

Crown Allotment 13A Section 13, St Arnaud. Rezoning Proposal

Department of Treasury and
Finance

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Appendix 1: Title

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Document History

Date	Version	Comments
10/06/14	1	First Draft
25/07/14	2	Final
01/12/15	3	Revised Final

1. Executive Summary

Sweett Group has been engaged by the Department of Treasury and Finance to prepare a strategic town planning assessment to outline and provide justification for the proposed rezoning of the former DELWP Depot site located on the corner of Wills and Brundenell Streets in St Arnaud (Crown Allotment 13A, Section 13, St Arnaud). The relevant planning scheme is that of Northern Grampians Shire.

The purpose of the proposed Amendment is to rezone the subject site, which is defined by the red shading in Figure 1 below, from the Public Use Zone 7 (Other Public Use) to the Industrial 1 Zone. The land subject to the rezoning comprises 4,000sqm and contains the former DELWP depot buildings. The site is now surplus to DELWP's operational needs and this Amendment is made to support its disposal.

Sweett Group has undertaken detailed inspections of the site and the surrounding area, and has reviewed the Northern Grampians Planning Scheme, Council's strategic documents, technical reports – consulted with Council, the Department of Planning and Community Development (DPCD-now DELWP) and relevant authorities – to form the basis of this application.

In preparing this report, Sweett Group has considered the following key elements:

- The condition of the site and its context;
- The State and Local Planning Policy Frameworks;
- Relevant strategies;
- The social, environmental and economic effects of the proposed rezoning.

The amendment request is based on a number of technical assessments that confirm and demonstrate that industrial growth is essential for the ongoing economic stability of the St Arnaud township and the Northern Grampians municipality. This provides the necessary impetus for applying the Industrial 1 Zone to the subject land.

The amendment will support and implement the SPPF and LPPF by facilitating the redevelopment of a strategic redevelopment site that is located on the fringe of the township and 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.

Having regard to the detailed strategic justification outlined in this report, it is respectfully requested that Council consider this amendment request and include the land in the Industrial 1 Zone.

2. Introduction

The Department of Treasury and Finance have engaged Sweett Group (Australia) to provide a strategic town planning assessment to support a request to rezone the former DELWP depot site from the Public Use Zone 7 (Other Public Use) to the Industrial 1 Zone.

Sweett Group 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 Northern Grampians Shire to form the basis of this assessment.

In preparing this report, Sweett Group 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.

1.1 Background

The site has been developed and used for the purposes of a depot and currently contains a large workshop building and three sheds. 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.

1.2 Project Appreciation

The Department of Treasury and Finance are seeking to dispose the former DELWP depot site via a public sale process. A rezoning is sought to enable disposal to occur. 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.

This project therefore involves the preparation and submission of an amendment request to Northern Grampians Council.

1.3 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.

1.4 Consultants

This strategic planning assessment has been prepared with the assistance of:

- Connolly Environmental: Environmental Site Assessment, January 2014.

1.5 Consultation

Northern Grampians Shire

A meeting was held on 15 July 2014 with Robert Newbury and Jodie Senior, planning staff of the Northern Grampians Shire, at which the following advice was provided:

- General support for the amendment and inclusion of the land in the Industrial 1 Zone;
- It was recognised that the land currently does not have title;
- The need of a future development to meet neighbourhood character objectives and result in appropriate amenity impacts was identified.

Council at its meeting on 6 October 2014 resolved to make application to the Minister for Planning to obtain authorisation to prepare an amendment to rezone the land.

Department of Transport, Planning and Community Infrastructure (now DELWP)

Initial comments were received from Euan McColl, DTPLI Ballarat (now DELWP) who advised that:

- DTPLI (DELWP) would be generally guided by Council in the matter of the rezoning;
- DTPLI (DELWP) would be comfortable with the rezoning amendment proceeding through a normal amendment process to enable adjoining residents to have a say about Industrial land adjoining residential areas.

3. Subject Site and Surrounds

3.1 Subject Site

The site is located in the township of St Arnaud, which is a regional centre located in the Central Highlands Region of Victoria and more particularly in the Northern Grampians Shire. The site has a rectangular shape and comprises one lot with an area of 4,000 square metres (refer to Figure 1 and 2).

The site is located on the eastern side of Wills Street and has the following street frontages:

- 90 metre northern frontage to Brudenell Street;
- 90 metre southern frontage to Sawbench Lane (location of vehicle access); and
- 44 metre western frontage to Wills Street.

The site contains a large workshop building and three shed buildings associated with the former depot. There is vegetation coverage that comprises small trees and shrubs that are particularly concentrated in the western part of the site. The land is relatively flat and is orientated on a north-west to south-east axis.



Figure 1: The subject site

3.2 Surrounds

The site is located on the south-eastern fringes of the township. Further to the north is an area of bushland (the St Arnaud Recreation Reserve).



Figure 2 - Location Plan (Source: streetdirectory.com)

The surrounding land is mainly occupied by residential uses. However, there are a number of other uses including a Council operated depot located opposite the site to the north. To the south of the site is a large lot that contains shedding (refer to figure 3 below).



Figure 3: Property to the south containing shedding

The commercial area of the township is located to the south of the site and generally fronts Napier and Inkerman Streets. The town's community facilities include the St Arnaud sports oval, tennis club and lawn bowling greens.

The St Arnaud Hospital and Secondary College are located approximately 1.0 kilometre to the north-west of the subject site. Further to north-west still is a large conservation and resource area.

The Sunraysia Highway is located 100 metres to the south-west of the site (this section is called Kings Avenue). This road provides an important north-south route for western Victoria. The St Arnaud Train Station is located 500 metres to the south-west of the site.



Figure 4: Relocatable housing located along Wills Street with track visible travelling along Sunraysia Highway in the left of photo

Nearby amenities and services are listed in Figure 2 below:

Amenity / Service	Street Address	Distance
St Arnaud Hospital	North Western Road	1.8km NW
St Arnaud Secondary College	Smith Street	1.6km NW
St Arnaud Caravan Park	Mill Street	1.0km NW
St Arnaud Recreation Reserve	Millett Street	300m NW
Conservation and Resource Area	Sunraysia Highway	2.0km NW
St Arnaud Train Station	Queens Avenue	500m SW
Race club	Dunston Street	800m SW
Area school	Dundas Street	750m SW
Sunraysia Highway	Sunraysia Highway	100m W

Figure 5 - Nearby Amenities and Services

3.3 Site Particulars

Legal Description

The site is Crown land and currently does not have a title. The land is more particularly known as Crown Allotment 13A, Section 13, St Arnaud.

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 subject site is currently developed with a workshop and three sheds. There is a sparse covering of vegetation, which is mainly located in the eastern region of the site.



Figure 6: The subject site with current buildings identifiable

Access to the site is provided from Saw Bench Lane that runs along the southern boundary of the site. DTF are currently in negotiations with Council over whether this land will become a road or not.

There is an open earthen drain that runs along the south-west property boundary. This leads to a side entry pit located in Wills Street and the drainage pipe that runs along this road.

A sewer main is located within Saw Bench Lane that can be used to service the site. Water mains run along Wills Road.

Environment Site Assessment

An Environmental Site Assessment was undertaken for the subject site by Connolly Environmental (January 2014). The key findings of the site assessment were:

- Potentially contaminating activities at the site were considered to include mechanical works within buildings, the storage use and disposal of fuels and the possible use of imported fill material during the site development and backfilling of former UST excavation.
- The potential contaminants associated with these activities were identified as TPH, MAH, PAH, heavy metals, phenols and organochlorine pesticides;
- No concentrations of potential contaminants of concern were reported above the adopted criteria for maintenance of ecosystems with the exception of zinc in the southeast of the site, which at two locations were above NEPM EILs for commercial/industrial land use and at four locations was above NEPM EILs for low density residential land use.
- No concentrations of potential contaminants of concern were reported above the adopted human health criteria for commercial/industrial land use or low density residential land use;
- Concentrations of zinc above adopted ecological assessment criteria were considered to pose a low risk to ecosystems in the context of ongoing industrial use at the site, however were considered a potential risk to ecosystems in a low density residential scenario. Further investigations should be undertaken if gardens or home produce are proposed in the area;
- Given the likely presence of asbestos within fibro cement sheeting identified in the large workshop building in the south east of the site, an asbestos audit should be undertaken by a qualified hygienist prior to any demolition of the buildings at the site and disposal of asbestos should be undertaken in accordance with EPA guidelines.

4. Existing Planning Framework

4.1 Existing Zone

The site is currently zoned Public Use Zone 7 (Other public use). The purpose of the Public Use Zone is 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 7 - Zone Map (Source: Northern Grampians Planning Scheme)

4.2 Existing Overlays

The site is not included in a planning scheme overlay.

4.3 Existing Planning Framework Problems

The site is zoned Public Use, 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.

5. Proposed Planning Framework

5.1 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.

An Industrial 1 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 provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

The usual application of the zone is to land on the periphery of townships between residential land and areas used for agricultural production or environmental conservation. The zone supports business investment and industry providing for mix of industry and therefore benefits from a location near to transport linkages.

5.2 Applying the Industrial 1 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 Industrial 1 Zone

As of Right	Permit Required	Prohibited
<ul style="list-style-type: none"> • Industry (subject to meeting conditions) • Home occupation • Warehouse (subject to meeting conditions) • Place of worship • Informal outdoor recreation 	<ul style="list-style-type: none"> • Caretakers house • Convenience shop • Education centre • Materials recycling • Office • Place of assembly • Restricted retail premises • Retail premises (other than shop) 	<ul style="list-style-type: none"> • Accommodation (other than Caretaker's house) • Hospital • Shop (other than adult bookshop, convenience shop and restricted retail premises)

Figure 8 - Industrial 1 Zone Use Table

Summary of Benefits of Applying the Industrial 1 Zone

It is submitted that based on the above analysis, the Industrial 1 Zone provides an appropriate fit for the site. This is based on the following key findings:

- The Industrial 1 Zone provides for a range of uses at 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;
- 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;
- There is currently a recognised shortage of Industrial 1 Zoned land within the township and the application will therefore address this supply shortage (this is discussed in more detail in subsequent sections of this report);
- While zinc has been found at the site, concentrations above adopted ecological assessment criteria were considered to pose a low risk to ecosystems in the context of ongoing industrial use at the site, however were considered a potential risk to ecosystems in a low density residential scenario.

5.3 Application of the Industrial 1 Zone



Figure 9 – Location of Proposed Zone

5.4 Proposed Overlays

No overlay is proposed for the site.

6. 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 Interpretation

Where relevant, planning and responsible authorities must consider and apply the strategy Plan Melbourne: Metropolitan Strategy (Department of Transport, Planning and Local Infrastructure, 2014).

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.

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 11.02-1 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 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 11.02-3 Structure planning

To facilitate the orderly development of urban 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 11.04-6 A State of cities

To maximise the growth potential of Victoria by developing a state of cities, which delivers choice, opportunity and global competitiveness. Rebalance Victoria's population growth from Melbourne to rural and regional Victoria and integrate metropolitan, peri-urban and regional planning implementation.

Clause 11.05-1 Regional settlement networks

To promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan. The nearest town identified on the plan is Horsham, which is a regional city where growth in the region is promoted.



Figure 10 – Regional Victoria Settlement Framework plan

Clause 11.05-3 Rural productivity

To manage land use change and development in rural areas to promote agricultural and rural production.

Clause 11.05-4 Regional planning strategies and principles

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

Clause 11.06-4 Sustainable Communities

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

11.06-5 A sustainable region

To make the region more self-reliant and sustainable.

11.06-6 Integrated Planning

To integrate planning for growth with the provision of infrastructure.

11.13-1 Wimmera Southern Mallee regional growth – Networked Settlements

To encourage growth throughout the region and create a network of integrated and prosperous settlements. Planning must consider as relevant the Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).

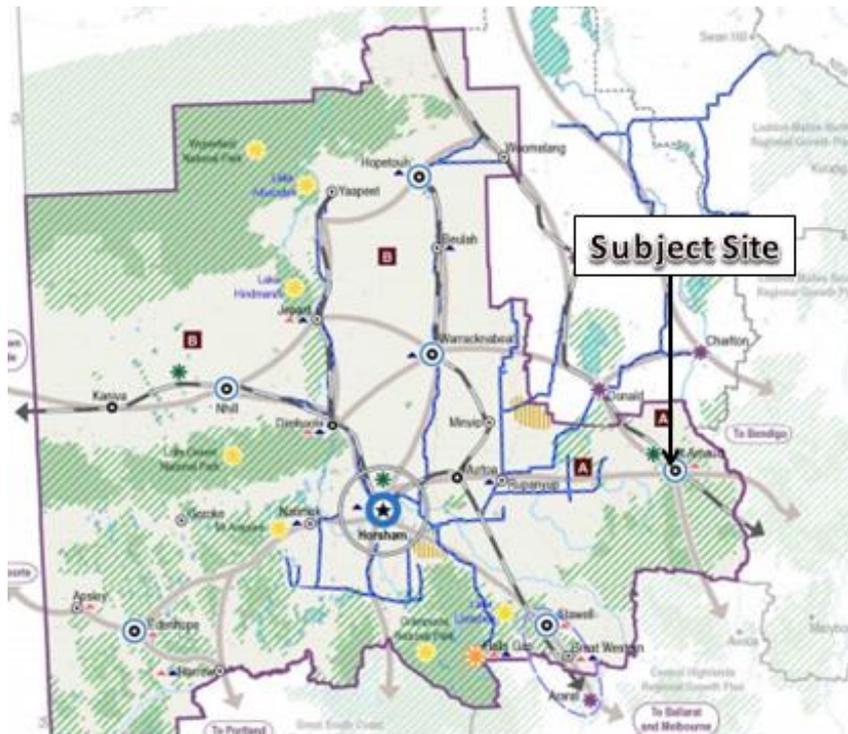


Figure 11 – Wimmera Southern Mallee Regional Growth Plan

11.13-2 Planning for Growth

To manage population change and access to services by making key centres a focus. Support the ongoing growth and development of Edenhope, Hopetoun, Nhill, St Arnaud, Stawell and Warracknabeal as the key service hubs within their sub-regional communities of interest.

11.13-3 Environmental Assets

To enhance ecological health and rural landscapes.

11.13-4 Agricultural productivity

To protect key agricultural resources, maintain productivity and support the development of industry.

11.13-5 A diversified economy

To use the region's assets to facilitate the diversification of the economy and build a resilient community.

11.13-6 Resilient communities

To support planning for adaptation to changes in climate.

11.13-7 Liveable communities

To support development of distinct settlements to create healthy, attractive and liveable communities.

11.13-8 Infrastructure

To identify infrastructure required to support growth

Clause 12.01-1 Protection of habitat

To assist the protection and conservation of biodiversity, including native vegetation retention and provision of habitats for native plants and animals and control of pest plants and animals.

Clause 12.01-2 Native vegetation management

To achieve a net gain in the extent and quality of native vegetation.

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 13.03-3 Salinity

To minimise the impact of salinity and rising water tables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt loads in rivers.

Clause 13.04-1 Noise abatement

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

Clause 13.05-1 Bushfire planning strategies and principles

To assist to strengthen community resilience to bushfire. The overarching strategy is to prioritise the protection of human life over other policy considerations in planning and decision-making in areas at risk from bushfire, and to apply the precautionary principle in decision making.

14.01-1 Protection of agricultural land

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

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 17.02-1 Industrial land development

To ensure availability of land for industry. Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.

Clause 17.02-2 Design of industrial development

To facilitate the sustainable development and operation of industry and research and development activity.

Clause 18.02-5 Car parking

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

7. Local Planning Policy Framework

7.1 Municipal Strategic Statement

Clause 21.02-3 – Key Land Use Themes

This Clause identifies key land use planning themes for the municipality as being:

- Settlement;
- Agriculture;
- Tourism;
- Retail;
- Industry;
- Environment; and
- Heritage.

In terms of Industry, the main characteristics of the Northern Grampians Shire include:

- Industry is generally concentrated in the towns of Stawell and St Arnaud and includes activities such as brick making, textiles mill, meat processing, steel fabrication, feed production, supply and service of farm machinery and small service industry.
- Historically there has been concern throughout the municipality regarding the inappropriate siting of industry next to sensitive land uses such as residential.

Clause 21.03 – Land Use Planning Vision

The land use planning vision for Northern Grampians Shire will be achieved by:

Settlement

- Concentrating urban development in and around the existing townships in the Shire.
- Maintaining the existing parks of St Arnaud as places that provide safe, pleasant and convenient passive and active recreational facilities.
- Promoting and facilitating the development of Stawell as the Shire's largest urban centre.

Industry

- Supporting the retention and expansion of existing industries, and the attraction of new industries, throughout the Shire.
- Ensuring that new industry development is appropriately sited to minimise potential land use conflicts.

- Promoting and facilitating the growth of St Arnaud as a major sub-regional centre for rural service industries, machinery and processing plants.
- Support and encourage growth and development of information technology and resources.

Clause 21.05 – Settlement

The key strategic issues within the Northern Grampians Settlement themes include:

- Facilitating the staged and orderly development of the Shire’s main townships in order to maximise infrastructure utilisation, appropriately manage the rural urban interface and protect the integrity and functioning of agricultural and industrial activity on the edge of townships.
- Accommodating the diverse housing and lifestyle preferences of the Shire’s population in an economically and socially responsible manner.
- Managing potentially conflicting land uses in order to protect amenity.
- Maintaining the provision of community facilities throughout the Shire’s urban and rural communities.

The Strategies for St Arnaud include:

- Residential infill development be encouraged to maximise use of existing infrastructure.
- Identified heritage buildings, streetscapes and places be given due recognition and any development have regard to the impact of such development on the significance of the locality in which they are to occur.
- Industrial development that offers services and goods for rural industry will be encouraged, capitalising on the existing rural service role of the town.
- Low density residential and rural living development will be encouraged in appropriate areas close to town, some of which are on marginal agricultural value.

Clause 21.09 Industry

The key strategic issues within the Northern Grampians Industry theme include:

- Continued expansion of industrial development is viewed as a fundamental prerequisite for the on-going economic and employment future of the Municipality.
- There have been historical conflicts associated with the siting and operation of industrial development due to its impact on neighbouring sensitive land uses. As such it is imperative that future industrial development be appropriately sited and operated.
- Mining and extractive industry operations are important contributors to the Shire’s employment and economic base and need to be facilitated in a responsible manner.
- There is an urgent need to undertake a number of detailed investigations in order to determine appropriate and preferred locations for a variety of

industrial development activities.

The relevant key objectives have been listed as follows along with their associated strategies:

Objective 1

- Encourage and facilitate sustainable industrial development in appropriate locations

Strategies

- New industry is particularly encouraged in appropriate locations around Stawell and St. Arnaud as indicated in the Town Structure Plans contained at Clause 21.05 in order to build the capacity of these centres.
- Encourage industry associated with viticulture to locate in Great Western to promote development of the town and of the wine industry in the Shire.
- Discourage industrial land uses from locating in Halls Gap.
- Encourage new business and industry to the Shire that builds upon existing capacity, expertise, and resources of the region through the offering of appropriate business facilitation initiatives and programs.
- Ensure that any future industrial activity be developed on appropriately sited and zoned areas in order to minimise any potential off site impact, protect amenity and function of neighbouring land use and development and for mutual security of land use.
- Accommodate rural based industries adjacent to, or outside the two main urban centres provided they can demonstrate access to physical services (including roads, water and effluent disposal) and business services without imposing greater infrastructure costs on the local community.
- Determine appropriate sites for major new industries, and potentially noxious industries (e.g. abattoirs) based on an assessment of the individual needs of the business and the potential impacts of the industry on existing urban and rural land uses. In "one off" instances, where there is an identified need to accommodate significantly large scale new development, it may be more appropriate to locate the industry in a rural zone, close to a major urban centre (Stawell or St. Arnaud) where access to roads and reticulated services can be provided, whilst minimising any impact on urban uses by maintaining buffer distances within the site. Consideration of such development and use of rural land should also consider the impacts on an area's land capability and environmental land management.
- Home based businesses which do not have an adverse impact on residential amenity will be encouraged as an important part of new business development.
- Carefully monitor existing industrial uses especially those close to existing residential development to ensure compliance with conditions of land use including any permit conditions.

7.2 Local Planning Policies

There are no relevant local policies.

7.3 Council's key strategic documents

Northern Grampians Shire Council Plan 2013-2017

The Northern Grampians Shire Council Plan 2013-2017 has been developed to provide the strategies, key objectives and priorities over the next four years. All of the strategies listed focus on achieving the following two objectives:

- Improving the social and economic viability of the Shire;
- Delivering targeted projects and core services.

The Plan includes an economic strategy 'we will develop the local economy and the diversity of in the Northern Grampians Shire by:

- Implementing a planning framework that enables and encourages business, including farming enterprises, and residential development and expansion;
- Creating industrial development opportunities in St Arnaud and Stawell;
- Developing Halls Gap as a tourist resort town and Great Western as a food and wine village;
- Attracting and encouraging new enterprises while supporting existing businesses through the implementation of targeted industry sectors plans'.

7.4 Other documents and considerations

Plan Melbourne

Plan Melbourne is a strategic plan that sets out the State Government's vision for the city to 2050. A purpose of the plan is to address Melbourne's infrastructure, housing, employment and environmental challenges with an integrated approach to planning and development that includes land use, transport, and social and community infrastructure. It is a strategy to house more people around the metropolitan area with a focus on also directing population to the regional centres.

Section 7 of the Plan titled 'A State of Cities' aims to 'maximise the growth potential of Victoria by developing a state of cities which delivers choice, opportunity and global competitiveness'. The Plan refers to the eight Regional Growth Plans that are being developed across regional Victoria (the Wimmera Southern Mallee 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.

The importance of regional centres is underlined by the strategy. The population of the State is growing rapidly with much of this growth occurring within the Melbourne Metropolitan area. To ensure that the 'liveability' of Melbourne is preserved, the Plan highlights that regional areas will need to capture a greater proportion of the population growth. The plan also acknowledges research that has confirmed in many

cases that the cost of servicing residents in regional Victoria is significantly below the cost of servicing residents in the growth areas of capital cities.

Wimmera Southern Mallee Regional Growth Plan (May 2014)

The Wimmera Southern Mallee 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 local areas of Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiak. 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;
- Key regional priorities for future infrastructure planning and investment to support growth.

The Plan recognises that while the region is not expected to experience significant population growth between now and 2041, there is a need to consider how land is used to facilitate economic growth and support the productive use of land. 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) and lists a number of principles with corresponding future directions provided in response. The first principle listed is 'growth should be encouraged throughout the region to create a network of integrated and prosperous settlements. The eighth principle is 'opportunities for growth should be identified to facilitate appropriate local development'. The corresponding key directions for these principles follow:

- Make opportunities for population and economic growth available throughout the Wimmera Southern Mallee;
- Support a highly connected network of settlements based on communities of interest;
- Promote a positive and adaptable approach to planning for the Wimmera Southern Mallee.

The Plan recognises that the region's economy is the least diversified in regional Victoria, due to the dominance of agriculture. While agriculture will remain the most important industry there is a recognised need to support diversification, which may include new economic sectors as well as an expanded commodity mix, to reduce reliance on agriculture and external factors. Other potential growth industries include food processing, mining, engineering and manufacturing, renewable energy and tourism.

Industry

In terms of industry land uses and development, The Plan lists the following future directions at page 24:

- Support industry growth in the Wimmera Southern Mallee;
- Identify opportunities for siting value-add industries associated with agriculture and new opportunities based on the competitive strengths of the region;
- Address infrastructure deficiencies where they constrain the expansion or establishment of industry;
- Support the provision of an adequate supply of serviced industrial land in each community of interest.

The Plan proposes three strategic approaches in relation to encouraging industry:

- Encourage strategic opportunities for new industry: New industry is likely to build on existing assets and advantages, although opportunities for diversification will be encouraged;
- Provide industrial land around the region: Planning schemes should support the establishment of industry. Adequate land will need to be provided to support the growth of the economy in a variety of locations to maximise productivity. Some towns in the Wimmera Southern Mallee have a limited supply of industrial land. Appropriate new areas should be identified and rezoned as required. It is critical that industrial land is available in all parts of the region to support local employment opportunities, particularly in district towns.
- Make towns highly liveable to attract and retain a workforce: There needs to be an integrated approach to the development of industry and broader planning for towns and communities. In order to attract and retain a skilled workforce, towns must be attractive places to live.

Land use policies, strategies and actions for industry include:

- Encourage industry to be separated from sensitive uses;
- Support industry growth in designated locations through planning schemes;
- Undertake regular reviews of the demand for, and supply of, industrial land across different economic sectors and respond to the findings by providing additional industrial land in appropriate locations;
- Support the provision of appropriate and timely infrastructure to help expand existing industries and establish new industries.

St Arnaud

St Arnaud is listed as a district town (sub-regional hub) in the Strategic settlement framework plan (refer to Figure 11 below). The future directs of St Arnaud are provided as follows:

- Recognise St Arnaud as the district town for the communities of interest in the region's east;
- Encourage the provision of a wide range of middle order health, education, retail, municipal and emergency services;
- Allow for expansion of the urban area to accommodate future employment growth;
- Protect and enhance St Arnaud's attractive architecture and streetscapes.

St Arnaud has an employment sector based on servicing rural industry. Its proximity to a concentration of intensive agricultural activities is a strategic opportunity. Some industrial land is poorly sited for modern industry and the relocation of businesses to

more suitable sites may provide some additional residential supply. New industrial land may be required and the preferred locations are to the east and south.

Land use policies, strategies and actions for St Arnaud include:

- Retain and enhance services and facilities appropriate to the local community and its surrounds;
- Encourage residential infill development ahead of expansion for the town;
- Investigate the provision of additional industrial land to the east or south of the town and consider the opportunity to relocate businesses from constrained sites in the centre of town;
- Consider the need for additional planning controls to protect the character and streetscapes of St Arnaud, which are an attractive tourism draw card and help support the local economy.

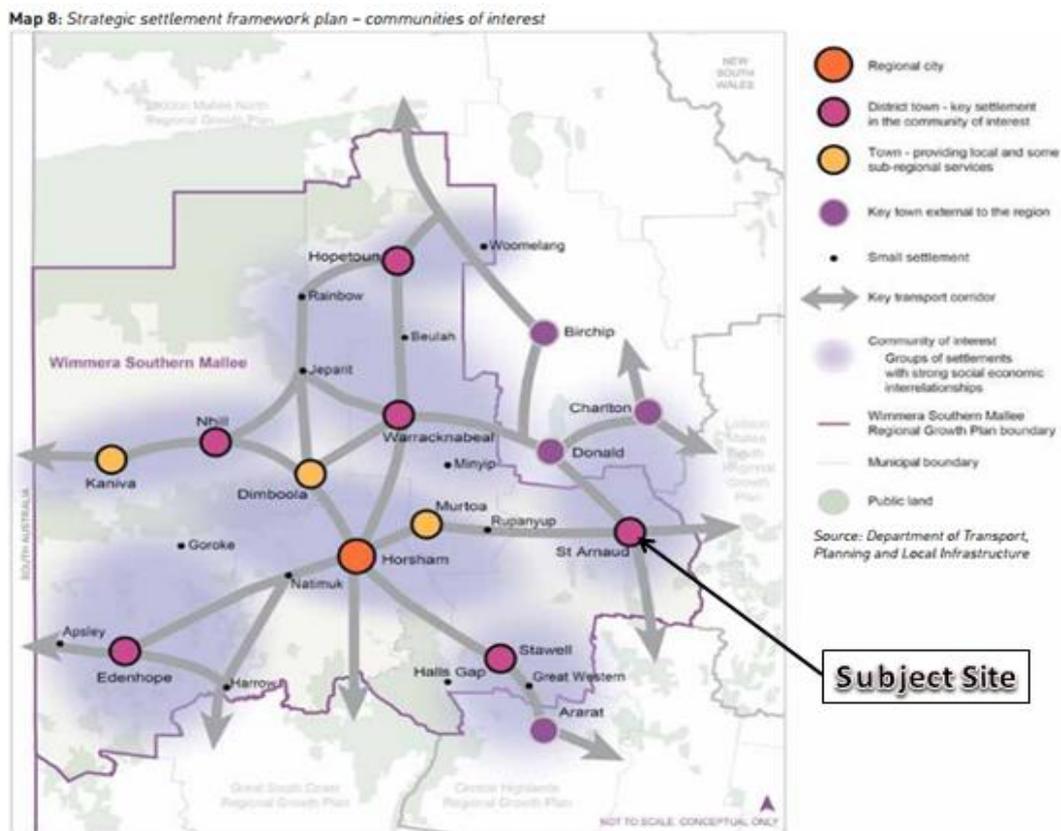


Figure 14: Wimmera Southern Mallee Regional Growth Plan, May 2011

Regional Bushfire Planning Assessment – Grampians Region

The 2009 Victorian Bushfires Royal Commission (VBRC) emphasised the importance of considering bushfire matters at all stages of the planning process, including through regional settlement planning and in the LPPF. The SPP for Bushfire also identifies that strategic and settlement planning should assist to strengthen community resilience to bushfire. The Regional Bushfire Planning Assessment (RBPA) supports this approach and is part of the Government’s response to the VBRC.

The RBPA provides information about areas where a range of land use planning matters intersects with a bushfire hazard to influence the level of risk to life and property from bushfire. The RBPA is not a statutory planning provision and does not directly translate into planning schemes. However, it provides a basis to initiate further detailed analysis as part of other planning processes such as planning scheme amendments.

The RBPA provides information on matters which may be relevant to strategic and settlement planning and focuses on the factors considered particularly important by the VBRC, including:

- Areas where smaller sized lots (less than 0.4ha) which may be used for residential purposes are in or close to a bushfire hazard;
- Areas where medium sized lots (between 0.4-4ha) which may be used for residential purposes are in or close to a bushfire hazard;
- Areas where there is a settlement or urban interface with the bushfire hazard;
- Locations which may have limited access and egress, indicated by a single access road to and from a settlement in addition to roads which connect a number of settlements in areas with a bushfire hazard;
- Areas where future strategic directions contained in planning schemes may conflict with the bushfire hazard;
- Areas where the broader landscape is particularly affected by a bushfire hazard;
- Areas identified from local information provided by either the relevant fire authority or the council that may need to be considered in planning decision making; and
- Areas where multiple issues occur in a single area.

This information is shown spatially on maps at a strategic scale and is supported by a table that gives a brief explanation for each identified area.

The RBPA is different to the BMO in that it informs a broader consideration of bushfire issues by recognising that, in specific locations, the bushfire hazard increases the potential bushfire risk in very specific ways, for example, due to access constraints. Addressing these factors is an important way that strategic and settlement planning can respond to bushfire issues before specific development proposals are considered. This provides an opportunity to resolve issues and implement mitigation measures early in the planning process and at a strategic level.

The BMO is applied to areas where there is potential for bushfire behaviour such as a crown fire, extreme ember attack and radiant heat. The application of the overlay is based on a technical evaluation of the bushfire hazard validated with relevant fire authorities and councils. The key purpose of the BMO is to identify areas where a planning permit is specifically required to consider the bushfire matters prior to development occurring.

St Arnaud is located on the Northern Grampians Municipal Map – Map 1 (p 32 of Part 2 of the strategy). The township is identified as having medium lots in or close to hazard (0.4 to 4 hectares). The identified area description is 'residential lots in the town of St Arnaud are in or in close proximity to a bushfire hazard area associated with

surrounding vegetation. This includes vegetation of high and very high conservation significance.'

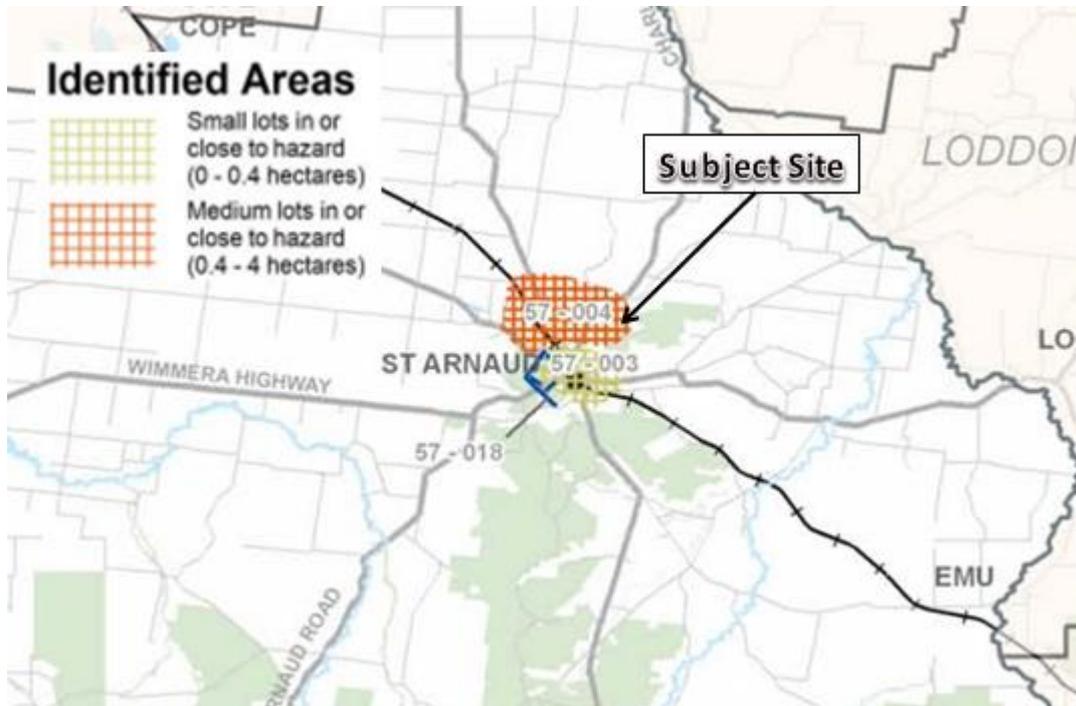


Figure 15 –Northern Grampians Shire Municipal Map 1 (Source: Regional Bushfire Planning Assessment – Grampians Region)

Northern Grampians Shire Council Municipal Fire Prevention Plan 2008

The CFA Act requires municipalities to prepare a Municipal Fire Prevention Plan that is carried out in consultation with the Municipal Fire Prevention Committee. These plans have traditionally focused on fuel reduction, hazard removal and water supplies through a program of annual works directed towards assisting the prevention and community preparedness.

The purpose of this Plan is to identify risk environments in the Northern Grampians Shire Council, suggest a variety of treatments to address the risks and to specify what is to be achieved by the treatments identified. This provides different communities throughout the Shire with an element of choice in the priorities they place on safety issues, because both the fire risk and environmental values vary throughout the municipality. It also enables the risks to be addressed in a variety of statutory and non-statutory ways by a broad cross-section of the community.

The relevant risk environment for the subject site is the 'Business Risk Environment', which includes both Commercial and Industrial land and uses including factories and warehouses. The objective is to 'reduce the impact of fire and incidents on human life, local economy and the environment. The risk environment/hazard matrix rates the 'Business Risk Environment' as having a 'Low' risk rating for 'wildfire hazard events' and a 'Moderate' risk rating for structural fire hazard events and HAZMAT hazard

events (incidents involving hazardous substances). It is noted that neither the subject site nor the St Arnaud is specifically mentioned in the strategy.

8. Ministerial Directions

8.1 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.

8.2 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.

8.3 Practice Note: 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 an Industrial 1 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. If advised that an audit is not required, a default to 'C' occurs).

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 16: Assessment matrix

9. Justification for amendment

9.1 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 Government Land Monitor Policy 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 7 (Other public use), it must therefore be rezoned prior to disposal.

9.2 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 & 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 industrial 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 industrial 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 industrial 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.

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

Environmental Effects

The amendment request to rezone the site Industrial 1 will have no adverse effects on the environment. The site is located within an existing urban area within the township boundaries of St Arnaud 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

An Environmental Site Assessment was undertaken for the subject site by Connolly Environmental (January 2014) due to previous uses occurring at the site. A key finding of the assessment was that zinc was found at the site. The concentrations of zinc were considered to pose a low risk to ecosystems in the context of ongoing industrial use at the site, however were considered a potential risk to ecosystems in a low density residential scenario. This provides further support for undertaking a

rezoning that includes the land in the Industrial 1 Zone.

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 site is not a key development site and is not a location with high exposure. It is a small site near to the south-eastern boundary of the township. The land is currently occupied by shedding and buildings that do not contribute positively 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 an Industrial 1 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 Industrial 1 Zone is to encourage manufacturing industry, this is occur in a manner that does not affect the safety and amenity of local communities. Given that there are residential properties surrounding the site, respect for their ongoing amenity will be a primary consideration for any new planning proposal to use the land.

It is further noted that the Industrial 1 Zone only allows industry to occur without a planning permit in circumstances that are not relevant to the subject. This means that any industry proposal for the land will first need planning permission. Apart from home occupation there is no other 'as right uses' that could occur at the site due to the site context and allotment size.

Economic Benefits

The proposed amendment seeks to facilitate additional supply of Industrial Zone land, which will have a positive impact on the economy of St Arnaud and the surrounding region. Clause 21.03 of the Northern Grampians planning scheme states that 'the continued expansion of industrial development is viewed as a fundamental prerequisite for the on-going economic and employment future of the Municipality'.

The subject site is located near to the eastern periphery of the township and approximately 100 metres from the Sunraysia Highway. The Wimmera Southern Regional Growth Plan (May 2014) states that the preferred location for new industrial areas are to the east and south of the St Arnaud township. Areas for potential industrial uses are also shown on the St. Arnaud Town Structure Plan, which forms part of Clause 21.05 of the Northern Grampians Planning Scheme. The areas are located on the southern fringe of the township.

The site is considered to be appropriately located for a commercial enterprise to make use of its proximity to the Sunraysia Highway. The site is modest in size meaning that it will not be capable of being used for 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 support for the larger industries located elsewhere in the township.

9.4 Does the amendment address relevant bushfire risk?

The subject site is located within the urban area of St Arnaud and is 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 Strategies and Principles).

The Northern Grampians Shire Council Municipal Fire Prevention Plan, 2008 (The Municipal Fire Prevention Plan) identifies risk environments in the Northern Grampians Shire municipality. A rezoning at the site that includes the land in the Industrial 1 Zone would mean that the land is located in the 'Business Risk Environment'. This Plan includes an environmental/hazard matrix that rates the 'Business Risk Environment' as having a 'Low' risk rating for 'wildfire hazard events'. This risk rating is the lowest in the hierarchy.

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 includes the Council and DELWP depots and land to the east of Gray Street.

It is submitted that there is adequate separation between the subject site and land recognised as containing vegetation that could fuel a bushfire (there is a distance of 150 metres to the RCRZ). It is further noted that an industrial use will have a 'Low' risk rating under the Municipal Fire Prevention Plan. 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.

9.5 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 an Industrial 1 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.

As previously discussed in detail, it is noted that an Environmental Site Assessment has been undertaken for subject site (undertaken by Connolly Environmental, January 2014). The objective of the Audit was to identify potential sources of contamination and assess the contamination status of soil in the context of commercial/industrial land use and residential land use.

A key summary of the Environmental Site Assessment are as follows:

- No concentrations of potential contaminants of concern were reported above the adopted human health criteria for commercial/industrial land use or low density residential land use;
- Concentrations of zinc above adopted ecological assessment criteria were considered to pose a low risk to ecosystems in the context of ongoing industrial use at the site, however were considered a potential risk to ecosystems in a low density residential scenario. Further investigations should be undertaken if gardens or home produce are proposed in the area;
- Given the likely presence of asbestos within fibro cement sheeting identified in the large workshop building in the south east of the site, an asbestos audit should be undertaken by a qualified hygienist prior to any demolition of the buildings at the site and disposal of asbestos should be undertaken in accordance with EPA guidelines.

Ministerial Direction 1 is satisfied by the Amendment given that an Industrial Zone will promote an industrial use of the site. The concentration of zinc has been found to pose a low risk to ecosystems in the context of ongoing industrial use of the site.

9.6 How does the amendment support or implement the State Planning Policy Framework?

The amendment will increase the supply of land available for industrial use and development in St Arnaud. This will help to ensure that industry continues 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 11.13-5 (A diversified economy) is to 'provide an ongoing supply of industrial land,

particularly in Horsham and district towns’.

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 St Arnaud. 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 will not alter this situation, and will primarily serve to enable a private owner to purchase the site and continue similar uses.

The Amendment will not pose an unacceptable threat to the social fabric of the St Arnaud community. The land is considered to be appropriately located to be included in the Industrial 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 Industrial 1 Zone requires ample consideration for the amenity of surrounding sensitive land uses. This evidenced by the following purpose of the zone:

‘Provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.’

9.7 How does the amendment support or implement the Local Planning Policy Framework?

The amendment will provide additional industrial land, which is supported by local planning policy in order to ‘support the retention and expansion of existing industries and the attraction of new industries’ (Clause 21.03). The Amendment will facilitate the growth of St Arnaud as a major sub-regional centre. The Amendment also aligns with policy that aims to ensure industrial development is appropriately located to minimise potential land use conflicts.

Clause 21.05 Settlement aims to facilitate the ‘staged and orderly development of the Shire’s main townships in order to maximise infrastructure utilisation, appropriately manage the rural urban interface and protect the integrity and functioning of agricultural and industrial activity on the edge of townships’. The Amendment supports this clause through retaining land currently used for industrial uses for the use of private entities on the eastern fringes of the township.

The Amendment is consistent with Clause 21.09 (Industry). The clause states that the

'continued expansion of industrial development in views as a fundamental prerequisite for the ongoing economic and employment future of the Municipality'. The clause also recognises that 'there has been a history of conflicts associated with the siting and operation of industrial development due to its impact on neighbouring sensitive land uses'.

As previously discussed, the subject site is relatively small in size at 4,000 square metres meaning that a large commercial operation will not be possible. As previously discussed, it is envisaged that the site will be used for smaller supporting industries. However, there is sufficient space on the site to provide separation, acoustic treatments and buffers to surrounding residential uses. It is also noteworthy that to the north of the site is a Council depot, and roads separate the site from residential uses located to the south and west.

It is acknowledged that a residence abuts the east of the site and any future use and development will need to be sympathetic to this interface. This can be ensured through the planning permit process, noting that it is policy to 'carefully monitor existing industrial uses especially those close to existing residential development to ensure compliance with conditions of land use including any permit conditions' (Clause 21.09).

9.8 Does the amendment make proper use of the Victorian Planning Provisions?

Within the context of the recent introduction of the modified Industrial zones for Victoria (Amendment VC100), 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 Industrial 1 Zone provides an appropriate fit for the site for the following reasons:

- The Industrial 1 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 that the industrial sector plays in providing ongoing employment opportunities and economic sustainability within regional Victoria;
- While zinc has been found out the site, concentrations above adopted ecological assessment criteria were considered to pose a low risk to ecosystems in the context of ongoing industrial use at the site, however were considered a potential risk to ecosystems in a low density residential scenario.

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

9.9 How does the amendment address the views of any relevant agency?

Northern Grampians Shire Council

Northern Grampians Shire Council have been consulted throughout the preparation of this amendment request and are supportive of the Department of Treasury and Finance proceeding with this amendment. Consultation with Council has included a pre-application meeting held with relevant Council officers on 15 July 2014. A summary of the comments provided by these officer's to the Amendment follows:

- General support for the amendment and inclusion of the land in the Industrial 1 Zone;
- The need of a future development to meet neighbourhood character objectives and result in appropriate amenity impacts was identified.

Department of Transport, Planning & Local Infrastructure (DTPLI-now DELWP)

The Department will provide strategic and statutory input into the amendment process and its merits. DELWP's role will be to authorise exhibition of the amendment and to make recommendations to the Minister for Planning on whether the amendment should be approved. Initial comments were received from the department, who stated that:

- DTPLI (now DELWP) would be generally guided by Council in the matter of the rezoning;
- DTPLI (DELWP) would be comfortable with the rezoning amendment proceeding through a normal amendment process to enable adjoining residents to have a say about Industrial land adjoining residential areas.

Department of Environment & Primary Industry (now DELWP)

The views of the Department of Environment, Land, Water and Planning will be considered during the amendment process.

Department of Transport

The views of the Director General of Transport will be considered during the amendment process.

Country Fire Authority

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

9.10 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 an industrial development that will be readily accessible to the surrounding neighbourhood due to its close proximity to the Sunraysia and Wimmera Highways that provide road links to the major towns in the area as well as Melbourne and Adelaide. The site is also close to the St Arnaud Train Station and to the Dundas Street/Market Street (St Arnaud) bus stop.

Appreciable increases in private vehicle traffic volumes are not expected as a result of the amendment. This is particularly given that a small industrial 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.

9.11 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 Northern Grampians 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.

10. Conclusion

10.1 Conclusion

The Department of Treasury and Finance have engaged Sweett Group (Australia) to provide a strategic town planning assessment to support a request to rezone the former DELWP depot site (Crown Allotment 13A, Section 13, St Arnaud) from the Public Use Zone 7 (Other Public Use) to the Industrial 1 Zone.

Sweett Group 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 Northern Grampians Shire to form the basis of this assessment.

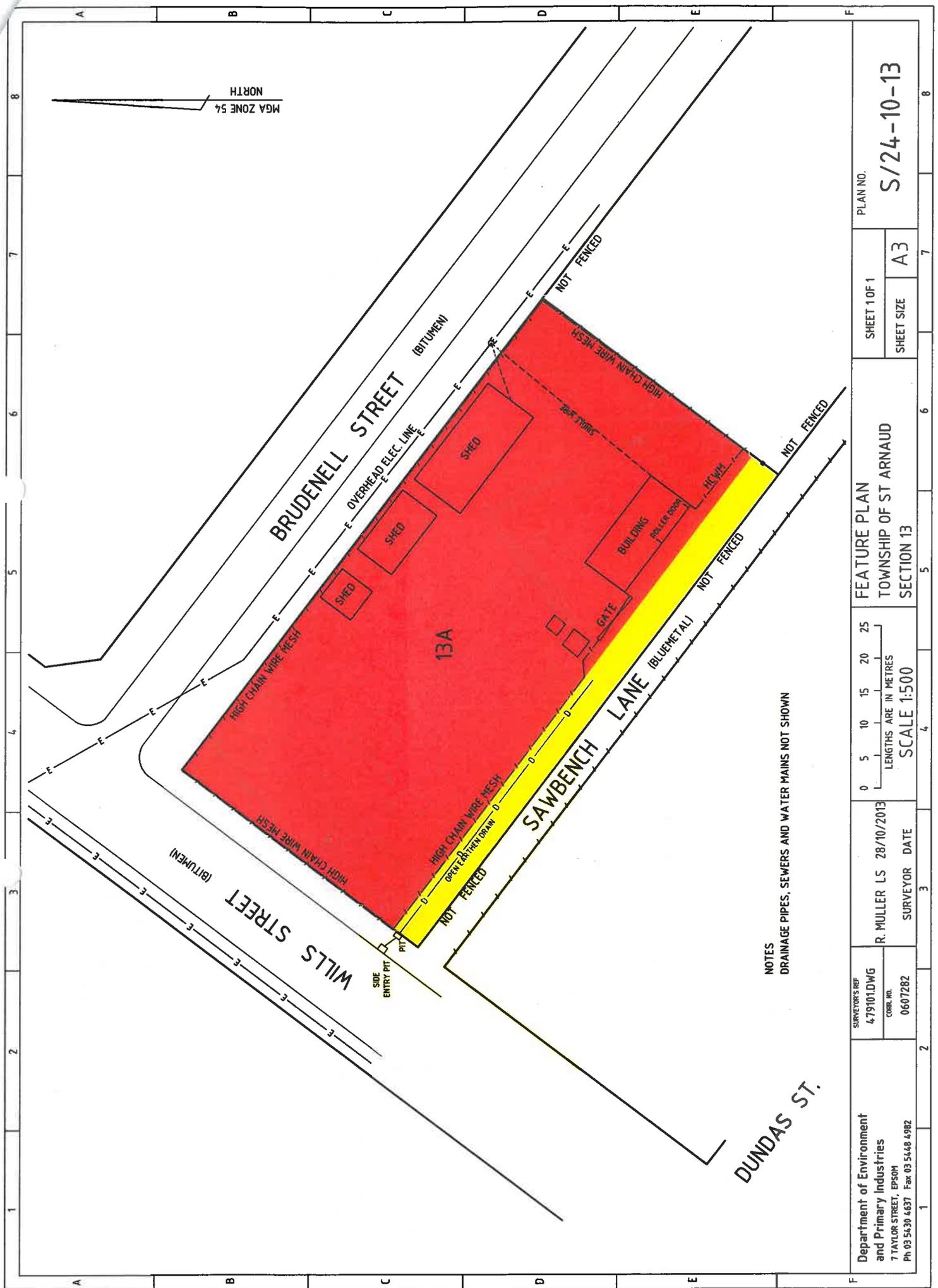
Our review has found that:

- The site is located on the eastern fringe of the township and within the existing urban boundary. The site is approximately 100 metres from the Sunraysia Highway, 500 metres from the St Arnaud 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 4,000sqm.
- The site has been historically used as a DELWP depot and contains buildings consistent to this type of operation. There is also some vegetation at the site. Previous operations at the site have resulted in zinc being present to levels that have been found to pose a low risk to ecosystems in the context of ongoing industrial use at the site, however were considered a potential risk to ecosystems in a low density residential scenario.
- The site has been declared as being surplus to the government's operating requirements and is therefore required to be disposed. The Government Land Monitor Policy 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 Industrial Zoned land within the St Arnaud 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 that is located on the fringe of the township and 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.

10.2 Request

Having regard to the detailed strategic justification outlined in this report and discussions with Council and the Department of Environment, Land, Water and Planning, it is respectfully requested that the Minister consider this proposed amendment to rezone the site to Industrial 1.

APPENDIX 1 – CROWN ALLOTMENT PLAN



NOTES
DRAINAGE PIPES, SEWERS AND WATER MAINS NOT SHOWN

PLAN NO.
S/24-10-13

SHEET 1 OF 1
SHEET SIZE
A3

FEATURE PLAN
TOWNSHIP OF ST ARNAUD
SECTION 13

0 5 10 15 20 25
LENGTHS ARE IN METRES
SCALE 1:500

R. MULLER LS 28/10/2013
SURVEYOR DATE

SURVEYOR'S REF
4.79101.DWG
CORR. NO.
0607282

Department of Environment
and Primary Industries
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