

The land is zoned General Residential (GRZ) in the eastern part, with a smaller area of the site on the western side covered by Rural Living Zone 2 (RLZ2). The surrounding zones are GRZ to the north, Commercial 2 Zone (C2Z) to the west, Transport Zone 2 (TRZ2) to the south-west along Ararat Road, and RLZ2 to the south and east. The surrounding area is predominantly RLZ or Public Conservation and Recreation (PCRZ). This includes the Wildcat Hill Bushland Reserve that comes close to the northwest of the site.

The nearest overlays are the Bushfire Management Overlay, which covers part of the GRZ land to the north of the site, and the LSIO that applies to a small portion of land on the other side of Ararat Road, to the south-west of the site.

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

The planning permit application applies to a single allotment affected by the Planning Scheme Amendment, formally known as Lot 11 on Title Plan 898109 (refer to Figure 2).

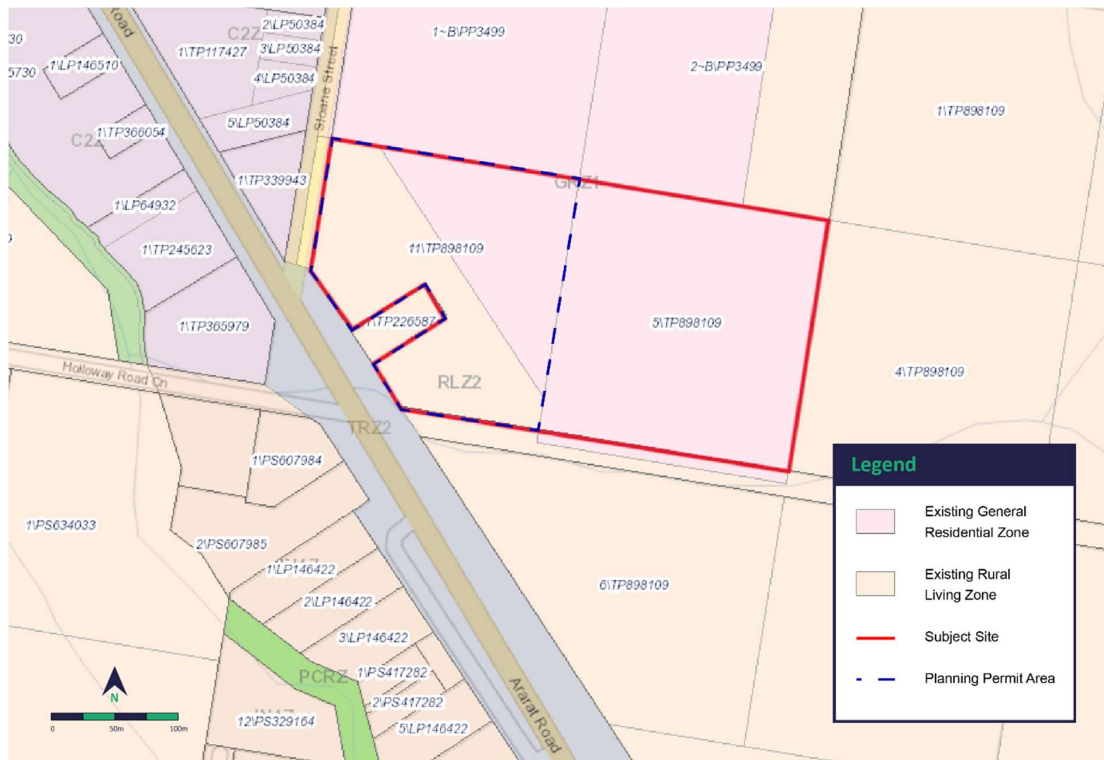


Figure 2: Planning Permit Area

What the amendment does

The amendment seeks to rezone the land to allow for conventional residential development, consistent with the approved planning permit applying to the land to the east and allows for the creation of a superlot to preserve the land for future development following the preparation of a Structure Plan for the wider growth area.

The amendment makes the following changes to the Northern Grampians Shire Planning Scheme:

- Rezones part of the land from the Rural Living Zone – Schedule 2 (RLZ2) to the Neighbourhood Residential Zone (NRZ);
- Rezones part of the land from General Residential Zone – Schedule 1 (GRZ1) to the Neighbourhood Residential Zone (NRZ1) and
- adds Schedule 1 to the Neighbourhood Residential Zone.

Land within the proposed superlot will remain within the Rural Living Zone – Schedule 2 and will be subject to further strategic planning. The majority of the land to be rezoned is currently General Residential, with a small portion to the west of the site to be rezoned from Rural Living to Neighbourhood Residential.

The map at Figure 3 shows the area to be rezoned to Neighbourhood Residential Zone from General Residential Zone and Rural Living Zone.

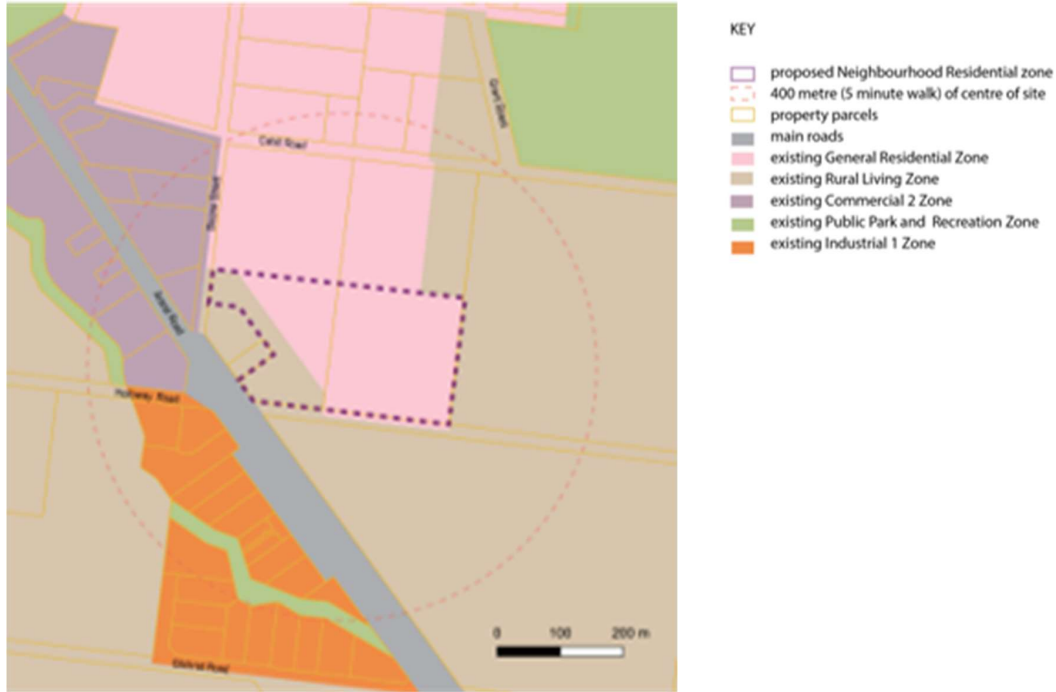


Figure 3 Area to be rezoned

The planning permit application seeks approval for:

- Multi-lot subdivision of land and creation of easements.

A copy of the draft planning permit that is intended to apply to Lot 11 forms Attachment 2 to this Explanatory Report and is provided as part of the amendment documentation.

Strategic assessment of the amendment

Why is the amendment required?

The amendment will allow for urban growth and residential land development consistent with the strategic direction as set out in the Stawell Structure Plan and the Stawell Western Highway Urban Design Framework.

The Stawell Structure Plan, adopted in 2021, addresses a key challenge for the town – lack of housing supply and diversity. It specifically identifies the subject site as a residential growth area within the designated urban growth area south of the township. The selection of the southeast area of the town for future residential expansion gives effect to the Structure Plan’s principles to enhance the gateway to the town, protect the environment, and build the economy.

Furthermore, a proposed Neighbourhood Activity Node is identified in the north-west corner of the site. It is located within the area described within the Structure Plan as Council’s highest priority for

accommodating residential growth. Part of the land is also located within the area described as the most logical expansion for greenfield development.

The combined rezoning and subdivision of land will bring additional housing stock to the market to accommodate the short-term demand and provide a diversity of dwelling typologies to contribute to the changing population.

Meeting housing need in Stawell

A jointly funded project of Council and the State Government identified in 2021 that a more diverse mix of new housing is needed in Stawell, and that infrastructure should be provided, including at the location of the proposed amendment and subdivision. The project description showed that accommodation is urgently needed for 1,000 workers. This is based on Council-commissioned work from 2018 that identified unmet housing demand. Recent endeavours by Council to attract workers to essential industries in the region have confirmed that the shortage of suitable housing for workers and their families is a major deterrent to workers locating to Stawell and is hampering expansion of businesses in the regional growth sectors of mining, agribusiness, food processing, health services and renewable energy.

The Wimmera Development Association found in its regional housing blueprint of April 2022 that the shortage of available residential land across the region is deterring potential employees migrating to the region. Council's discussion paper and final Structure Plan for Stawell show that the most suitable for providing for residential expansion is south and southwest of the township, on land that has fewer environmental constraints than land to the north, east and west.

Housing diversity

The existing subdivision permit for the eastern half of the area to be rezoned, and the proposed planning permit for the west end of the area show proposed lots varying between 350m² and 630m² in size, with most lots in the 400-500m² size range. This provides for diversity in new housing, including potential dual occupancy units on the larger blocks, townhouse-style housing on the smallest lots, and a variety of lots in between for households with different space needs. As a whole, the subdivision diversifies the housing offer by providing alternatives to the larger lots, typically 700-900m² in size, that have been common in 20th century subdivisions in Stawell.

Rezoning and subdivision concurrent rezoning and subdivision permit application is sought for the following reasons:

- The proposal represents an opportunity to ensure a well-coordinated planning outcome can be achieved;
- The land to the east is currently controlled by the proponent and is approved for residential development under the existing planning controls;
- The concurrent subdivision approval would allow for the development of the land to be realised as a consolidated project;
- A concurrent permit will ensure the site is developed generally in accordance with the Stawell Structure Plan;
- The concurrent permit will provide Council with development certainty;
- The subdivision will bring additional allotments to market to meet short term housing demand; and
- The *Section 96A* combined amendment and permit application will ensure an efficient planning process.

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

The proposal implements the following objectives of planning in Victoria, set out in Section 4(1) of the *Planning and Environment Act 1987*:

- (a) provide for the fair, orderly, economic and sustainable use, and development of land;
- (c) secure a pleasant, efficient and safe work, living and recreational environment for all Victorians and visitors to Victoria;
- (e) protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;
- (f) facilitate development in accordance with the objectives set on (a), (c) and (e); and
- (g) balance the present and future needs of Victorians.

The amendment gives effect to the first three aims of the 1987 Planning and Environment Act, namely that planning should to provide for the fair, orderly, economic and sustainable use, and development of land, protect natural and man-made resources and provide a pleasant, efficient and safe working, living and recreational environment.

The fair and orderly planning of the area will be achieved by more consistent and clearer application of the residential zones. Natural resources and heritage are protected by directing future growth to less environmentally sensitive and heritage areas of the town, while a pleasant, efficient and safe working and living environment will be furthered by creating more accessible, affordable and well-planned housing to support employment.

The proposal will unlock land supply within Northern Grampians Shire and facilitate residential development within the designated growth corridor.

The subject site is partly zoned and approved for residential development under the existing planning controls, therefore is considered a logical extension of the existing and surrounding residential precinct. The subdivision will deliver the required infrastructure and services to accommodate the establishing community. The proposed lot-mix will ensure a diverse dwelling typology can be achieved, to accommodate a range of future occupants.

The proposal is considered to make a positive contribution to the growth of Stawell, while matching neighbourhood character to future building height.

A combined amendment and planning permit for subdivision is sought under s96A of the Planning and Environment Act. This combined approach expedites the provision of new much-needed housing for Stawell. It also allows neighbours and other interested parties to fully appreciate the proposal and to simultaneously comment on both the changes in zoning and the layout of the streets and residential lots that will follow the change in zoning.

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

Environmental

A Preliminary Risk Screen Assessment has been undertaken by Golders in support of the proposed residential development in accordance with the Potentially Contaminated Land Planning Practice Note (July 2021). The PRSA has been completed by an Environmental Auditor appointed pursuant to the *Environment Protection Act 2017*. The findings demonstrate that the land is suitable for the proposed sensitive land use and that an Environmental Audit is not required.

The development is proposed on cleared former grazing land. It will have no impact on existing biodiversity values as addressed as part of the original planning permit 5.2021.74.1.

The delivery of the drainage reserve as part of the ultimate development will create a local node and contribute to the amenity and character of the residential growth area. The drainage reserve will be landscaped with native species as per the endorsed Landscape Plans.

The drainage reserve and street tree plantings provide the opportunity to increase the habitat of bird, insects and small animals. The risk screening shows no threat to groundwater, while the drainage reserve will serve to store and filter stormwater.

Social

The rezoning of land supports housing growth in strategic locations identified as greenfield precincts in the Stawell Structure Plan. The greenfield development will seek to deliver a lot-mix that allows for a diversity in dwelling typologies to attract a variety of future residents.

The proposal is considered to be consistent with the outcomes envisaged within the Wimmera Development Association (WDA) Housing Blueprint prepared for the Wimmera Southern Mallee (WSM) region.

The Blueprint outlines that the overall population within this region is expected to increase by 1.9% between 2021-2036, with significant growth to occur particularly within Horsham Rural City and Northern Grampians Shire. In order to achieve this growth and housing demand, additional land supply needs to be unlocked to facilitate timely development.

The Housing Blueprint is based on seven foundations, including Land Availability. This foundation is based on securing greater supply and access to appropriately zoned residential land and residential subdivision market facilitation.

The proposed Section 96A Amendment and combined planning permit will assist in delivering residential land supply in an efficient and orderly planning process.

Economic

The amendment facilitates economic development by creating the superlot for future development. This will assist in preserving the ability for the land to be developed for commercial purposes should further strategic investigations determine this suitable. The superlot will allow the short-term establishment of complementary non-residential land uses (subject to approval under the Rural Living Zone) that will create small scale employment opportunities and provide for local needs of the community.

Does the amendment address relevant bushfire risk?

The land is not affected by the Bushfire Management Overlay however it is within a designated Bushfire Prone Area. A Bushfire Management Plan has been prepared by Okologie Consulting in support of the proposal and to address the requirements of Clause 13.02 (Bushfire Planning).

The Bushfire Management Plan includes a bushfire hazard and landscape hazard assessment and recommends bushfire protection measures to address identified risk.

The bushfire hazard assessment considers the immediate bushfire threats within 100m of the subject site. The assessment identified grassland to the north, south and east of the subject site, and low threat vegetation to the west. The highest threat from the immediate surrounds is from Grassland vegetation to the north (immediately adjacent) with a flat upslope terrain. The land to the north is subject to a separate residential subdivision application and the threat is likely to be removed as part of the future development of this land. Regardless of the above, the bushfire hazard assessment notes that development can achieve BAL-12 construction standards in accordance with AS3959-2018 (Australian Standards 2018).

In conclusion, the bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level, as the subdivision can manage the bushfire risk and required defendable space within the property boundary whilst maintaining a building construction standard of BAL-12 in accordance with AS3959-2018 (Australian Standards 2018).

The Bushfire Management Plan will be implemented as part of the development and will assist in reducing the risk to adjacent residential land.

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

The amendment is generally consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act and Ministerial Direction No.11 – Strategic Assessment of Amendments under Section 12(2)(a) of the Act.

The amendment is consistent with Direction No. 1 Potentially Contaminated Land. This direction requires:

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.

The land is not known to be potentially contaminated or previously used for a land use which may have contaminated land. The land known as Ararat Road, Stawell has historically been used for agricultural purposes.

A Preliminary Risk Screen Assessment has been undertaken by Golders in accordance with the Potentially Contaminated Land Planning Practice Note (July 2021) and consistent with the expectations outlined by the Environment Protection Authority. The findings demonstrate that the land is suitable for the proposed sensitive land use and that an Environmental Audit is not required.

The amendment is consistent with Direction No. 9 Metropolitan Planning Strategy. This direction requires:

In preparing a planning scheme amendment a planning authority must have regard to the Metropolitan Planning Strategy and include in the explanatory report discussion of how the amendment addresses key matters of relevancy to the Strategy, consistency with directions and policies of the Strategy and assistance and support of the Strategy's implementation.

Plan Melbourne 2017-2050 is the current Metropolitan Planning Strategy. Plan Melbourne is underpinned by nine principles upon which a series of outcomes, directions and policies are based upon. This amendment will support these principles by:

- Principle 3 - A city of centres linked to regional Victoria

The development will assist in the growth of Stawell, consistent with the designation as a 'growth area' within the Stawell Structure Plan. This reinforces the township as a regional centre within Victoria.

- Principle 5 - Living locally—20-minute neighbourhoods

The subdivision provides for a superlot to accommodate short term complementary non-residential land uses (subject to approval under the Rural Living Zone) and preserves the ability for the development of future retail/commercial uses following further strategic investigations for the Stawell Growth Area.

- Principle 7 - Strong and healthy communities

The subdivision has been designed in order to promote active transport and encourage walking to destinations rather than car dependency. Pedestrian paths are provided within all local road cross sections and within the future drainage reserve.

- Principle 8 - Infrastructure investment that supports balanced city growth

The development will provide for all internal infrastructure to service the residential allotments.

Furthermore, the proposal implements the Outcome 7 – 'Regional Victoria is productive, sustainable and supports jobs and economic growth' in the following ways:

- Invest in regional Victoria to support housing and economic growth (Direction 7.1);

- Support planning for growing towns in peri-urban areas (Policy 7.1.2).

The combined rezoning and subdivision of land in the designated urban growth area will assist in meeting the short-term demand for residential housing growth within the township.

The amendment is consistent with Minister's Direction No.11 – Strategic Assessment of amendments.

The Ministerial Direction requires planning scheme amendments to adequately address relevant planning policy. The amendment is consistent with the relevant policy as described in examples throughout this report.

The amendment has been prepared in accordance with Direction No 15 – the planning scheme amendment process.

Acknowledging the formal process in which the proposal is required to be considered, the documentation has been prepared to justify the combined rezoning and subdivision request in order for Council to seek authorisation from the Minister for Planning to prepare a Planning Scheme Amendment.

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

The amendment supports and seeks to implement the Planning Policy Framework, particularly having regard to:

- Clause 11.02-1S 'Supply of Urban Land' by ensuring a sufficient supply of land is available for residential growth within Stawell.
- Clause 11.02-2S 'Structure Planning' by addressing and being generally in accordance with the Stawell Structure Plan.

Clause 11.02-3S 'Sequencing of Development' by seeking a site specific amendment to land noted for prioritisation in the Stawell Structure Plan.

- Clause 11.03-2S 'Growth Areas' by rezoning land identified in the Stawell Structure Plan as a nominated urban growth area.
- Clause 13.02-1S 'Bushfire Planning' by reducing bushfire risk and implementing the requirements of the Bushfire Management Plan as part of future development.
- Clause 13.04-1S 'Contaminated and Potentially Contaminated Land' by providing a Preliminary Risk Screen Assessment to demonstrate the suitability of the land for residential purposes.
- Clause 15.01-3S 'Subdivision design' by providing a logical and permeable subdivision layout that will benefit from the surrounding amenity including the drainage/open space reserve.
- Clause 16.01-1S 'Housing Supply' by bringing additional housing stock to market to meet the short-term demand.
- Clause 16.01-2S 'Housing Affordability' by providing a lot-mix to accommodate a range of housing typologies, including smaller more affordable allotments.

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

The Amendment does not seek to alter the intent of the Local Planning Policy Framework or Municipal Strategic Statement and is consistent with all of the relevant planning policies contained within the Northern Grampians Planning Scheme.

The Amendment seeks to support and implement the Local Planning Policy Framework and Municipal Strategic Statement through complying with the general strategies outlined within Clause 11.01-1L 'Settlement – Northern Grampians' including:

- Discourage the expansion of township boundaries.
- Concentrate retail and professional service uses in existing commercial centres.
- Direct low-density development to planned estates to protect farming land.

Specifically, the Stawell settlement strategies include:

- Encourage residential development to be located in the south-east of the town, and north of the Western Highway.
- Encourage infill development with smaller lot subdivisions close to the commercial area.
- Encourage industrial and intensive commercial development in areas to the north-east of the town, including in the vicinity of the gold mine, and to the west of the town.
- Encourage retail and tourism development that capitalises on Stawell's proximity to the Grampians National Park.
- Ensure development in the central commercial area does not negatively impact on the safety and operation of the adjacent highway.
- Ensure land supply meets demand for bulky goods retail.
- Support retail and tourism development in Stawell that enhances its aesthetic appearance and heritage assets.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment is consistent with, and makes proper use of, the Victoria Planning Provisions by applying the Neighbourhood Residential Zone across the land which has been designated to provide for residential growth.

The purpose of the Neighbourhood Residential Zone is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

This purpose is consistent with the envisaged outcomes and nomination of 'residential growth area' within the Stawell Structure Plan.

The proposed application of the Neighbourhood Residential Zone (NRZ) to replace areas of General Residential and Rural Living zoned land is consistent with Planning Practice Note 91 of 2019 (Using the Residential Zones). The Practice Note says that building height is a key factor to consider when selecting a residential zone. The NRZ applies a two-storey mandatory height limit. That height is consistent with the scattered housing in the surrounding areas.

Applying a single zone, the NRZ, ensures a consistent and coherent approach to height across the subject site. Given the absence of existing housing on the site itself, the new Schedule 1 to the NRZ is not proposed to vary the standards applied through the NRZ to take account of existing built form.

In addition, the combined rezoning and amendment seeks to create a superlot for the primary purpose preserving the land for potential retail/commercial land uses following further strategic investigations and completion of a Structure Plan for the Stawell Growth Area.

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

The views of relevant agencies will be considered as part of the public exhibition process and as part of any subsequent Planning Panel process. Referral authorities have been contacted prior to exhibition and will be formally notified at the start of exhibition. The relevant referral authorities are the Environment Protection Authority, Downer Utilities, as sewerage and drainage provider, GWM Water, Powercor, Wimmera Catchment Management Authority and Department of Transport and Planning, as provider of main roads and public transport. Referral authorities apart from DTP in its capacity as provider of roads did not respond to preliminary contact and their views will be sought and considered during and after the exhibition process. The relevant office of DTP provided a preliminary comment on road provision which has been noted and taken into account in the draft permit.

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

Council is considered an 'interface body' under Section 25 of the Transport Integration Act 2010. An interface body must have regard to the transport system objectives and the decision-making principles of the Transport Integration Act when performing its functions under any interface legislation (including the Planning & Environment Act, 1987). The proposed amendment ensures transport and land use planning are integrated and appropriate transport infrastructure outcomes are provided for.

It is noted that the road network infrastructure to support the amendment and combined planning permit has been approved under the existing planning permit 5.2021.74.1. Therefore, the amendment is not expected to have any significant impacts on the transport network, and consequently nor with respect to the Transport Integration Act 2010.

Resource and administrative costs

The amendment will not have a significant administrative impact on Council as the amendment is proponent-led and combines the rezoning and subdivision of land as part of a Section 96A application.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Northern Grampians Shire Council website at <https://www.ngshire.vic.gov.au/Home>

And/or

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

- Northern Grampians Shire Council, 59-69 Main Street, Stawell.

The amendment can also be inspected free of charge at the Department of Transport and Planning website at https://planning-schemes.app.planning.vic.gov.au/All_schemes/amendments

Submissions

Any person who may be affected by the amendment and/or planning permit may make a submission to the planning authority. Submissions about the amendment and/or planning permit must be received by **Monday 7 August 2023**.

A submission must be sent to: ngshire@ngshire.vic.gov.au or posted to PO Box 580, Stawell, VIC, 3380.

Panel hearing dates

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

- directions hearing: week beginning 2 October 2023.
- panel hearing: week beginning 6 November 2023.

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Stawell	Ararat Road, Stawell (Lot 5, TP898109)	Northern Grampians C63ngra Map 29 ZN and Map 30 ZN
Stawell	Ararat Road, Stawell (Lot 11, TP898109)	Northern Grampians C63ngra Map 29 ZN and Map 30 ZN

ATTACHMENT 2 – DRAFT PLANNING PERMIT