

Our Reference 322001
Your Reference Shepparton South East Precinct Structure Plan

15 April 2024

Gareth Hately
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
126 McPhees Road, Shepparton (Property 80)**

Spiire is acting behalf of Daniel & Belinda Gleeson, the owner of land at 126 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 Daniel and Belinda Gleeson
Property Address	126 McPhees Road, Shepparton
Title Details	Lot 2 on LP119748
PSP Property Number	Property 80
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.
- ▶ If the land is required, the extent of the Public Acquisition Overlay be reduced.
- ▶ 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.
- ▶ Surety the construction of a retention basin to the north of the property will not increase risks of flooding to the subject property given the topography of the land.

2. SUBJECT LAND

The subject land is located 126 McPhees Road, Shepparton and formally identified as Lot 2 on LP119748. The land comprises an area of 3.227 hectares and contains an existing dwelling, shedding, swimming pool and tennis court. Vehicle access is via McPhees Road (a no-through road). The rear of the property is heavily vegetated.

The property overlooks the Broken River and associated bushland to the south. To the immediate north of the property is two similar rural lifestyle properties, containing dwellings and associated shedding.

Our clients purchased the land in 2019 with the intention of raising their young family at the property and enjoying rural/bush amenity and lifestyle just minutes from the Shepparton CBD. Our client ride and train horse/s on the property and is looking forward to teaching their children to ride horses at the property in the future.

The client also operates a small business, which includes fostering orphaned lambs. The lambs are bottle fed and rehomed and/or sold to the market. The horse and lambs also provides 'pet as therapy' for family members who experience post-traumatic stress disorder (PTSD).



Figure 1: Site Locality Plan (Aerial – approx. boundaries)

3. GREATER SHEPPARTON PLANNING SCHEME

Pursuant to the Greater Shepparton Planning Scheme the land is largely within the Urban Floodway Zone and a small portion in the north east corner within the Farming Zone, refer to Figure 2.

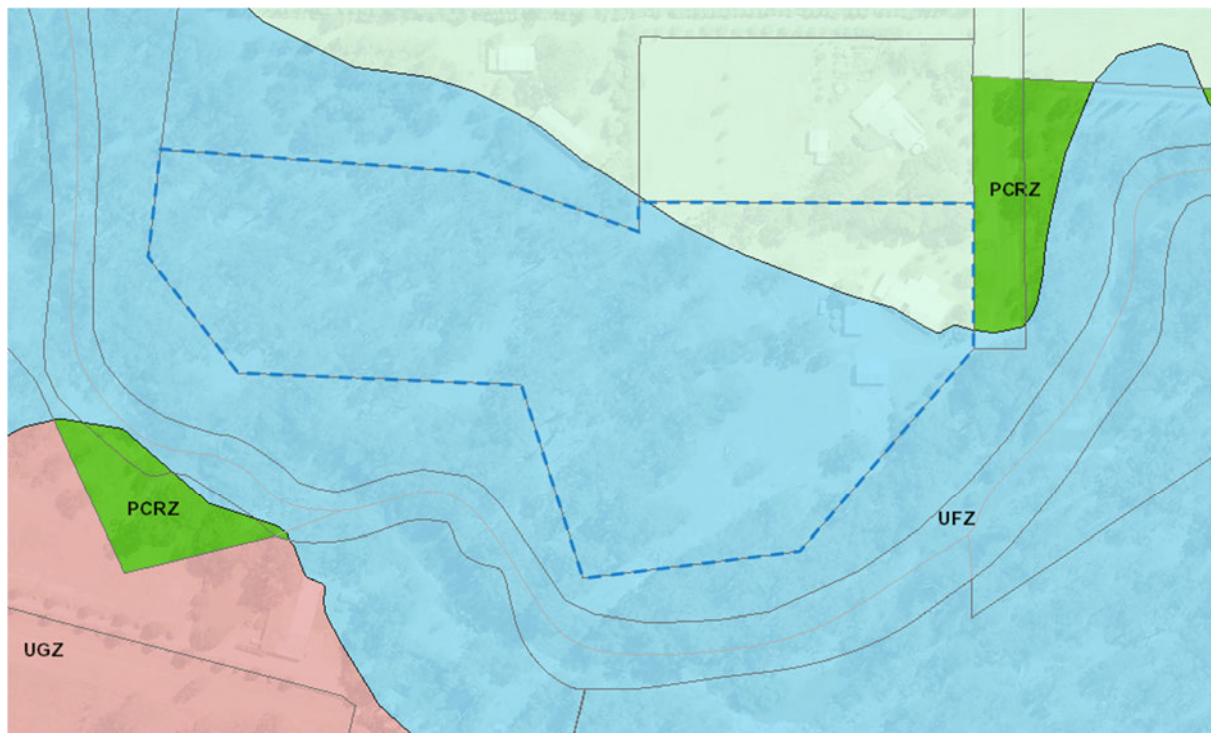


Figure 2: Zone Plan

The land is also within the Bushfire Management Overlay, Floodway Overlay (small portion), the Land Subject to Inundation Overlay (small portion) and the Specific Controls Overlay – Schedule 3.

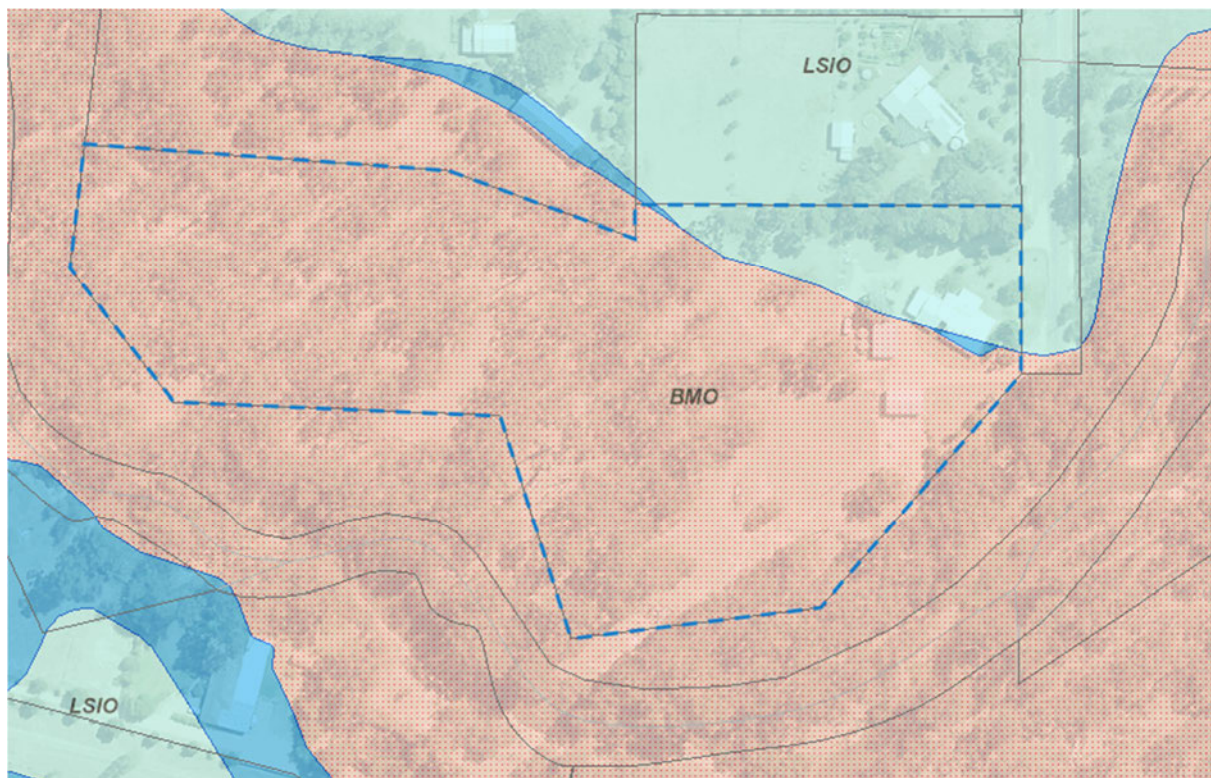


Figure 3: Overlays Plan

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 80. The draft PSP has identified the land as *'existing urban areas/developed land'* as shown in Figure 5 below. Plan 10 Public Transport and Pathways in the draft PSP shows a 'off-road shared path' traversing the property, refer to Figure 6.

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



Figure 5: Extract from the Draft Precinct Structure Plan



Figure 6: Extract of Public Transport & Pathways

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)
- ▶ Apply the Development Contributions Plan Overlay – Schedule 5
- ▶ Remove the Land Subject to Inundation Overlay
- ▶ Apply the Floodway Overlay
- ▶ Apply a Public Acquisition Overlay 38 (PAO38) to a large portion of the subject site, in favour of the Greater Shepparton City Council for the purpose of a retardation basin.

5. CLARIFICATION AND REQUESTED CHANGES

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

5.1 Public Acquisition Overlay

There appears to be inconsistencies between draft PSP and draft Amendment Documentation. The amendment documentation identifies PAO38 is required by the Greater Shepparton City Council for retardation basin purposes, however the draft PSP does not show a retardation basin on our client's land.

If the land is required by Council, it is requested the acquisition boundary be altered as shown below to ensure septic lines (crucial for the operation of their dwelling to dispose of wastewater), tennis court and paddock is retained by our client and to minimise impact on our client's lifestyle and farming operation.

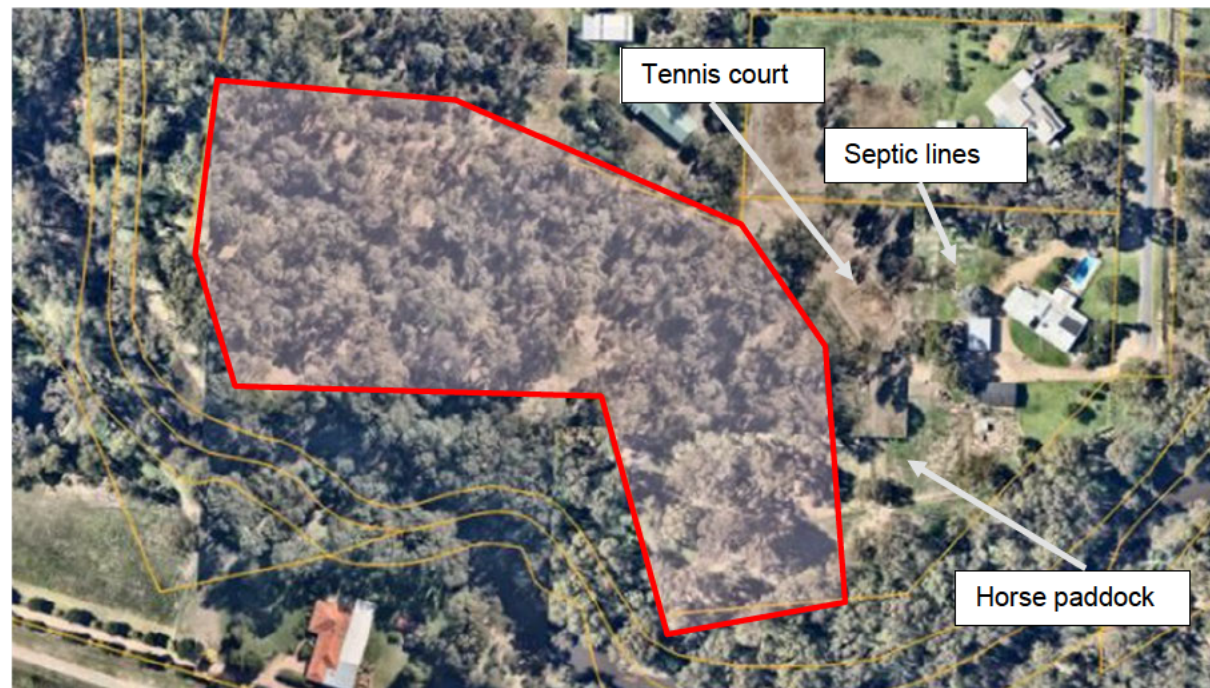


Figure 7: Preferred Acquisition Boundary (red line)

Furthermore, if the land is to be acquired, our client preference is that the land be acquired immediately and would like a 'peppercorn lease' to be implemented until such time it is developed for municipal purposes.

5.2 Land Valuation

Our clients seek clarification on why their property, Property 80, 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.

5.4 Flood impact/overflow from drainage basin

The draft PSP indicates a drainage basin is proposed to be constructed on land to the north east of the subject property at 105 & 125 McPhees Road. Due to the natural fall of the land towards the Broken River and the subject property, our client seeks surety that any future development of land will not increase the flood impact on their land, particularly from overflow from the proposed new basin.

As detailed above, this submission seeks:

- ▶ Clarification of the purpose for the proposed land acquisition (PAO38).
- ▶ If the land is required, the extent of the Public Acquisition Overlay be reduced.
- ▶ 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.
- ▶ Surety the construction of a retention basin to the north of the property will not increase risks of flooding to the subject property given the topography of the land.

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



Principal Planning