

ADDENDUM ITEM AGENDA

ORDINARY MEETING OF COUNCIL

Tuesday, 12 February 2013

To be held
Swan Hill Town Hall,
Council Chambers,
McCallum Street, Swan Hill
Commencing at 7:00 PM

COUNCIL:

Cr LT McPhee – Mayor

Cr JN Katis

Cr GW Norton

Cr GI Cruickshank

Cr JA Kiley

Cr CM Adamson

Cr JB Crowe

SECTION F – URGENT ITEMS NOT INCLUDED IN AGENDA3

B.13.20 AMENDMENT REQUEST C52- RE ZONE OF LANDS- 28 AND
44 HIGH STREET AND 62 MCCRAE STREET, SWAN HILL3

SECTION F – URGENT ITEMS NOT INCLUDED IN AGENDA

B.13.20 AMENDMENT REQUEST C52- RE ZONE OF LANDS- 28 AND 44 HIGH STREET AND 62 MCCRAE STREET, SWAN HILL

Source: Procedural
Department: Development and Planning
File Number: 73-02-117

Summary

An application has been received from Isis Planning on behalf of Swan Hill District Health to rezone three parcels of land at No. 28 and 44 High Street, and No. 62 McCrae Street Swan Hill. The application requires the land to be rezoned from Residential 1 Zone (**R1Z**) to Public Use Zone Schedule 3 (Health and Community – **PUZ3**).

The land to be rezoned at No. 28 High Street (Lot 7 LP 20174) has an area of 1012sqm and contains a building housing a community palliative care service, district nursing service, hospital admission risk program and transitional care program within a converted dwelling, which is also used by the Swan Hill District Health. The other combined parcel of land to be rezoned is at No. 44 High Street and No. 62 McCrae Street (Lot 1 TP 117422J) which has an area of 1043sqm. The lot consists of an old vacant dwelling and a newly constructed building to the rear accommodates a new Clinical Training Centre for the Swan Hill District Health. Both parcels of land to be rezoned are located on the western side of High Street, Swan Hill opposite the Swan Hill District Health which is zoned PUZ3.

Council supported the amendment request in principle at its assembly meeting on 5 February 2013. The proposed amendment will appropriately reflect the current ownership and use of the land by the Swan Hill District Health; and will allow the land to be used for health and community services and allied health services. In particular, the amendment will facilitate the vacant dwelling at No. 44 High Street and No. 62 McCrae Street to be used by the Swan Hill District Health Opportunity Shop. The Opportunity Shop is currently located within the hospital main site within PUZ3, and operated by the health service's ladies auxiliary. Due to the completion of a Master Plan and the subsequent redevelopment plan for the hospital, the Opportunity Shop requires relocation to No. 44 High Street and No. 62 McCrae Street, Swan Hill. However, use of a land for shop is prohibited under the current R1Z of No. 44 High Street and No. 62 McCrae Street. Rezoning of this lot to PUZ3 will allow the Opportunity Shop to operate appropriately from the land. Similar benefits apply to the other lot affected by this amendment.

Council Plan Strategy Addressed

Infrastructure - Council seeks to ensure appropriate infrastructure to continue our economic growth

Recommendations

It is recommended that Council:

- 1. Note the amendment request;**
- 2. Resolve to seek authorisation from the Minister for Planning to prepare the amendment; and**
- 3. Following the receipt of authorisation, publically exhibit the amendment for a minimum period of 30 days.**

Policy Implications

The amendment complies with the requirements of Clause 21.02-2 of the Swan Hill Planning Scheme, which requires the consideration of key infrastructure for Swan Hill and the need for a coordinated, equitable and efficient approach to the provision of community facilities.

The amendment is supported by Clause 21.10-1 of the Swan Hill Planning Scheme as it seeks to strengthen Swan Hill as a regional centre and to consolidate its regional role in the provision of regional-level facilities and services.

The amendment has responded to the *Swan Hill Public Health and Wellbeing Plan 2010* which emphasises the need for:

- *Providing and maintaining the necessary infrastructure and services for our communities*
- *Continue to provide social interaction through respite groups, planned activity groups, and exercise groups*
- *Continue to provide maintenance of centres and support to Seniors' Clubs and home support services to eligible veterans*

The outcome of the amendment will allow Swan Hill District Health to use land at No. 44 High Street, Swan Hill as a Clinical Training Centre for Swan Hill District Health and Opportunity Shop that will be operated by the health service's ladies auxiliary.

Further, the application for rezoning claims that "*the Opportunity Shop generates a significant income stream for the health service and its continued operation by the ladies auxiliary guarantee this income stream to fund future projects and the purchase of much needed equipment. The Opportunity Shop provides to those*

persons in the community who are financially less fortunate access to cheap quality clothing. The volunteers from the auxiliary are a group of ageing ladies who are committed to fundraising and the shop provides them with a strong sense of assisting the community as well as maintaining their independence and well being”.

The above benefits are considered to be consistent with the *Swan Hill Public Health and Wellbeing Plan November 2010* and the Sustainable Objectives of *Swan Hill Council Plan 2009-2013*. The amendment will also allow Swan Hill District Health to continue to provide these valuable services to Swan Hill and surrounding communities, especially to the ageing population as well as socially and economically disadvantaged people of the region.

Financial and Resource Implications

There should be no net impact on the resource and administrative costs of the Swan Hill Rural City Council.

Triple Bottom Line Impact

Environmental Effects

The amendment is not expected to have any adverse environmental effects.

Social

The amendment will enable Swan Hill District Health to continue to provide valuable health and allied services to Swan Hill communities, especially to the ageing, socially and economically disadvantaged population of the Municipality and the region.

Further the *“volunteers from the auxiliary are a group of aging ladies who are committed to fundraising and the shop provides them with a strong sense of assisting the community as well as maintaining their independence and well being”*. This is considered a valuable contribution and significant social benefit to these volunteers and to the wider community.

Economic

The application for rezoning claims that the Opportunity Shop generates reasonable amount of income annually which assist in purchasing of needed equipments. Further, it also provides clothing at a cheap price for economically disadvantaged people of the community.

Background

Land affected by the amendment

The amendment applies to 28 (Lot 7 LP 20174) and 44 High Street and 62 McCrae Street (Lot 1 TP 117422J), Swan Hill.

What the amendment does

This amendment seeks to:

- Rezone No. 28 and 44 High Street, and No. 62 McCrae Street Swan Hill from the Residential 1 Zone to the Public Use Zone 3 (Health and Community).

It is considered that the proposed amendment has addressed the issues of Ministerial Direction No 1; and has been prepared in accordance with Ministerial Direction 11.

Issues

The current R1Z of the land does not reflect the ownership of the land by Swan Hill District Health, and prohibits some of the allied services the hospital intends to provide from the subject sites. The rezoning will enable the land to be used for health and community services and allied health services which will provide greater benefit to Swan Hill communities.

Consultation

Upon receipt of the authorisation from the Minister for Planning, the amendment will be consulted as per the requirements of the *Planning and Environment Act 1987* for a period of minimum 30 days.

Notices will be sent to immediate neighbours and will also be placed in the local newspaper (*The Guardian*).

Options

Council has the following options before it:

- Support the amendment request in principle and resolve to request the Minister for Planning to authorise the preparation of the amendment;
- Not support the amendment request with reasons outlined in the Council resolution.

Conclusion

Council at its assembly on 5 February 2013 supported the amendment in principle. The amendment will appropriately reflect the current ownership and use of the land by the Swan Hill District Health; and will allow the land to be used for health and community services and allied health services.

Council, in endorsing the request to seek authorisation for the amendment, is not approving the amendment. Council will have the opportunity to consider any issues of concern after the exhibition of the amendment.

At this stage it is considered appropriate to seek Ministerial authorisation for the preparation of the amendment.

Attachments

- 1 Amendment documents to be sent to the Minister for Planning seeking authorisation - Explanatory Report
- 2 List of Changes
- 3 Instruction Sheet
- 4 Mapping of the rezoning for the Swan Hill District Health rezoning request

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

AMENDMENT C52

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Swan Hill Rural City Council, who is the planning authority for this amendment.

The amendment has been made at the request of Swan Hill District Health.

Land affected by the amendment

The amendment applies to 28 (Lot 7 LP 20174) and 44 High Street and 62 McCrae Street (Lot 1 TP 117422J), Swan Hill.

What the amendment does

The amendment rezones the land from the Residential 1 Zone to the Public Use Zone 3 – Health and Community.

Strategic assessment of the amendment

• Why is the amendment required?

Swan Hill District Health completed a master plan in 2012 for the Swan Hill hospital that identified key projects to address the future needs for health care provision in the Swan Hill region. Many of the projects identified require significant government funding and the staging of these may vary depending on the funding stream and its objective. One of these key projects is the new Community Rehabilitation Centre. It is this project that is driving the need for this amendment.

Swan Hill District Health has pursued redevelopment of its site over a number of years to improve services offered to the community. The Health Service is located on a prominent site to the west of the Swan Hill Central Business District. While its focal point is within the High Street, McCrae Street, McCallum Street and Splatt Street block it is relatively constrained in options to expand its facilities and has previously purchased strategically positioned land for this purpose, mainly for allied health services.

The land to be rezoned as part of this amendment is located opposite the hospital on the western side of High Street and accommodates the following uses:

- 44 High Street/62 McCrae Street – old vacant dwelling (44 High Street) and newly constructed building (62 McCrae Street) to the rear accommodate a new Clinical Training Centre for the Swan Hill District Health.
- 28 High Street – houses a community palliative care service, district nursing service, hospital admission risk program and transitional care program from a converted dwelling which is also operated by the Swan Hill District Health.

The vacant dwelling at 44 High Street is to be used by the Swan Hill District Health Opportunity Shop that is operated by the health service's ladies auxiliary. The Opportunity Shop currently operates at the northern area of the hospital site in a converted residential

house. This land is zoned PUZ3 however is to be redeveloped in September 2013 for a 45 bed aged care residential facility consistent with the master plan. Under the current provisions of the Residential 1 Zone the use of the land as a shop is prohibited. The amendment is required to enable the Opportunity Shop to operate from the land and also to simply reflect for this land the current planning framework for other land owned and operated by Swan Hill District Health under the Public Use Zone 3 – Health and Community provisions. This applies to the current use of the land at 28 High Street also.

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

The amendment implements the objectives for planning in Victoria, in particular by providing for the orderly use and development of land (Section 4(1)(a) adjacent to the Swan Hill hospital and balancing the interests of the community Section 4(1)(g) in providing for well located high quality health facilities to meet the demands of a growing regional centre in Victoria.

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

Environmental Effects

The amendment is not expected to have any adverse environmental effects.

The land is fully serviced and there is no native vegetation on the land.

Social and economic effects

The amendment will provide Swan Hill District Health with the opportunity to relocate its Opportunity Shop to permanent accommodation and ensure a smooth transition to its new site. The Opportunity Shop generates a significant income stream for the health service and its continued operation by the ladies auxiliary guarantee this income stream to fund future projects and the purchase of much needed equipment. The Opportunity Shop provides to those persons in the community who are financially less fortunate access to cheap quality clothing. The volunteers from the auxiliary are a group of ageing ladies who are committed to fundraising and the shop provides them with a strong sense of assisting the community as well as maintaining their independence and well being.

- **Does the amendment address relevant bushfire risk?**

The land is not affected by a high bushfire risk. It is set within an established urban environment.

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

The amendment is not affected by any of the Minister's Directions under section 12 of the Planning and Environment Act 1987.

Ministerial Direction No.11 (Strategic Assessment Guidelines) is relevant to the amendment. The amendment has been developed and responds to each of the provisions of the direction.

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

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

This amendment is consistent with clause 17.01 – Economic Development, of the State Planning Policy Framework (SPPF) as the land is situated within an activity centre and provides for the integration of allied health facilities at its periphery.

The amendment is supported by clause 18.06 - Health Facilities, as the existing and new facilities will be co-located with existing facilities in an area that is highly accessible to the community and with good access to the local public bus service and walking distance from inner residential areas and the Swan Hill CBD.

Clause 19 (Infrastructure) states that *planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities*. Clause 19.02-1 (Health facilities) also seeks *to assist the integration of health facilities with local and regional communities*.

The amendment responds well to these provisions by growing health services in an important regional centre and maintaining the social involvement of the ladies auxiliary in the running of the Opportunity Shop.

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

Clause 21.02-2 recognises one of the key infrastructure issues for Swan Hill is the need for a coordinated, equitable and efficient approach to the provision of community facilities. The amendment responds positively to this as Swan Hill District Health is the major provider of community health facilities for the region.

The amendment is supported by the Municipal Strategic Statement. Clause 21.10-1 confirms there is a growing population in Swan Hill and seeks to strengthen Swan Hill as a regional centre and to consolidate “its regional role it must continue to embrace a strategy that reduces the ‘escape’ of retail expenditure, provides regional-level facilities and services, develops its regional market for goods and services, and generates local employment opportunities.” The reference to regional level facilities and services is comparable to those provided by the Swan Hill District Health.

The land is located outside of and to the west of the Precinct 2 (Office and institutional) of the CBD Precincts Plan which accommodates the core Swan Hill District Health site. It would not be appropriate to amend this plan as it is not intended to cover all office of institutional uses.

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

The amendment makes proper use of the VPP as it seeks to rezone land Swan Hill District Health currently own and operate for allied health services to the most appropriate public land zone.

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

Swan Hill District Health has discussed this amendment with the Department of Human Services (DHS) and there have been discussions with the regional office of the Department of Planning and Community Development (DPCD). These are the two agencies most relevant to the amendment.

As part of the amendment process all Prescribed Ministers will be notified.

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

The amendment is not impacted by any requirements of the Transport Integration Act 2010.

Resource and administrative costs

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

There should be no net impact on the resource and administrative costs of Council as any further development of the land would not require a planning permit if it was for or on behalf of the relevant Minister (in this case the Minister for Health).

The amendment will also free up officer time and administrative costs in the Planning Department of Swan Hill Rural City Council; and the resources could be better used on key planning issues.

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: [need to insert directions hearing date]
- panel hearing: [need to insert panel hearing date]

Where you may inspect this Amendment

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

Swan Hill Rural City Council

45 Splatt Street

SWAN HILL 3585

www.swanhill.vic.gov.au

The amendment can also be inspected free of charge at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection.

Amendment C52

List of changes to the Swan Hill Planning Scheme

Clause / Map Numbers	Change	Comment
PLANNING SCHEME MAP CHANGES		
Map Nos. 38 and 40	Planning Scheme Maps 38 and 40 are amended in the manner shown on the attached map marked "Swan Hill Planning Scheme, Amendment C52".	Amends the planning scheme maps.
LIST OF AMENDMENTS		
List of Amendments	Insert: Amendment number " C52 ", In operation from "[DATE TO BE INSERTED BY DPCD]", Brief description: "Rezones 28 and 44 High Street and 62 McCrae Street, Swan Hill from the Residential 1 Zone to the Public Use Zone – 3 (Health and Community) to reflect the use and development of the land by Swan Hill District Health for the allied health services and an Opportunity Shop."	Updates the list of amendments in the Swan Hill Planning Scheme.

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

AMENDMENT C52

INSTRUCTION SHEET

The planning authority for this amendment is the Swan Hill Rural City Council.

The Swan Hill Planning Scheme is amended as follows:

Planning Scheme Maps

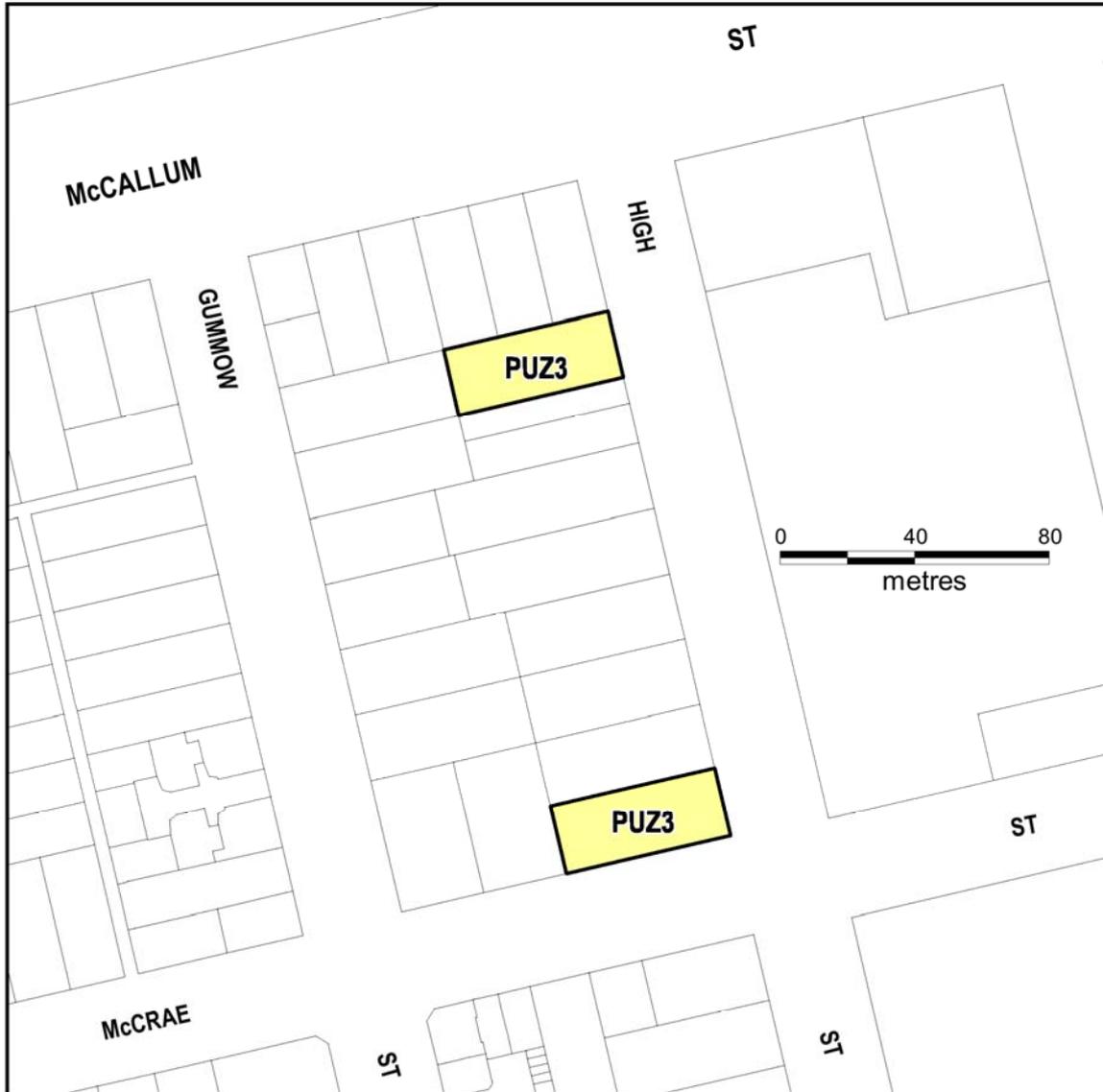
The Planning Scheme Maps are amended by a total of 1 attached map.

Zoning Maps

1. Planning Scheme Map Nos. 38 and 40 are amended in the manner shown on the attached map marked "Swan Hill Planning Scheme, Amendment C52".

End of document

SWAN HILL PLANNING SCHEME LOCAL PROVISION



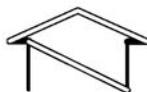
Part of Planning Scheme Map 38 & 40

LEGEND

PUZ3 PUBLIC USE ZONE - HEALTH & COMMUNITY

AMENDMENT C52

| Amendments Co-ordination Team |
| Planning & Building Systems |
| Planning, Building & Heritage |



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