



Planning Scheme Amendment Request

119 & 123 Curlewis St, Swan Hill

Swan Hill Planning Scheme

On behalf of Department of Treasury and Finance

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1 Introduction

This planning report has been prepared on behalf of the Department of Treasury and Finance (DTF) in support of an application for an amendment to the Swan Hill Planning Scheme.

The Department of Justice and Regulation (DOJR) is the owner of land located at 119 and 123 Curlewis Street, Swan Hill which are the sites of the former Police Station and Community Correctional Services Office. DTF is managing the rezoning of the land and its subsequent sale on behalf of the DOJR.

DOJR has constructed a new police station in Swan Hill, replacing the original police station located in Curlewis Street. It has also relocated the Community Correctional Services Office into the consolidated Justice Service Centre located on Curlewis Street. Accordingly, DOJR has declared the original sites as surplus to its operating requirements and proposes to dispose of the land.

To facilitate this sale the land must be rezoned from the current Public Park and Recreation Zone (PPRZ) to a more appropriate zone. This amendment proposes to rezone both sites to a Commercial 1 Zone (C1Z). It also proposes to include the former Police Station in an Environmental Audit Overlay (EAO).

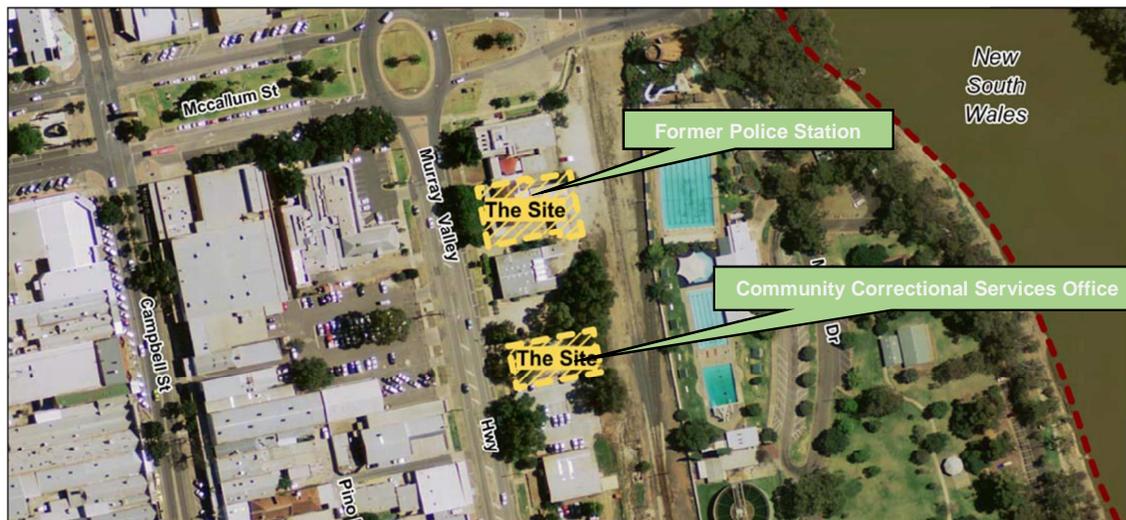


Figure 1 – Location Plan

2 The subject site and surrounds

2.1 The subject site

The subject sites are the former Swan Hill Police Station and the Community Correctional Services Office located at 119 and 123 Curlewis Street, Swan Hill respectively.

The former Police Station site contains a purpose built building and a partially fenced/paved car parking area to both the north and south of the building which covers the entire site. An underground disused petrol tank is located on the site. The site contains no vegetation.

The former Community Correctional Services Office site contains a building which was used for office purposes, a garage/outbuildings and landscaping, including a number of mature exotic trees.

The former Police Station site has an area of 1039 square metres and the former Community Correctional Services Office site has an area of 664 square metres.



Figure 2 – Former Police Station site



Figure 3 – Community Correctional Services Office site

2.2 Surrounding land

The subject sites are located along a narrow defined strip of land bounded by Curlew Street and the Swan Hill CBD to the west, McCallum Street to the north, the railway line to the east and the car parking area associated with the train station to the south. The area forms an informal community services precinct which includes the Department of Justice Offices, former Police Station and Community Correctional Services Office, Court House and Senior Citizens Centre. Whilst the subject sites have been deemed surplus, the DOJR Offices and the Court House are not surplus and will continue to operate.

Land surrounding the subject sites is used as follows:

West Land to the west forms part of the Central Business District. Directly opposite is the Swan Hill Club, which is an entertainment venue with licenced gaming facilities and associated car parking.



Figure 4 – Land uses to the west

East

Land immediately to the east includes railway land used for informal car parking and further, the Swan Hill railway line which effectively cuts these sites off from the public swimming pool, the Murray River and associated public open space.



Figure 5 – Land uses to the east

South

Land in between the two sites includes the Court House. Further south includes the Senior Citizens Centre and a carpark associated with the railway station, including the Giant Murray Cod. This car park is also used to host a Country Market once a month.



Figure 6 – Land uses to the south

North

Land directly to the north is the DOJR Offices which are affected by Heritage overlay - HO134 - Former State Offices. Further north is the Bowls Club on the corner of McCallum and Curlewis St.



Figure 7 – Land uses to the North

These sites have a number of locational attributes, these being:

- proximity to the Swan Hill CBD
- proximity to the Murray River
- good access to public transport, both bus and train
- good existing road access, which will be improved with the Swan Hill Bridge replacement.

These sites also have locational constraints, these being:

- abutting the railway line immediately to the rear
- the Community Correctional Services Office is located within the Public Acquisition Overlay (PAO3) for the proposed bridge over the Murray River.

3 Current and proposed planning controls

3.1 Current Zone

Both sites are located within a Public Park and Recreation Zone (PPRZ) under the Swan Hill Planning Scheme.

The zoning of these sites, including the adjoining DOJR offices and the Court House, are anomalies as Government land is generally zoned Public Use Zone.

The purpose of the PPRZ 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 areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

The sites also abut a major road which is included within a Road Zone 1.

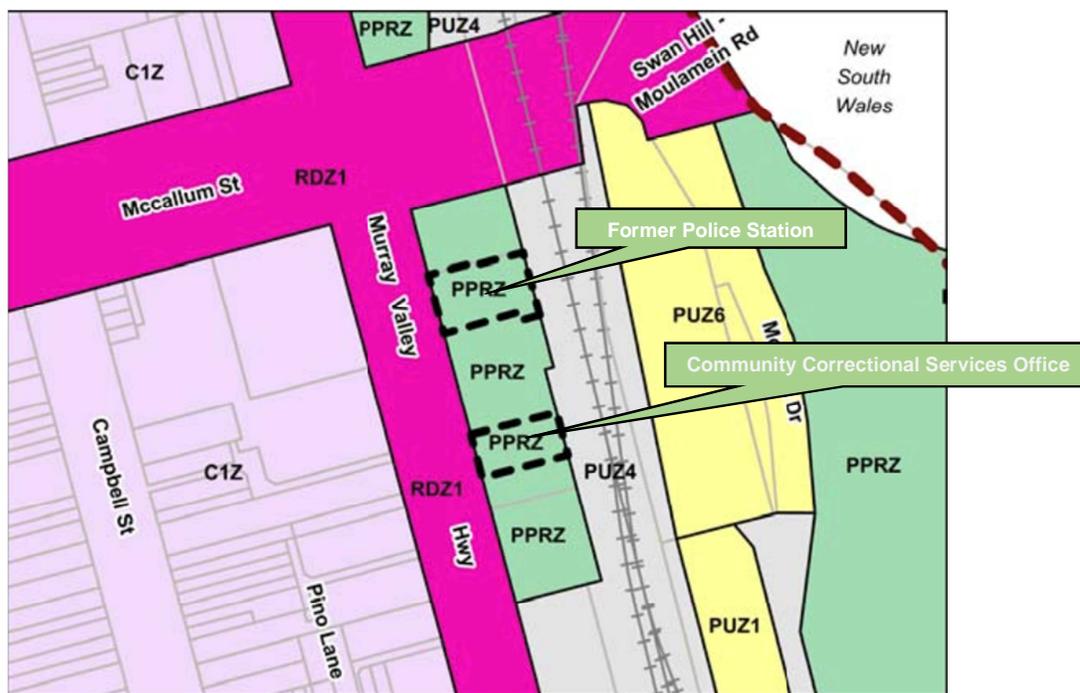


Figure 8 - Zoning (Source: www.land.vic.gov.au)

The zoning of land surrounding the subject site includes:

- **West** - Commercial 1
- **East** - Public Use Zone 4 - Transport
- **South** - Public Park and Recreation Zone
- **North** - Public Park and Recreation Zone

3.2 Current Overlays

Design and Development Overlay

Both sites are affected by Design and Development Overlay – Schedule 2 – *Swan Hill River Precinct* – (DDO2).

The purpose of a Design and Development 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 identify areas which are affected by specific requirements relating to the design and built form of new development.*
- *The DDO2 outlines a number of permit requirements in relation to ‘Buildings and Works’, the effect being that a permit is required for all but the most minor buildings and works.*
- *The DDO2 also specifies a number of ‘Design objectives’ as outlined below:*
- *To establish Swan Hill River Precinct as the primary public space for Swan Hill regional centre.*
- *To establish Swan Hill River Precinct as a focus for leisure, cultural and tourism opportunities.*
- *To reinstate the natural landscape of the Murray River.*
- *To protect heritage assets and provide for interpretation of Swan Hill’s cultural heritage.*
- *To have regard to those elements that significantly contribute to the special landscape character of the area.*
- *To progressively provide for uninterrupted access to the Murray River.*
- *To develop stronger physical and visual links between the River reserve and the edge of the Swan Hill Central Business Area.*

- *To develop Curlewis Street as Swan Hill's premier tourist precinct by encouraging tourism retailing and facilities, continuous street frontages and active uses at street level.*

In addition to these design objectives, the DDO2 also specifies a number of decision guidelines which must be considered by the responsible authority before deciding on an application, these include the following:

- *Whether new development or redevelopment within the River Precinct, including removal of buildings and structures and any new buildings, works or landscaping, are consistent with the River Precinct Plan (as revised) adopted by Council, 1999.*
- *The need to ensure that the visual and physical relationship between the River Reserve and the Central Business Area, particularly Curlewis Street, are strengthened.*
- *How the design of new buildings in Curlewis Street addresses the building line and maintain and strengthen the pedestrian/building interface will be encouraged. Large scale car oriented buildings set back from the building line will be discouraged.*

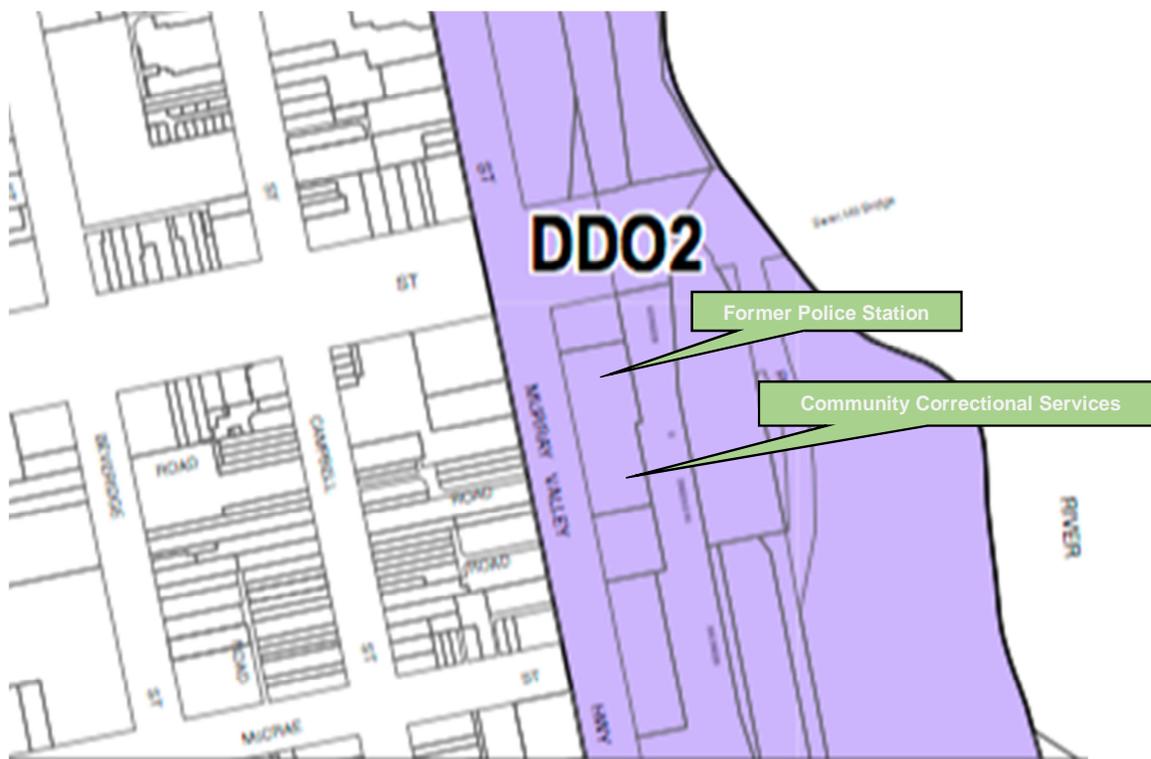


Figure 9 - Design and Development Overlay – Schedule 2 (Source: www.land.vic.gov.au)

Public Acquisition Overlay

The former Community Correctional Services Office is entirely affected by a Public Acquisition Overlay – Schedule 3 - *Roads Corporation - Swan Hill Bridge replacement project and associated works* (PAO3).

The purpose of the PAO3 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 identify land which is proposed to be acquired by a Minister, public authority or municipal council.*
- *To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.*
- *To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.*

Under the PAO3 a permit is required for almost all uses, buildings and works (including tree removal) and subdivision, with the only exceptions being where subdivision relates to the purpose of the acquisition and some tree removal.

Whilst the permit requirements are extensive, applications to use and develop the land can be made and considered. All applications must be referred to the acquiring authority of the land, which in this case is VicRoads.

The guidelines which must be considered by the responsible authority before making a decision include the relevant State and local policy framework, as well as the effect the proposed use or development may have on the purpose for which the land is to be acquired.

The decision guidelines specify that any permit granted may be conditional on:

- *The extent of alterations and extensions to an existing building and works, and the materials that may be used.*
- *The location, dimensions, design and material of a new building or works.*
- *The demolition, removal or alteration of any buildings or works.*
- *The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.*
- *No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.*

The PAO3 also specifies that land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.



Figure 10 - Public Acquisition Overlay – Schedule 3 (Source: www.land.vic.gov.au)

Area of Aboriginal Cultural Heritage Sensitivity

As the land is located within an area of Aboriginal Cultural Heritage a search was made of the Victorian Aboriginal Heritage Register which has revealed that the sites contain no known sites of significance. On that basis, a Cultural Heritage Management Plan is not required.

The Native Title Extinguishment Assessment advice provided by the Department of Environment, Land, Water and Environment (DELWP) is that it was determined that native title has been fully extinguished over the whole site.



Figure 11 - Area of Aboriginal Cultural Heritage Sensitivity (Source: www.land.vic.gov.au)

3.3 The Proposed Zone and Overlay

The amendment proposes to include both sites within a C1Z.

The purpose of the C1Z is to create a vibrant mixed use commercial centre for retail, office, business, entertainment and community uses; as well as provide for residential uses at densities complementary to the role and scale of the commercial centre.

The amendment also proposes to include the former Police Station site within an EAO to address potential contamination issues associated with a disused underground petrol tank. A contamination report has been prepared which indicates there are possible environmental issues associated with the tank. However, due to the proximity of the building to the tank, further testing, including decommissioning, cannot be undertaken without removing the building. The application of the EAO will ensure any contamination issues are addressed if a sensitive use occurs.

Inclusion within the EAO is appropriate as the C1Z will allow a number of sensitive uses as-of-right, including a 'Child care centre', 'Accommodation' and an 'Education centre' and will ensure that any potential contamination issues are addressed during the permit application stage.

All other existing overlays are to be retained.

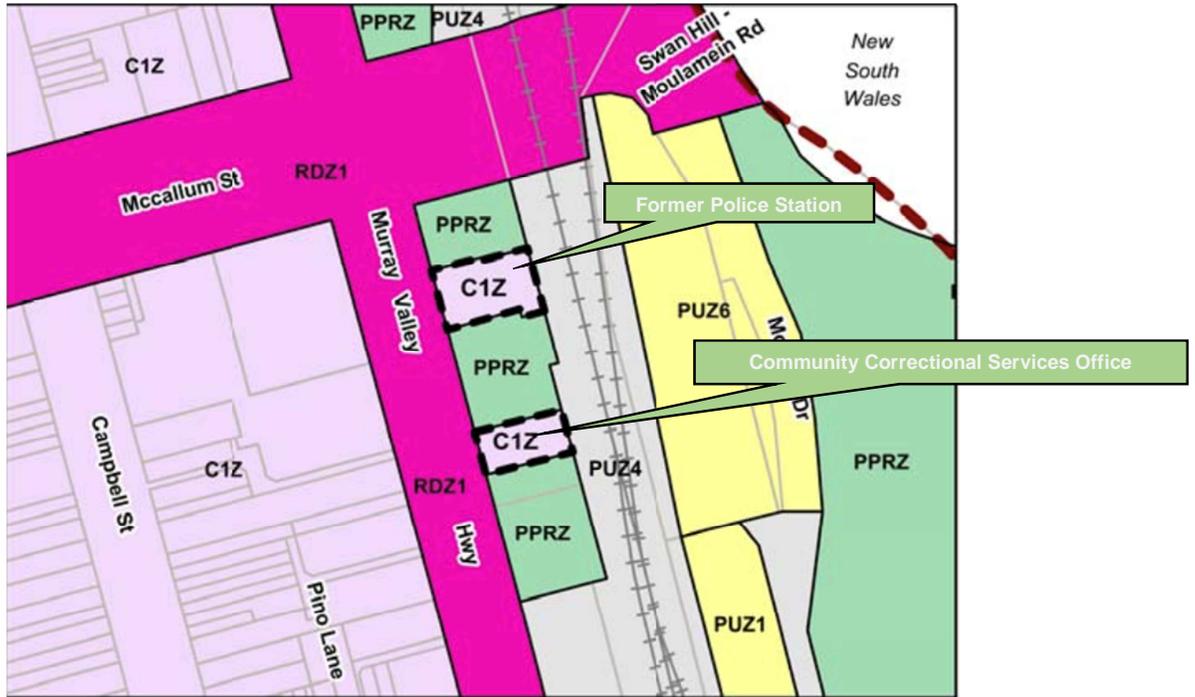


Figure 12 - Proposed rezoning

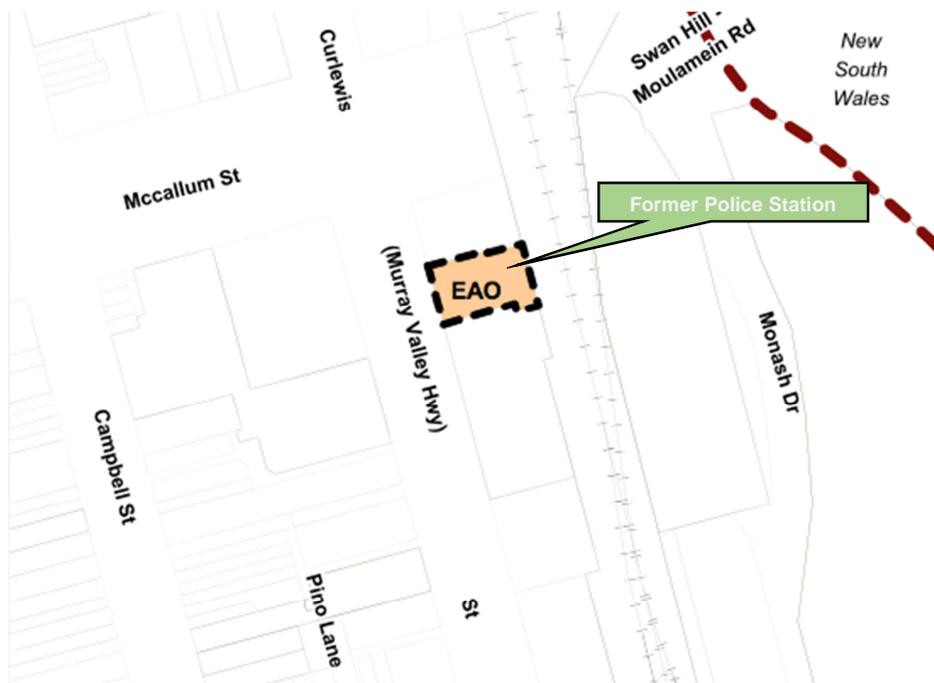


Figure 13 - Proposed Environmental Audit Overlay

4 Strategic considerations

Ministerial Direction No: 11 – *Strategic Assessment of Amendments* and Planning Practice Note 46: *Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments* require a comprehensive strategic evaluation of planning scheme amendments and the outcomes it may produce.

This Chapter provides that strategic assessment in accordance with the requirements of the Ministerial Direction 11 and Planning Practice Note 46.

4.1 Why is this Amendment required?

The *Victorian Government Landholding Policy and Guidelines 2015* seeks to ensure, amongst other things, that where land is retained by Victorian Government agencies the land:

- *contributes directly to current or future service delivery outcomes expected by the Government;*
- *is central to the core business of agencies as explained in agency corporate plans;*
- *is financially beneficial to the State when compared to alternative investment of State funds; or*
- *in the case of Crown land, is appropriate on the basis that the protection of public land values make the land unsuitable for divestment.*

It is policy that Victorian Government Agencies must only hold land, or an interest in land, where State ownership contributes directly to current or future service delivery outcomes; and must not hold land that does not achieve this purpose.

The policy states that once declared surplus, the agency must give other State, Commonwealth and local government agencies an opportunity to express an interest in purchasing the land on mutually agreed terms at a price equal to the current market value of the land as determined by the Valuer-General Victoria.

As a new police station has been constructed on an alternate site and the Community Correctional Services Office has been relocated, DOJR has declared these sites as surplus to its operating requirements and proposes to dispose of the land. To facilitate this sale, the land must be rezoned from Public Park and Recreation Zone to a more appropriate zone.

As the land has been declared surplus, the *Victorian Government Land Transactions Policy and Guidelines 2016* seeks to ensure that land transactions are conducted in accordance with the highest standards of probity, relevant legislation and Victorian Government Policy.

This policy states that prior to the disposal of land, Victorian Government agencies must conduct an appropriate level of due diligence to ensure they are fully informed of the status and attributes of the land. Unless an exemption applies, Victorian Government agencies *“prior to the offering land for sale by a public process, must have in place the most appropriate zoning (and other relevant planning control) so that the land can be sold on the basis of its highest and best use.”*

Appropriate notice was given to all agencies and the Swan Hill Rural City Council that the land is surplus to DOJR requirements and is to be disposed of. Subsequently, VicRoads has commenced the process to acquire the land within the PAO3 (former Community Corrections Building). No other expressions of interest were received.

As the land has been declared surplus and is to be sold, it is necessary to amend the zoning from PPRZ to an appropriate zone that will facilitate the highest and best use of the land.

4.2 Is the Proposed Amendment appropriate?

Proposed Commercial 1 Zone

The C1Z is considered the most appropriate zone given the sites proximity to the Swan Hill CBD, its locational attributes and local context.

The purposes of the C1Z are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

The C1Z will allow a wide range of commercial uses ‘as of right’ or subject to a planning permit. It is also the zone that will achieve the highest and best use of this land.

The rezoning of this site to C1Z will assist in achieving both State and Local government policy objectives, which recognise and seek to further develop the commercial and tourism potential of Swan Hill, and maximise the locational advantages of the site, in particular.

The proposed zoning will facilitate a range of commercial land uses and the ‘Buildings and works’ controls contained within Clause 34.01 – *Commercial Zone* and Clause 43.02 - *Design and Development Overlay 2 - Swan Hill River Precinct*

will provide the guidance required to ensure built form outcomes are appropriate in this location.

Whilst the Community Correctional Services Office site is entirely affected by PAO3, the C1Z is still the most appropriate zone to achieve the highest and best use for this site, until such time as the land is required for the proposed bridge works. Whilst the PAO3 will impose constraints in relation to the future development of the site under this zone, it will allow for a range of uses within the existing building (subject to approval) without necessarily prejudicing the purpose for which the land is to be acquired. It will also facilitate the adaptive reuse of the existing building, thereby avoiding the situation where the building remains vacant for a long period and may be subject to vandalism.

Proposed Environmental Audit Overlay

The inclusion of the former Police Station site within the EAO will ensure that any potential contamination associated with the underground petrol storage tank will be properly addressed when considering any future redevelopment of the site. This is in accordance with Ministerial Direction 1 – *Potentially Contaminated Land*.

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

The proposed Amendment is consistent with and will implement the following objectives of planning in Victoria:

- *To provide for the fair, orderly, economic and sustainable use and development of land*
- *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*
- *To balance the present and future interests of all Victorians.*

4.4 How does the Amendment support or implement the State Planning Policy Framework?

The policies within the SPPF most relevant to this Planning Scheme Amendment include:

- **Clause 10** - Operation of the State Planning Policy Framework
- **Clause 11** – Settlement
- **Clause 11.05-1** – Regional settlement networks
- **Clause 11.05-4** – Regional planning strategies and principles
- **Clause 11.05-4** – Regional Victoria’s competitive advantages

- **Clause 11.05-4** - Distinct and diverse and regional settlements
- **Clause 11.11-2** – Loddon Mallee North regional growth – A diversified economy
- **Clause 11.11-5** – Sustainable communities
- **Clause 11.11-8** - Integrated planning - Loddon Mallee North Regional Growth Plan
- **Clause 15** – Built environment and heritage
- **Clause 17** - Economic Development
- **Clause 17.01.1** – Commercial – Business
- **Clause 17.03** – Tourism – Facilitating tourism
- **Clause 18.01-2** – Transport system

The proposed rezoning is consistent with the following directions contained within the State Planning Policy Framework (SPPF).

Clause 10 – Operation of the State Planning Policy Framework – reiterates the objectives of planning as outlined in Section 4.3 of this report.

Clause 11 – Settlement – states that planning is to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation, open space, commerce, community facilities and infrastructure.

Clause 11.05-1 – Regional settlement networks – seeks to promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework Plan. A key strategy is to ensure that regions and their settlements are planned in accordance with relevant regional growth plans. Swan Hill is identified as a ‘Regional centre’ where growth is to be promoted. It also seeks to provide appropriately located supplies of commercial land (amongst others) to meet community needs in accordance with relevant regional growth plan. This policy states that planning must consider the Loddon Mallee North Regional Growth Plan.

Clause 11.05-4 – Regional planning strategies and principles – seeks to develop regions and settlements which have a strong identity, are prosperous and environmentally sustainable. It also seeks to ensure regions and settlements are planned in accordance with any relevant regional growth plan. Two key strategies include directing growth to locations where utility, transport, commercial, social infrastructure and services are available; and ensuring there is a sufficient supply of appropriately located residential, commercial and industrial land across the region to meet the needs identified at a regional level.

Clause 11.05-4 – Regional Victoria’s competitive advantages - seeks to maintain and enhance regional Victoria’s competitive advantage by focusing private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities, as well as strengthening settlements by ensuring that retail, office-based employment, community facilities and services are concentrated in central locations.

Clause 11.05-4 – Distinct and diverse and regional settlements - seeks to support the growth and development of distinctive and diverse regional settlement by redirecting growth into existing settlements and promoting and capitalising on opportunities for urban renewal and redevelopment.

Clause 11.11-2 – Loddon Mallee North regional growth – A diversified economy – seeks to realise opportunities to strengthen and diversify the economy, through supporting further diversification of the service and tourism industries (amongst others). It states planning must consider the Loddon Mallee North Regional Growth Plan 2014.

Loddon Mallee North Regional Growth Plan – establishes a framework for strategic land use and settlement planning that can sustainably accommodate growth and identifies important economic, environmental, social and cultural resources that are to be preserved, maintained or developed. It provides direction for accommodating growth and change including residential, employment, industrial, commercial and rural activities and shows which areas can accommodate growth. It identifies that future planning in Swan Hill will encourage further diversification into health services, transport logistics and tourism. In terms of delivering regional growth, it identifies that Swan Hill will provide higher order services and strong support to surrounding regional communities.

The regional growth plan identifies Swan Hill as a ‘Regional centre’ which is defined as *“A large diverse population with significant retail and employment bases that service extensive communities of interest. It has access to hospitals, education, arts and cultural facilities with well-defined commercial and industrial precincts.”* The Plan seeks to *‘Promote growth’* which will *“Target and proactively encourage and facilitate growth, development and investment.”* It also identifies Swan Hill as an employment hub and ‘Significant tourist area’ with significant cultural heritage, including the Murray River and its ports heritage and landscapes, which are identified as a strategic asset. The railway line is identified as a *‘Key linkage’* with an active passenger service.

The Swan Hill Strategic Framework Plan identifies the subject site as *‘Reserves and public land’*, yet outside the area covered by the Swan Hill Riverfront Masterplan. Whilst it remains silent about any future land use in this area, it identifies the land opposite as *‘Business area’*.

The Plan identifies that Murray River crossings are an essential part of the transport network and that cross-border communities rely upon them for access to goods, services, education, employment and supporting the national freight network. It identifies that planning is underway for upgrades to Murray River crossings, including Swan Hill, which is considered a key medium to long term priorities.

Clause 11.11-5 – Sustainable communities – seeks to plan for and facilitate growth of Swan Hill as a regional centre and important tourist destination and to support its incremental expansion and the provision of infrastructure.

Clause 11.11-8 - Integrated planning – (Map7) - identifies Swan Hill as a regional centre where growth is to be promoted, as well as a significant tourist area which includes some significant cultural heritage places and landscapes.

Clause 15 – Built environment and heritage – states that planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context; and protect places and sites with significant heritage and cultural value. A key strategy is to encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.

Clause 17 - Economic Development – recognises that planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential. To achieve this, it seeks to encourage development which meets the communities' need for retail, entertainment, office and other commercial services; and provides net community benefit in relation to accessibility and efficient infrastructure use. A key strategy is to locate commercial facilities in existing or planned activity centres.

Clause 17.01.1 – Commercial – Business – seeks to encourage development which meets the communities' need for retail, entertainment, office and other commercial services; and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities. Two of the most relevant strategies include locating commercial facilities in existing activity centres and providing new convenience shopping facilities to provide for the needs of the local population within, or immediately adjacent to existing commercial centres.

Clause 17.03 – Tourism – Facilitating tourism – seeks to encourage tourism development to maximise employment and long term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination. To achieve this, it seeks to ensure tourism facilities have access to suitable transport and are compatible with and build upon the assets and qualities of surrounding urban, cultural and natural attractions.

Clause 18.01-2 – Transport system – seeks to co-ordinate development of all transport modes to provide a comprehensive transport system. A key strategy is to plan for new uses or development near existing or proposed transport routes to avoid detriment to, and where possible enhance the service, safety and amenity of that transport route in the short and long term. It seeks to encourage higher land use densities and mixed use development near railway stations, major bus terminals, transport interchanges and principal bus routes.

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

The policies within the LPPF most relevant to this Planning Scheme Amendment include:

- **Clause 21.1** - Municipal Profile
- **Clause 21.2-2** – Key Issues and Influences
- **Clause 21.07** – Built environment and heritage – High standard of urban design
- **Clause 21.08-1** – Economic development – Business
- **Clause 21.08-3** – Tourism
- **Clause 21.09-2** – Transport
- **Clause 21.10-1** – Local Area Plans – Swan Hill - Economic development

The proposed rezoning is consistent with the following directions contained within the Local Planning Policy Framework (LPPF).

Clause 21.1 – Municipal Profile – recognises that Swan Hill is a major regional centre for population, employment, retail, business, industrial, government, educational and health/medical services. It also recognises that tourism attractions based on the Murray River and the Swan Hill Pioneer Settlement are important components of local and regional tourism.

Clause 21.2-2 – Key Issues and Influences – Key Issues – recognises the need to maintain Swan Hill as the major regional centre. It recognises that significant tourism opportunities exist within Swan Hill and particularly with the redevelopment of the riverside precinct and linking it to the CBD, the Pioneer Settlement and the new Murray River bridge crossing.

Clause 21.08-1 – Economic development – Business – recognises that business and commerce play an important role providing retail, services, facilities and reducing escape expenditure. The Swan Hill CBD is identified as the dominant business location and growth of business and commerce is to be encouraged. This

policy specifies the appropriate zone for land within the Swan Hill CBD is Business 1 Zone and identifies the *Swan Hill Business Zones Review 2005* as a Reference Document.

Clause 21.08-3 – Tourism – recognises there are significant tourism opportunities in Swan Hill with the redevelopment of the riverside precinct and linking it to the CBD, the Pioneer Settlement and the new Murray River bridge crossing. It seeks to strengthen the role and return from tourism development based on the area's natural and cultural heritage base, and particularly accommodation uses. This policy recognises that the DDO2 to the Swan Hill river precinct has been applied to establish a primary public open area for Swan Hill, which encourages leisure, cultural and tourism opportunities.

Clause 21.09-2 - Transport – recognises the new Swan Hill river crossing provides the opportunity to review and implement the vision of the Riverside Precinct Master Plan. The policy seeks to protect and enhance transport infrastructure including the replacement of the Swan Hill bridge.

Clause 21.10-1 – Local Area Plans – Swan Hill - Economic development – recognises that a strong Swan Hill regional centre greatly enhances the capacity of the municipality and the wider region to retain and attract people, businesses, investment and services. The policy seeks to implement a precinct based planning approach for the Swan Hill CBD based on the Swan Hill CBD Precincts Plan. Despite not being included in one of these precincts, the policy specifically seeks to encourage the development of Curlewis Street as a Tourism Precinct with associated 'tourism and retail' uses, recognising this area can potentially benefit from its proximity to the river. The policy recognises development opportunities in Curlewis Street need to be placed within a broader framework of the Swan Hill Riverside Precinct and the traffic status of Curlewis Street. The policy recognises that development needs to be consistent with agreed design concepts for the riverside precinct and contains a number of directions relating to appropriate built form outcomes and the need to improve physical and visual links to the Riverside Park.

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

Environmental

There is no significant native vegetation on either site. Similarly neither site contains any identified sites of archaeological or cultural significance.

The former Police Station site contains a disused underground petrol tank. To ensure all potential environmental risks are properly addressed, it is proposed to include the site within an EAO.

Social

Despite the current PPRZ, the land is not used for recreational purposes. The rezoning will therefore not result in a loss of open space.

Whilst the land has historically been used for community services including the Police Station and Community Correctional Services Office, the rezoning of the land will not result in the loss of vital community services as an upgraded police station has already been built within the township and the Community Correctional Services Office has been relocated within the township.

Rezoning of the land to C1Z will also assist in the redevelopment and potential reuse of these two disused sites.

Economic

Rezoning the land to a C1Z will facilitate the redevelopment/reuse of the sites for a wide range of uses, including tourism related commercial uses, which will have a positive economic effect on the local economy.

Inclusion of the Community Correctional Services Office site within a C1Z will enable the adaptive re-use of the existing building until such time as land is required for proposed bridge works.

4.7 Does the Amendment address relevant bushfire risk?

The site is not located within a Bushfire Management Overlay or within an area identified as a Designated Bushfire Prone Area; and no special bushfire construction requirements apply. The site therefore has not been identified as having a high bushfire risk.

The proposed rezoning will not increase the potential bushfire risk.

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

The proposed Amendment complies with:

- **Ministerial Direction No: 11** – Strategic Assessment of Amendments
- **Planning Practice Note 46:** Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments
- **Ministerial Direction No: 1** - Potentially Contaminated Land
- **Ministerial Direction** – Form and Content of Planning Schemes

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

To facilitate the development of this land for retail or tourism purposes which is supported by the SPPF and the LPPF, the C1Z is the most appropriate zone.

To address potential contamination issues it is appropriate to include the land within an EAO.

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

Under the PAO, VicRoads (Roads Corporation) is the nominated acquiring authority for the former Community Correctional Services building at 123 Curlewis Street. VicRoads has undertaken to buy the land and has commenced the acquisition process. Rezoning the land will allow for the adaptive re-use of the existing building until such time as the land is required for the proposed bridge works. This approach is supported by VicRoads.

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

The proposed amendment addresses the requirements of the *Transport Integration Act 2010*.

Land identified for the future Swan Hill Bridge replacement is currently included within a PAO, and this overlay is to remain.

As VicRoads has undertaken to buy the land, the C1Z will allow the adaptive reuse of the existing building until the land is required for the proposed bridge works.

Retention of the PAO will ensure both the Responsible Authority and VicRoads have the ability to manage future buildings and works on the site.

Impacts associated with any future development on the road and transport system would be considered as part of any future planning permit application.

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

It is not anticipated that the proposed amendment will have any impact on the resource and administrative cost of the responsible authority.

5 Conclusion

The rezoning of the former Police Station and the Community Correctional Services Officer to C1Z with the application of the EAO to the former Police Station site, is appropriate for the following reasons:

- The former Swan Hill Police Station and Community Corrections Office are surplus to DOJR requirements; and according to State Government policy must therefore be disposed of.
- No State agency or the Swan Hill Rural City Council have accepted the offer to purchase the Police Station site and therefore it must be sold.
- To facilitate the sale of this land it must be rezoned from PPRZ to a more appropriate zone.
- Rezoning of the land to C1Z is consistent with the SPPF, LPPF and the Design Objectives of the DDO, which identify this section of Curlewis Street as suited to tourism and retailing.
- Swan Hill is identified as an important regional centre where commercial growth will be promoted, with a particular focus on retail and tourism in this area, leveraging off its location between the Swan Hill CBD and the Murray River.
- The existing DDO2, which is to be retained, will ensure the future development of these sites properly address the Swan Hill River Precinct.
- The PAO will ensure that any future use or development of the Community Correctional Services Office site will not prejudice the long term future Swan Hill Bridge replacement project and works.
- The inclusion of the Community Correctional Services Office within a C1Z will allow to adaptive reuse of the existing building until such time as the land is required for the construction of the Swan Hill replacement bridge.
- The rezoning offers an opportunity for the sites to be used and developed for retail and tourism which could contribute to the Riverside Precinct and the Swan Hill CBD.
- The sites have good access to transport infrastructure including good public transport and existing and future road infrastructure, making it a highly accessible site.
- The sites have no significant environmental or cultural heritage values.
- The rezoning will have a positive economic effect on the Swan Hill township.
- The rezoning will not have a negative social impact on the Swan Hill community as the Police Station and Community Correctional Services Offices have been relocated elsewhere within Swan Hill; and will not result in

a loss of public open space as the land has not been used for public open space for over 50 years.

- Potential environmental risk associated with an underground petrol tank on the former Police Station site is addressed through the inclusion of the site within an EAO, consistent with Ministerial Direction No. 1. There are no other known environmental risks.
- The adjoining land uses, including the Court House and the DOJR Offices are not surplus to DOJR requirements, and there is no intention to dispose of them, the amendment request applies to the two surplus sites only.
- Development and use of these sites for commercial use would not have an adverse amenity impact on the adjoining properties.

For these reasons, the Amendment should be supported.

SP Planning

November 2016