

Our Reference 322051
Your Reference Shepparton South East Precinct Structure Plan

15 April 2024

Gareth Hatley
Strategic Planning Manager
Victorian Planning Authority

Via email to: sheppartonsoutheast@vpa.vic.gov.au

Dear Gareth

**Submission to the Draft Shepparton South East Precinct Structure Plan & Draft Greater Shepparton Planning Scheme Amendment C117
118 McPhees Road, Shepparton (Property 75A)**

Spiire is acting behalf of Kylie O'Bryan, the owner of land at 118 McPhees Road, Shepparton.

This is a submission to the draft Shepparton South East Structure Plan and draft Greater Shepparton Planning Scheme Amendment C117 which is on public exhibition until the 15 April 2024.

1. SUBMISISON OVERVIEW

Table 1: Submission Details

Amendment	Amendment C117 – Shepparton South Este PSP
Submitter	Spiire on behalf of Kylie O'Bryan
Property Address	118 McPhees Road, Shepparton
Title Details	Lot 1 on PS838273
PSP Property Number	Property 75A
Submitter Contact	Casey Collins and Jane Macey – Spiire

The detailed submissions are set out in the following section of this letter. In summary, this submission seeks:

- ▶ Clarification of the purpose for the proposed land acquisition (PAO38).
- ▶ Removal of the Public Acquisition Overlay from the land. If the land is required, the extent of the Public Acquisition Overlay be reduced.
- ▶ If land is to be required, details on land valuation of the property as these were not included in amendment documentation.
- ▶ Changes to Plan 10 to realign the proposed shared path.

2. SUBJECT LAND

The subject land is located 118 McPhees Road, Shepparton and formally identified as Lot 1 on PS838273. The land is irregular shape, comprises 1.663 hectares and contains a dwelling and shedding. A driveway along the southern boundary from McPhees Road provides vehicle access. There is trees lining the driveway, vegetation around both the dwelling and the dam to the rear of the site.

Located to the immediate north of the site is 104 McPhees Road, a vacant property. To the south is 120 McPhees Road which is of a similar size to the subject site and contains a dwelling and shedding. To the immediate west and south west is the Broken River and associated environs.

Our clients purchased the land in 2020 to raise their young family in a rural environment.

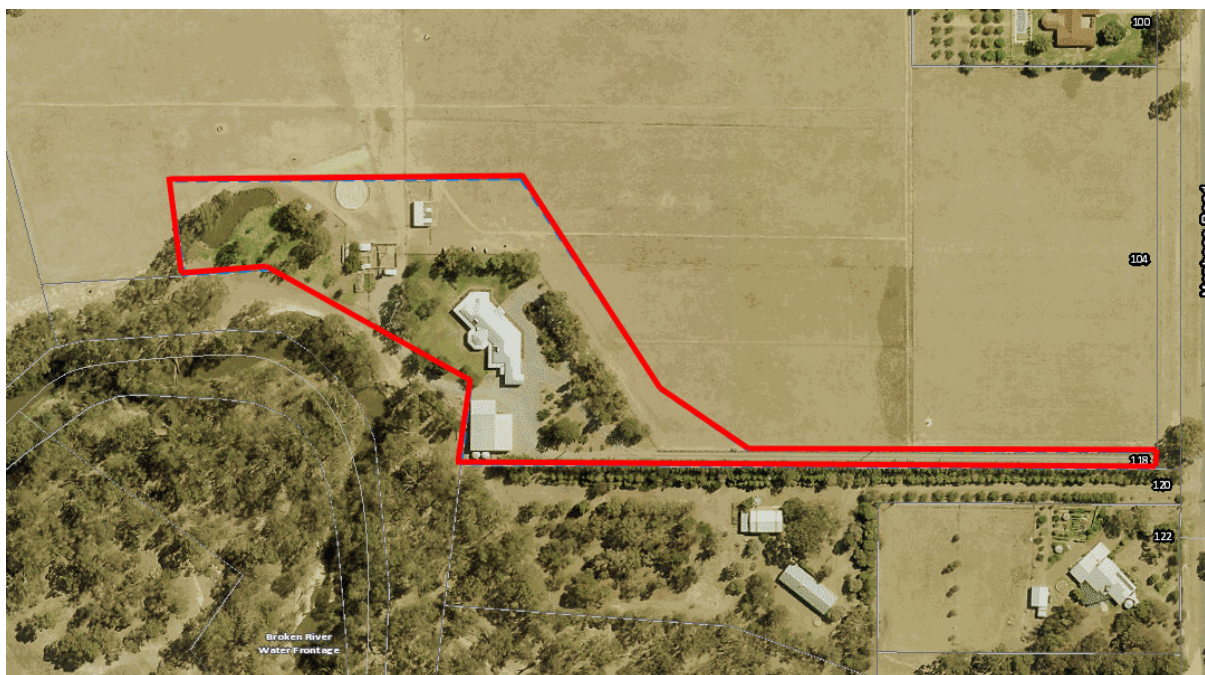


Figure 1: Site Locality Plan (Aerial)

3. GREATER SHEPPARTON PLANNING SCHEME

Pursuant to the Greater Shepparton Planning Scheme the subject land is within the Farming Zone - Schedule 1 and the western portion in the Urban Floodway Zone.



Figure 2: Zone Plan

The land is fully covered by the Bushfire Management Overlay and Specific Controls Overlay – Schedule 3. The land is also partly covered by Land Subject to Inundation Overlay (eastern portion) and small portion central to the site is in the Floodway Overlay.

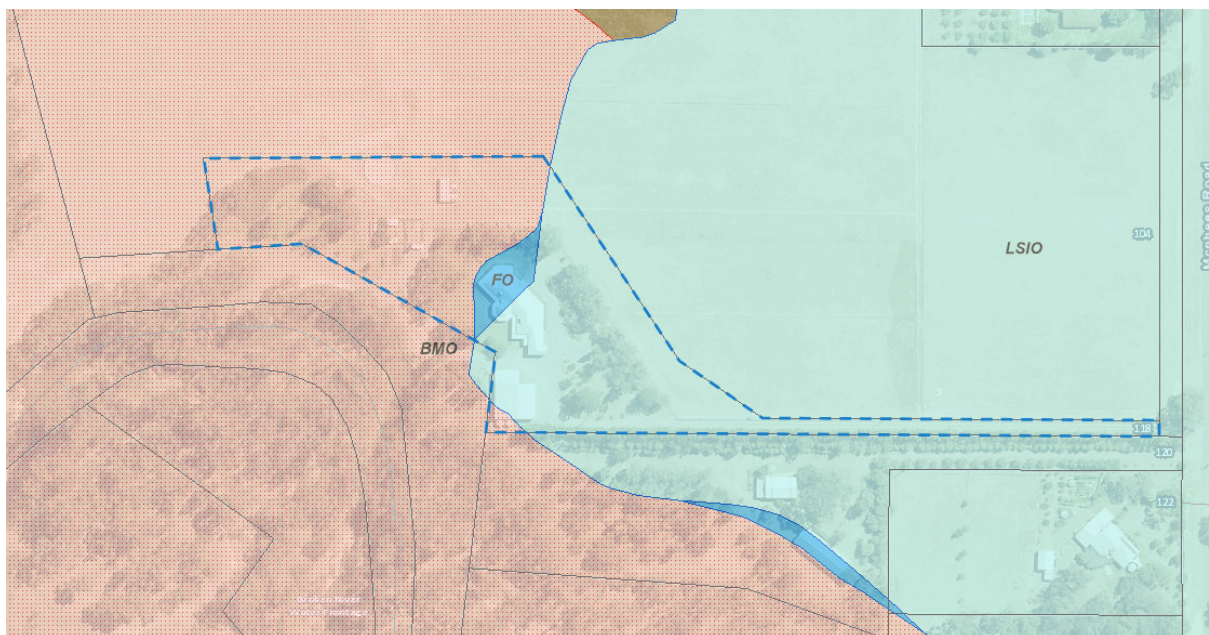


Figure 3: Overlays Plan

4. DRAFT SHEPPARTON SOUTH EAST PRECINCT STRUCTURE PLAN & AMENDMENT C117

4.1 DRAFT SHEPPARTON SOUTH EAST PRECINCT STRUCTURE PLAN

The subject site lies within the boundary of the draft Shepparton South East Precinct Structure Plan (PSP) and has been identified as Property 75A.

- ▶ Plan 3 (refer to Figure 5) in the draft PSP has identified the subject land as *Existing urban area/developed land* and *Broken River flood plain* to the north and west of the site.
- ▶ Plan 7 – Open Space and Community facilities identifies a part of the subject land for *waterway and drainage reserve*.
- ▶ Plan 8 – Bushfire Hazard Areas identifies the subject land as a bushfire hazard area 2 (grassland 19m setback)
- ▶ Plan 10 – Public Transport and Pathways shows a ‘off-road shared path’ traverse the south west corner of the subject land.
- ▶ Plan 12 – Integrated Water Management is a little unclear, however the subject land appears to be identified for *flood mitigation - Broken River floodplain*.

The Land Valuation Assessment – March 2023 does not list any land valuation details on the site.



Figure 5: Extract from the Draft Precinct Structure Plan

4.2 DRAFT GREATER SHEPPARTON PLANNING SCHEME AMENDMENT C117

The draft Amendment Documentation for Greater Shepparton Planning Scheme Amendment C117 proposes to make the following changes to the subject site:

- ▶ Rezone to Urban Growth Zone – Schedule 2 (the applied zone Clause 35.07 Farming Zone and Clause 37.03 Urban Floodway Zone)
- ▶ Apply a Public Acquisition Overlay 38 (PAO 38) on the western portion of the subject site. in favour of the Greater Shepparton City Council and for the purpose of a Retardation Basin
- ▶ Apply the Development Contributions Plan Overlay – Schedule 5
- ▶ Remove the Land Subject to Inundation Overlay
- ▶ Apply the Floodway Overlay

5. CLARIFICATION AND REQUESTED CHANGES

Upon review of the draft PSP and the Amendment, our client seeks clarification on a number of matters and request the following changes be made before the PSP and Amendment is approved.

5.1 Public Acquisition Overlay

It is unclear from the draft documentation on the exact area proposed to be publicly acquired, and for what purpose. The subject land is only 1.6 hectares and all the land is required for the continued occupation of the existing dwelling, including necessary infrastructure such as the wastewater disposal system. The whole property is also required for the lifestyle our client purchased the property to provide for their family. The dam to the rear of the property is required to water paddocks for their animals.

5.2 Land Valuation

Our clients seek clarification on why their property, Property 75A, is not included in the Land Valuation Assessment report placed on public exhibition. Details on likely land valuation for our client's land are requested.

5.3 Offtrack shared path

As shown on Plan 10, the proposed off-track shared path traverses our client's property. Due to terrain and vegetation across the property it is not considered an appropriate location for such a track. Our clients also have real concerns regarding their privacy and security should a shared path be located as identified in Plan 10. However, if a shared path is to be constructed, it is our client's request this be located well away from their dwelling and associated private infrastructure.

Our client is also concerned about users of the track parking at the end of McPhees Road. There is insufficient space at the end of McPhees Road for parking or for vehicles to turn around. Measures should be put in place to restrict parking/access to the track at the end of McPhees Road.

As detailed above, this submission seeks:

- ▶ Clarification of the purpose for the proposed land acquisition (PAO38).
- ▶ Removal of the Public Acquisition Overlay from the land. If the land is required, the extent of the Public Acquisition Overlay be reduced.
- ▶ If land is to be required, details on land valuation of the property as these were not included in amendment documentation.
- ▶ Changes to Plan 10 to realign the proposed shared path.

We welcome opportunity to discuss our submission further with Council. With any queries or to arrange a meeting time, please contact me on [REDACTED] or Casey Collins on [REDACTED]

Yours sincerely



Jane Macey
Principal Planning