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 Rural City Council.

Land affected by the Amendment
The amendment applies to all land within the Swan Hill Rural City Council.
The specific areas affected by the amendment are indicated on the 116 attached maps that form part of this amendment.

What the amendment does
The Amendment implements the outcomes of the:

- Swan Hill Planning Scheme Review Report (2015);
- Swan Hill Council Plan (2017-2020);
- Swan Hill Health and Wellbeing Plan (2017-2020);
- Swan Hill Riverfront Precinct Master Plan (2013);
- Swan Hill Car Parking Strategy (2016);
- Swan Hill Rural Land Use Strategy (2016); and
- Swan Hill Health Precinct Study (2017).

The Amendment will:

Planning Policy Framework
1. Replace the existing Local Planning Policy Framework (LPPF) with a new Municipal Planning Strategy (MPS) at Clause 02 and a modified Planning Policy Framework (PPF) at Clauses 11 to 19 (inclusive) to include policy directions arising from the above reports.

Maps
1. Insert the Mixed Use Zone (and schedule) to a site at the entrance to Lake Boga.
2. Replace the existing Farming Zone with a new Farming Zone 1 and Farming Zone 2.
3. Replace ESO1 mapping with an expanded area along the Murray River consistent with neighbouring Councils.
4. Delete DDO6 and schedule from land near Lake Boga as it is no longer required.
5. Delete DPO2 from some land zoned Low Density Residential near Swan Hill where it is no longer required.
6. Delete DPO4 from land at North Park in Swan Hill as it is fully developed.

Schedules
1. Replace the existing schedule to the Low Density Residential Zone (LDRZ) to introduce a permit trigger of 200 square metres for an outbuilding.
2. Replace the existing schedule to the Rural Living Zone (RLZ) and specify a minimum lot size of 2 hectares to manage subdivision and development.
3. Replace the existing schedule to the Farming Zone (FZ) with two new schedules (FZ1 and FZ2) to manage subdivision and development in line with the recommendations of the RLUS.
4. Make modifications to the schedules to the General Residential Zone, Industrial 1 Zone and Commercial 1 Zone to make them consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
5. Make modifications to Schedules 1, 2, 3 and 4 of the Special Use Zone to make them more consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
6. Insert a new Schedule 1 to the Environmental Significance Overlay (ESO1) to specifically deal with the Murray River corridor consistent with neighbouring municipalities and consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
7. Insert a new Schedule 3 to the Environmental Significance Overlay (ESO3) to specifically deal with Waterways, Wetlands and Lake Environs (other than affected by ESO1) consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
8. Make modifications to Schedule 1 to the Vegetation Protection Overlay (VPO1) to update references to current regulations and to be consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
9. Make modifications to Schedule 1 to the Design and Development Overlay (DDO1) to clarify referral and notice requirements and to be consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
10. Make modifications to Schedule 2 to the Design and Development Overlay (DDO2) to modify design objectives and include references to the Swan Hill Riverfront Precinct Master Plan (2013) and to be consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
11. Make modifications to Schedules 1, 2, 3 and 5 to the Development Plan Overlay to restructure the schedule consistent with the Ministerial Direction on the Form and Content of Planning Schemes and to include reference to the Infrastructure Design Manual.
12. Insert a new Schedule to the Land Subject to Inundation Overlay (LSIO) to reflect the approach adopted to flood risk in other municipalities and to be consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
14. Make modifications to the schedule to Clause 61.03 to update map references.
15. Make modifications to the schedule to Clause 66.04 to include ESO1 and ESO3 and to introduce a generic reference to Water authorities.
16. Amend the Schedule to Clause 72.03 to update the list of maps in the planning scheme.
17. Amend the Schedule to Clause 72.08 to insert the names of background documents.
**Strategic assessment of the amendment**

**Why is the amendment required?**

**Amendment VC148**

The amendment is required so as to implement the changes introduced to the Victoria Planning Provisions by Amendment VC148 which was gazetted on 31 July 2018. Amendment VC148 implemented changes to the VPP and planning schemes to clarify, simplify and improve their structure, function and operation, and to remove unnecessary regulation. In summary, Amendment VC148:

- introduced a new Planning Policy Framework (PPF)
- enabled the future introduction of a Municipal Planning Strategy (MPS)
- introduce a new state/regional/local integrated policy structure
- simplified the VPP structure by restructuring particular provisions; integrating VicSmart into applicable zones, overlays and particular provisions; and consolidating operational and administrative provisions
- amended specific zones, overlays and particular provisions to improve their structure and operation, and to support the translation of the LPPF to the MPS and PPF
- deleted outdated particular provisions
- deleted permit requirements for low-impact uses in industrial zones
- reduced car parking requirements for uses in commercial areas and for land within walking distance of high-quality public transport.

The process of translating LPPF content into a planning scheme reformed by Amendment VC148 is, for simplicity, referred to as 'translating an LPPF into the PPF'. Importantly, given the difference between the content and structure of an LPPF and the PPF, local policies have not necessarily been moved over into the PPF, nor has content from a Municipal Strategic Statement (MSS) been moved to the Municipal Planning Strategy (MPS). Some content has also been moved to local schedules to zones, overlays, particular, general and operational provisions, as appropriate.

This amendment completes the implementation of the PPF reforms in Amendment VC148 by integrating local policy into the PPF and other relevant clauses.

The amendment is also required so as to implement the following:

- Swan Hill Planning Scheme Review Report (2015);
- Swan Hill Council Plan (2017-2020);
- Swan Hill Health and Wellbeing Plan (2017-2020);
- Swan Hill Riverfront Precinct Master Plan (2013);
- Swan Hill Car Parking Strategy (2016);
- Swan Hill Rural Land Use Strategy (2016); and
- Swan Hill Health Precinct Study (2017).

**Swan Hill Planning Scheme Review Report (2015)**

Swan Hill Rural City Council adopted the *Swan Hill Planning Scheme Review Report* in 2015 in accordance with the requirements of Section 12B of the *Planning and Environment Act 1987* (the Act).

Since the introduction of its first ‘New Format Planning Scheme’ in 2000, the Swan Hill Planning Scheme has been regularly reviewed and updated. In addition to this, there have been numerous Planning Scheme Amendments over the years that have made other incremental changes to the Swan Hill Planning Scheme as specific planning issues have arisen. The scheme was most recently and significantly modified by Amendment C58 in 2016 which implemented the South West Development Precinct in Swan Hill.
Since the last planning scheme review, and its implementation by Amendment C39, a number of significant planning changes have occurred in the municipality as well as significant state and regional planning reforms. In particular, the Loddon Mallee Regional Growth Plan now forms part of the Swan Hill Planning Scheme.

The 2015 Planning Scheme Review outlined the major planning policy changes during the inter-review period and the key issues and policy gaps that had influenced the municipality’s strategic planning. The findings of the Review support a series of recommendations that will inform the work program for future amendments to the Swan Hill Planning Scheme.

In particular, an outcome of the 2015 Planning Scheme Review was the need for a more contemporary Local Planning Policy Framework (LPPF) in terms of its content and (to a lesser extent) its structure. Proposed Amendment C73 directly responds to this outcome.

The Review Report findings included (in summary) the need to:

- amend the MSS at Clause 21 to provide clearer strategic direction.
- reintroduce local policies at Clause 22;
- ensure that recently adopted strategic work is included in the Planning Scheme.

The Review Report included a prioritised program for change, with its highest priority recommendation being to update the Municipal Strategic Statement and Local Planning Policy Framework.

The Review Report also identified other new strategic work that may be required to support future policy development or changes to the provisions of the planning scheme. The work that may be required included the following:

- Small Towns Strategy (yet to be commenced)
- Swan Hill Health Precinct Plan (completed)
- Review of Swan Hill Business Zones (underway)

The Review Report concluded (in summary) that the ‘rolling’ program of planning scheme amendment approval meant that Swan Hill Rural City Council had a reasonably ‘fresh’ MSS in terms of content and (mainly thanks to Amendment C39) its structure.

Overall, the 2015 Review confirmed that the strategic basis of the Swan Hill Planning Scheme was fundamentally sound and was evolving progressively to reflect completed strategic work and changing community needs. It was apparent in the 2015 Review that there were further gaps within the strategic work that needed to be completed and adopted by Council. The adoption of the Rural Land Use Strategy, the Swan Hill Car Parking Study and Amendment C58 (among others) has already redressed many of these gaps.

Another major issue arising from the 2015 Review was the need to eliminate unnecessary planning permit applications which are resource-intensive for little obvious benefit. It was noted that a rewrite of local schedules would help redress this issue.

Amendment C73 therefore is a direct outcome of the Swan Hill Planning Scheme Review Report 2015.

**Swan Hill Rural Land Use Strategy (2016)**

The *Swan Hill Rural Land Use Strategy (RLUS)* was prepared by RMCG and adopted by Council in October 2016. The report included recommendations including two new categories of the Farming Zone (FZ1 and FZ2); and three new Rural Living Zone (RLZ) areas near Robinvale, Nyah and Swan Hill.

The RLUS also included a detailed implementation section which justified revised minimum lot size provisions for the two different categories of farming land, (FZ1 and FZ2) and alterations to the minimum lot size and siting provisions for Rural Living Zone land.

Amendment C73 only includes the recommended changes to the Farming Zone (and schedules).
Amendment C73 has not included the recommended changes to the Rural Living Zone as these are proposed to be considered as part of a subsequent amendment.

The RLUS was developed to guide the future of rural land use planning within the municipality with one of the main objectives being the protection of agricultural activity from conflicting land uses.

Agriculture is a key driver of the economy contributing a large percentage of the municipality’s total output. The RLUS recognised the importance of agriculture and sought to protect and grow the industry, through supportive planning provisions.

The RLUS also sought to support protection of the rural environment. The strategy considers the impact of flood and fire risk on future rural development. The strategy upholds a sustainable approach to rural land use planning within the municipality.

In summary, the RLUS addressed environmental, social and economic effects of the study and recommended implementation as follows:

- Agriculture (and the agricultural supply chain) underpins the SHRCC economy and is the largest employer. The municipality contains some horticultural industries and farmland areas that are of Strategic Significance. Protection of these industries (including through protection of farming land from inappropriate use and development) is vital to ongoing and future economic strength in the municipality.
- The RLUS addresses ways for agriculture to maintain a competitive edge within the municipality and recommends facilitating intensification and farm expansion as key drivers to protect agriculture.
- Environmental values (the Murray River and associated riparian land, waterways, wetlands and remnant vegetation) have been identified as assets to be protected for their contribution to liveability and attractiveness for tourism. There is strong existing support for these values within the MSS.
- Environmental hazards (bushfire and flooding) have been identified as key parameters for selecting appropriate areas for rural residential lot provision.
- Social considerations pervade the study, including protection of cultural assets, protection of local industries and greater diversity of housing stock through the rural residential land supply and demand analysis.

In line with the Planning Policy Framework (PPF), the Amendment seeks to limit new housing development in rural areas by introducing new schedules to the FZ and identifying mechanisms to ‘break the nexus’ between small lots in the FZ and development of those lots for housing which is not used in association with agriculture.

Implementation of the RLUS will facilitate a coordinated approach to the use and development of rural land now and into the future. Amendment C73 is required to address a number of issues relating to current and emerging trends of inappropriate land use and development occurring within the Farming Zone. Stronger strategic direction is required regarding protection of agriculture within the municipality by better managing rural residential demand.

As a result, two new categories of ‘Farming Zone’ have been identified which, more or less, coincide with the analysis in the RLUS which (in accordance with Clause 14.01 of the SPPF) identified land as being ‘farmland of strategic significance’ and other farmland of ‘regional significance’ (page 34).

The two new Farming Zone are:

**Farming Zone 1** (Broad acre farmland and private irrigation diversion areas) being areas to:

- Promote and encourage commercial scale broad acre agriculture such as livestock grazing and cropping, large scale irrigated development and Farmland of Regional Strategic Significance.
• Protect the opportunity for future horticultural development on Farmland of Strategic Significance.

In the FZ1 areas, the following will be key considerations for minimum lot sizes and dwellings:

• Further subdivision will be rarely required given the large supply of lots at a range of sizes and the trend towards increasing scale.
• Lots should be maintained in sizes suited to broad acre agriculture and the creation of small lots will be strongly discouraged.
• There are a small number of very large lots (> 500ha) that due to their size may be less attractive for sale or transfer between farm businesses. Subdivision of very large lots may be appropriate in some circumstances.
• Given that most commercial broad acre holdings comprise multiple lots, construction of a dwelling on every lot can no longer be expected.

Farming Zone 2 (Gazetted irrigation districts) being areas to:

• Promote and encourage commercial scale horticulture and other irrigated agriculture.
• Protect Farmland of State Strategic Significance.

In FZ2 areas, the following will be key considerations for minimum lot sizes and dwellings:

• Further subdivision will be rarely required given the large supply of lots at a range of sizes, particularly small lots sizes and will be strongly discouraged.
• Lots should be maintained in sizes suited to horticulture and other intensive irrigated agriculture
• Given the proximity of the established irrigation districts to urban centres, an emerging organic horticulture industry, the intensive nature of the production systems and risk of off-site impacts, dwellings not required for agriculture will be strongly discouraged
• Given that most commercial irrigated agriculture holdings comprise multiple lots, construction of a dwelling on every lot can no longer be expected and the nexus between subdivision and dwellings will be broken.

Based on the above key considerations, the RLUS identified (page 11) that the minimum lot size for subdivision in the two categories be:

- Farming Zone 1: 100 hectares
- Farming Zone 2: 20 hectares

The RLUS also identified (page 11) that the minimum lot size for which no permit is required for a dwelling in the two categories be:

- Farming Zone 1 (Broad acre farmland): 100 hectares
- Farming Zone 1 (Irrigated [private diversion] areas): 50 hectares
- Farming Zone 2: 20 hectares

A new schedule to the Rural Living Zone (RLZ) will also be introduced. The RLZ schedule will introduce the following:

- Minimum area for subdivision: 2 hectares
- Minimum area for which no permit is required to use land for a dwelling: 2 hectares
- Maximum floor area for which no permit is required to extend or alter or extend an existing building used for agriculture: 250 square metres
- Minimum setback from a boundary: 20 metres
In addition to these new minimum lot size and dwelling provisions, local policies at Clause 14.01-1L provide guidance on rural subdivision, rural housing and rural land use.

The strategic framework proposed to be implemented via the amended PPF as well as amendments to the Farming Zone and Rural Living Zone schedules will trigger the need to address appropriate uses and subdivision within rural areas on a case-by-case basis. This will ensure productive farmland is not further fragmented, and will encourage consolidation of small lots into larger farms where appropriate, to strengthen the economic viability of those businesses.

The proposed FZ1 and FZ2 schedules aim to support growth and adaptation of agriculture, including intensification and expansion of farms to maintain a competitive edge in the local and broader economies.

Local environmental hazards and values have been considered in preparation of this Amendment and throughout the RLUS in line with the relevant objectives and strategies in the SPPF.

Swan Hill Council Plan (2017-2021)
Council has prepared the 2017-2021 Council Plan and it contains the following ‘Vision’ for the municipality:

*A prosperous and healthy community enjoying quality facilities and services.*

The Council Plan is built on five foundation elements being:

- Economic growth
- Community enhancement
- Infrastructure
- Governance and leadership
- Environment

Amendment C73 is consistent with the Council Plan.

Swan Hill Car Parking Strategy (2016)
Council has adopted the Swan Hill Car Parking Strategy (2016) which provides the background to, and justification for the introduction of a Parking Overlay into the scheme. The Strategy (and the overlay) provides:

- Guidelines for the application of car parking credits to new use and development;
- Mechanisms for the collection of a financial contribution in lieu of providing physical car parking spaces;
- Guidelines for Council in its execution of its discretion to collect a financial contribution.

Swan Hill Health Precinct Study (2017)
Council has adopted the Swan Hill Health Precinct Study (2017) which provides encouragement for the development of medical centres in the vicinity of the Swan Hill Hospital. The preferred area for expansion is shown on the Swan Hill Framework Plan at Clause 02.04.

How does the amendment implement the objectives of planning in Victoria?
The amendment implements the following objectives of planning in Victoria:

(a) to provide for the fair, orderly, economic and sustainable use, and development of land;

(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

(c) to secure a pleasant, efficient and safe working, living and recreational environment
for all Victorians and visitors to Victoria.

The amendment will assist to implement these objectives by including a more contemporary local policy framework that is consistent with current local, state and regional policy directions.

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

The Amendment addresses a range of significant environmental, social and economic issues that are presently inadequately addressed in the Swan Hill Planning Scheme. These include:

<table>
<thead>
<tr>
<th>Theme</th>
<th>Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
<td>• Biodiversity&lt;br&gt;• Murray River&lt;br&gt;• Water&lt;br&gt;• Flooding&lt;br&gt;• Bushfire&lt;br&gt;• Catchment and land protection&lt;br&gt;• Flora and fauna&lt;br&gt;• Heritage&lt;br&gt;• Sensitive interfaces</td>
</tr>
<tr>
<td>Social</td>
<td>• Housing diversity&lt;br&gt;• Liveability&lt;br&gt;• Neighbourhood character&lt;br&gt;• Community infrastructure</td>
</tr>
<tr>
<td>Economic</td>
<td>• Managing town growth&lt;br&gt;• Rural ‘lifestyle’ development&lt;br&gt;• Agriculture&lt;br&gt;• Commercial centres&lt;br&gt;• Industry&lt;br&gt;• Tourism&lt;br&gt;• Development infrastructure&lt;br&gt;• Transport networks&lt;br&gt;• Swan Hill aerodrome</td>
</tr>
</tbody>
</table>

Consistent with the new Council Plan, the new MPS and PPF are focussed on promoting economic development and investment including the protection of key agricultural assets and the downstream processing of agricultural product. It also supports the promotion of industry particularly in Swan Hill and Robinvale.

The new PPF continues its strong support for the protection of environmental assets including the Murray River system and biodiversity.

Importantly, the new PPF strengthens references to the social impacts affecting the municipality including recognition that the population is aging and that this will have land use and development implications for the provision of housing, health and community facilities.
The amendment is not expected to have any negative environmental, social or economic impacts.

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

The amendment maintains local directions in relation to bushfire, consistent with the PPF, but the amendment does not alter any existing planning controls which relate to the management of bushfire risk.

In particular, the RLUS has considered bushfire risk in relation to development in rural areas. Those areas not identified under the Bushfire Management Overlay (BMO) have been assessed as candidate and investigation areas for rural residential development.

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

The amendment is consistent with the most recent Ministerial Direction on the Form and Content of Planning Schemes under section 7 (5) of the Act (July 2018).

Ministerial Direction No. 11 – Strategic Assessment of Amendments …

The amendment is also consistent with the Ministerial Direction No. 15 on the Planning Scheme Amendment Process.

Ministerial Direction No. 19 – Environmental impacts …

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

The Amendment is consistent with the objectives and strategies of the Planning Policy Framework and the incorporated *Loddon Mallee North Regional Growth Plan* (2014). The PPF outlines key directions for the growth and development of regional Victoria, including strategies to maintain its competitive edge. These strategies and objectives include protection of agriculture through identification and protection of strategically significant rural areas and by limiting inappropriately dispersed urban activities in rural areas.

The amendment includes a new Municipal Planning Strategy (at Clause 02) and Planning Policies which have been included at amended Clauses 11-19 (inclusive).

It is considered that the amendment now includes an PPF which is supported by, and generally consistent with the Ministerial Direction.

**How does the amendment support or implement the Planning Policy Framework, and specifically the Municipal Planning Strategy?**

The Amendment introduces an entirely new Municipal Planning Strategy (at Clause 02) and includes ‘Strategic Directions’ at Clause 02.03 for the following key themes:

- Settlement
- Environmental and Landscape Values
- Natural Resource Management
- Built Environment and Heritage
- Economic Development
- Transport
- Infrastructure

There are five Maps included in Clause 02.04 being:

- Swan Hill Strategic Framework Plan
- Swan Hill Town Structure Plan
Table of proposed changes

The structure of the exhibited PPF is summarised below:

<table>
<thead>
<tr>
<th>New Clauses</th>
<th>Content and Proposed Change in Amendment C73</th>
</tr>
</thead>
<tbody>
<tr>
<td>02.01 – Context</td>
<td>Updates demographic data and identifies some key local issues.</td>
</tr>
<tr>
<td>02.03 – Strategic Directions</td>
<td>Addresses key land use themes based on the PPF and provides Strategic Directions for each theme.</td>
</tr>
<tr>
<td>02.04 – Strategic Framework Plans</td>
<td>Revises and reduces four existing framework plans into one rationalised Swan Hill Strategic Framework Plan. Modifies, rationalises and updates existing Town Structure Plans for Swan Hill, Robinvale, Lake Boga and Nyah/Nyah West. Specifically, the clause amends the existing strategic directions for Swan Hill, Robinvale, Lake Boga, Nyah and Nyah West with modifications and edits to improve clarity.</td>
</tr>
<tr>
<td>11- Settlement</td>
<td>This Clause provides local content to support Clause 11 (Settlement) of the Planning Policy Framework and implements key aspects of the Council Plan (2017-2021). Provides strategies for sequencing development and activity centres.</td>
</tr>
<tr>
<td>12 – Environmental and Landscape Values</td>
<td>This Clause provides local content to support Clause 12 (Environmental and Landscape Values) of the Planning Policy Framework and implements aspects of the Council Plan (2017-2021). Retains existing strategic direction on the Murray River corridor, biodiversity and significant environmental assets with additions arising from Planning Scheme Review Report and the Regional Growth Plan.</td>
</tr>
<tr>
<td>13 – Environmental Risks and Amenity</td>
<td>This Clause provides local content to support Clause 13 (Environmental Risks) of the Planning Policy Framework and implements key aspects of the Council Plan (2017-2021). Introduces local policy directions on the location and design of non-residential uses in residential areas.</td>
</tr>
<tr>
<td>14 - Natural Resource Management</td>
<td>This Clause provides local content to support Clause 14 (Natural Resource Management) of the Planning Policy Framework and implements key aspects of the Council Plan (2017-2021). Completely modifies and rewrites the existing strategic directions for Agriculture based on the outcomes of the Rural Land Use Strategy (2016). Inserts new local policy drawn from the RLUS and elsewhere to provide direction for dwellings, small lot subdivision and rural land use</td>
</tr>
</tbody>
</table>
### 15 – Built Environment and Heritage

This Clause provides local content to support Clause 15 (Built Environment and Heritage) of the Planning Policy Framework and implements key aspects of the Council Plan (2017 - 2021).

Includes strategic directions for urban design and heritage with additions arising from the Planning Scheme Review Report. Converts existing policy direction from Clause 21.07.

### 16 – Housing

This Clause provides local content to support Clause 16 (Housing) of the Planning Policy Framework and implements key aspects of the Council Plan (2017 - 2021).

Provides objectives and strategies for location of residential development, housing diversity and liveability.

### 17 – Economic Development

This Clause provides local content to support Clause 17 (Economic Development) of the Planning Policy Framework and implements key aspects of the Council Plan (2017 - 2021).

Edits existing strategic directions for Commercial, Industrial and Tourism to improve clarity. Converts existing policy direction from Clause 21 into Clause 17.

### 18 – Transport

This Clause provides local content to support Clause 18 (Transport) of the Planning Policy Framework and implements key aspects of the Council Plan (2017 - 2021).

Includes new Strategies addressing the replacement bridge at Swan Hill and access to the highway network.

### 19– Infrastructure

This Clause provides local content to support Clause 19 (Infrastructure) of the Planning Policy Framework and implements key aspects of the Council Plan (2017 - 2021).

Includes Objectives and Strategies addressing Renewable energy, Waste and resource recovery, Community infrastructure and Development infrastructure arising from the 'Infrastructure Design Manual'.

Inserts a new policy position drawn from the Planning Scheme Review Report and the Swan Hill Health Precinct Study providing direction for the medical facilities in the vicinity of Swan Hill Hospital.

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

The amendment introduces an entirely restructured Planning Scheme based on Amendment VC148 and on the 2018 Ministerial Direction on Form and Content of Planning Schemes.

The amendment makes numerous changes to the zoning and overlay maps in the Swan Hill Planning Scheme as follows:

- Insert the Mixed-Use Zone (and schedule) to a site of 3.7ha at the entrance to Lake Boga.
- Replace the existing Farming Zone with a new Farming Zone 1 and Farming Zone 2.
- Replace ESO1 mapping with an expanded area along the Murray River consistent with neighbouring Councils.
- Delete DDO6 and schedule from land near Lake Boga as it is no longer required.
- Delete DPO2 from some land zoned Low Density Residential in Swan Hill where is no longer required.
- Delete DPO4 from land at North Park in Swan Hill as it is fully developed.
• Insert a new Parking Overlay in central Swan Hill Township to reflect the outcomes of the Swan Hill Parking Strategy (2016).

The amendment makes modifications to the Schedules to numerous clauses including:

• Replace the existing schedule to the Low Density Residential Zone (LDRZ) to introduce a permit trigger of 200 square metres for an outbuilding.

• Replace the existing schedule to the Rural Living Zone (RLZ) with a minimum lot size of 2 hectares to manage subdivision and development.

• Replace the existing schedule to the Farming Zone (FZ) with two new Farming Zone schedules (FZ1 and FZ2) to manage subdivision and development in line with the recommendations of the RLUS.

• Make modifications to the schedules to the General Residential Zone, Industrial 1 Zone and Commercial 1 Zone to make them consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

• Make modifications to Schedules 1, 2, 3 and 4 of the Special Use Zone to make them more consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

• Insert a new Schedule 1 to the Environmental Significance Overlay (ESO1) to specifically deal with the Murray River corridor consistent with neighbouring municipalities and consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

• Insert a new Schedule 3 to the Environmental Significance Overlay (ESO3) to specifically deal with Waterways, Wetlands and Lake Environs (other than affected by ESO1) consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

• Make modifications to Schedule 1 to the Vegetation Protection Overlay (VPO1) to update references to current regulations and consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

• Make modifications to Schedule 1 to the Design and Development Overlay (DDO1) to clarify referral and notice requirements and to be consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

• Make modifications to Schedule 2 to the Design and Development Overlay (DDO2) to modify design objectives and include references to the Swan Hill Riverfront Precinct Master Plan (2013) and to be consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

• Make modifications to Schedules 1, 2, 3 and 5 to the Development Plan Overlay to restructure the schedule consistent with the Ministerial Direction on the Form and Content of Planning Schemes and to include reference to the Infrastructure Design Manual.

• Insert a new Schedule to the Land Subject to Inundation Overlay (LSIO) to reflect the approach adopted to flood risk in other municipalities and to be consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

• Insert a new Parking Overlay Schedule at Clause 45.09 to reflect the outcomes of the Swan Hill Parking Strategy (2016).

• Make modifications to the schedule to Clause 61.03 to update map references.

• Make modifications to the schedule to Clause 66.04 to include ESO1 and ESO3 and to introduce a generic reference to Water authorities.

• Schedule to Clause 72.03…
Schedule to Clause 72.08…

It is considered that the amendment makes proper use of the Victoria Planning Provisions. The Amendment also complies with all the relevant Practice Notes.

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

Relevant agencies have been involved in the preparation of much of the strategic work adopted by Council.

Relevant agencies were also consulted with during the Swan Hill Planning Scheme Review process and in the preparation of Amendment C73.

These and other agencies will be consulted throughout the exhibition process for Amendment C73.

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

The amendment will not have any significant impact on the transport system as defined by 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?**

The amendment is expected to have minimal impact on the resource and administrative costs of the responsible authority in that the amendment effectively replaces the existing LPPF with a new and contemporary PPF; and provides more extensive permit exemptions.

**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 commencing 1 July 2019
- panel hearing: Week commencing 5 August 2019

**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.
- Robinvale Resource Centre, 72 Herbert Street, Robinvale, VIC 3549
- Department of Environment, Land, Water and Planning, Corner Midland Highway and Taylor Street, Epsom 3551.

The Amendment can also be inspected free of charge at the:

Swan Hill Rural City Council website at www.swanhill.vic.gov.au