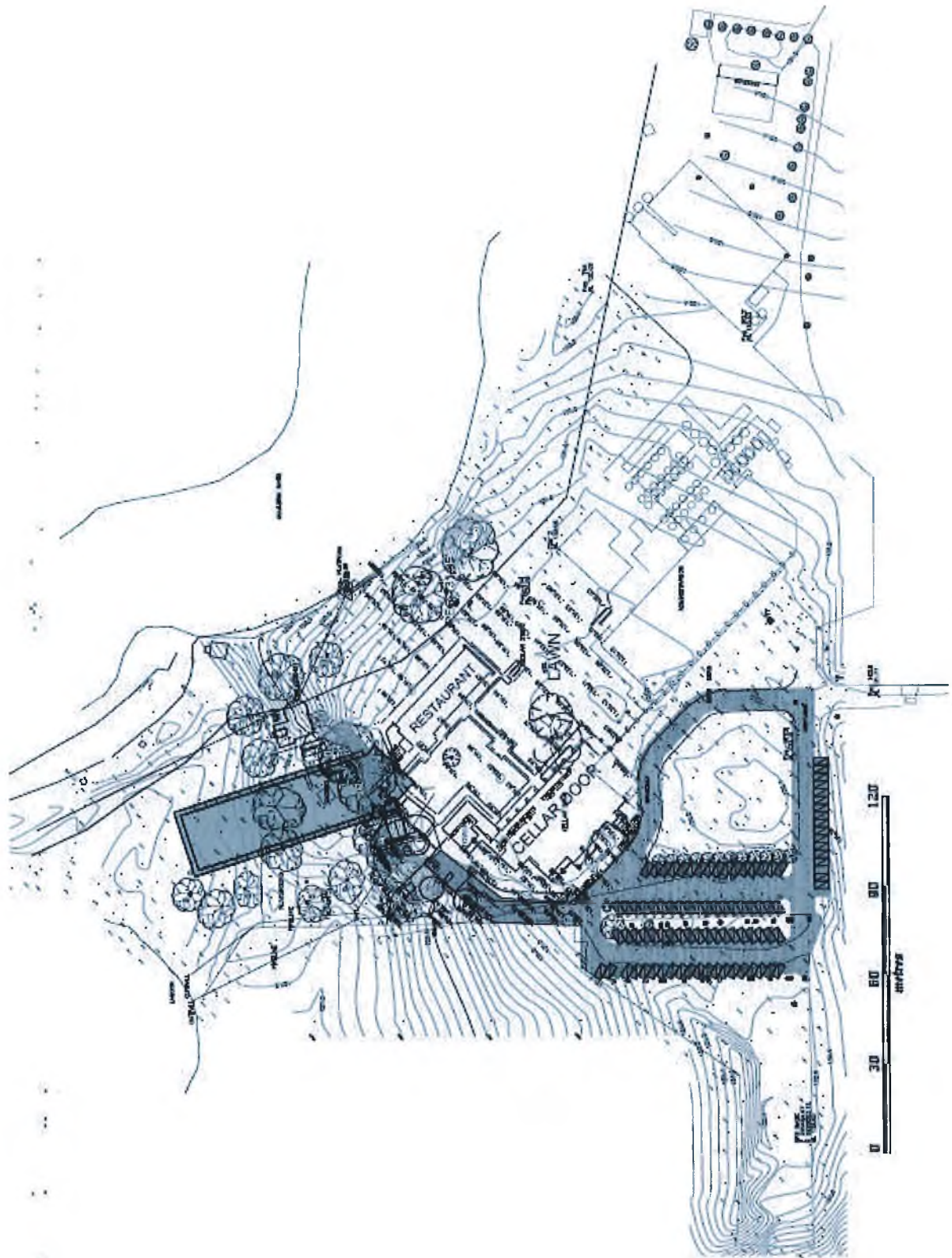
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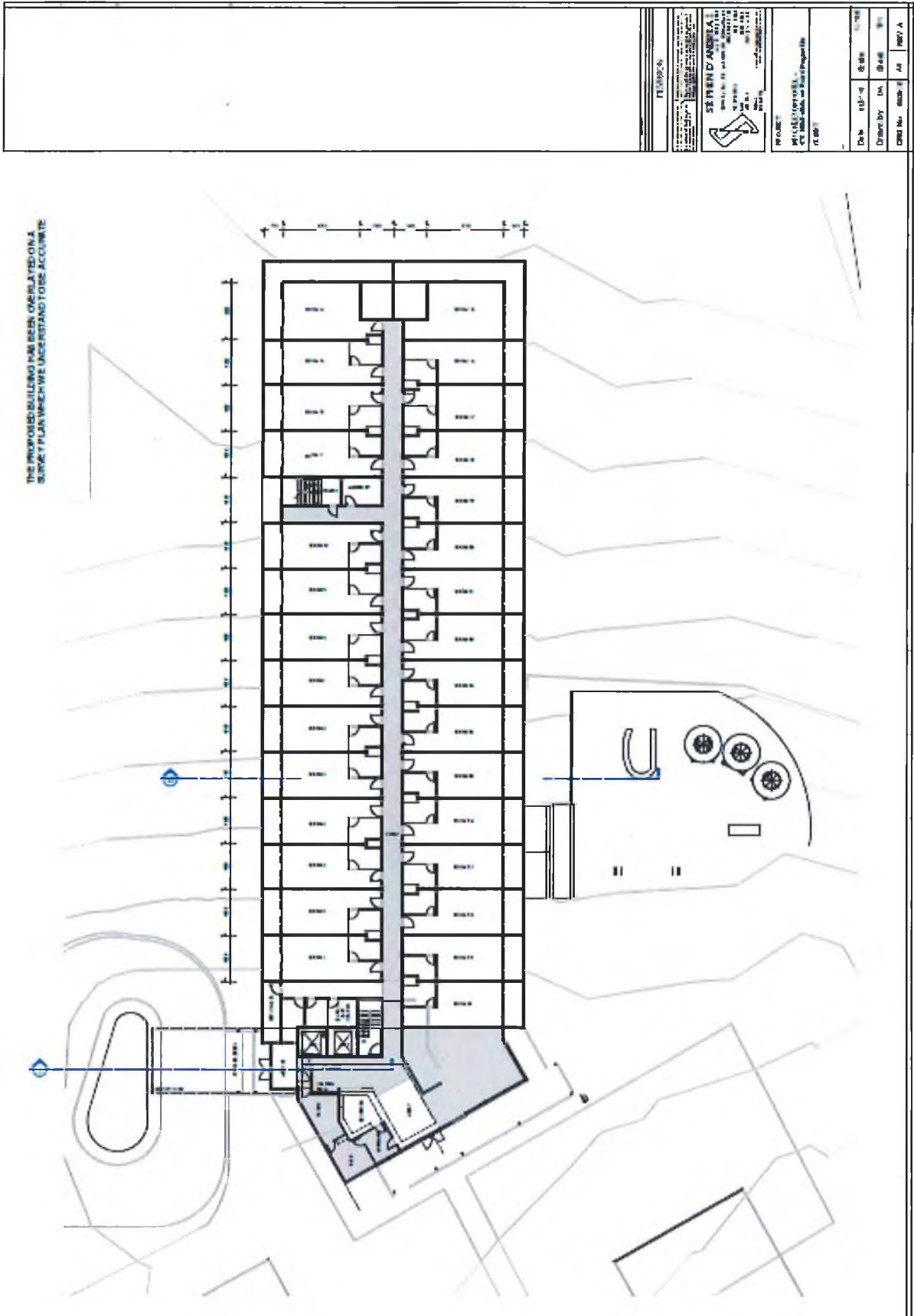
**Attachments**

1. Locality Map
2. Current version of plans

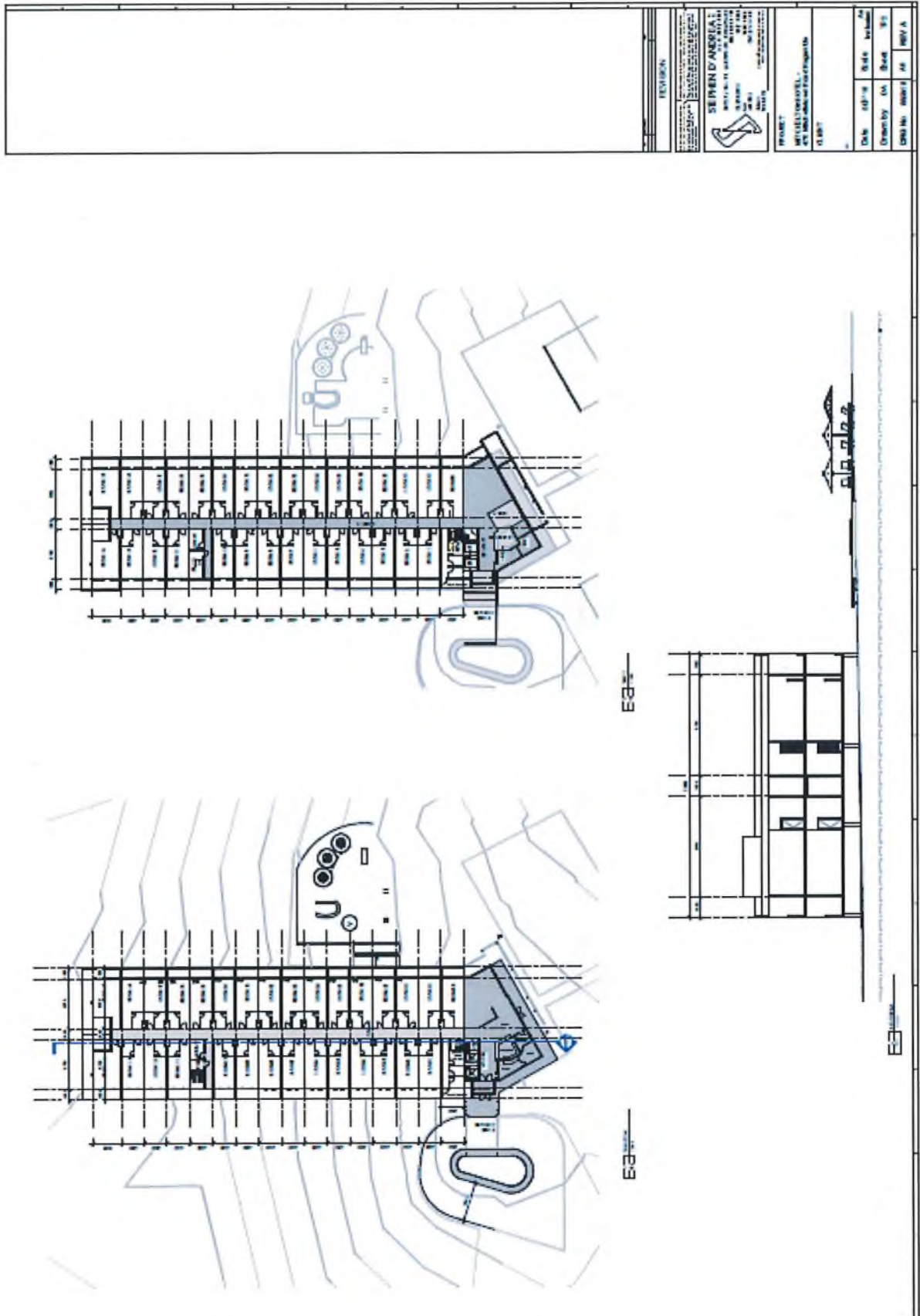


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	Prepared By: Kathryn Pound		1:9223

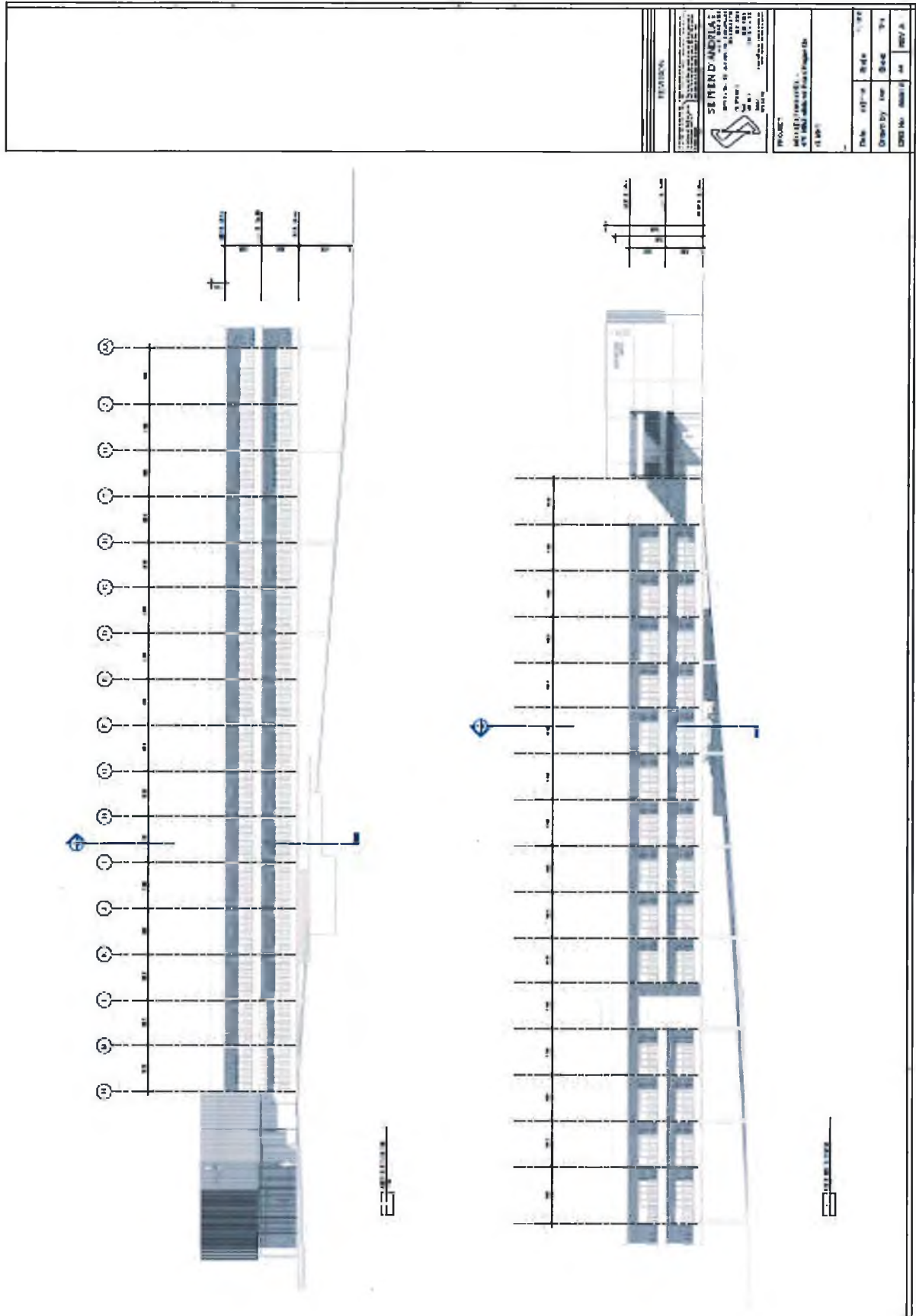








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**PLANNING COMMITTEE REPORT NO. 3 (MANAGER, PLANNING – KATHRYN POUND)**

**7. OTHER BUSINESS**

**7.1 Strathbogie Planning Scheme Amendment C75**

**Report description**

Request to seek authorisation from the Minister for Planning to prepare and subsequently exhibit Amendment C75, which proposes to rezone part of the land at 357 Habel Road, Nagambie, from Farming Zone to Industrial 1 Zone, introduce a new local policy into the planning scheme at Clause 22.04 for Industrial design guidelines and update Clause 21.06 of the planning scheme.

**Author & department**

Manager Planning / Sustainable Development Department

**Disclosure of conflicts of interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

**Summary**

Spiire Australia, on behalf of Gervale Nominees, has made a request for a planning scheme amendment at 357 Habel Road, Nagambie. This request has been allocated amendment number C75.

Amendment C75 proposes to rezone approximately 30 hectares of land at 357 Habel Road, Nagambie, from Farming Zone to Industrial 1 Zone.

The Strathbogie Shire Industrial Land Study 2008 identifies the need for more industrial zoned land in the municipality to allow for the expansion of industrial activities. Specifically, it projects the need for a minimum of 20 hectares of additional industrial land within Nagambie and Euroa over a 15 year period. Since Council adopted this policy, no industrial land rezonings have been undertaken. The study identifies the subject site as one of three potential industrial locations in Nagambie.

The Nagambie Growth Management Strategy 2008 also identifies the need for more industrial land in Nagambie and recommends the rezoning of the area identified in the Strathbogie Shire Industrial Land Study 2008.

Both the Industrial Land Study and Nagambie Growth Management Strategy were formulated from extensive community consultation.

Given the significant size of the land proposed to be rezoned, which will double the extent of industrial land in the shire, it is an appropriate time to introduce a local planning policy relating to Industrial design guidelines as part of this amendment. The objectives of the policy are to promote high quality design outcomes in industrial areas, encourage industrial development to make a positive contribution to the public realm and encourage the use of landscaping to soften the appearance of the industrial development and to provide a buffer from more sensitive uses.

7.1 Strathbogie Planning Scheme Amendment C75 (cont.)

Clause 21.06 of the Municipal Strategic Statement (MSS) will also be updated to include a strategy to promote high quality industrial design outcomes.

It is recommended that Council seek authorisation from the Minister for Planning to prepare the Amendment, and to consequently exhibit it for one month. It is also recommended that Council delegate the Director Sustainable Development to investigate whether Amendment C75 can be prepared pursuant to Sections 20(2), 20(4) or 20(5) of the Planning and Environment Act 1987. This would mean that the amendment would be expedited by the Minister for Planning, saving time and money for all parties. This process would involve some community consultation.

**RECOMMENDATION**

1. **That Council seeks authorisation from the Minister for Planning to prepare Amendment C75 to the Strathbogie Planning Scheme.**
2. **That upon receipt of the Minister's authorisation, Council prepares Amendment C75 to the Strathbogie Planning Scheme, and formally exhibits Amendment C75 for a period of not less than one calendar month after the date that notice is published in the Government Gazette.**
3. **That Council delegate the Director Sustainable Development to investigate whether Amendment C75 can be prepared pursuant to Sections 20(2), 20(4) or 20(5) of the Planning and Environment Act 1987. In the event that this is found to be possible, that Amendment C75 is adopted by Council in full as set out in this report, or in part (i.e. without the proposed changes to the LPPF), and be submitted to the Minister for Planning for approval.**

**Background**

Request to amend the planning scheme

Spiire Australia, on behalf of Gervale Nominees, has made a request for a planning scheme amendment at 357 Habel Road, Nagambie. This request has been allocated amendment number C75.

As requested, Amendment C75 proposes to rezone approximately 30 hectares of land at 357 Habel Road, Nagambie, from Farming Zone to Industrial 1 Zone. Council Officers propose to introduce a new local policy into the planning scheme at Clause 22.04 for Industrial design guidelines and to amend Clause 21.06 of the MSS as part of Amendment C75.

## 7.1 Strathbogie Planning Scheme Amendment C75 (cont.)

### Key strategic framework

The Strathbogie Shire Industrial Land Study 2008, a reference document to the Strathbogie Planning Scheme, identifies the need for more industrially zoned land in the municipality to allow for the expansion of industrial activities. Specifically, it projects the need for a minimum of 20 hectares of additional industrial land within Nagambie and Euroa over a 15 year period. Since Council adopted this policy, no industrial land rezonings have been undertaken.

Currently, Nagambie has only one industrially zoned area, which is located on the south side of Ballantynes Road and abuts the railway line to the west. It has an area of around 13 hectares.

The study identifies the subject site as one of three potential industrial locations in Nagambie. All three of the locations identified were located adjacent to Nagambie's existing industrial area. The subject site was ranked as the third most preferable location, with the first and second ranked locations being to the immediate south and east of the existing industrial area respectively. The rankings were based on various factors, including land undulation, proximity to existing industrial areas, access to a major road, landowners support, conflict with residential growth areas, access to services, size, location within the urban boundary and buffers from residential areas.

The subject site has many positive attributes as an industrial area. This includes its location opposite the existing industrial area, its location adjacent to the railway line and station which provides a buffer from the residential area to the west, no planned residential growth to its east or south, access to reticulated water and sewerage and its overall large size. A key negative attribute of the site is that trucks would have to drive through the main street of Nagambie to get onto the freeway. However this is the case for all three of the potential sites. It is noted that this site partly achieved a lower preference because of the lack of landowner interest, which is no longer correct.

The Nagambie Growth Management Strategy 2008, another reference document to the Strathbogie Planning Scheme, also identifies the need for more industrial land in Nagambie. It also recommends the rezoning of the area identified in the Strathbogie Shire Industrial Land Study 2008. The strategy identifies all of the land at 357 Habel Road as a future residential growth area, along with five other areas all around the town. Even with this industrial development, the northern part of the land could be rezoned for residential purposes in the future if needed. This is because there is ample room to provide a buffer area between the industrial area and any future residential area to its north. However it is likely to take many years for this demand to be created given the other designated areas for residential expansion can accommodate around 9,000 new dwellings.

Both the Industrial Land Study and Nagambie Growth Management Strategy were formulated from extensive community consultation.

## 7.1 Strathbogie Planning Scheme Amendment C75 (cont.)

### Demand for industrial land

As identified in the Strathbogie Shire Industrial Land Study 2008, in 2008 there was only 4 hectares of vacant industrial land in the shire. The study identifies the critical need for more industrial zoned land in the municipality to allow for the expansion of industrial activities. Without it, existing businesses have less opportunity to expand and less new businesses are likely to set up in the shire.

### Local Industrial design guidelines policy

Given the significant size of the land proposed to be rezoned, which will double the amount of industrial land in the shire, it is an appropriate time to introduce a local planning policy for Industrial design guidelines into the planning scheme. Historically, developments in industrial areas have been undertaken in an ad-hoc manner, with little regard to the public realm and other surrounding land uses. In addition, there are currently no specific provisions in the planning scheme which relate to good design outcomes in industrial areas or address specific issues that arise in industrial areas (such as the 'messy' storage of goods).

Within the State planning policy framework there are general Urban design objectives and principles at Clauses 15.01-1 and 15.01-2 as well as general Cultural identity and neighborhood character strategies at Clause 15.01-5. But these relate to all development, including residential development. In addition, Clause 17.02-2 Design of industrial development sets out strategies, but these facilitate the development and operation of industry, rather than relating to design.

Within the Local planning policy framework the only section directly relevant to the design of new industrial development is at Clauses 21.02-6 and 21.02-7 and relates to Building Material – Muted tones.

The proposed policy seeks to address this deficiency, particularly now when it is proposed to provide a significant amount of vacant industrial land. The policy's objectives are to promote high quality design outcomes in industrial areas, encourage industrial development to make a positive contribution to the public realm and encourage the use of landscaping to soften the appearance of the industrial development and to provide a buffer from more sensitive uses. It is not intended to introduce unreasonable or onerous requirements onto developers or business owners, but rather to facilitate better outcomes than what currently exists.

The local policy will apply only to industrial areas in Nagambie since this is where a significant amount of undeveloped industrial land is being created through this amendment. There is only a small amount of undeveloped industrial land (or industrial land that is likely to be redeveloped in the near future) outside of this area. It is envisaged that the policy can be amended to apply to other parts of the shire as part of future strategic work, as necessary.

### **Alternative options**

Council may decide that the proposal has no planning merit and determine not to pursue the amendment in its entirety or in part (i.e. pursue the rezoning but not the local policy).

## 7.1 Strathbogie Planning Scheme Amendment C75 (cont.)

### **Risk management**

The author of this report considers that there are no significant risk management factors relating to the report and recommendation.

### **Strategic links – policy implications and relevance to the Council Plan**

The amendment is consistent with Council's planning policies, as previously outlined in this report and also outlined in the attached Explanatory Report.

The amendment is also consistent with the strategic intent of the Council Plan, notably Goal 5 Encourage investment and development into the Shire by having a responsive and proactive business development culture (Industry, Business and Investment) and Goal 2 To promote and enhance the natural and built environment for current and future generations.

### **Best value / National Competition Policy (NCP / Competition and consumer Act 2010 (CCA) implications**

The report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements

### **Financial / budgetary implications**

This is a proponent driven amendment. Thus, the majority of costs are borne by the applicant. Council costs, e.g. officers' time, is adequately covered in the existing operation budget.

### **Economic implications**

The proposed amendment is likely to have positive economic benefits for the shire and broader community. This is because there is an identified need to provide more industrially zoned land to retain and attract businesses. This will have a role on effect to the broader community, including through the creation of jobs.

This is a very significant investment for the shire that will substantially raise our rate base, increase employment opportunities and drive economic development. It is of state significance considering the potential job creation into the future (possible 200-300 jobs) based on the location in relation to Melbourne and links to two major freeways, two major railway lines and a regional airport.

Costs relating to the industrial development would be required to be borne by the proponent. This includes the upgrading of roads, construction of a retarding basin (if appropriate) and provision of other services. They would most likely be dealt with at the subdivision stage.

### **Environmental / amenity implications**

Overall, the site is appropriate for industrial land use, as amenity impacts are limited due to the nature of the adjoining land uses and opportunities to contain impacts within the site. Specifically, the adjoining railway line provides a significant buffer from the township and adjoining land uses are not sensitive.

The site is not known to have any particular significant environmental attributes, having been cleared and used for agricultural purposes with very limited vegetation remaining. It is not located in a special water supply catchment under the Catchment and Land Protection Act 1994.

## 7.1 Strathbogie Planning Scheme Amendment C75 (cont.)

If the amendment is ultimately approved and implemented into the planning scheme, potential environmental and amenity impacts will be able to be addressed through the planning permit process (since planning permits will be required for the majority of use and development proposals).

The applicant has proposed to construct a basin to the east of the site to allow for suitable drainage. If deemed to be the best option, this would be addressed at the subdivision stage, which would be the first step required if the amendment is ultimately approved.

Any necessary upgrading of roads, for instance the east side of Ballantynes Road, would also be required to be undertaken by the proponent and would be dealt with at the subdivision stage.

The proposed local policy and change to the MSS seeks to improve the amenity of industrial areas and reduce impacts on adjoining sensitive uses.

The site is not known to have any particular cultural, aesthetic or historic attributes. In addition, it is not a designated area of potential cultural heritage significance under the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2007*.

### **Community implications**

The proposed amendment will have positive benefits for the shire and broader community, given that it will lead to the creation of new jobs and business opportunities.

### **Victorian Charter of Human Rights and Responsibilities Act 2006**

The report does not limit any human rights under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **Legal / statutory implications**

The process of amending the planning scheme is governed by the *Planning and Environment Act 1987*. Final approval is given by the Minister for Planning.

### **Consultation**

Consultation is a mandatory part of the standard planning scheme amendment process and will be undertaken by Council Officers in accordance with the requirements of the *Planning and Environment Act 1987*. This includes a public exhibition process involving both the general public and relevant authorities.

Alternatively, if the amendment can be prepared pursuant to Sections 20(2) or 20(4) of the *Planning and Environment Act 1987*, there will be some community consultation and all relevant authorities would still be consulted.

### **Attachments**

1. Draft C75 Explanatory report
2. Draft Zoning map for 357 Habel Road, Nagambie
3. Draft Local Policy: Clause 22.04 Industrial design guidelines
4. Draft Amended Local Policy: Clause 21.06 Sustainable economic growth
5. Draft C75 Instruction sheet



*Planning and Environment Act 1987*

**Strathbogie PLANNING SCHEME  
AMENDMENT C75  
EXPLANATORY REPORT**

**Who is the planning authority?**

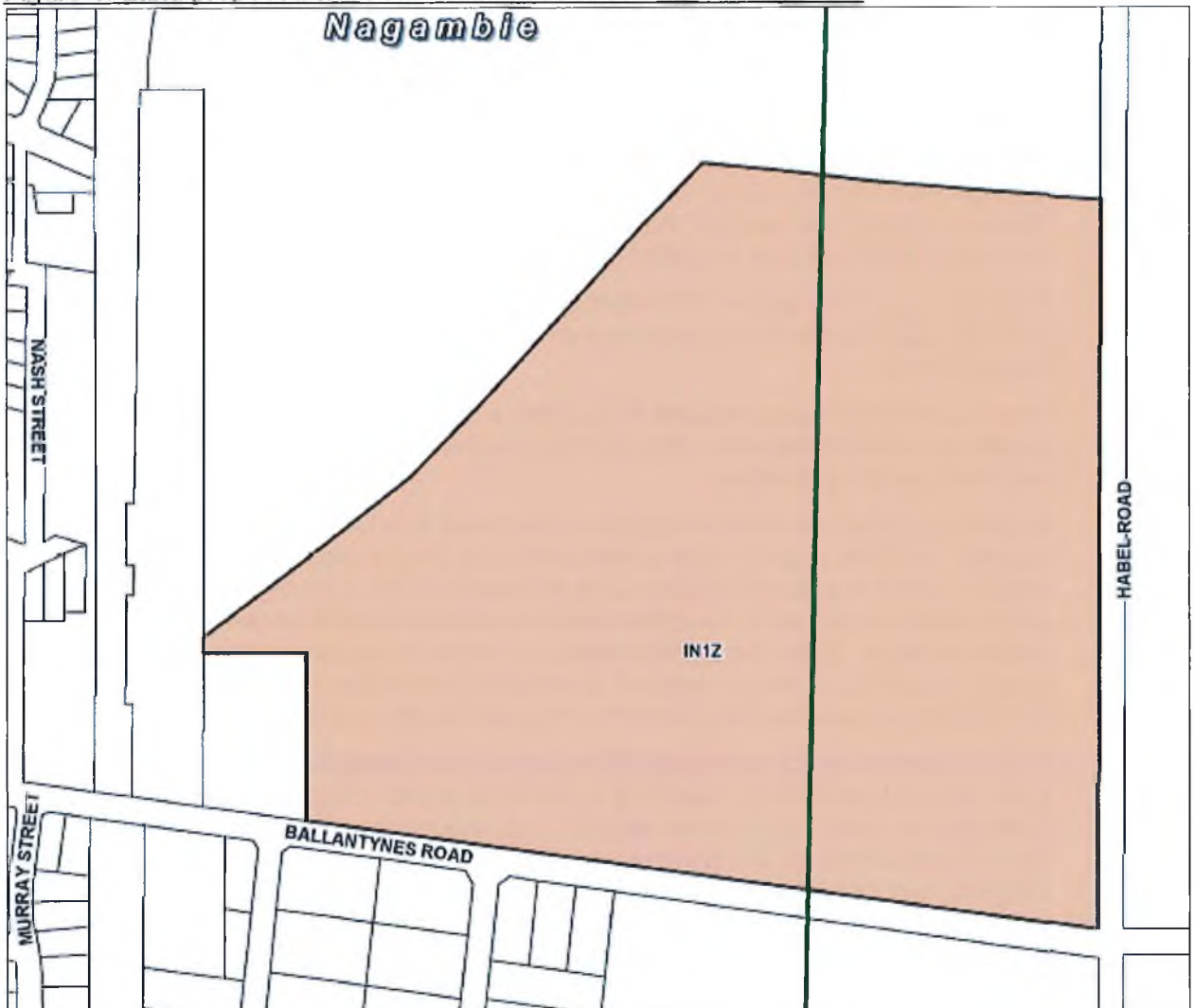
This amendment has been prepared by the Strathbogie Shire Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Spiire Australia, on behalf of Gervale Nominees.

**Land affected by the Amendment**

The Amendment applies to part of the land at 357 Habel Road, Nagambie, shown in figure 1 below. It is located to the east of Nagambie township and is bound by Racecourse Road to the north, Ballantynes Road to the south, Habel Road to the east and the railway line to the west. The area of land proposed to be rezoned is approximately 30 hectares in size and is located to the immediate north of an existing industrial area.

Figure 1: Land proposed to be rezoned at 357 Habel Road, Nagambie



The Amendment also affects all existing industrial zoned land in Nagambie, through the introduction of the Industrial design guidelines as a local policy in the Strathbogie Planning Scheme.

## What the amendment does

The Amendment proposes to rezone part of the land at 357 Habel Road, Nagambie to Industrial 1 Zone and insert a new local policy at Clause 22.04 for Industrial design guidelines.

The Amendment proposes to:

- Rezone part of the land at 357 Habel Road, Nagambie from Farming Zone to Industrial 1 Zone.
- Amend Clause 21.06 Sustainable economic growth to include a strategy to promote high quality design outcomes in new industrial areas.
- Insert Clause 22.04 Industrial design guidelines into the Strathbogie Planning Scheme.

## Strategic assessment of the Amendment

### Why is the Amendment required?

The Amendment is required to facilitate the proposed industrial development of the land at 357 Habel Road, Nagambie.

The Strathbogie Shire Industrial Land Study 2008 and the Nagambie Growth Management Strategy 2008, which are reference documents to the Strathbogie Planning Scheme, identify the need for more industrial zoned land in the shire. They also identify the subject site for future industrial growth in Nagambie.

The rezoning of the land at 357 Habel Road from the Farming Zone to the Industrial 1 Zone through a planning scheme amendment is an appropriate way of providing more industrial land.

The Amendment is also required to facilitate a higher quality built form outcome in industrial areas in Nagambie, through the introduction of a local planning policy for Industrial design guidelines.

Historically, developments in industrial areas have been undertaken in an ad-hoc manner, with little regard to the public realm and other surrounding properties. In addition, there are currently no specific provisions in the planning scheme which relate to good design outcomes in industrial areas or address specific issues that arise in industrial areas. Given the significant size of the land proposed to be rezoned at Habel Road, which will double the amount of industrial land in the shire, it is an appropriate time to introduce a local planning policy for Industrial design guidelines.

A local planning policy is considered to be the most appropriate way to achieve a better built form and public realm outcome in industrial areas. It applies only to industrial areas in Nagambie since this is where a significant amount of undeveloped industrial land is being created through this amendment. There is only a small amount of undeveloped industrial land (or industrial land that is likely to be redeveloped in the near future) outside of this area. It is envisaged that the policy can be amended to apply to other parts of the shire as part of future strategic work, as necessary.

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

The Amendment implements the objectives of planning in Victoria by providing for the fair, orderly, economic and sustainable use and development of land. This is through the provision of industrial land to meet an existing and projected demand, in an appropriate location that has been identified in strategic planning documents.

The Amendment implements the objectives of planning in Victoria by securing a pleasant, efficient and safe working and living environment. This is through the inclusion of a local Industrial design guidelines policy which has objectives to promote high quality design outcomes in industrial areas, encourage industrial development to make a positive contribution to the public realm and encourage the use of landscaping to soften the appearance of the industrial development and to provide a buffer from more sensitive uses.

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

The Amendment would have positive economic and social effects for the township and greater shire, through the provision of industrial land. In addressing an existing short fall, it will provide opportunities for existing and new businesses, leading to the creation of jobs and other flow-on effects for the community.

The Amendment addresses environmental effects, with 357 Habel Road being an appropriate location for industrial development. Specifically, amenity impacts are limited due to the nature of the adjoining land uses and opportunities to contain impacts within the site. The adjoining railway line provides a significant buffer from the township and adjoining land uses are not sensitive. The site abuts the only existing industrial area in Nagambie. Further, the site is not known to have any particular significant environmental attributes, having been cleared and used for agricultural purposes with very limited vegetation remaining. It has no known historic, architectural, aesthetic, scientific or cultural values that require protection.

Specific servicing and road requirements that are required to facilitate the industrial development will be addressed at the planning permit stage for the initial subdivision. Overall, the rezoning would not impact on air, land and water quality beyond what can be managed through conditions at the planning permit stages.

The proposed local Industrial design guidelines policy will ensure a higher quality built form outcome for new industrial development across the shire, leading to positive environmental, social and economic effects. The policy is not intended to introduce unreasonable or onerous economic requirements onto business owners, but rather to facilitate better outcomes than what currently exists that will benefit business owners and the wider community. It also specifically seeks to minimise off-site amenity impacts, through the use of landscaping to soften the appearance of the industrial development and to provide a buffer from more sensitive uses.

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

The Amendment meets the objectives and is consistent with the strategies at Clause 13.05 Bushfire of the State Planning Policy Framework and Clause 21.04-7 Bushfire of the Municipal Strategic Statement. This is because the site is in an appropriate location for industrial development that is not exposed to significant bushfire hazards.

The Country Fire Authority will be provided with the opportunity to comment on the Amendment during the exhibition process.

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

The Amendment complies with Ministerial Direction 1 Potentially Contaminated Land. In particular, the land proposed to be rezoned is not known to have been used for a purpose that would cause potential site contamination.

The Amendment complies with Ministerial Direction 11 Strategic Assessment of Amendments, as outlined in this Explanatory Report.

The Amendment complies with Ministerial Direction – The Form and Content of Planning Schemes.

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

The Amendment implements the following components of the State Planning Policy Framework and adopted State policies:

- Clause 11 Settlement through the provision of industrial zoned land that will create jobs and be economically viable, and through the insertion of a local policy which seeks to provide for a higher standard of urban design and amenity in and around industrial areas.
- Clause 11.10 Hume regional growth through the provision of industrial land to contribute to a more diverse and sustainable regional economy.
- Clause 12 Environmental and landscape values through the rezoning of land that is not known to have any particular significant environmental attributes, having been cleared and used for agricultural purposes with very limited vegetation remaining.
- Clause 13 Environmental risks through the rezoning of land that has not been identified as being subject to any particular environmental risks.
- Clause 14.01-1 Protection of agricultural land through the rezoning of land that although currently being used for agricultural purposes, is not of strategic significance. In addition, there is significant amount of Farming zoned land in the area and shire which means that the loss of 30 hectares of agricultural land will have negligible impacts.
- Clause 15 Built environment and heritage through the insertion of a new local Industrial design guidelines policy which seeks to improve urban design and built form outcomes in all industrial areas in the shire.
- Clause 17 Economic development through the provision of industrial land in an appropriate location at the edge of Nagambie. In addition, through the insertion of a new local Industrial design guidelines policy which seeks to improve design outcomes and minimise off-site impacts through the use of landscape buffers.
- Clause 18 Transport through the provision of industrial land in a location accessible to Nagambie and the regional roads and rail networks.
- Clause 19 Infrastructure through the provision of appropriate infrastructure to the industrial land as part of the subsequent planning permit processes.

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

The Amendment implements the following components of the Local Planning Policy Framework, including the Municipal Strategic Statement:

- Clause 21.01 Municipal profile through the insertion of a new local Industrial design guidelines policy to improve built form outcomes in industrial areas and reduce land use conflicts, particularly through the use of landscape buffers. The provision of industrial zoned land will also drive economic development and provide opportunities for delivering infrastructure.

- Clause 21.02 Sustainable settlement, particularly Clause 21.02-7 Implementation, through the provision of industrial zoned land in accordance with the Strathbogie Shire Industrial Land Study 2008.
- Clause 21.02-6 Building material – muted tones through the insertion of a new local Industrial design guidelines policy which includes policy for new development to use high quality contemporary materials in muted tones.
- Clause 21.03-4 Nagambie through the provision of land for industrial expansion in an accessible and environmentally suitable location, with access to suitable infrastructure. In addition, through the rezoning of land to the Industrial 1 Zone in accordance with the Strathbogie Shire Industrial Land Study 2008, the Nagambie Growth Management Strategy 2008 and the Nagambie Structure Plan at Figure 4 of Clause 21.03.
- Clause 21.04 Sustainable environment through the rezoning of land that has not been identified as being subject to any particular environmental risks or significance. In addition, through the requirement to provide appropriate water treatment as part of the subsequent planning permit processes.
- Clause 21.06 Sustainable economic growth through the provision of industrial zoned land which implements recommendations of the Strathbogie Shire Industrial Land Study 2008.
- Clause 21.07 Sustainable infrastructure through the provision of appropriate infrastructure to the industrial land as part of the subsequent planning permit processes.

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

The Amendment makes proper use of the Victorian Planning Provisions. Firstly, through the appropriate application of the Industrial 1 Zone, the most appropriate zone to facilitate industrial development in this location. Secondly, through the insertion of a new local policy and inclusion of a new strategy in the MSS, to promote high quality design outcomes in industrial areas, encourage industrial development to make a positive contribution to the public realm and encourage the use of landscaping to soften the appearance of the industrial development and to provide a buffer from more sensitive uses. A local policy is the most appropriate mechanism to achieve this, as it includes objectives, policies and application requirements in an individual clause that is readily identifiable as relevant only to new industrial development.

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

The views of all relevant agencies will be sought and subsequently addressed as part of the exhibition of the Amendment.

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

The Amendment addresses the relevant requirements of the *Transport Integration Act 2010*. In particular, it provides industrial land in an appropriate location close to Nagambie with existing road and rail access. Existing roads, including Ballantynes and Habel roads, are likely to require upgrades to facilitate trucks and other vehicles accessing the land. This will be managed through conditions of planning permit/s for subdivision at a later time.

## Resource and administrative costs

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

Any costs associated with the planning scheme amendment process, including the costs of an independent Planning Panel if required, will be met by the proponent.

The new provisions are not anticipated to have any noticeable impacts on the resource and administrative costs of the responsible authority.

### Where you may inspect this Amendment

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

- Shire of Strathbogie, 109A Binney Street, Euroa
- Nagambie Visitor Information Centre, 317 High Street, Nagambie
- Shire of Strathbogie's website: [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au)

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

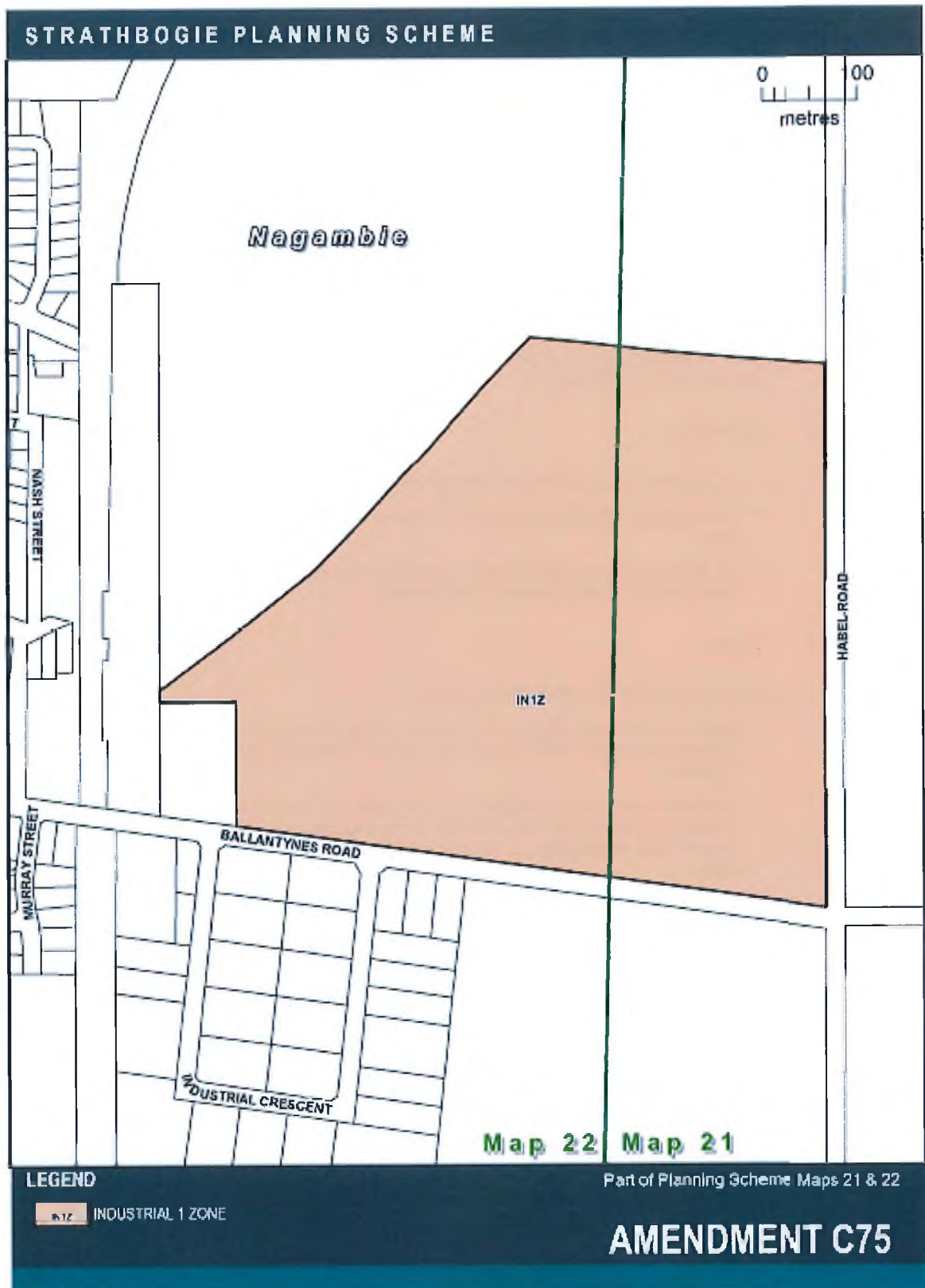
Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **[insert submissions due date]**.

A submission must be sent to: Strathbogie Shire Council, PO Box 177, Euroa VIC 3666.

### 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: **[insert directions hearing date]**
- panel hearing: **[insert panel hearing date]**



STRATHBOGIE PLANNING SCHEME

**22.04 INDUSTRIAL DESIGN GUIDELINES**

22-21-  
079

This policy applies to all new buildings and works that require a planning permit under the provisions of all Industrial zones in Nagambie.

**22.04-1 Policy Basis**

Council recognises the importance of industrial and commercial businesses within the shire. Historically, developments in industrial areas have been undertaken in an ad-hoc manner, with little regard to the public realm and other surrounding land uses. This policy seeks to address this, in particular in Nagambie where there is a significant amount of undeveloped industrial land.

**22.04-2 Objectives**

- To promote high quality design outcomes in industrial areas.
- To encourage industrial development to make a positive contribution to the public realm.
- To encourage the use of landscaping to soften the appearance of industrial development and to provide a buffer from more sensitive uses.

**22.04-3 Policy**

It is policy that new industrial developments:

- Make a positive contribution to the public realm, through the use of clear glazing, architectural features, defined entries and visually interesting treatments to the front of buildings.
- Include provision of a landscape buffer, with minimum width of 2 metres, around the perimeter of the property. Where the site abuts an alternate zone, a wider buffer of up to 5 metres may be necessary. A range of vegetation should be provided in the landscape buffer.
- Minimise outside storage areas, and if they are required, locate them at the sides or rear of buildings.
- Provide designated waste storage areas, screened from view of the street.
- Use landscaping treatments to break up large hard-surfaced areas, including carparking.
- Use high quality contemporary materials in muted tones.
- Incorporate visually permeable fencing along the front boundary.
- Integrate signage into the design of the building/s.

**22.04-4 Application requirements**

The following information should accompany any development application triggered under the provisions of all Industrial zones:

- A landscape plan.
- A materials and colours schedule.



STRATHBOGRIE PLANNING SCHEME

21.06 SUSTAINABLE ECONOMIC GROWTH

21.06-1

21.06-1 Overview

06/12/2012  
LSC

Strathbogrie Shire is strategically located on a number of national road and rail transport links, supported by diverse rural communities of Eureka, Nagambie, Violet Town, Avenel, Langwood, Ruffly and Strathbogrie.

The Shire abuts the municipalities of Benalla, Mansfield, Murrumbidgee, Mitchell, Greater Bendigo, Greater Shepparton and Campaspe. In recent times, Strathbogrie Shire has experienced increasing interest from the Melbourne and Shepparton property markets, particularly in the Strathbogrie Ranges, Avenel and Nagambie.

Both the Hume Freeway and the Geelong Valley Freeway traverse the Shire, providing excellent accessibility within the municipality and beyond. Mangalore Airport has the potential to provide multi-modal opportunities for transport, food processing and logistics industries.

Strathbogrie Shire is home to many specialist enterprises including equine, poultry, pig, and other specialist industries. Strathbogrie Shire has a rural economic base of wool, grain and cattle production, extensive vineyards at Nagambie and throughout the Strathbogrie Ranges, as well as a wide range of intensive cool climate horticultural enterprises.

The Council will need to consider the future industrial growth and development for all communities within the Shire and make provision in its Planning Scheme to accommodate future growth.

Tourism in the Shire consists of sporting and recreational activities on Lake Nagambie, wineries, heritage buildings, sky diving and paragliding, cycling and exploring the environmental features and following the history of Ned Kelly.

Key Issues

- Environmental impacts on the economy.
- Lack of appropriate industrial zoned land in the Shire.
- Shortage of skilled workforce for specific industries within the Shire.

21.06-2 Adapting and diversifying agriculture

06/12/2012  
CSO

Objective

To support and encourage the retention and diversification of agriculture.

Strategies

- Promote and encourage the ongoing growth of the food and wine sectors.
- Promote and encourage the ongoing growth of the equine industry.
- Minimise conflicts at the urban fringes/agricultural land interface.
- Support sustainable intensive agriculture.
- Provide new opportunities for existing and emerging agricultural practices and complementary industries.
- Recognise the role of smaller land holdings in fostering agricultural innovation.

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CSO

STRATHBOGIE PLANNING SCHEME

21.06-3  
06/12/2013  
LSC

**Tourism**

**Objective**

To promote the Shire as a tourism destination.

**Strategies**

- Encourage tourism related development that supports towns, promotes employment and recreational opportunities.
- Support new and existing tourism development that promote key attributes of the Shire such as the natural environment, heritage, town character and niche/boutique industries.
- Support the strengthening of tourism links with surrounding municipalities.
- Recognise the benefits of Lake Nagambie and Goulburn River for tourism opportunities.
- Encourage tourism development associated with rural pursuits.
- Encourage the Regatta Centre in Nagambie as a water sports centre.

21.06-4  
06/12/2013  
LSC

**Transport**

**Objective**

To recognise and maximise the transport networks and facilities within the Shire.

**Strategies**

- Protect the operation of the Mangalore Airport.
- Encourage industry to locate in areas within close proximity to recognised transport networks.
- Encourage transport links between settlements.

21.06-5 **Commercial and Retail**

Proposed

**Objective**

To support retail and commercial/industrial development within the Shire.

**Strategies**

- Encourage the retention of existing retail and commercial/industrial businesses.
- Encourage a variety of new businesses in the Shire.
- Encourage new retail development within town centres.
- Direct industrial development in areas where required infrastructure, services and transport links are available.

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CSO

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STRATEGIC PLANNING SCHEME

- ~~Promote high quality design outcomes in new industrial areas, particularly in Nagambie where there is a significant amount of undeveloped industrial land, through the application of the local Industrial Design Guidelines policy.~~

Deleted:

2013/2013  
C88

**Implementation**

The strategies will be implemented through the planning scheme by:

**Scheme Implementation**

- Implement the recommendations of the Strathbogie Shire Industrial Land Review (2008).
- Apply appropriate zones and/or overlays in locations suitable for rural industries and tourism uses.
- Review and update the planning scheme provisions relating to the Mangalore Airport including:
  - The extent of the Airport Environs Overlay;
  - The suitability of the Special Use Zone Schedule 1; and
  - Whether a complementary provision such as a Design and Development Overlay should also be applied.
- Undertake this review in consultation with the Airport Owners and the local community.
- Apply appropriate zones to land in the town centres of Violet Town, Exton, Ararat and Nagambie for retail and commercial purposes.

**Other actions of Council**

- Prepare a tourism strategy for the Municipality.
- Prepare a tourism strategy for water based tourism at Nagambie.

**Future strategic work**

- Investigate the application of the Rural Activity Zone.
- Encourage the Airport Owners to complete the review of the Mangalore Airport Development Plan (2003) in consultation with Council.
- Prepare an Economic Development Strategy for the Shire.

*Planning and Environment Act 1987*

**STRATHBOGIE PLANNING SCHEME**

**AMENDMENT C75**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Strathbogie Shire Council.

The Strathbogie Planning Scheme is amended as follows:

**Planning Scheme Maps**

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

***Zoning Maps***

1. Amend Planning Scheme Map No 21 and 22 in the manner shown on the one attached map marked "Strathbogie Planning Scheme, Amendment C75".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

1. In Local Planning Policy Framework – replace Clause 21.06 with a new Clause 21.06 in the form of the attached document.
2. In Local Planning Policy Framework – insert Clause 22.04 Industrial design guidelines in the form of the attached document.

End of document

**PLANNING COMMITTEE REPORT NO. 4 (DIRECTOR, SUSTAINABLE DEVELOPMENT - PHIL HOWARD)**

**7.2 Planning Applications Received**  
**- 6 April to 18 May 2016**

Following are listings of Planning Applications Received for the period 6 April to 18 May 2016.

**RECOMMENDATION**

**That the report be noted.**

***THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT .... P.M.***

# Planning Applications Received

## Wednesday, 6 April 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
466 Galls Gap Road, Strathbogie VIC 3666	P2016-047	Development of land for a swimming pool	Sam Verrocchi	\$34,530.00

## Thursday, 7 April 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
1462 Murchison-Violet Town Road, Arcadia South VIC 3631	P2015-164 - 1	Two (2) lot subdivision	Ron Whitford	\$0.00 *

## Tuesday, 12 April 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
158 Horse Gully Road, Balmattum VIC 3666	P2013-139 - PCI	Use & development of land for a dwelling	T & C Development Services	\$0.00 *

## Wednesday, 13 April 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
5 Clifton Street, Euroa VIC 3666	P2016-049	Development of land for the construction of a verandah for a commercial building	T & C Development Services	\$3,500.00

## Thursday, 14 April 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
290 Riggs Creek Road, Balmattum VIC 3666	P2016-050	Development of land for an extension to an existing dwelling	Richard McGeehan	\$170,000.00

## Monday, 18 April 2016

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
205 Waring-Murchison East Road, Waring VIC 3608	P2016-052	Use and development of land for a place of assembly	Brandon Menzies	\$6,500.00

77 Kettels Road, Baillieston VIC 3608	P2016-051	Buildings and works to construct extension to existing dwelling	Verrocchi Building Services Pty Ltd	\$70,000.00
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**Tuesday, 19 April 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
Curries Road, Pranjip VIC 3666	P2016-003 - PC1	Use & development of land for the construction of a dwelling and shed	William Johanson	\$0.00 *

**Friday, 22 April 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
10 Sevens Avenue, Euroa VIC 3666	P2015-081 - PC1	Use of land for a Medical Centre and reduction of car parking	Cameron Ross	\$0.00 *
13-23 Saxon Street, Euroa VIC 3666	P2014-009 - 1	Development of land for one dwelling on each lot	Nathan Harper	\$0.00 *
341 Galls Gap Road, Gooram VIC 3666	P2015-082 - PC1	Development of land for a dwelling and two agricultural outbuildings	Allan Swinden	\$0.00 *
Oconnors Road, Mangalore VIC 3663	P2014-044 - PC1	Use and development of land for a dwelling	Kelly Rogers Andrew Duff	\$0.00 *

**Tuesday, 26 April 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
14 Hurley Street, Longwood VIC 3665	P2016-053	Development of land for a shed	Narelle Williams	\$53,000.00

**Monday, 2 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
25 Racecourse Road, Nagambie VIC 3608	P2016-054	Subdivision of land into four (4) lots	Jason Woosnam	\$20,000.00

**Tuesday, 3 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
201 Odwyer Road, Tabilk VIC 3607	P2016-055	Subdivision boundary realignment	Andrew McPherson - Ozpak Pty Ltd	\$0.00 *

**Friday, 6 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
108 Maggies Lane, Ruffly VIC 3666	P2016-056	Development of land for a shed	Shamus Gibb	\$15,000.00
8 Euroa-Shepparton Road, Euroa VIC 3666	P2016-058	Two (2) lot subdivision	Ben King	\$0.00 *

**Monday, 9 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
133 Faithfull Road, Longwood East VIC 3666	P2016-057	Use and development of land for a dwelling and associated shed	Benjamin Beattie	\$300,000.00

**Tuesday, 10 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
2 Cowslip Street, Violet Town VIC 3669	P2016-059	Use and development of land to upgrade existing service station, including new canopy, dispensers and tanks, installation of business identification signage (including internally illuminated signage) and 24 hour operation	Aksara Pty Ltd	\$970,000.00

**Thursday, 12 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
339 Kippings Road, Strathbogrie VIC 3666	P2016-060	Use and development of land for a dwelling and shed	Troy Spencer	\$280,000.00

**Friday, 13 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
1/2-4 Vale Street, Nagambie VIC 3608	P2015-138 - 1	Subdivide land into three (3) lots and creation of a carriageway easement	Spiire Australia PTY LTD	\$0.00 *
1768 Nagambie-Locksley Road, Locksley VIC 3665	P2016-023 - 1	Development of land for a water tank	Country Fire Authority	\$0.00 *
22 Nollans Road, Ruffly VIC 3666	P2016-063	Development of land for an extension to an existing shed	Gary Hewlett	\$28,000.00



**Monday, 16 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
554 Creightons Creek Road, Creightons Creek VIC 3666	P2016-061	Subdivision of the land into four (4) lots	Graeme Schneider - Monger & Tomkinson	\$0.00 *
84 Kelvin View School Road, Kelvin View VIC 3666	P2016-062	Development of land for a garage	Verocchi Building Services Pty Ltd	\$51,757.00

**Tuesday, 17 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
31 Magilton Drive, Strathbogjie VIC 3666	P2016-008 - PCI	Development of land for a single dwelling and garage	Robert Gilbert	\$0.00 *

**Wednesday, 18 May 2016**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
141 Verges Lane, Whroo VIC 3612	P2016-065	Use of land for a place of assembly for a three (3) day arts and music camping festival	Kristian & Daniel Bahoudian	\$0.00 *
264 High Street, Nagambie VIC 3608	P2016-064	Development of land for a shed	Timothy O'Brien	\$20,000.00
64 White Street, Euroa VIC 3666	P2016-020 - 1	Native vegetation removal	Daniel Matejic	\$0.00 *

\*NB – '\$0.00 in Cost of Works means either no development, endorsement of plans or amendment to the original permit

Example Legend	Description
P2014-001	Planning permit application
P2014-001- PC 1	Plans to comply with a condition on the permit
P2014-001-1	Proposed amendment to a planning permit

