



Department of Treasury & Finance

6 Lawrence Street Beaufort

Town Planning

**Amendment C43 Request**

15 February 2018

 **Currie & Brown**

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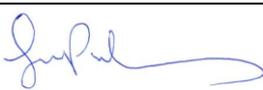
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#### Document History

Date	Version	Comments
08/08/16	1	First Draft
26/10/16	2	Final Draft
06/02/17	3	Final
10/07/17	4	Final (DELWP Review)
15/02/18	5	Final (Amendment Exhibition)

## 1 Introduction

The Department of Treasury and Finance have engaged Currie & Brown (Australia) Pty Ltd to provide a strategic town planning assessment to support a request to rezone the former DELWP depot site at 6 Lawrence Street, Beaufort from the Public Use Zone 6 (Local Government) to the Commercial 2 Zone.

Currie & Brown has undertaken detailed inspections of the site and the surrounding area, as well as a documentation review of the technical reports prepared for the site and the Pyrenees Shire to form the basis of this assessment.

In preparing this report, Currie & Brown has considered the following key elements:

- The condition of the site;
- The site's context including the surrounding areas;
- The strategic objectives contained within the State and Local Planning Policy Frameworks; and
- The social, environmental and economic effects of the proposed rezoning.

### | Background

The site has been developed and used for the purposes of a depot and currently contains a brick, single-storey office, a portable office, shedding and vehicle storage. The land is Crown land and therefore it does not have a title. A Crown Grant, or title, will be lodged with the Titles Office after the land is sold.

### | Project Appreciation

The Department of Treasury and Finance are seeking to dispose of the former school site via a public sale process. A rezoning is sought to enable disposal to occur and it is not Government policy to sell land within the Public Use Zone. Given that the land is no longer required for a school, the public land zone is no longer appropriate for the site. Victorian Government Land Transactions Policy and Guidelines, April 2016 also states that 'an agency must not offer land for sale where the land is zoned for public purpose'. Therefore, in order for the site to be disposed of, a new zone will need to be introduced.

This project therefore involves the preparation and submission of an amendment request to the Fast Track Government Land Service.

The Victorian Government Landholding Policy and Guidelines 2015 (VGLP Guidelines) set out the policy framework and process for the purchase or retention of surplus land. Upon declaring the land surplus, 60 days' notice of the agency's intention to dispose of the land must be provided. During this period, any other State, Commonwealth or local government agencies may express an interest in acquiring the land. As there has been no interest from any other government agencies to purchase the land, the VGLP Guidelines require consideration of the 'highest and best use of the land' prior to public sale.

### | Methodology

Our approach in preparing this amendment and concurrent permit application request has involved the following tasks:

- Analyse the context of the site and the surrounding area;
- Examine the technical reports prepared for the site and meet with the relevant experts to gain a thorough understanding of the site condition and implications for future use options;

- Review the objectives and strategies of the State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement;
- Outline the deficiencies of the existing planning framework for the site and the surrounding area, and outline the benefits of the proposed planning framework;
- Review and assess the appropriate land zoning for the site;
- Review and address the social, environmental and economic impacts of the proposed rezoning;
- Seek to address the objectives of the relevant State Government agencies.

We believe that this methodology is sufficiently exhaustive to ensure that all key aspects for consideration are assessed.

## **| Consultation**

### **Pyrenees Shire**

Initial advice was provided by the Pyrenees Shire in a letter dated 22 July 2016. The recommendation with relation to the site included:

- Commercial 1 Zone to be applied considering the site's surrounding context, proximity to Beaufort's town centre, and the setback of buildings along Lawrence Street. This would also be consistent with Clause 21.05-2 of the Pyrenees Planning Scheme which seeks to confine Beaufort's commercial development ;
- The retention of the Heritage Overlay was supported;
- Any requirements stemming from environment auditing of the site including the application of an Environmental Audit Overlay if appropriate.

A meeting was held on 8 September 2016 with planning staff of the Pyrenees Shire.

The merits of the Commercial 2 Zone was discussed, including its ability to provide a range of commercial uses, the ability to provide a buffer to nearby sensitive uses, and its accordance with the directions of local planning policy and the Municipal Strategic Statement.

It was agreed that Council staff were satisfied the Commercial 2 Zone was an appropriate control for the location.

## 2 Subject Site and Surrounds

### 2.1 Subject Site

The site is located in the township of Beaufort, which is a regional centre located in the Central Highlands region of Victoria and more particularly in the Pyrenees Shire. The site has a rectangular shape and comprises one lot with an area of 2,015 square metres (refer to Figures 1 to 3).

The site is located at the north-western corner of Lawrence Street and Willoby Street with the following frontage

- 40.23 metre eastern frontage to Lawrence Street;
- 50.09 metre southern frontage to Willoby Street.

The site contains three main buildings including: a flat-roofed, single-storey brick office building located in the south-eastern corner, a metal-clad office building, and a large metal shed. In the north-western corner of the site features car parking canopies and smaller sheds.



Figure 1: The subject site and immediate surrounds.

## 2.2 Surrounds

The site is centrally located in the township to the north of the main retail centre and the Western Highway. The surrounding land uses are a mixture of commercial, public facilities and residential properties. This includes the Pyrenees Shire offices and town hall to the east while the western boundary abuts an ambulance station. Residential properties feature on the southern side of Willoby Street.

The northern interface includes the Beaufort Hotel at the intersection of Lawrence Street and Pratt Street. A residential dwelling is located to its west at 25 Pratt Street. The Beaufort Senior Citizens building at 27 Pratt Street sits alongside the north-western corner of the site.

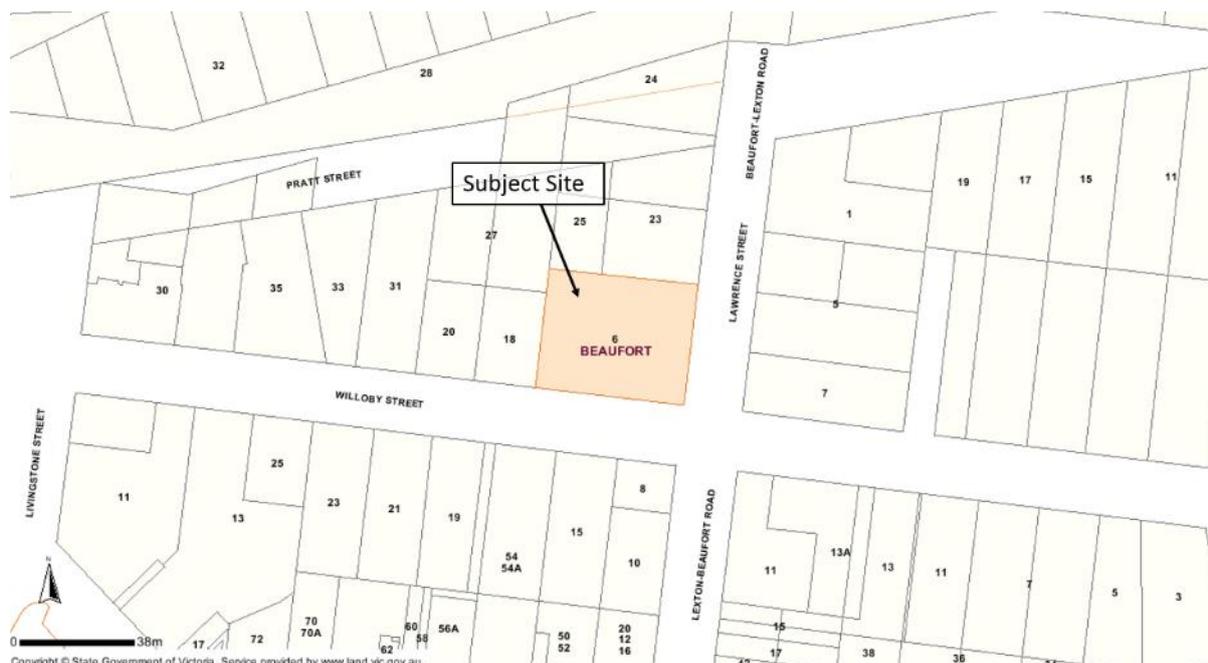


Figure 2: The lot pattern of the subject site and surrounds.

The commercial area of the township is located to the south of the site and generally fronts the Western Highway, approximately 125m to the south. Willoby Street also features restricted retail and accommodation uses. The Beaufort Railway Station is approximately 150m to the northwest of the subject site. This also features a bus interchange providing connections to surrounding centres.

The Beaufort Primary School and Beaufort Secondary College are located approximately 1.0 kilometre to the south of the subject site. Further to north-west still is a large conservation and resource area.

The Western Highway is an important east-west route for western Victoria, providing immediate connections to Ballarat as the largest regional centre, and further to Melbourne. Lawrence Street becomes the Beaufort-Loxton Road to the north providing links to Maryborough and Bendigo while as the Beaufort-Skipton Road it allows connections to the south. There is a good supply of on-street car parking in the location as well of off-street parking in Willoby Street.

Nearby amenities and services are listed in Figure 10 below:

Amenity / Service	Street Address	Distance
Beaufort Skipton Heath Service	North Western Road	250m S
Beaufort Primary School Beaufort Secondary College	Park Road	1km S
Beaufort Lake Caravan Park	Skipton Road	1km S
Camp Hill Recreation Reserve	Muntz Lane	300m N
Pyrenees Shire Council Offices	Lawrence Street	20m E
Beaufort Train Station	Pratt Street	150m NW
Beaufort Swimming Pool	Leichardt Street	350m SE
Western Highway	Western Highway (Neill Street)	125m S

Figure 3: Nearby Amenities and Services

## | Site Particulars

### Legal Description

As its Crown land, the property does not have a title. It is described as Allot. 14, Sec. 54, Township of Beaufort.

### Encumbrances, Caveats and Notices

The subject is not burdened by any known encumbrances, caveats or notices including covenants and 173 agreements.

The site is not subject to any known easements.

### Current Use and Improvements

The buildings on the site are mostly positioned on the eastern side of the lot.

## 3 Existing Planning Framework

### 3.1 Existing Zone

The site is currently zoned Public Use Zone 6 (Local Government). The purpose of the Public Use Zone is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To recognise public land use for public utility and community services and facilities.
- To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Under the Public Use Zone, an application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for a permit being made and to the proposed use and development.

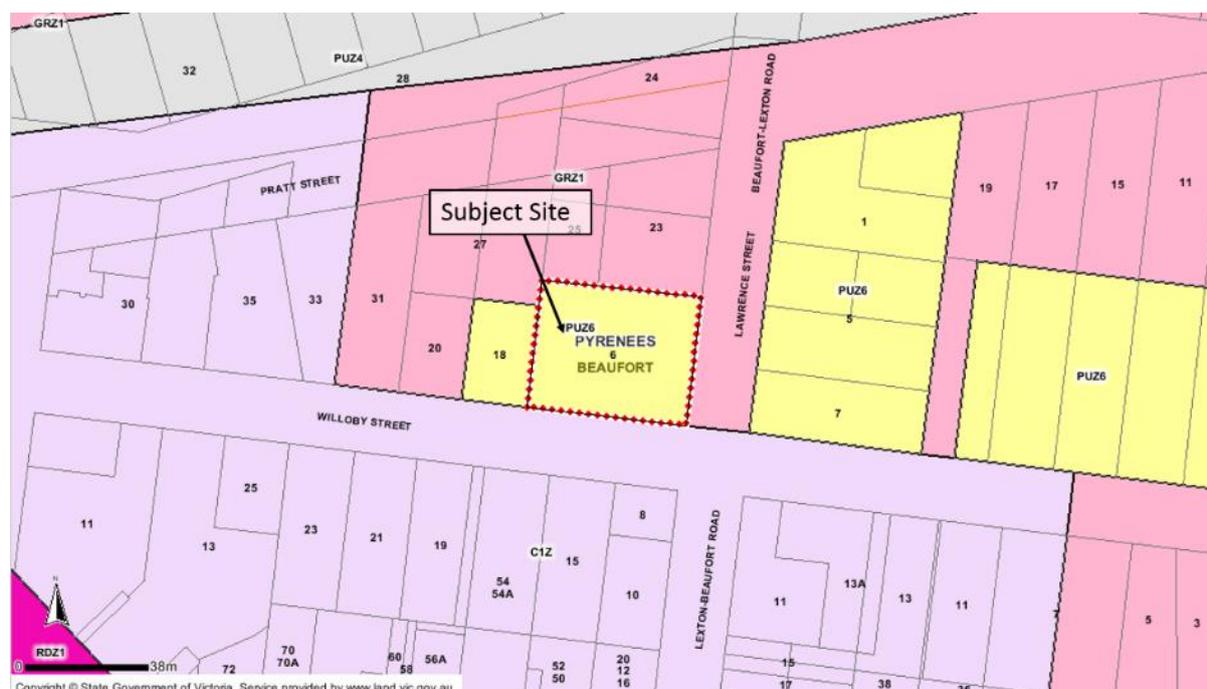


Figure 4: Zone Map (Source: land.vic.gov.au)

#### | Existing Overlays

The site is located within a Heritage Overlay (HO502 – Beaufort Township Heritage Precinct). The purpose of the Heritage Overlay is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.

- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

A permit is required to subdivide land, demolish or remove a building and construct a building or construct or carry out works.

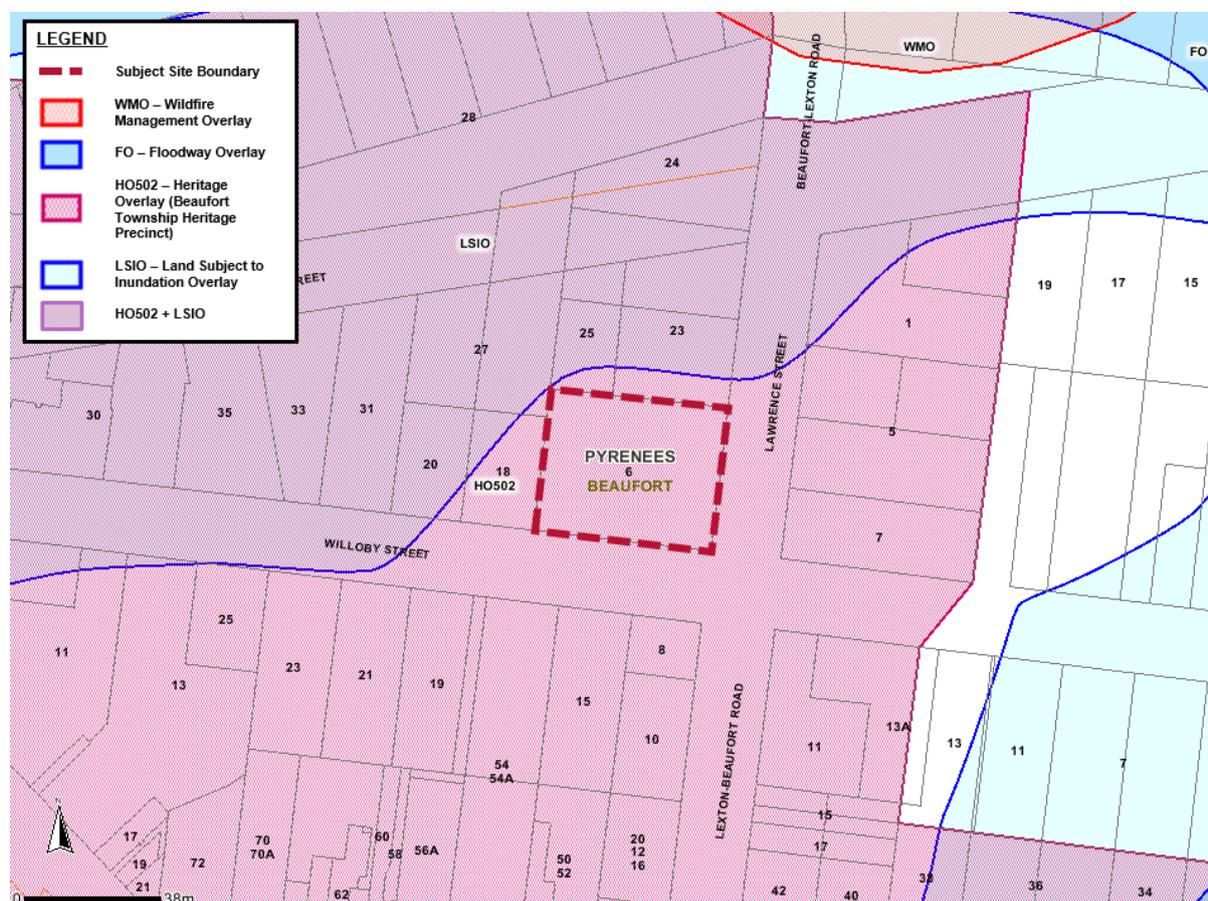


Figure 5: Heritage Overlay Map (Source: land.vic.gov.au)

Pyrenees Planning Scheme Amendment C39 was gazetted introducing a series of exemptions to HO502 and HO501 which applies to the Avoca township. These were introduced through a new Incorporated Document titled 'Pyrenees Planning Scheme Incorporated Plan, Planning Permit Exemptions to Heritage Overlay Precincts HO501 & HO502, February 2015' into the Schedule to Clause 81.01 to the Pyrenees Scheme.

The exemptions relate to minor works to residential properties including the development such as swimming pools, placement of business identification signage, and wooden picket fences on properties of local significance as well the construction of outbuildings that meet the condition requirements.

### | Existing Planning Framework Problems

The site is zoned Public Use 6 (Local Government), the purpose of which is to provide for public utilities and community services and facilities. Given that the land is no longer required for a depot, the zoning is too restrictive to enable non-public land uses to occur. Government Land Monitor policy also states that 'an agency must not offer land for sale where the land is zoned for public purpose'. Therefore, in order for the site to be disposed of, a new zone will need to be introduced.

## 4 Proposed Planning Framework

### 4.1 Proposed Zone for the Subject Site

As previously discussed, the current Public Use Zone is no longer appropriate given that the land is to be disposed of through public tender. In order for the land to be sold, a new zone must first be introduced.

A Commercial 2 Zone is now proposed to be applied to the site in its entirety. The purpose of the zone is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.
- To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses

The application of this zone in this location introduces the potential to establish varied commercial uses such as an office, warehouse or a motel, while providing a transition to surrounding residential uses. These types of commercial uses will be consistent with the former use.

#### | Applying the Commercial 2 Zone to the subject land

The following table provides a summary of the land uses that are 'as-of-right', permit required and prohibited under the Commercial 2 Zone

As of Right	Permit Required	Prohibited
<ul style="list-style-type: none"> <li>• Art gallery</li> <li>• Cinema (subject to meeting conditions)</li> <li>• Cinema based entertainment facility (subject to meeting conditions)</li> <li>• Food and drink premises (subject to meeting conditions)</li> <li>• Informal outdoor recreation</li> <li>• Mail centre</li> <li>• Office</li> <li>• Postal agency</li> <li>• Railway</li> <li>• Restricted retail premises</li> <li>• Shop (other than Adult sex product shop, Restricted retail premises and Supermarket) (subject to meeting conditions)</li> </ul>	<ul style="list-style-type: none"> <li>• Adult sex product shop (subject to meeting conditions)</li> <li>• Agriculture (other than Apiculture and Intensive animal husbandry)</li> <li>• Caretaker's house</li> <li>• Education centre</li> <li>• Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</li> <li>• Materials recycling</li> <li>• Motel</li> <li>• Place of assembly (other than Art gallery, Carnival, Cinema, Circus and Museum)</li> <li>• Residential hotel</li> <li>• Retail premises (other than Food and drink premises, Postal agency, Restricted retail)</li> </ul>	<ul style="list-style-type: none"> <li>• Accommodation (other than Caretaker's house, Motel and Residential hotel)</li> <li>• Hospital</li> <li>• Intensive animal husbandry</li> <li>• Major sports and recreation facility</li> <li>• Motor racing track</li> </ul>

<ul style="list-style-type: none"> <li>• Supermarket (subject to meeting conditions)</li> <li>• Trade supplies</li> <li>• Tramway</li> <li>• Warehouse (subject to meeting conditions)</li> <li>• Any use listed in Clause 62.01 (subject to meeting conditions)</li> </ul>	<p>premises, Supermarket and Trade supplies)</p> <ul style="list-style-type: none"> <li>• Supermarket – if the section 1 conditions are not met (subject to meeting conditions)</li> <li>• Transfer station (subject to meeting conditions)</li> <li>• Utility installation (other than Minor utility installation and Telecommunications facility)</li> <li>• Any other use not in Section 1 or 3</li> </ul>	
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Figure 6: Commercial 2 Use table

## | Summary of Benefits of Applying the Commercial 2 Zone

It is submitted that based on the above analysis, the Commercial 2 Zone provides an appropriate fit for the site. This is based on the following key findings:

- The Commercial 2 Zone provides for a range of uses on the subject site that will provide flexibility for a future purchaser. This will enable the site to achieve highest and best use and broaden the range of possible purchasers;
- The Zone provides adequate restrictions to ensure that any future development or uses will address and cater for the amenity of surrounding sensitive residential land;
- The purpose of the zone allows for offices, appropriate manufacturing and industrial and limited retail uses that do not affect the safety and amenity of adjacent, more sensitive uses; and,
- The uses permitted in the zone will provide an appropriate transition from the commercial precinct to the surrounding land in the General Residential Zone.

## | Application of the Commercial 2 Zone



Figure 7: Draft Zone Map

## | Proposed Overlays

No change to the overlay is proposed for the site.

## 5 State Planning Policy Framework

This section provides a summary of the relevant strategic policy context that has guided the preparation of the amendment request.

### Clause 9.01 Plan Melbourne

Where relevant, planning and responsible authorities must consider and apply the strategy Plan Melbourne 2017-2050: Metropolitan Strategy (Department of Environment, Land, Water and Planning 2017).

### Clause 10.04 Integrated decision making

Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social well-being affected by land use and development.

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However in bushfire affected areas, planning authorities and responsible authorities must prioritise the protection of human life over all other policy considerations.

Consistent with the objectives of local government under the Local Government Act 1989, municipal planning authorities are required to identify the potential for regional impacts in their decision-making and co-ordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

### Clause 11.01-1 Settlement networks

To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements”.

Key strategies include:

- Ensure regions and their settlements are planned in accordance with any relevant regional growth plan.
- Deliver networks of high-quality settlements by:
  - Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
  - Developing networks of settlements that will support resilient communities and the ability to adapt and change.
  - Balancing strategic objectives to achieve improved land-use and development outcomes at a regional, catchment and local level.
  - Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
  - Encouraging an integrated planning response between settlements within regions and in adjoining regions and states in accordance with the relevant regional growth plan.
  - Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
  - Improving transport network connections within and between regional cities, towns and Melbourne.

### **Clause 11.02-1 Supply of urban land**

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

### **Clause 11.02-2 Structure planning**

To facilitate the orderly development of urban areas.

### **Clause 11.02-3 Planning for growth areas**

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas.

### **Clause 11.02-4 Sequencing of development**

To manage the sequence of development in growth areas so that services are available from early in the life of new communities.

## **Clause 11.07 Regional Victoria**

### **Clause 11.07-1 Regional Planning**

To develop regions and settlements which have a strong identity, are prosperous and are environmentally sustainable.

Key Strategies include:

- Identify and assess the spatial and land use planning implications of a region's strategic directions in Regional Strategic Plans.
- Ensure regions and their settlements are planned in accordance with any relevant regional growth plan.

The Policy also includes a series of principles as follows:

- Support a network of integrated and prosperous regional settlements;
- Maintain and provide for the enhancement of environmental health;
- Maintain and enhance regional Victoria's competitive advantages;
- Respond to the impacts of climate change and natural hazards and promote community safety;
- Support the growth and development of distinctive and diverse regional settlements; and,
- Promote liveable regional settlements and healthy communities.

## **Clause 11.08 Central Highlands**

### **Clause 11.08-1 Planning for growth**

To plan for population growth in sustainable locations throughout the region.

### **Clause 11.08-2 A diversified economy**

To strengthen the region's economy so that it is more diversified and resilient.

### **Clause 11.08-3 Regional links**

To capitalise on the region's close links with other regions and cities.

### **Clause 11.08-4 Sustainable Communities**

To create sustainable and vibrant communities supported by enhanced access to key services.

Strategies include: Plan for growth by directing it to well serviced settlements with good access to Melbourne or Ballarat, particularly Bacchus March, Ballan, Creswick, Clunes, Beaufort and Smythesdale.

#### **11.08-5 A sustainable region**

To make the region more self-reliant and sustainable.

#### **11.08-6 Integrated Planning**

To integrate planning for growth with the provision of infrastructure.

#### **Clause 11.08-7 Environmental assets**

To manage, protect and enhance the region's land, soil, water, and biodiversity.

#### **Clause 11.08-9 Cultural heritage and landscapes**

To recognise the importance of cultural heritage and landscapes as economic and community assets.

#### **Clause 13.03-1 Use of contaminated and potentially contaminated land**

To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

#### **Clause 13.04-1 Noise abatement**

To assist the control of noise effects on sensitive land uses.

#### **Clause 15.01 Urban environment**

To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

#### **Clause 15.01-5 Cultural identity and neighbourhood character**

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

#### **Clause 15.02-1 Energy and resource efficiency**

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

#### **Clause 18.02-5 Car parking**

To ensure an adequate supply of car parking that is appropriately designed and located.

## 6 Local Planning Policy Framework

### | Municipal Strategic Statement

#### Clause 21.01 Pyrenees Shire Key Influences & Issues

Clause 21.01-2 acknowledges among the key influences the settlement pattern that distributes the shire's population in Beaufort and Avoca and the smaller townships and settlement as supporting the majority of the municipality's population.

Relevant key issues include:

Settlement, built environment and heritage

- The need to generate further employment opportunities.
- The maintenance of viable communities at times of static or low population growth.
- The retention of the established character and ethos of existing townships.
- The protection of the cultural and heritage assets of the Shire.

Environmental and landscape values & risks

- The protection and management of the Shire's natural resources and environment.

#### Clause 21.02 Strategic Vision

Clause 21.02-2 establishes the Strategic Framework Plan, which addresses the following matters:

- Areas where particular environmental outcomes are required including:
- Areas of environmental hazard (to which the Rural Conservation Zone has been applied).
- Areas to which Environmental Significance overlays have been applied.
- Low lying areas subject to inundation or drainage difficulty.
- General farming areas in which different subdivisional minimums and requirements relating to dwellings apply.
- Areas of inappropriate subdivision which should be restructured.
- Areas suitable for rural living.
- Areas of high suitability for the growing of wine grapes.

#### Clause 21.03 Settlement, Built Environment and Heritage

Clause 21.03-1 establishes settlement policies for the Shire including:

- To encourage the consolidation and enhancement of existing urban centres, through the provision of the widest possible range of services and facilities and the provision of a diverse range of housing types and lifestyle opportunities.
- To encourage new urban development which makes efficient use of existing physical and servicing infrastructure.
- To allow for urban expansion only in areas which have a suitability for specified uses and which represents an orderly extension of existing settlements and infrastructure.
- To ensure that a compatible relationship exists between residential and industrial uses, including the maintenance of appropriate environmental buffers.
- To establish strategies for the development of small townships and residential settlements that promote future consolidated growth and the provision of improved services and community facilities.

- To promote the retention of existing industries and employment uses and the attraction of new use and development which can take advantage of the Shire's natural and cultural resources.
- To encourage the maintenance and improvement of retail and commercial enterprises in the larger towns so as to provide the best possible levels of service to residents and visitors.
- To prepare and implement strategies for visual and landscape enhancement of townships, designed to enhance their inherent qualities and to help create a sense of "place" and unique identity. Particular emphasis should be given to roadside landscaping, and the creation of themed entrances on principal road approaches.

### **Clause 21.06 Local Areas**

Clause 21.06-1 establishes general land use strategy plans for Beaufort.

An identified strength and opportunity includes:

- An excellent range of community services and facilities and excellent accessibility via the Western Highway to Ballarat and Melbourne.
- A potential to accommodate more substantial residential development, ranging from conventional sized lots in the town itself, to low-density and rural residential lots on the periphery.

The objectives for Beaufort include:

- To maintain the town's existing function as the Shire's principal town.
- To development the town's role as a highway service centre.
- To retain Beaufort's character and sense of place.
- To manage environmental risks and land use conflicts.

Relevant policies directions include:

- Seek to achieve a more compact urban form.
- Confine commercial development (other than highway service facilities) to the existing commercial precinct.

Among the proposed implementation measures is the application of the Commercial 1 Zone to the existing business centre.

### **6.1 Local Planning Policies**

- No Local Planning Policy is applicable to this proposal.

## 6.2 Council's key strategic documents

### **| Pyrenees Shire Growth Strategy 2015-2018**

The Growth Strategy identified a series of strategies and actions to be undertaken in the 12 to 24 months after the plan's adoption to drive its implementation. These include:

#### Objective 1: Attract new residents, visitors and investment

Strategy 1 – Promote the benefits and opportunities in the Pyrenees Shire to attract new residents, visitors and investment.

Strategy 2 – Foster improvement of the Pyrenees Shires economic assets and local amenity.

#### Objective 2: Foster the capability of key economic sectors

Strategy 3 – Participate in regional industry development to grow the agriculture sector.

Strategy 4 – Foster increased capability and reputation of the local wine sector.

Strategy 5 Foster improved capability of the local tourism sector.

Strategy 6 – Leverage presence of the Langi Kal Kal and Hopkins correctional facilities.

Strategy 7 – Leverage opportunities in the renewable energy sector.

#### Objective 3: Develop local business and employee capability

Strategy 8 – Improve the sustainability of the local economy by fostering local business capacity.

Strategy 9 – Improve the capability of local residents to obtain employment.

This informs the Action Plan which includes a framework of strategic responses and actions. Actions proposed for Beaufort include:

2.3 Advocate for road infrastructure funding including local roads, the arterial road network, and for the construction of the Beaufort Bypass, and having regard to the importance of the road network in transporting goods to market.

2.4 Advocate to VicRoads to undertake an economic impact study regarding the Beaufort Bypass ahead of the completion of planning for the Bypass.

2.5 Advocate for the completion of a business case to support Government funding for the development of an improved water supply for Moonambel.

2.6 Implement the outcomes of the review of the Pyrenees Planning Scheme to support demand and population growth and incorporate the identification of:

- Opportunities for additional residential development in Beaufort and Avoca
- Opportunities for additional commercial space in Beaufort and Avoca
- Potential site(s) for a major agricultural processing/value adding operation

2.7 Seek government funding to support the development of industrial land in Avoca and Beaufort to stimulate investment and create jobs.

### **| Beaufort Walkability Plan, October 2015**

The plan seeks to improve the health and wellbeing of Beaufort residents through the review of current provision of infrastructure including gaps, documenting best practice, recommending actions, standards and priorities to improve current infrastructure.

The Former Primary School site is identified as a Formalised Pathway Gap. The plan identifies the site in its Medium Term Priorities (page 37), proposing the following actions:

2.5 Investigate future opportunities for pedestrian access through former Primary School Site, particularly if land is likely to be developed rather than kept as open space.

2.8 Investigate the opportunity for a new accessible safe crossing point on Neill Street from Apex Park to the Former Primary School site.

### **6.3 Other documents and considerations**

#### **| Plan Melbourne**

Plan Melbourne is a long-term plan to accommodate Melbourne's future growth in population and employment. It includes:

- 9 principles that underpin a long-term vision for Melbourne
- 7 outcomes to drive Melbourne as a competitive, liveable and sustainable city
- 32 directions setting out how these outcomes can be achieved
- 90 policies outlining how each outcome will be approached, delivered and achieved

Outcome 7 of the Plan is 'Regional Victoria is productive, sustainable and supports jobs and economic growth'. The following directions and policies will help achieve this outcome:

- Direction 7.1: Invest in regional Victoria to support housing and economic growth
  - Policy 7.1.1: Stimulate employment and growth in regional cities
  - Policy 7.1.2: Support planning for growing towns in peri-urban areas
- Direction 7.2: Improve connections between cities and regions
  - Policy 7.2.1: Improve transport and digital connectivity for regional Victoria
  - Policy 7.2.2: Strengthen transport links on national networks for the movement of commodities

The Plan also refers to Regional Growth Plans that are being developed across regional Victoria (the Central Highlands Regional Growth Plan being relevant to the subject site). These are to provide 20-30 year land use strategies and set out how each region can accommodate a greater share of the State's growth.

#### **| Central Highlands Regional Growth Plan (May 2014)**

The Central Highlands Regional Growth Plan (the Plan) is the strategic land use plan for the region to guide growth and change for the next 30 years. The plan covers the municipalities of Ararat, Ballarat, Golden Plains, Hepburn, Moorabool, and Pyrenees. The plan has been developed in partnership between local government and state agencies and authorities and reflects state and local government objectives. It is one of eight Regional Growth Plans being prepared for Victoria.

The Plan identifies:

- Where future development will be supported, assessed at a regional scale;
- Environmental, economic, community and cultural assets and resources of regional significance that should be preserved, maintained or developed;
- How the region can respond to opportunities, challenges and long-term drivers for change;
- Key regional priorities for future infrastructure planning and investment to support growth.

The Plan recognises challenges for growth will include: Development pressures in high amenity areas; Spreading the benefits of population growth; Realising employment growth; Changing

climate; and, Providing new services and infrastructure, and maintenance of existing services and infrastructure. The plan considers a wide range of land uses including agriculture, tourism and the protection of environmental assets, commercial and residential uses.

The Plan provides a vision for the region (how the region will be characterised in 2041) which is that the future of the Central Highlands region to 2030 and beyond to be a productive, sustainable and liveable region for its people. It also contains a set of regional planning principles to guide growth and change. These include:

- Population growth should be planned in sustainable location throughout the region.
- The region's economy should be strengthened so that it is more diversified and resilient.
- The region should capitalise on its close links with other regions and cities.
- The development of sustainable and vibrant communities should be supported by enhancing the level of access to key services/
- Land use patterns, development and infrastructure should make the region more self-reliant and sustainable.
- Planning for growth should be integrated with the provision of infrastructure.

The Plan recognises that the region has a diverse economy but main driver in the last decade had been population growth. Manufacturing, healthcare, finance, education and construction are leading sectors. Other important economic activities include retail trade, agriculture, professional services, transport, and public administration.

#### *Commercial development*

In terms of commercial land uses and development, the Plan lists the following future directions at page 20:

- Support commercial development in each settlement that is consistent with the role and function of that settlement within the region.
- Support commercial activity that will encourage economic self-sufficiency and reduce trade leakage to Melbourne.
- Support commercial development that reinforces the primacy of existing town centres.

Land use policies, strategies and actions for commercial development include:

- Encourage commercial services to be provided to settlements consistent with their role in the regional settlement network, taking into account relationships with other settlements within and outside the region.
- Support commercial land uses in designated locations in planning schemes and provide sufficient appropriately zoned land.
- Support the consolidation of prime commercial activities within existing town centres.
- Regularly review commercial land supply and demand in areas experiencing population growth to ensure that sufficient commercial zoned land is provided.
- Support the implementation of economic development strategies to strengthen commercial activity and enhance the quality of retailing in existing town centres.

#### **Beaufort**

Beaufort is listed as a town in the regional settlement framework plan. The future directions for Beaufort include:

- Support Beaufort as a town providing services in the Ballarat hinterland.
- Encourage residential growth to take advantage of existing services.
- Support local employment opportunities.

- **Plan for managing the opportunities and impacts associated with upgrades to the Western Highway.**

The Plan identifies that Beaufort's central location provide opportunities to commute to Ballarat and Ararat for employment and will be an attractive location for those working in local industries and retirees.

Residential development is to be encouraged to use existing services while having regard for environmental risks such as bushfire and flood. Infill development is to be encouraged with greenfield settlement to be directed to the west of the existing urban area. Local employment is to be protected and encouraged to limit reliance on surrounding settlements.

Land use policies, strategies and actions for Beaufort include:

- Retain and enhance services and facilities appropriate to servicing the local community.
- Provide for residential growth as required, including infill development and development to the west of Beaufort.
- Monitor the need for additional industrial land and undertake rezoning of land as required.
- Plan for a potential longer-term highway bypass of the town both in terms of a preferred route and in consideration of how to manage any impacts on employment, the existing road network and the character of the town.

**| Environmental Sustainability Strategy: A Vision for Pyrenees Shire 2011**

The Environmental Sustainability Strategy establishes a strategic operational framework for working towards environmental sustainability in Pyrenees Shire.

The Strategy contains a series of broad actions proposed to be implemented across the Council's operation. Relevant actions related to land use planning included, Develop and promote information for building in fire and flood zone areas.

## 7 Ministerial Directions

### | Direction No. 1- Potentially Contaminated Land

The purpose of this Direction is to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by any contamination. The direction applies to potentially contaminated land.

In preparing an amendment which would have the effect of allowing (whether or not subject to the grant of a permit) potentially contaminated land to be used for a sensitive use, agriculture or public open space, a planning authority must satisfy itself that the environmental conditions of that land are or will be suitable for that use.

Potentially Contaminated Land, is land used or known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of land). This practice note also deals with land that may have been contaminated by other means such as by ancillary activities, contamination from surrounding land, fill using contaminated soil or agricultural uses.

For land that has been identified as potentially contaminated land and where a planning permit application may allow potentially contaminated land to be used for a sensitive use, the SEPP (Prevention and Management of Contamination of Land) 2012 requires that the responsible authority seek a Certificate of Environmental Audit or a Statement of Environmental Audit indicating that the site is suitable for the proposed use.

The Direction requires planning authorities when preparing planning scheme amendments, to satisfy themselves that the environmental conditions of land proposed to be used for a sensitive use (defined as residential, child-care centre, pre-school centre or primary school), agriculture or public open space are, or will be, suitable for that use.

The implementation of this Direction is assisted by a Practice Note on Potentially Contaminated Land.

The purpose of this General Practice Note is to provide guidance for planners and applicants about:

- How to identify if land is potentially contaminated;
- The appropriate level of assessment of contamination for a planning permit scheme amendment or planning permit application;
- Appropriate conditions on planning permits;
- Circumstances where the Environmental Audit Overlay should be applied or removed.

Potentially contaminated land is defined in Ministerial Direction 1 as land used or known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of land).

The planning system is acknowledged as the primary means for regulating land use and development and is an important mechanism for triggering the consideration of potentially contaminated land.

The *Planning and Environment Act 1987* requires a planning authority when preparing a planning scheme or planning scheme amendment to 'take into account any significant effects, which it considers the scheme or amendment might have on the environment or which it considers the environment might have on any use or development envisaged in the scheme or amendment' (Section 12).

There are two forms of assessment that can be applied. These are:

- Require an environmental audit: a statutory audit undertaken by an environmental auditor under the Environment Protection Act 1970. The outcome is either a Certificate of Environmental Audit or a Statement of Environmental Audit.
- Require a site assessment: a preliminary review of the site history (including current and previous uses and activities) by a suitably qualified environmental professional.

Table 1 of the Practice Note lists the type of land uses that may have potential for contaminating land. High potential, medium potential and low potential land uses are listed. Council depots are listed in the high potential category.

The matrix in the follow table indicates the appropriate assessment level, based on proposed land use and current or historic land uses or activities carried out on the land. Including the land within a Commercial 2 Zone would result in a 'B' score for addressing potential contamination (requires a site assessment from a suitably qualified environment professional if insufficient information is available to determine if an audit is appropriate).

The Preliminary Environmental Site Assessment has been completed and confirmed that the risk of contamination is appropriately rated as C for the retail, office, industrial, or warehouse uses.

PROPOSED LAND-USE	POTENTIAL FOR CONTAMINATION (as indicated in Table 1)		
	High	Medium	Low
<i>Sensitive Uses</i>			
<i>Child care centre, pre-school or primary school</i>	A	B	C
<i>Dwellings, residential buildings etc.</i>	A	B	C
<i>Other Uses</i>			
<i>Open space</i>	B	C	C
<i>Agriculture</i>	B	C	C
<i>Retail or office</i>	B	C	C
<i>Industry or warehouse</i>	B	C	C

**A:** *Require an environmental audit as required by Ministerial Direction No. 1 or the Environmental Audit Overlay when a planning scheme amendment or planning permit application would allow a sensitive use to establish on potentially contaminated land.*  
*An environmental audit is also strongly recommended by the SEPP where a planning permit application would allow a sensitive use to be established on land with 'high potential' for contamination.*

**B:** *Require a site assessment from a suitably qualified environmental professional if insufficient information is available to determine if an audit is appropriate. If advised that an audit is not required, default to C.*

**C:** *General duty under Section 12(2)(b) and Section 60(1)(a)(iii) of the Planning and Environment Act 1987.*

Figure 8: Assessment Matrix

### | Direction No. 11 Strategic Assessment of Amendments

The purpose of this Direction is to ensure a comprehensive strategic evaluation of an amendment and the outcomes it produces.

In preparing an amendment a planning authority must evaluate and include in the explanatory report a discussion about how the amendment addresses the following strategic considerations:

- Why is an amendment required?
- How does the amendment implement the objectives of planning in Victoria?
- How does the amendment address any environmental effects?
- How does the amendment address any relevant social and economic effects?
- Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

- How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?
- How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?
- Does the amendment make proper use of the Victoria Planning Provisions?
- How does the amendment address the views of any relevant agency?
- Does the amendment address the requirements of the Transport Integration Act 2010?

A response to these ministerial directions is provided in Section 8.

## 8 Justification for amendment

### | Why is an amendment required?

The subject site has been declared as being surplus to the government's operating requirements and is therefore required to be disposed. The Victorian Government Land Transactions Policy and Guidelines, April 2016 states that 'an agency must not offer land for sale where the land is zoned for a public purpose'. Given that the land is currently zoned Public Use Zone Schedule 6 (Local Government), it must therefore be rezoned prior to disposal.

### | How does the amendment implement the objectives of planning in Victoria?

The amendment ensures that the objectives of planning in Victoria are met by providing for the fair, orderly, economic and sustainable use of the land by including the site in the most appropriate zone.

The amendment implements the planning objectives in Victoria as set out in Section 4(1) of the Planning and Environment Act 1987 by:

- Providing for the fair, orderly, economic and sustainable use and development of the land

The amendment implements this objective by including the site in the most appropriate zone that will enable the site to be used to its full potential. This will be achieved through providing a zone that can facilitate development and land uses that are encouraged to provide for the ongoing economic stability of the township and region.

- Protecting natural and man-made resources, ecological processes and genetic diversity.

The amendment will not impact significant flora and fauna habitats. The amendment proposes to rezone land that is significantly altered from its natural state. The site is generally cleared and has limited constraints, enabling an appropriate development to be constructed.

- Securing a pleasant, efficient, safe working, living and recreational environment.

The amendment will facilitate a future development that will be consistent to the planning scheme controls and policy objectives relating to amenity. The site is sufficient in size to mitigate off-site amenity impacts. The site is readily and safely accessible to public transport, private vehicles, pedestrians and bicycles.

- Conserving and enhancing places of historic interest and cultural value

The subject site is not identified as having historical interest or cultural value. The amendment is consistent to this ideal.

- Protecting and enabling the orderly provision and coordination of public utilities and other facilities

The amendment will allow for an appropriate commercial development that is able to be connected to existing infrastructure and will not exceed the capacity of existing infrastructure.

- Facilitating development in accordance with the above objectives

The amendment will facilitate the construction of a small commercial development that is consistent with each of the above objectives.

- Balancing the present and future needs of all Victorians

The amendment will ensure that the planning controls are sufficiently flexible to respond to a need to provide land for commercial development and land uses. The amendment will enable a wide range employment generating land uses, which will make appropriate use of the unique opportunities presented by the site.

**| How does the amendment address the environmental effects and any relevant social and economic effects?**

**Environmental Effects**

The amendment request to rezone the site Commercial 2 will have no adverse effects on the environment. The site is located within an existing urban area within the Beaufort township boundaries and will therefore support further development consistent to the new zoning.

While there is a sparse coverage of vegetation at the site, the vegetation does not have a high retention value and does not contribute to the diversity of the area in terms of flora and fauna. The vegetation does not consist of large trees with a high amenity value.

**Potential Contamination**

A Preliminary Environmental Site Assessment by Prensa in December 2016 has been completed on the site. It confirmed that a fuel bowser and underground storage tank were previously located on the site but have been removed. Preliminary soil testing did not identify a prohibitive contamination risk but the elevated concentrations of lead found would require additional works to allow a sensitive or open space use.

No Environmental Audit Overlay is required as the site will not be used for open space and proposed zone does not allow for any ongoing permanent residential occupation.

**Social Impact**

The rezoning of the land is considered to pose a neutral social impact to the township. The site has not been identified as having social or heritage significance. The relatively small site has mostly non-sensitive interfaces. As the land is currently occupied by buildings with minimal architectural merit that do not positively contribute to the current urban fabric.

While a development at the site is not proposed, rezoning the land will facilitate the eventual redevelopment of the property. Inclusion of the land within a Commercial 2 Zone will mean that all new buildings will require a planning permit. This will provide Council with the ability to control development at the site to ensure that it is respectful of neighbourhood character.

In terms of introducing new uses to the land, while it is acknowledged that a purpose of the Commercial 2 Zone does support broad range of uses including office, appropriate manufacturing and industries, bulky goods retailing, this is occur in a manner that does not affect the safety and amenity of adjacent, more sensitive uses. While the surrounds of the site feature a mixture of uses, there are nearby residential properties which can be properly considered through the planning permit process.

**Economic Benefits**

The proposed amendment seeks to facilitate additional supply of Commercial Zone land, which will have a positive impact on the economy of Beaufort and the surrounding region. Clause 22.04 of the Pyrenees planning scheme seeks *“To encourage the consolidation and enhancement of existing urban centres, through the provision of the widest possible range of services and facilities and the provision of a diverse range of housing types and lifestyle opportunities”*.

The subject site is located to the north of Beaufort’s commercial centre approximately 125 metres from the Western Highway. The Pyrenees Shire Growth Strategy 2015-2018 includes among its measure, a review of the Pyrenees Planning Scheme to support demand and population growth through the identification of additional commercial space in Beaufort.

The Central Highlands Regional Growth Plan (May 2014) includes “support local employment opportunities” among its policy directions for Beaufort.

The site is considered to be appropriately located for a commercial enterprise to make use of its proximity to the Western Highway and the visible location on Lawrence Street as a north-south route to other centre. The site is modest in size meaning it has lesser capability for use by larger enterprises associated with generating large volumes of traffic and other amenity impacts. It is likely that the site will be used for a small operation that provides appropriate services for other businesses or residential within in the township.

#### **| Does the amendment address relevant bushfire risk?**

The subject site is located within the urban area of Beaufort and is not in a Designated Bushfire Prone area pursuant to DELWP mapping. While there are substantial areas of vegetation that could fuel a bushfire that surround the township, there is a clear division between these areas and the sparsely vegetated urban area. The amendment will not facilitate an unacceptable risk to human life and is consistent with State Policy in this regard (particular reference is given to clause 13.05-1 – Bushfire Planning).

It is noted that the subject site and immediate surrounding urban area has not been identified as requiring specific protection measures to address bushfire threat. For example, the land is not included in a Bushfire Management Overlay (BMO), which provides specific protection measures for subdivision and buildings and works to ensure that risk to life can be reduced to an acceptable level. The closest land included in the BMO is to the north of Pratt Street, approximately 100 metres north of the subject site.

It is submitted that there is adequate separation between the subject site and land recognised as containing vegetation that could fuel a bushfire. It is further noted that a commercial use will have a lower level of risk. On this basis there is no need for additional protection measure to be applied to the land. It is considered that the application appropriately addresses bushfire risk.

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

##### **Ministerial Direction 11**

Ministerial Direction No.11 (Strategic Assessment of Amendments) is the relevant Minister's Direction with regard to the proposed amendment. This section of the report outlines the proposed amendment's compliance with the Strategic Assessment Guidelines. The amendment documents also comply with the Ministerial Direction on the Form and Content of Planning Schemes.

##### **Ministerial Direction 1**

Also relevant is Ministerial Direction 1 (Potentially Contaminated Land). The purpose of the Direction is ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by any contamination.

Table 1 of the *Potentially Contaminated Land Practice Note* lists the type of land uses that may have potential for contaminating land. Council depots are listed in the high potential category. The assessment matrix in the Practice Note indicates that including the land within a Commercial 2 Zone would result in a 'B' score for addressing potential contamination. This score requires a site assessment from a suitably qualified environment professional if insufficient information is available to determine if an audit is appropriate. If advised that an audit is not required, a default to 'C' occurs.

The Preliminary Environmental Site Assessment has been completed and confirmed that the risk of contamination is appropriately rated as C for the retail, office, industrial, or warehouse uses.

### **| How does the amendment support or implement the State Planning Policy Framework?**

The amendment will increase the supply of land available for commercial use and development in Beaufort. This will help to ensure that business development and resultant employment opportunities continue to grow in the township and municipality. Both State policy and regional strategies recognise the importance that the industrial sector plays in providing ongoing employment opportunities and economic sustainability within regional Victoria. A strategy of Clause 11.06-2 (A diversified economy) includes “Support growth through the development of employment opportunities in towns identified for population growth”.

The Amendment will achieve an appropriate balance between the various needs and expectation of society in terms of their economic, environmental and social well-being. The Amendment will provide economic benefits to the community and will promote the sustainable growth of Beaufort. This will not occur at the unreasonable expense of the environment and the social fabric of the community.

The Amendment will not pose an unreasonable impact to the environment. The site does not contain flora and fauna habitat that is of high retention value. The site has been historically used for industrial type uses that are consistent to the operation of a depot. The Amendment retain the urban nature of the land use and will primarily serve to enable a private owner to purchase the site and continue/establish commercial use.

The Amendment will not pose an unacceptable threat to the social fabric of the Beaufort community. The land is considered to be appropriately located to be included in the Commercial 2 Zone. It is again noted that the subject site is currently being used for industrial type uses and the Amendment will only serve to enable a private entity to purchase and use the land.

While it is acknowledged that there are residences in close proximity to the site, it is submitted that the Commercial 2 Zone requires ample consideration for the amenity of surrounding sensitive land uses. This is specifically referenced in one of the Purposes of the zone: “To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses”.

### **| How does the amendment support or implement the Local Planning Policy Framework?**

The amendment will provide additional commercial land, which is supported by local planning policy. This includes in Clause 21.01 (General Policies) that “*local employment opportunities should be developed, in particular through value adding to local product*”.

The policy directions of Clause 22.04 applicable to the Amendment includes:

- To encourage the consolidation and enhancement of existing urban centres, through the provision of the widest possible range of services and facilities and the provision of a diverse range of housing types and lifestyle opportunities.
- To encourage new urban development which makes efficient use of existing physical and servicing infrastructure.
- To promote the retention of existing industries and employment uses and the attraction of new use and development which can take advantage of the Shire’s natural and cultural resources.
- To encourage the maintenance and improvement of retail and commercial enterprises in the larger towns so as to provide the best possible levels of service to residents and visitors.

The Amendment will provide local employment opportunities in Beaufort consistent with Clause 22.05.

As previously discussed, the subject site is relatively small in size at 2,000 square metres meaning that a large commercial operation will not be possible, instead more contained

commercial enterprises are expected. However, there is sufficient space on the site to allow a design response to appropriately respect nearby sensitive uses.

### **| Does the amendment make proper use of the Victorian Planning Provisions?**

The amendment makes use of the most appropriate Victoria Planning Provision (VPP) tool for the facilitation of Industrial land uses and development at the site. The Commercial 2 Zone provides an appropriate fit for the site for the following reasons:

- The Commercial 2 Zone provides for a range of uses at the subject site that will provide flexibility for a future purchaser;
- The Zone provides adequate restrictions to ensure that any future development or uses will address and cater for the amenity of surrounding sensitive residential land;
- Given the proximity to surrounding residential development, any application for buildings and works will be capable of being notified publicly if it is deemed that the application will cause material detriment;
- Both State policy and regional strategies recognise the importance of developing local employment opportunities for communities.

The amendment does not seek to apply any additional VPP tools (such as overlays) to the site.

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

#### **Pyrenees Shire Council**

Initial advice was provided by the Pyrenees Shire in a letter dated 22 July 2016. The recommendation with relation to the site included:

- Commercial 1 Zone to be applied considering the site's surrounding context, proximity to Beaufort's town centre, and the setback of buildings along Lawrence Street. This would also be consistent with Clause 21.05-2 of the Pyrenees Planning Scheme which seeks to confine Beaufort's commercial development ;
- The retention of the Heritage Overlay was supported;
- Any requirements stemming from environment auditing of the site including the application of an Environmental Audit Overlay if appropriate.

A meeting was held on 8 September 2016 with planning staff of the Pyrenees Shire.

The merits of the Commercial 2 Zone was discussed, including its ability to provide a range of commercial uses, the ability to provide a buffer to nearby sensitive uses, and its accordance with the directions of local planning policy and the Municipal Strategic Statement.

It was agreed that Council staff were satisfied that the Commercial 2 Zone was an appropriate control for the location.

#### **Department of Employment, Land, Water and Planning DELWP)**

The Department will provide strategic and statutory input into the amendment process and its merits. DELWP's role will be to make recommendations to the Minister for Planning on whether the amendment should be approved

#### **Department of Economic Development, Jobs, Transport and Resources**

The views of Public Transport Victoria will be considered during the amendment process.

#### **Country Fire Authority**

The views of the Country Fire Authority will be considered during the amendment process.

**| Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment will not create a significant impact on the existing transport system as defined by Section 3 of the Transport Integration Act 2010. The amendment will facilitate a commercial development that will be readily accessible to the surrounding neighbourhood due to its close proximity to the Western Highway that provide road links to the major regional centres towns in the area as well as Melbourne and Adelaide. The site is also close to the Beaufort Train Station and the adjacent bus interchange.

Appreciable increases in private vehicle traffic volumes are not expected as a result of the amendment. This is particularly given that a small commercial development could be expected to generate a similar amount of vehicle movements to the previous depot use. Further, any car parking and traffic impacts of a future development will be capable of being assessed and addressed at any future planning permit stage.

It is noted that the provisions of Division 2 (Transport System Objectives) and Division 3 (Decision Making Principles) of the Transport Integration Act 2010 have been extensively considered in the formulation of the amendment.

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

It is expected that the new planning scheme provisions will have a limited impact on the resource and administrative costs of the Pyrenees Shire. Council planning officer resources will be required to assess and implement the amendment, as well as future planning permit applications for development of the site in accordance with the statutory controls. However, the resource and administrative costs to council will not be in excess of the costs typically associated with planning scheme amendments.

## 9 Conclusion

### | Conclusion

The Department of Treasury and Finance have engaged Currie & Brown (Australia) to provide a strategic town planning assessment to support a request to rezone the former DELWP depot site at 6 Lawrence Street, Beaufort (Crown Allotment 14A, Section 54, Beaufort) from the Public Use Zone 6 (Local Government) to the Commercial 2 Zone.

Currie & Brown has undertaken detailed inspections of the site and the surrounding area, as well as a documentation review Pyrenees Shire policies to form the basis of this assessment.

Our review has found that:

- The site centrally located within the township adjacent to the north of the Beaufort Commercial precinct. The site is approximately 125 metres from the Western Highway and 125 metres from the Beaufort train station and 150 metres from the vegetated public reserve beyond the township boundaries. The site has a rectangular shape, and is comprised of one allotment with a total area of approximately 2,000sqm.
- The site has been historically used as a DELWP depot and contains buildings consistent to this type of operation including an office and shedding.
- The site has been declared as being surplus to the government's operating requirements and is therefore required to be disposed. The Victorian Government Land Transactions Policy and Guidelines, April 2016 states that 'an agency must not offer land for sale where the land is zoned for a public purpose'. Given that the land is currently in the Public Use Zone, a rezoning is required before a disposal can take place.
- The amendment request is based on a number of technical assessments that confirm and demonstrate the need for additional Commercial Zoned land within the Beaufort township and the appropriateness of applying this zone to the subject land.
- The amendment will support and implement the SPPF and LPPF by facilitating the redevelopment of a strategic redevelopment site which is accessible to the town's commercial area, transport options and employment areas. The site is in a single ownership, has limited constraints and is of an appropriate scale to provide a meaningful contribution to the town's industrial land.
- The amendment will not have any negative environmental, social or economic impacts and will result in a net community benefit.

### | Request

Having regard to the detailed strategic justification outlined in this report and discussions with Council, it is respectfully requested that the proposed amendment to rezone the site to Commercial 2 be considered on the following grounds:

- The Commercial 2 Zone provides for a range of uses on the subject site that will provide flexibility for a future purchaser. This will enable the site to achieve highest and best use and broaden the range of possible purchasers;
- The Zone provides adequate restrictions to ensure that any future development or uses will address and cater for the amenity of surrounding sensitive residential land;
- The purpose of the zone allows for offices, appropriate manufacturing and industrial and limited retail uses that do not affect the safety and amenity of adjacent, more sensitive uses; and,
- The uses permitted in the zone will provide an appropriate transition from the commercial precinct to the surrounding land in the General Residential Zone.

## Appendices

## Appendix A – Site Photos



*Figure 9: Subject site viewed from Lawrence Street.*



*Figure 10: The subject site's Willoby Street frontage.*



*Figure 11: An ambulance station abuts the subject site to the west.*



*Figure 12: Pyrenees Shire buildings to the east of the site.*



*Figure 13: The Beaufort Hotel abuts the northern boundary of the site.*



*Figure 14: Views across the residential property at 25 Pratt Street to the subject site.*



*Figure 15: The Beaufort Senior Citizens centre at 27 Pratt Street.*