



Appendix A: Planning policy

Alpine Shire Council

Land Development Strategy

November 2023





Independent
insight.



ALPINE
SHIRE COUNCIL

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SGS Economics and Planning Pty Ltd
ACN 007 437 729
www.sgsep.com.au

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1. State and regional planning policy and strategy

The Planning Policy Framework (PPF) sets out principles for land use, management and development, key locations for infrastructure investment and a settlement hierarchy at the state, regional and local levels. All these elements are to be considered when approaching local planning projects.

1.1 Planning Policy Framework (PPF)

The PPF outlines state strategy and policy directions for land use planning which are applied to the *Alpine Planning Scheme*. These planning policies express state expectations for areas and land uses and provide a clear framework within which decisions about land use and development can be made including clauses:

- 11.01 Settlement
- 11.02 Managing growth
- 11.03 Planning for places
- 12.01 Biodiversity
- 12.03 Water bodies and wetlands
- 12.04 Alpine areas
- 12.05 Significant environments and landscapes
- 13.01 Climate change impacts
- 13.02 Bushfire
- 13.03 Floodplains
- 13.04 Soil degradation
- 13.05 Noise
- 13.06 Air quality
- 13.07 Amenity, human health and safety
- 14.01 Agriculture
- 14.02 Water
- 14.03 Earth and energy resources
- 15.01 Built environment
- 15.03 Heritage
- 16.01 Residential development

- 17.01 Employment
- 17.02 Commercial
- 17.03 Industry
- 17.04 Tourism
- 18.01 Land use and transport
- 18.02 Movement networks
- 19.01 Energy
- 19.02 Community infrastructure
- 19.03 Development infrastructure

Key policies, objectives and strategies relevant to the Alpine Shire LDS include:

11.01-1S Settlement – Hume

The objective of this policy is to promote the sustainable growth and development of Victoria. Hume is identified as a key region to facilitate growth and development, specifically the regional cities of Shepparton, Wangaratta, Wodonga and Benalla.

Key strategies relevant to the LDS include ensuring that the future supply of zoned land contributes to the economic, social and environmental sustainability of the Shire, and that new settlement provides easy access to jobs and services by all members of the community.

Clause 11 provides a key policy framework for planning sustainable communities, and its objectives and strategies have been integral to preparing the LDS. 11.02-1S Supply of urban land

The objective of this policy is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. To ensure that sufficient land is available to meet forecast demand, areas should plan to accommodate projected population growth over at least a 15 year period. For Alpine, the requirement to plan for 15 years of growth has been a key driver for preparing the LDS.

11.03-2S Growth areas

The objective of this policy is to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure. A key strategy of this policy is to encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

This policy has informed the selection of potential areas for rezoning, in terms of their accessibility and potential to provide more diverse housing types (including at higher density).

12.04-1S Sustainable development in Alpine areas

The objective of this policy is to facilitate sustainable use and development of Alpine areas for year-round use and activity. Active recreation development should be promoted at Falls Creek, Mt Hotham and other alpine resorts. The strategy supports intensive residential and commercial development at Falls Creek, and Mt Hotham.

While these resorts are not part of Alpine Shire, they provide an important economic contribution and as such their ongoing development and success is relevant to planning population growth and economic activity in Alpine Shire.

13.01-1S Natural hazards and climate change

The objective of this policy is to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning. A key strategy relevant to the Alpine Shire LDS is to direct population growth and development to low-risk locations. For Alpine, key risks to settlement include bush fire and flooding (see below).

13.02-1S Bushfire planning

This policy must be applied to land classified under the *Planning and Environment Act 1987* as a designated bushfire prone area, subject to a BMO, or a potential to create a bushfire hazard. It aims to strengthen the resilience of communities to bushfires through risk-based planning. Therefore, population growth and development must be directed to low-risk locations.

The Alpine LDS has been prepared with consideration for bush fire risk, noting that while most areas of the Shire are classified as high risk, in reality there are areas with relatively lower risk. It is acknowledged that further detailed bush fire analysis work will be required to support rezoning in most parts of the Shire.

13.03-1S Floodplain management

This policy aims to reduce flood hazards and protect the natural flood protection capacity of rivers, streams, floodplains, and waterways. A key strategy is to avoid development in flood risk zones and minimise disruption to waterways and floodplains. This policy has informed areas for potential development and rezoning in the LDS.

14.01 Agriculture

The objective of this policy is to protect the state's agricultural base by preserving productive farmland, preventing inappropriately dispersed urban activities in rural areas and limiting new housing development in rural areas. Strategies include directing housing growth into existing settlements, discouraging the development of isolated small lots in the rural zones from use for dwellings, and encouraging consolidation of existing isolated small lots in rural zones.

While the LDS is not focussed on agricultural land, this policy is relevant to the LDS as expanding existing communities can impact on agricultural uses.

16.01-3S Rural residential development

This policy aims to identify land suitable for rural residential development while protecting agriculture. A key strategy relevant to the Alpine Shire LDS is to encourage the consolidation of new housing in existing settlements where investment in physical and community infrastructure and services has already been made.

1.2 Plan Melbourne 2017-2050

Plan Melbourne is a metropolitan planning strategy that defines the future shape of the city and state over the next 35 years.

Integrating long-term land use, infrastructure and transport planning, Plan Melbourne sets out the strategy for supporting jobs and growth, while building on the State's legacy of distinctiveness, liveability and sustainability.

The plan includes principles, directions, policies and outcomes that relate to Melbourne and regional Victoria.

Outcome 7 of Plan Melbourne relates to strategic planning for regional areas with a vision that "Regional Victoria is productive, sustainable and supports jobs and economic growth". Under this outcome, it is noted that the population of regional Victoria will continue to grow, with the key population centres of Greater Geelong, Greater Bendigo and Ballarat projected to account for 50 per cent of population growth outside Melbourne.

The Plan notes that, overall, regional Victoria is growing but not as fast as Melbourne and projects that if 'business as usual' trends continue, the proportion of Victorians living outside of Melbourne will decline. Plan Melbourne therefore outlines a suite of policies that aim to share in the benefits of the forecast population boom and redirect a greater proportion of residential and jobs growth to regional areas by planning for better connections to infrastructure and services. The Plan states that planning for growth in regional Victoria must be led locally and acknowledge the diverse range of opportunities and challenges that exist in different locations.

The government has identified priority industry sectors with potential for remarkable growth. These are:

- Medical technology and pharmaceuticals
- New energy technologies
- Food and fibre
- Transport technologies
- Defence technologies
- Construction technologies
- International education
- Professional services.

Regional Victoria is well positioned to take advantage of the significant job opportunities expected to emerge in the new energy industries tourism and the population services sector as a result of Victoria's ageing population.

The Plan emphasises Victoria's 10 regional cities—Greater Geelong, Greater Bendigo, Ballarat, Greater Shepparton, Latrobe City, Wodonga, Warrnambool, Mildura, Wangaratta and Horsham—as important urban settlements that will operate as service hubs for many smaller communities. Wangaratta and Wodonga are the main Regional Cities providing essential employment and services to the residents of Alpine Shire.

It is states that further development of individual cities and towns should be in keeping with their character and balanced with the protection of the productive land, economic resources and biodiversity assets that are critical to the state's economic and environmental sustainability.

Outcome 7 is supported by Directions and four Policies, of which the following is most relevant to the development of the LDS.

- Direction 7.2 Improve connections between cities and regions:

- Policy 7.2.1 Improve transport and digital connectivity for regional Victoria.

Relevant statements under this policy include promoting improvements to public transport that enable a more integrated labour market and reduce inequity of access between regions, especially the regions that are more remote from Melbourne.

Likewise, improvements to digital connectivity will continue to be sought to leverage expansion of the digital economy to increase regional economic and population growth, working closely with the Federal Government.

1.3 Hume Regional Growth Plan (2014)

The *Hume Regional Growth Plan* applies to the twelve local government areas in North East Victoria (the Hume region), including Alpine Shire. The plan provides a regional approach to land use planning within a 30-year timeframe and identifies where development can be supported at a regional scale and priority areas for future infrastructure to support growth. It sets out the key strategic directions for this region, which are reflected in the PPF.

Within the Central Hume sub-region, focus areas for growth are Wangaratta and Benalla. The implication of such a designation means those two cities are the focus for services and employment access planning and investment. Growth is also projected for the surrounding towns that have good access to Wangaratta and Benalla, including the communities of the Ovens (part of Alpine Shire), King and Broken River Valleys. In Alpine Shire, Myrtleford and Bright are identified as locations where increased tourism development (currently a major drive of the Hume Region's economy) and lifestyle opportunities may be concentrated. Myrtleford has the closest proximity to Wangaratta (40km west), with the next closest city being Wodonga (65km north). In the Kiewa Valley, Mount Beauty and Tawonga South are strongly linked to Albury-Wodonga, located in the Upper Hume sub-region.

The following settlement hierarchy is identified for the Central Hume sub-region (towns/settlements in Alpine Shire highlighted in bold text):

- Regional city – Major growth location: Wangaratta
- Medium to high growth location: Benalla
- Key sub-regional settlements – Moderate growth locations: **Myrtleford, Bright** (incorporating **Porepunkah**) and Mansfield.

The Plan highlights key regional challenges, including existing skills shortages and the need for additional employment opportunities to support the projected regional population growth.

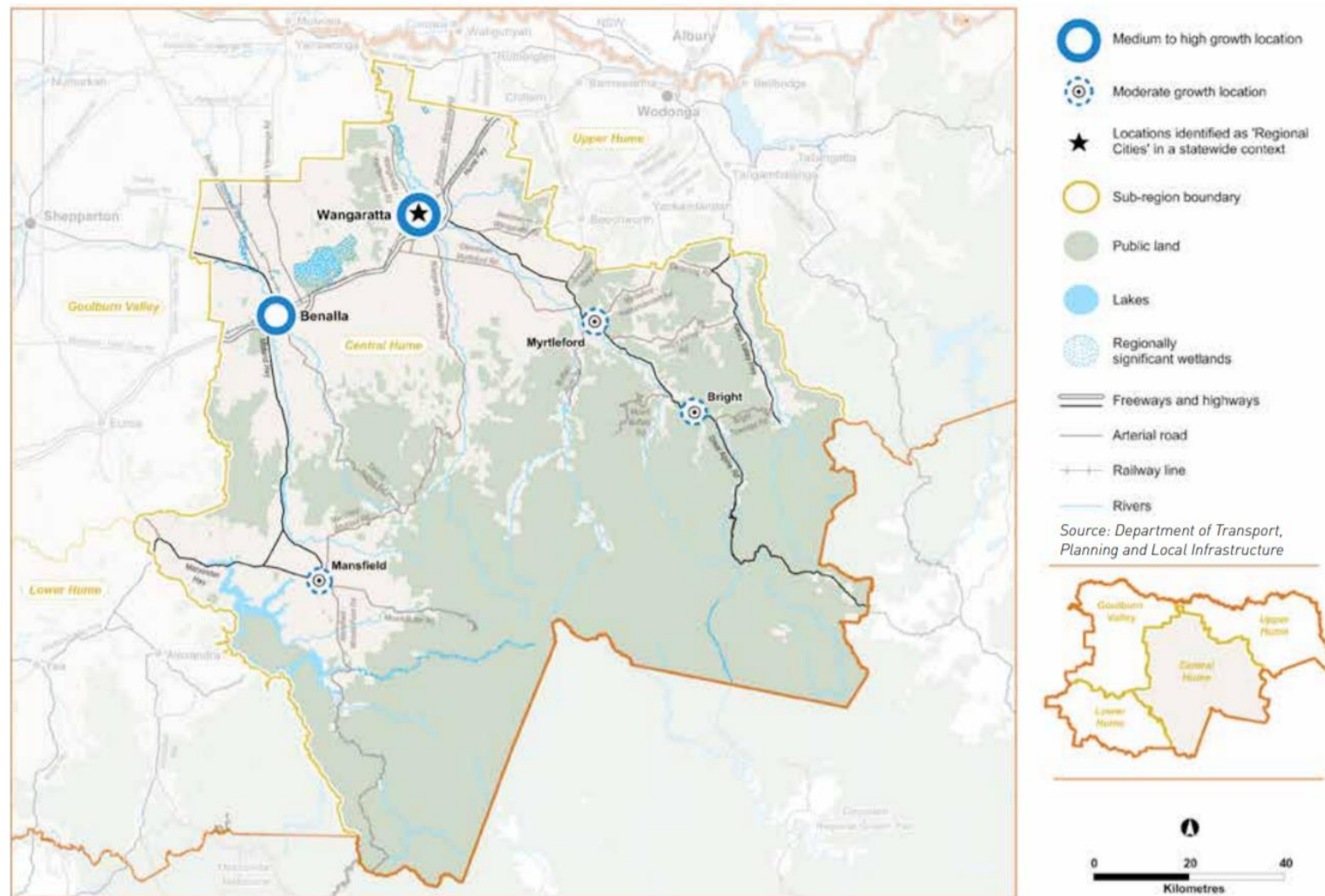
It sets out a framework to support the future growth (Figure 1), according to the following strategies:

- Focus growth and development specifically in the regional cities of Shepparton, Wangaratta, and Wodonga, and in Benalla.

- Encourage residential growth in areas where there are supporting employment, transport services and commercial activities. Urban growth frameworks included in this plan broadly identify these areas for Shepparton, Wodonga, Wangaratta and Benalla.
- In areas identified as strategic agricultural land (national/state, regional or sub-regional), avoid encroachment from rural residential settlement and other land uses that are non-complementary to agriculture.
- Support the development of a more diverse regional economy while managing and enhancing key regional economic assets (where the economy currently highly relies on manufacturing and agriculture).
- Agricultural production and associated food processing will continue to be an important contributor to the region's economy.
- The tourism industry will continue to generate regional wealth and interest from investors, including Alpine resorts which have the potential to offer a range of tourism activities year-round.

The directions of this policy are translated into the regional policy of the Alpine Planning Scheme. It is noted that the Hume Regional Plan is generally silent on the settlements in the Kiewa Valley (Mount Beauty – Tawonga South and Tawonga) and their relationship with Albury-Wodonga for higher order jobs and services.

FIGURE 1: CENTRAL HUME SUB-REGION – FUTURE URBAN GROWTH



Source: Hume Regional Growth Plan, 2014.

1.4 Homes for Victorians Housing Strategy

Homes for Victorians is the principal state-level strategic document that establishing a coordinated approach to making housing more affordable and accessible. The plan is targeted to addressing the housing crisis in Victoria. Its purpose is to increase the supply of affordable and stable housing options for people from all walks of life. The primary goal of the strategy is to ensure that all Victorians have a safe and secure place to call home.

The plan address five topics:

1. Supporting people to buy their own home
2. Increasing the supply of housing through faster planning
3. Promote stability and affordability for renters
4. Increasing and renewing social housing stock
5. Improving housing services for Victorians in need

Key actions of the strategy include allocation of funding for the construction of new social housing, increased support for private renters, and the implementation of targeted measures to help vulnerable groups such as Indigenous Australians, people with disabilities, and victims of family violence. The strategy also seeks to improve the quality and sustainability of existing housing stock through government initiatives and partnerships with community housing providers.

The plan acknowledges that local government has an important role in the implementation of the strategy. Some of the key actions relevant to local government include:

- Identifying and unlocking suitable land for new housing developments.
- Supporting and encouraging the development of diverse housing options, including social housing, affordable rental housing, and community housing.
- Ensuring that planning processes are streamlined and efficient, to enable timely and cost-effective development of new housing.
- Working with community housing providers and other stakeholders to identify and address local housing needs, and to provide support and services to residents.

Supporting initiatives to improve the sustainability and quality of existing housing stock, through programs such as retrofitting and energy efficiency upgrades.

1.5 Planning Practice Note 90: Planning for housing,

PPN90 provides information and guidance about how to plan for housing growth and protect neighbourhood character to ensure a balanced approach to managing residential development in planning schemes.

It acknowledges that many of the changes occurring to the Victorian housing market are due to population changes, for example, whether the population is ageing, having fewer children, forming

smaller households and preferring different lifestyles. These are the drivers that impact housing demand, type and location.

The Practice Note states that one of the key actions associated with developing a residential development framework is the identification of housing change areas of minimal, incremental and substantial change. Identifying housing change areas provides a means for prioritising competing housing and neighbourhood character objectives arising out of local strategic work. It also provides the basis for the application of requirements through zones and overlays to give effect to desired planning outcomes.

These housing change areas have been nominated in the framework plans of the LDS, including where further work and structure planning is required to further understand granularity of how to manage residential development whilst protecting the unique character of the area.

1.6 Planning Practice Note 91: Applying the residential zones.

Responding to reforms of residential zones, PPN90 provides information and guidance about how to:

- use the residential zones to implement strategic work
- use local policies and overlays with the residential zones
- make use of the key features of the residential zones.

Importantly PPN91 outlines the following Principles underpinning the application of the suite of residential zones:

- Housing and neighbourhood character plans need to be consistent and align with one another when specifying preferred future housing and neighbourhood character outcomes for an area.
- All residential zones support and allow increased housing, unless special neighbourhood character, heritage, environmental or landscape attributes, or other constraints and hazards exist.
- The Residential Growth Zone promotes housing intensification in locations close to jobs, services and facilities serviced by public transport including activity centres.
- The General Residential Zone is a three-storey zone with a maximum building height of 11 metres.
- The density or number of dwellings on a lot cannot be restricted in the Neighbourhood Residential Zone unless special neighbourhood character, heritage, environmental or landscape attributes, or other constraints and hazards exist.

A general guide for applying residential zones based on level of future housing change is shown in Figure 2. A guide for matching preferred or mandatory building heights with the appropriate residential zone is shown in Figure 3.

FIGURE 2: ALIGNING THE HOUSING CHANGE AREAS AND THE RESIDENTIAL ZONES

Zone	Special or constrained	Minimal	Incremental	Substantial
Low Density Residential Zone	✓	✓		
Mixed Use Zone			✓	✓
Township Zone		✓	✓	
Residential Growth Zone			✓	✓
General Residential Zone			✓	✓
Neighbourhood Residential Zone	✓	✓	✓	

Source: Victorian Government (2019) Planning Practice Note 91 'Using the residential zones'

FIGURE 3: MAXIMUM BUILDING HEIGHT MATRIX AND RECOMMENDED RESIDENTIAL ZONES

Table 3: Maximum building height matrix

Maximum building height	Best zone	Best height tool	Rationale
Less than 9m or 2 storeys	NRZ	Overlay	A maximum building height lower than the NRZ cannot be specified in a zone schedule. An overlay is required to recognise the special characteristics.
9m (2 storeys)	NRZ	NRZ	The zone mandates this maximum building height and storey control.
Greater than 9m (retain 2 storeys)	NRZ	NRZ schedule	The schedule to the zone enables a greater maximum building height to be specified while maintaining the 2-storey requirement.
11m (3 storeys)	GRZ	GRZ	The zone mandates this maximum building height and storey control.
Greater than 11m (retain 3 storeys)	GRZ	GRZ schedule	The schedule to the zone enables a greater maximum building height to be specified while maintaining the 3-storey requirement.
13.5m (4 storeys)	RGZ	RGZ schedule	The schedule to the zone forces the discretionary maximum building height to be mandatory.
Greater than 13.5m and greater than 4 storeys	RGZ	Overlay	Maximum building height requirements along with other specific design and built form requirements should be included in an overlay so all built form requirements are included in the one provision.

Source: Victorian Government (2019) Planning Practice Note 91 'Using the residential zones'

1.7 Hume Regional Adaptation Snapshot (2018)

This policy reviews the regional impacts of climate change and existing adaptation projects and strategies, to identify any gaps in climate change adaptation projects. It acknowledges that there will be climate change impacts across different sectors: built environment, natural environment, health and human services, transport, primary production, and water. The analysis includes a stocktake of the climate change adaptation projects in the Hume region as well as the results of community consultation.

Consultation undertaken revealed that people value the region for its environment: its climate, waterways, wildlife, and landscapes. People are also concerned that those are the places most vulnerable to climate change. Residents also value health and wellbeing, good communications systems and utilities, and a strong agricultural sector. On climate change, they believe there is a lack of leadership across all levels of government, which results in uncoordinated responses and plans that don't turn into action.

The analysis identified over 160 climate action projects currently or recently implemented in Hume (although there are many more), to be implemented by State government agencies, water authorities and catchment management authorities, local councils and shires, and community groups. Most actions were focused on renewable energy, such as community renewables and micro-grids, as well as projects to build community resilience and improve climate modelling and risk assessments, water cycle management, biodiversity, and agriculture, and improving emergency management and preparedness.

This has been considered in the strategies adopted in the LDS with regard to addressing flooding, bushfire risk and innovative and sustainable employment opportunities.

1.8 Climate-Ready Hume (2015)

This document assesses the potential impacts of climate change across the Hume region, noting that the region has already started to experience the impacts of climate change through warmer and drier weather trends which are projected to continue into the future, leading to fewer frosts, more frequent and intense downpours leading to flooding, overall less rainfall especially in spring and winter, and more hot days accompanied by the increase in frequency of high and extreme fire danger days. As the climate highly varies across the Hume region, the long-term effects and local strategies in tackling climate change will be wide-ranging.

Climate change will affect the Hume region's primary production, infrastructure, and tourism industries, as well as broader health and community, and environment. In particular, within the Alpine Shire area, the tourism industry especially snow sports will face significant challenges as a result of the warming climate. Transport and agricultural infrastructure will be increasingly exposed to periodic flooding and increased heat loading, for example, food and fruit processing facilities, irrigation infrastructure and bioenergy plants in Puckapunyal. In relation to the environment, biodiversity in flora and fauna face degradation, for example, the Mountain Pygmy Possum, a species limited to high mountain habitats.

This strategy (and climate change in general) has informed the preparation of the LDS as a key risk to overall growth, as well as in more detailed ways through the identification of constraints (e.g., fire and flooding).

1.9 Hume Bushfire Management Strategy (2020)

This strategy assesses the fuel and bushfire management for the Hume Region and provides useful background detail on bushfire risk. This strategy also looks at areas of high risk, implications of slope and review of reducing social effects of bushfires on community. This document was a key reference for the bush fire risk study that was prepared to inform the LDS constraint mapping process.

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2. Local plans and strategies

Local plans and strategies have been reviewed to understand key elements of Alpine Shire's local economy, settlement hierarchy and other key planning directions that are relevant to planning for urban land in the Shire.

2.1 Economic Development Strategy (2021)

The *Economic Development Strategy* was prepared in the context of the need to assist economic recovery from the COVID-19 pandemic and 2020 bushfires. It identifies several key towns and population nodes within the region that drive residential, employment and economic growth, including Bright (administrative centre), Mount Beauty, Myrtleford and Dinner Plain (service centres).

Key industries in Alpine Shire include tourism and the visitor economy – thanks to the region's significant natural assets, most notably Alpine National Park and Mount Buffalo National Park – which has consistently increased over the past ten years.

The following key issues for Alpine Shire's local economy were identified in the Strategy:

- Housing availability and affordability within Alpine Shire – reflected by the low rates of dwelling growth, low density stock, low rates of permanent occupancy and higher than average property prices.
- Industry – the Alpine Shire economy is reliant on a few key industries, including Tourism (e.g., Accommodation and Food Services, Retail Trade), Agriculture and Forestry, as well as Manufacturing. The forestry sector was significantly impacted by the 2020 bushfires.
- Tourism – impacted by the COVID-19 pandemic and 2020 bushfires.
- Business – most businesses in Alpine Shire (98%) are non-employing or classified as SMEs (i.e., fewer than 20 employees). A high proportion of businesses have been significantly impacted by the COVID-19 pandemic.

The Economic Development Framework for Alpine Shire consists of five key themes and 14 strategies that respond to the key issues outlined above:

- A Sustainable Visitor Economy
 - 1.1 - Create a sustainable tourism industry in Alpine Shire
 - 1.2 - Increase geographic and seasonal visitor dispersal
- Growing and Diversifying Agriculture
 - 2.1 - Increase the value of agricultural production
 - 2.2 - Future proof and protect the agricultural and forestry sector
 - 2.3 - Maintain and grow jobs in agriculture
 - 2.4 - Support food and beverage manufacturing
- Enhanced Liveability and Resident Attraction
 - 3.1 - Maintain and improve the amenity of Alpine Shire

- 3.2 - Increase the population growth rate across Alpine Shire
- 3.3 - Support for an ageing population
- Attracting New Industry and Investment
 - 4.1 - Increase industry diversification and expand the jobs base
 - 4.2 - Strategic investment in public sector infrastructure projects
- Supporting Businesses
 - 5.1 - Upskill the workforce to meet industry needs
 - 5.2 - Create a connected and well-informed business base
 - 5.3 - Promote business resilience (disaster recovery assistance).

The above has been considered in some of the key strategic directions of the document, including the need to attract sustainable, innovative employment opportunities, the need to consider a more sustainable approach to tourism given impact to infrastructure. The LDS also highlights future growth areas for industrial land that will allow for attraction of new industry.

2.2 Rural Land Strategy (2015)

The *Rural Land Strategy* provides guidance for the future use and development of agricultural and rural land in Alpine Shire. It approaches this with a strong support for an ongoing and diversified agricultural sector. Together with the *Land Development Strategy* (this project, covering urban land), the *Rural Land Strategy* will ensure there are clear directions for land management across the whole Shire.

The key attributes identified across the agricultural sector and that are continually growing include:

- Agri-business, which supports the local economy and rural employment.
- Rural tourism, supported by the region's landscape and environmental assets.
- Dairy industry.
- A diversifying beef industry.
- Smaller 'niche' agricultural industries on top of traditional commercial farming.

Key issues faced by the agricultural sector include:

- Encroachment of farming land by residential subdivision.
- Fragmentation of rural land.
- Structural change in agricultural industries.
- Environmental protection.
- Tourism opportunities conflicting with landscape amenity and agricultural land.

The RLS was founded on the following pillars which have been respected in the development of this strategy:

- Protection of agricultural land.

- Protection of rural amenity/ landscape values.
- Facilitating rural based tourism including agri-tourism.
- Providing limited opportunities for rural lifestyle with limited development potential in remote and other rural areas.
- Protection of environmental assets located in rural areas.

The Rural Land Strategy also contained number of recommendations that have been addressed as part of the Land Development Strategy:

- Investigate land to the north of Porepunkah Township for urban growth.
- Investigate the rezoning of a specified area of land at Wandiligong.
- Maintain agriculture as the predominant land use between Bright and Wandiligong.
- Protect land on the western side of Barwidgee Creek for future urban growth at Myrtleford.
- Investigate expansion of industrial land northeast of Carter Holt Harvey to capture future rural industry development that is not associated with the rural use of the land.
- Investigate a buffer around Carter Holt Harvey.
- Recognise Dederang has a role and potential to expand to support agricultural production.
- Protect Landscape values along the Kiewa Valley Highway.
- Recognise the need for buffers around the Mount Beauty Aerodrome.

The policy in relation to agricultural land, rural based tourism, transport and infrastructure, rural subdivision, dwellings and lifestyle is translated into the Local Planning Policy Framework of the Alpine Planning Scheme. Land use planning directions are also implemented for each rural precinct.

2.3 Recreation and Open Space Plan (2013)

This Plan forms an analysis of recreation and open space provision across Alpine Shire. It identifies that there is sufficient land and facilities to cater for resident and visitor demand and places value on outdoor recreation and healthy living as key features of the lifestyle in Alpine Shire.

Priority areas for improvement include improved provision of infrastructure for walking and cycling, increased opportunities for informal and casual recreation activities, and upgrades to existing facilities.

The areas nominated for investigation in the LDS consider 25% of the land to be taken up by Infrastructure which includes development infrastructure, community infrastructure and public open space. Structure Planning will provide clearer indication of the necessity for public space in new growth areas.

2.4 Alpine Planning Scheme Review (2023)

The Alpine Planning Scheme Review was received and noted by Council at the Ordinary Council Meeting held in April 2023. The Review is an overall health check of the Alpine Planning Scheme and focuses on:

- The effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the Ministerial Direction on the Form and Content of Planning Schemes.
- Ensuring the planning scheme contains a clear narrative about the way in which the use and development of land will be managed to achieve the planning vision or objectives of the area.

The Review found that the Alpine Planning Scheme contains many policy gaps and is not effectively guiding decision-making in Alpine Shire. There are significant gaps and the planning scheme is out-of-date. This is leading to inconsistent decision-making and lost opportunities for the most efficient use of land, adaptation to climate change and protection of values, such as landscapes and heritage, for the benefit of the community.

The statutory planning function of Council is confronted with both legislative requirements and community expectations.

The process to address the underlying issues that led to this situation to improve the performance of the planning function at Council are underway, but they will take time to see results. In the interim, the Review states that it is critical that Council remains focused on the strategic planning projects that will make the most difference to the wider community, and to building the capacity and confidence of the statutory planning team.

Among other things, the *Alpine Shire Land Development Strategy* will be implemented via an amendment to the Alpine Planning Scheme to ensure the Municipal Planning Strategy and the local policies of the Planning Policy Framework (PPF) are up-to-date and can assist in decision-making.

3. Alpine Planning Scheme

The Alpine Planning Scheme is made up of State, regional and local policies, which set high-level directions, and highlight opportunities and challenges facing the Shire, that can be managed through planning controls (zones and overlays).

The planning scheme is arranged into several sections, beginning with state policies (set by planning strategies such as the *Hume Regional Growth Plan*) that set a high-level direction for land use, development, and environmental management. The Planning Policy Framework (PPF) contains planning objectives and strategies according to several themes:

- Settlement
- Environment and landscape values
- Environmental risks and amenity
- Natural resource management
- Built environment and heritage
- Housing
- Economic development
- Transport
- Infrastructure.

3.1 Municipal Planning Strategy

The Municipal Planning Strategy (MPS) outlines the strategic planning, land use and development objectives of the municipality and the strategies for achieving them. The MPS contains the following information and policies:

- Clause 02.01: Context
- Clause 02.02: Vision
- Clause 02.03-1 Settlement
- Clause 02.03: Strategic Directions
- Clause 02.03-2: Environmental and landscape values
- Clause 02.03-3: Environmental risks and amenity
- Clause 02.03-4: Natural resource management
- Clause 02.03-5: Built Environment and heritage
- Clause 02.03-6: Housing
- Clause 02.02-7: Economic Development
- Clause 02.03-8: Transport
- Clause 02.03-9: Infrastructure
- Clause 02.04: Strategic Framework Plan

The MPS identifies several key issues, which are managed by policies in the Planning Scheme:

Settlement and Housing:

- Accommodating future residential growth.
- The need to manage town boundaries.
- Encouraging diversity and choice in housing options.
- High levels of absentee landownership.
- Accessibility and service delivery.
- Encouraging infill housing developments sympathetic to neighbourhood character.
- Pressure for rural living and supply of agricultural land.

Infrastructure:

- Management and provision of public infrastructure.
- Water quality and quantity issues
- Wastewater management and asset protection
- Rail Trail expansion and maintenance.
- Stormwater and drainage.¹

Economic Development

- Agriculture / horticulture operating from a relatively small resource base.
- Emerging agricultural business and infrastructure.
- Legacy issues of former tobacco industry including irrigation infrastructure.
- Encroachment of tourism in rural landscape.
- Support for value adding industries within the Shire
- Maintaining active and attractive retail hubs.
- Diversity – emerging shifts in economic activity (e.g., water extraction).
- Climate change impacts on Alpine areas, industries and businesses.
- Limited employment opportunities for people moving to the municipality for lifestyle reasons.
- Protection of agricultural land resources.
- Mining and extractive industries.
- Plantations.

Environmental and landscape values

- Conservation of environmentally significant areas and biodiversity.
- Protection of endangered species.
- Significant opportunities for nature-based tourism activities.
- The need to achieve a balance between development and conservation outcomes.
- Responding to climate change.
- Private land management.
- Natural disasters.
- Management of old dredge sites.
- Protecting significant landscapes.
- Contaminated land issues.
- Waste management.
- Special Water Supply Catchment issues.

The current MPS for Alpine Shire reflects the objectives of the *Hume Regional Growth Plan 2014* and the *Community 2030 Vision*. Key factors affecting planning with relevance to the Land Development Strategy project are:

- Urban pressures on township edges and rural hinterland areas.

¹ Alpine Planning Scheme at: <https://planning-schemes.app.planning.vic.gov.au/Alpine/ordinance/00>

- The protection and sustainable use of agricultural land.
- The ability of the local economy to offer (on going) employment opportunities.
- Township character and identity issues.
- High levels of tourism.
- Infrastructure limitations due to environmental constraints such as bushfires, flooding and topography along with sparsely populated communities spread geographically.
- Built environment and heritage.
- Protection and maintenance of environmentally significant areas and the natural resource base.
- Tobacco industry legacy (land use changes as well as contaminated land issues).
- Ageing population base and low population growth.
- Environmental risk (flood prone land and bush fire).
- Balancing the public / private land interface.
- Mining legacy (small lots) and mining potential.
- Managing the relationship between the Alpine Resorts and alpine areas.
- Extensive areas of plantations.
- Reliance on climate dependent industries (e.g. forestry, agriculture and snow-based tourism).
- Water availability for both agriculture and urban areas.

Clause 02.03-1 Settlement

The average annual population growth in Alpine Shire for the period 2005-2010 was 0.5% reversing the negative growth trend over the preceding 5 year period. Supply of land for residential growth and development over 15 years has been in the urban centres of Porepunkah, Mount Beauty/Tawonga South and Myrtleford. Bright also has 3 years supply of land for residential growth and development.

Ribbon development and development that conflicts with existing urban form has been identified as major factors that erode township character.

Despite low population growth and high levels of absentee house there is continued demand for new housing. Objectives of the Clause include directing the majority of urban growth in the Shire to Bright, Porepunkah, Myrtleford and Mount Beauty/Tawonga South. There is a need to encourage redevelopment and intensification of existing urban areas and commercial cores by providing for higher density development and mixed uses.

Strategies include ensuring the provision of at least fifteen years supply of residential land within each of the township identified for urban growth. Providing for a range of housing choice that is affordable, accessible and meets community needs, and encouraging new residential development that demonstrates sustainability outcomes are also strategies identified. Application of zones and overlays include:

- Apply the General Residential Zone in the township of Porepunkah to encourage residential development.

- Apply the Mixed-Use Zone to Porepukah.
- Apply the Development Plan Overlay to undeveloped land at Myrtleford and Porepukah.

Once the next phase of the *Land Development Strategy* has been completed (residential land supply, demand, and capacity analysis), the recommended zoning for Alpine Shire's towns and settlements may be reviewed.

Clause 02.03-7 Economic Development

There are significant warehouse and processing plant opportunities available in Myrtleford. Mount Beauty Airfield and surrounds are seen as providing an important opportunity for light industrial and air-park development.

Constraints to further commercial and industrial development in the Shire include interface/land use conflict issues, in locations where residential uses are situated nearby. There are also industrial and employment uncertainties in key business sectors and natural disasters can be significant on the local economy.

Strategies include avoiding inappropriate commercial and industrial land use and development that could impair the unique and highly significant tourism attributes of the Shire. Application of zones and overlays include:

- Apply the Mixed Use Zone in Porepukah
- Apply the Special Use Zone to the airfields in Porepukah and Mount Hotham
- Apply the Significant Landscape Overlay to Alpine areas and significant landscapes to protect natural tourism assets identified in the Alpine Shire Rural Land Strategy 2015.

As highlighted above for residential land, once the next phase of the *Land Development Strategy* has been completed (commercial and industrial land supply, demand, and capacity analysis), the recommended zoning for Alpine Shire's towns and settlements may be reviewed.

Clause 02.03-4 Natural Resource Management (Agriculture/Forestry)

The policy in this Clause is based on findings from the Rural Land Use Strategy (2015). The study found that the total area available for agriculture in Alpine Shire is around 70.7 sq km and in 2006 generated around \$47.4 million.

There are opportunities for growth and replacement activities for the Tobacco industry including green tea, capsicum, grapes, and berries. Areas of high agricultural capability are evident in the Kiewa Valley, the Happy Valley, Mudgegonga and Rosewhite areas as well as around Myrtleford and the Buckland Valley.

A key constraint to the scale of the agricultural industry is the area available for agriculture, constrained to the narrow valleys between steep mountain ranges. There is a continuing shift towards more intensive agricultural industries and boutique, lifestyle, or part time farming, which is changing the rural landscape of the Shire. Issues include:

- Inappropriate development and subdivision which can remove land from productive rural use, create conflict, fragment land holdings, and create pressure for dwellings.

- Remote rural areas of the Shire are also generally located in areas of high conservation significance and include land holdings aligned within significant landscapes and touring routes. These areas are under increasing development pressure.

Strategies to enhance and protect agricultural productivity include:

- Supporting the use and development of land for rural dependent enterprises providing an opportunity to explore new developments in the agricultural and associated industries and provide employment opportunities.
- Protecting agricultural land from inappropriate use and development and minimising the loss of broad acre commercial farming units through subdivision for inappropriate land uses.

Clause 02.03-9 Infrastructure

Residential development in many parts of the Shire is restricted by various infrastructure limitations. Development is also limited by the environmental capacity of the surrounding land.

Objectives include supporting consolidation of the Shire's population in main towns and villages to effectively use existing infrastructure. There is also a desire to limit the need for new infrastructure and reduce the loss of agricultural land for the purposes of urban/residential development.

Strategies include maximising the use of existing infrastructure and limiting the need for new infrastructure by consolidating growth in towns and encouraging higher density development. Also, ensuring development in isolated or inadequately serviced areas does not impose unnecessary costs on the general community for service provision.

Clause 02.02-1 Settlements and rural localities

This policy applies to all land in the Low Density Residential Zone and Rural Living Zone. Objectives that relate to residential, commercial, and industrial development are:

- Direct rural residential use and development to protect agricultural areas from urban sprawl and conflicting land uses.
- Ensure that rural residential living is compatible with the environmental characteristics of the area; and any existing or surrounding agricultural land uses.
- Limit development in sparsely populated communities and remote areas with limited accessibility and services

It is local policy to ensure rural residential development is not located on land:

- Considered a bushfire risk environment where residential development and use of land will intensify the risk.
- That is flood prone.
- With a slope greater than 20% (1 in 5).
- That is susceptible to landslip.
- That is contaminated (previously contaminated land must have an EPA audit clearance).

Clause 02.03-2 Environmental and landscape values

This policy applies to all land in Alpine Shire. Objectives that relate to residential, commercial and industrial development include:

- Avoid inappropriate development in or near areas of high value native vegetation, habitat for threatened species or other areas of high environmental values.

It is local policy that:

- Buildings and works need to be sited and designed to avoid and minimise the requirement for native vegetation removal or any detrimental impacts on retained native vegetation.
- High value remnant vegetation of an Ecological Vegetation Class with a conservation status of depleted, rare or endangered; or that is identified as habitat for rare and threatened species; or that is considered an area of significant local value, should not be removed.

Clause 02.03-2 Sustainable Development in Alpine Areas

This policy applies to all land located above 1100m Australian Height Datum across Alpine Shire where snowfall may persist as ground cover for long periods over the winter months. Objectives that relate to residential, commercial and industrial development are:

- Encourage sensitively designed development in designated areas within the alpine areas including the periphery of Dinner Plain village and land adjacent to Mount Hotham Airport.
- Recognise that the approaches to Falls Creek, Mount Hotham and Mount Buffalo warrant special attention in the context of planning and development to maintain a high visual amenity.
- Ensure that development is sited and designed to minimise any adverse visual and environmental impact.

It is local policy that:

- Buildings and works should be sited and designed to minimise any potential to destroy or threaten native flora and fauna habitats.
- Any buildings and works be sited to minimise their visibility from public places.
- Any development within alpine areas or sub-alpine areas does not dominate the visual landscape and is compatible with the local cultural character.

Clause 02.03-2 Landscapes

This policy applies to all applications for buildings and works within significant landscapes. Objectives that relate to residential, commercial and industrial development are:

- Limit development on prominent ridges and hilltops.
- Maintain and protect areas of environmental and visual significance from inappropriate development.
- Ensure that all structures blend in with the surrounding environment.

It is policy that:

- Views should be protected along Kiewa, Ovens and Buffalo Rivers to spectacular mountain ranges.

- Mature vegetation which provides a backdrop for any development must not be removed or lopped.
- Developments must be sited to ensure that rooflines do not protrude above ridgelines when viewed from any road or public land.

Clause 02.03-7 Industry

This policy applies to all land in the Industrial Zones, the Mixed Use Zone and other areas identified for industrial use. Objectives that relate to residential, commercial, and industrial development are:

- Ensure that the use and development and redevelopment of sites within the industrial precincts are for industrial uses.
- Ensure that new development and redevelopment within the industrial precincts positively contributes to the visual amenity of the area.

It is policy that:

- Industrial uses be discouraged from the Mixed Use Zone particularly where there is conflict with other land uses.
- Non-industrial uses, not appurtenant to an industrial use will be strongly discouraged in the industrial precincts.
- Landscaping should be provided along common property boundaries and within frontage setbacks and areas.
- Building heights, setbacks and form should have regard to and seek to be compatible with the surrounding development and the character of the locality in which the development is situated.

4. Land use planning zones

Zones are the primary tool for guiding the fair and orderly use and development of land. A zone sets expectations about what land use and development activity is or may be acceptable in the location to which it applies. Each zone broadly deals with a particular predominant land use theme, such as residential, commercial, industrial or public land uses.

Zones are applied spatially, and all land must be included in a zone, except Commonwealth land. The zone selected for any land is determined by the historic land use and the planning strategies set out in the planning scheme.

Each zone contains purposes that describe the planning outcome sought by the zone. These purposes are achieved through the application of the controls on use and development in the zone.

The use of land is controlled by a 'Table of uses' in the zone. This table places particular land uses in one of three categories:

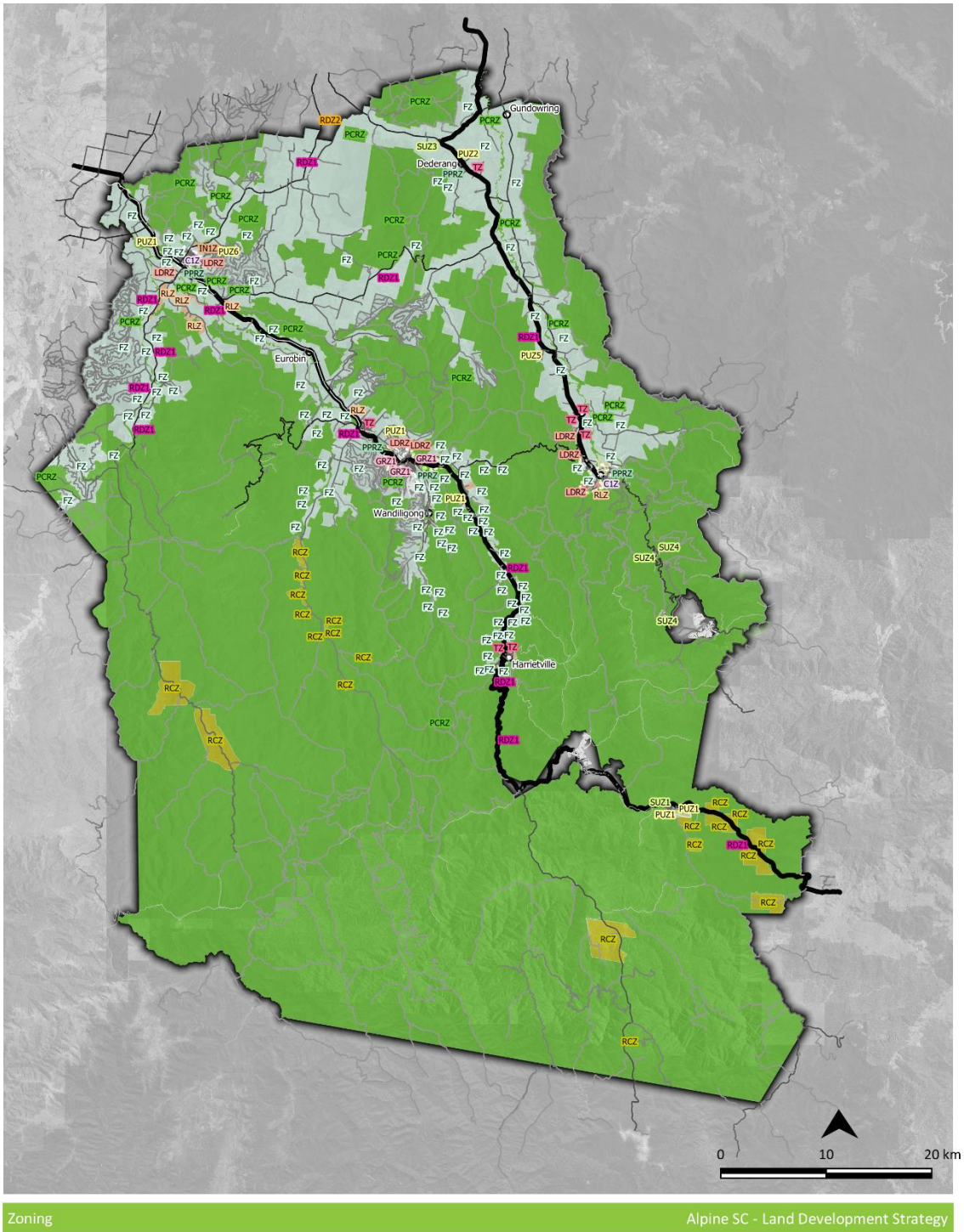
- Section 1 – Permit not required
- Section 2 – Permit required
- Section 3 – Prohibited

The table may include a condition next to a land use that must be met. If the condition is not met, a more restrictive land use category will apply to the use.

The zone also controls development by requiring a planning permit for specified types of development. Some zones seek to promote a specific outcome by exempting a preferred form of development from the need for a permit. Some zones may include mandatory requirements, such as a maximum building height.

Figure 4 sets out the range of zones that currently apply in Alpine Shire's urban areas and can contain residential, commercial, or industrial land use activities. It examines key parameters that would affect capacity for residential, commercial and industrial land use and development of relevance to the Land Development Strategy.

FIGURE 4: ZONING IN THE ALPINE LGA



Source: SGS Economics and Planning, based on the Alpine Planning Scheme, 2021.

TABLE 1: ZONES IN ALPINE SHIRE'S URBAN AREAS

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
Residential Zones				
32.03 Low Density Residential Zone (LDRZ)	To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater	Myrtleford, Wandiligong, Bright, Porepunkah, Mount Beauty	<p>The schedule to the LDRZ does not vary the standard subdivision and outbuilding permit requirements.</p> <p>The LDRZ sets a minimum subdivision size as follows:</p> <ul style="list-style-type: none"> – 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare. – 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare. – A permit may be granted to create lots smaller than 0.4 hectare if the subdivision: – Excises land which is required for a road or a utility installation. – Provides for the re-subdivision of existing lots and the number of lots is not increased. 	<p>The zone schedule does not specify any additional requirements.</p> <p>The minimum subdivision size limits the number of lots that can be created as ensures lots remain a large size and the number of lots does not increase.</p>
32.04 Mixed Use Zone (MUZ)	To provide for a range of residential, commercial, industrial and other uses which complement the	Myrtleford, Mount Beauty	<p>The schedule to the MUZ does not vary the standard building height, subdivision or design requirements of Clause 54, 55 and 56.</p> <p>The MUZ does not set a maximum building height. If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or land liable to inundation the maximum building</p>	<p>The zone schedule does not specify any additional requirements.</p> <p>There are some controls around gross floor area requirements in the permit not required uses, which limits development potential.</p>

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
	mixed-use function of the locality.		<p>height specified is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.</p> <p>A permit is required to construct or extend one dwelling on a lot of less than 300 square metres</p>	There is some flexibility around building height for different lands.
32.05 Township Zone (TZ)	To provide for residential development and a range of community serving uses in small towns.	Harrietville, Porepunkah, Tawonga, Dederang	<p>The schedule to the TZ does not vary the standard building height of Clause 54 or 55, and subdivision of Clause 56.</p> <p>However, if the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.</p> <p>A permit is required to construct or extend one dwelling on a lot of less than 300 square metres.</p>	<p>The zone schedule does not specify any additional requirements.</p> <p>There are some controls around gross floor area requirements in the permit not required uses, which limits development potential.</p> <p>There is some flexibility around building height for different lands.</p>
32.08 General Residential Zone (GRZ)	To provide housing diversity that respects the neighbourhood character of an	Bright, Mount Beauty, Myrtleford	The GRZ sets a maximum building height for a dwelling or residential building of 11 metres and 3 storeys at any point.	<p>The zone schedule does not specify any additional requirements.</p> <p>The constraints in this zone limit the development capacity of the lots. Maximum</p>

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
	area, particularly in locations with good access to services and transport as well as supporting specified community serving uses.		<p>If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.</p> <p>The GRZ sets a minimum subdivision size as follows:</p> <ul style="list-style-type: none"> – A vacant subdivided lot less than 400 square metres capable of development for a dwelling or residential building, must contain at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with an approved precinct structure plan or an incorporated plan or approved development plan – An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 <p>Minimum garden area requirement:</p> <ul style="list-style-type: none"> – Lot size 400-500 sqm- 25% – Above 500-650 sqm- 30% – Above 650 sqm- 35% <p>This does not apply if the lot is designated as a medium density housing site in an approved precinct structure plan or an approved</p>	building height and garden area requirements ensure that the lot is not heavily occupied by a dwelling.

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
			equivalent strategic plan, or if the lot is designated as a medium density housing site in an incorporated plan or approved development plan	
Industrial Zones				
33.01 Industrial 1 Zone (IN1Z)	To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.	Bright, Mount Beauty, Myrtleford	Permitted uses in the IN1Z include businesses, warehouses, storage, railway and industry other than materials recycling. Some of these uses contain conditions such as buffer requirements	As several permitted uses require a buffer zone, this reduces the amount of development that can occur on a lot.
33.02 Industrial 2 Zone (IN2Z)	To promote manufacturing industries and storage facilities that require a substantial threshold distance within the core of the zone.	North of Myrtleford (Sawmill site)	Permitted uses in the IN2Z include railway, informal outdoor recreation, businesses and crop and animal production. Some uses where a permit is required contain a buffer zone which limits development potential.	The buffer zones for particular uses limit the development potential and capacity of lots.

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
Commercial Zones				
34.01 Commercial 1 Zone (C1Z)	Commercial Zone 1 seeks to create vibrant mixed-use commercial centres for retail, office, business, entertainment and community uses, with residential uses at complementary densities.	Bright, Myrtleford, Mount Beauty	The zone specifies some restrictions on gross floor area and frontages. The use of land must not detrimentally affect the amenity of the neighbourhood including its appearance.	Permitted uses in the C1Z include accommodation, mixed businesses and retail, which enables a wide variety of employment opportunities. The zone also provides flexibility around residential uses.

5. Land use planning overlays

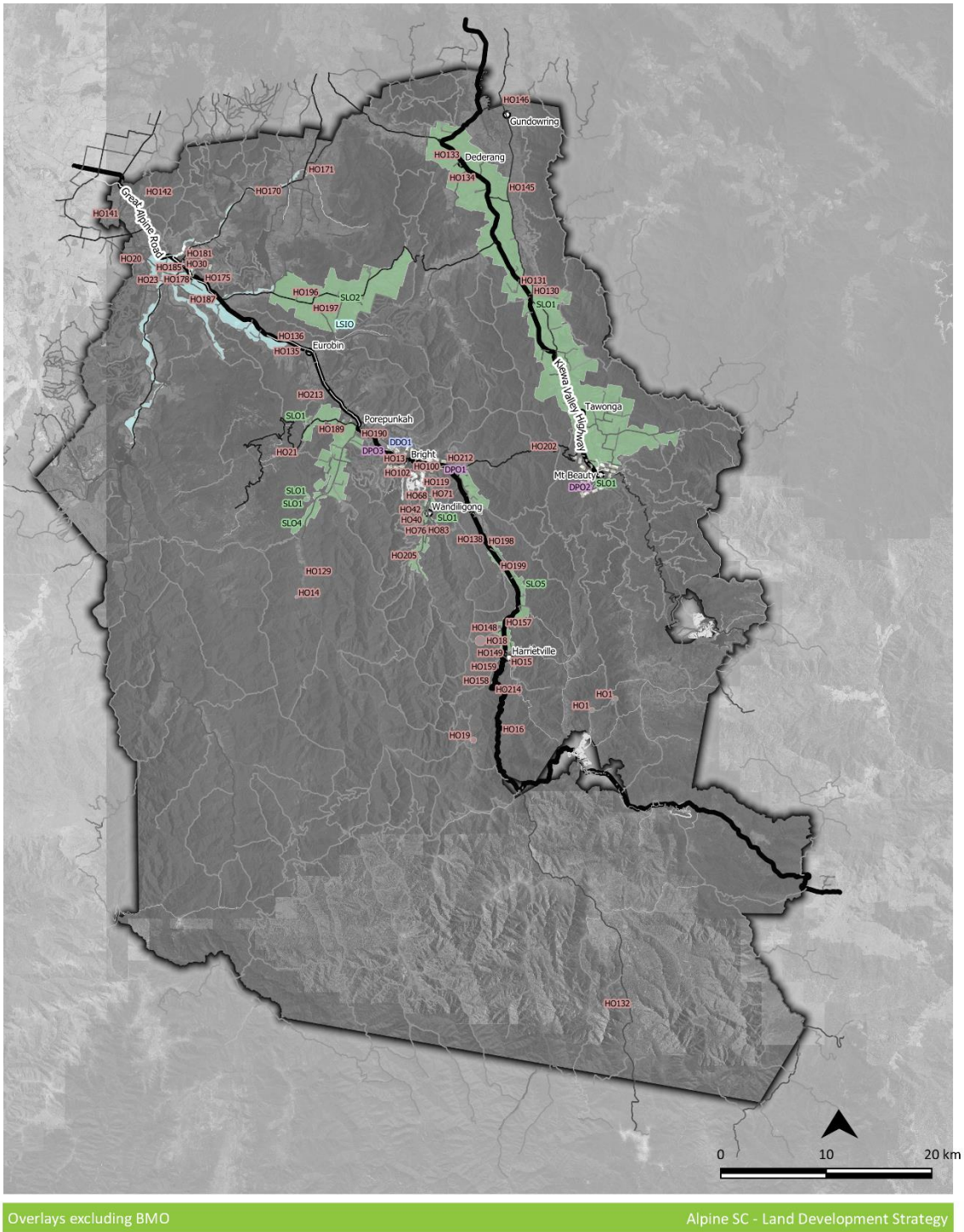
Overlays control a broad range of development matters such as the protection of significant vegetation, the protection of heritage values, the design of the built form or mitigation of flood risk. The application of an overlay may reflect a policy objective in the planning scheme or the site conditions.

While a parcel of land will always be included in a zone, it will only be affected by an overlay where a specific development outcome or issue to be addressed is sought for that land. Land can be subject to more than one overlay if multiple issues apply to the land.

As a relatively smaller regional council area, Alpine Shire has fewer overlays in place compared to other larger regional or city councils. This includes lack of currently implemented planning overlays such as the Significant Landscape, Design and Development, or Land Subject to Inundation Overlays. Overlays provide a useful planning tool for managing growth by mitigating potentially adverse impacts to amenity and other values such as heritage or neighbourhood character.

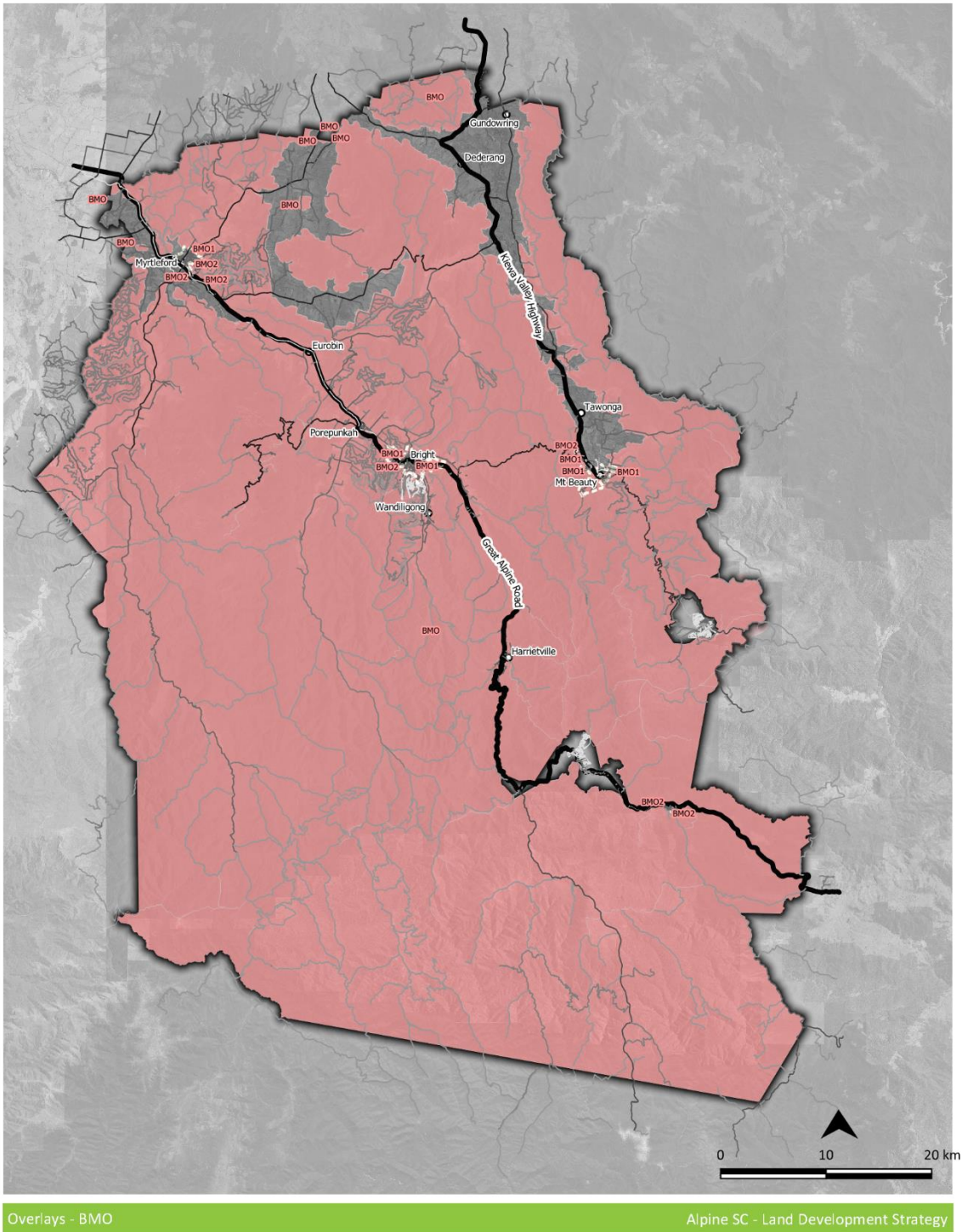
Figure 5 to Figure 9 show the spatial extent of selected overlays in Alpine Shire. Table 2 sets out the range of overlays that currently apply in Alpine Shire's urban areas. It examines key parameters that would affect capacity for residential, commercial and industrial land use and development of relevance to the Land Development Strategy.

FIGURE 5: OVERLAYS IN THE LGA (EXCLUDING BUSHFIRE MANAGEMENT OVERLAY)



Source: SGS Economics and Planning, based on the Alpine Planning Scheme, 2021.

FIGURE 6: ALPINE BUSHFIRE MANAGEMENT OVERLAY



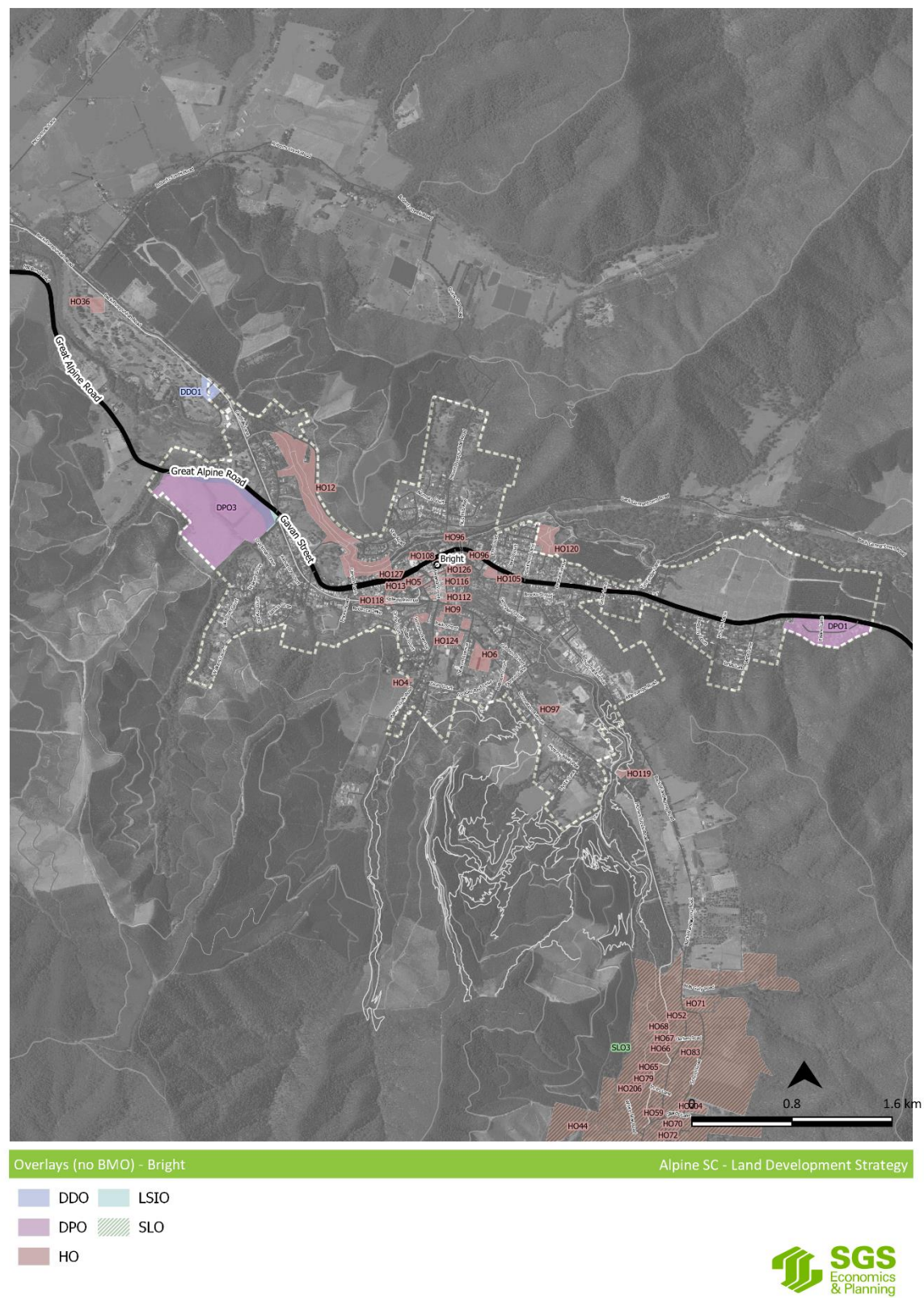
Overlays - BMO

Alpine SC - Land Development Strategy



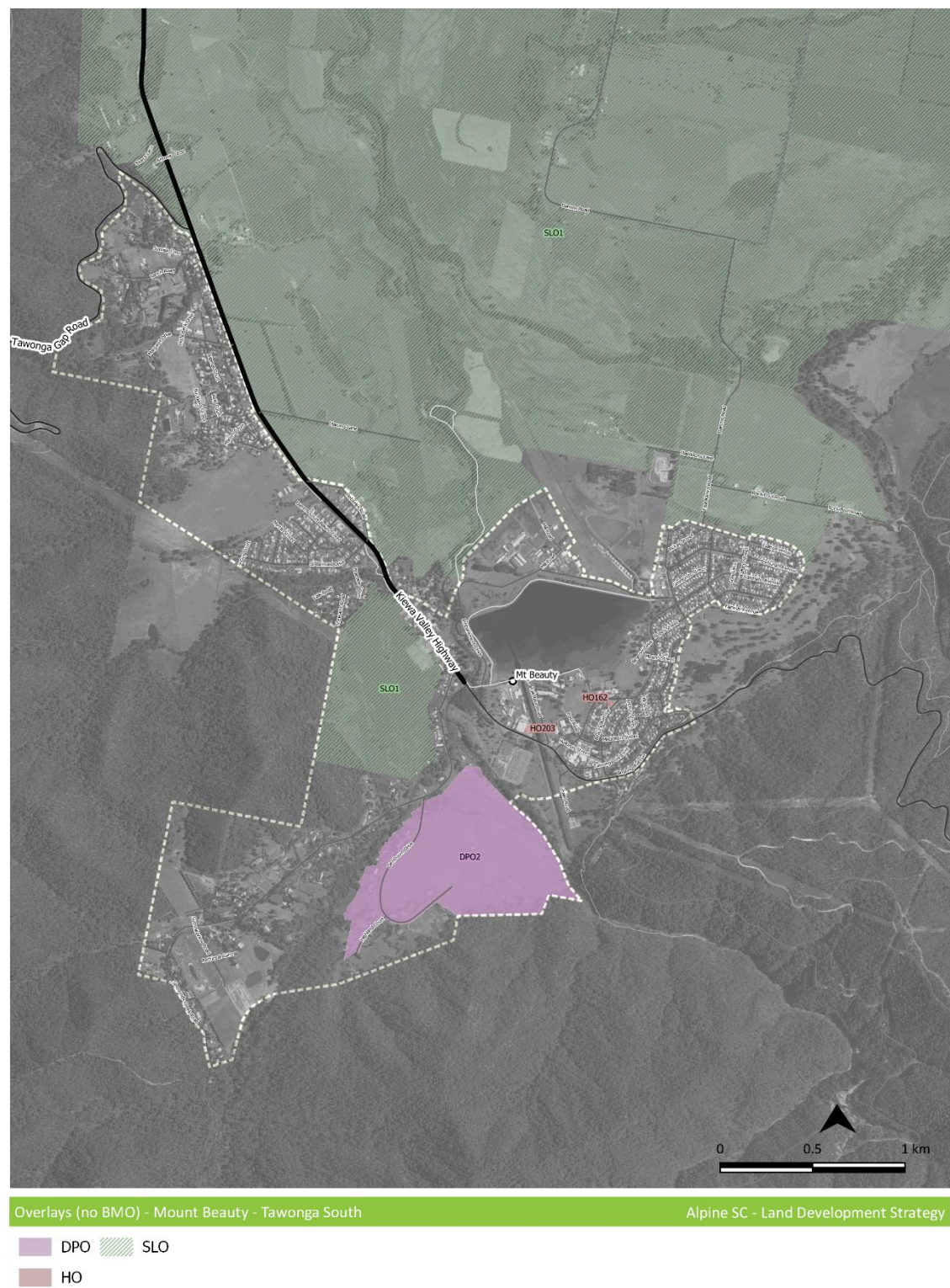
Source: SGS Economics and Planning, based on the Alpine Planning Scheme, 2021.

FIGURE 7: SELECTED OVERLAYS IN BRIGHT



Source: SGS Economics and Planning, based on the Alpine Planning Scheme, 2021.

FIGURE 8: SELECTED OVERLAYS IN MOUNT BEAUTY-TAWONGA SOUTH



Source: SGS Economics and Planning, based on the Alpine Planning Scheme, 2021.

FIGURE 9: SELECTED OVERLAYS IN MYRTLEFORD

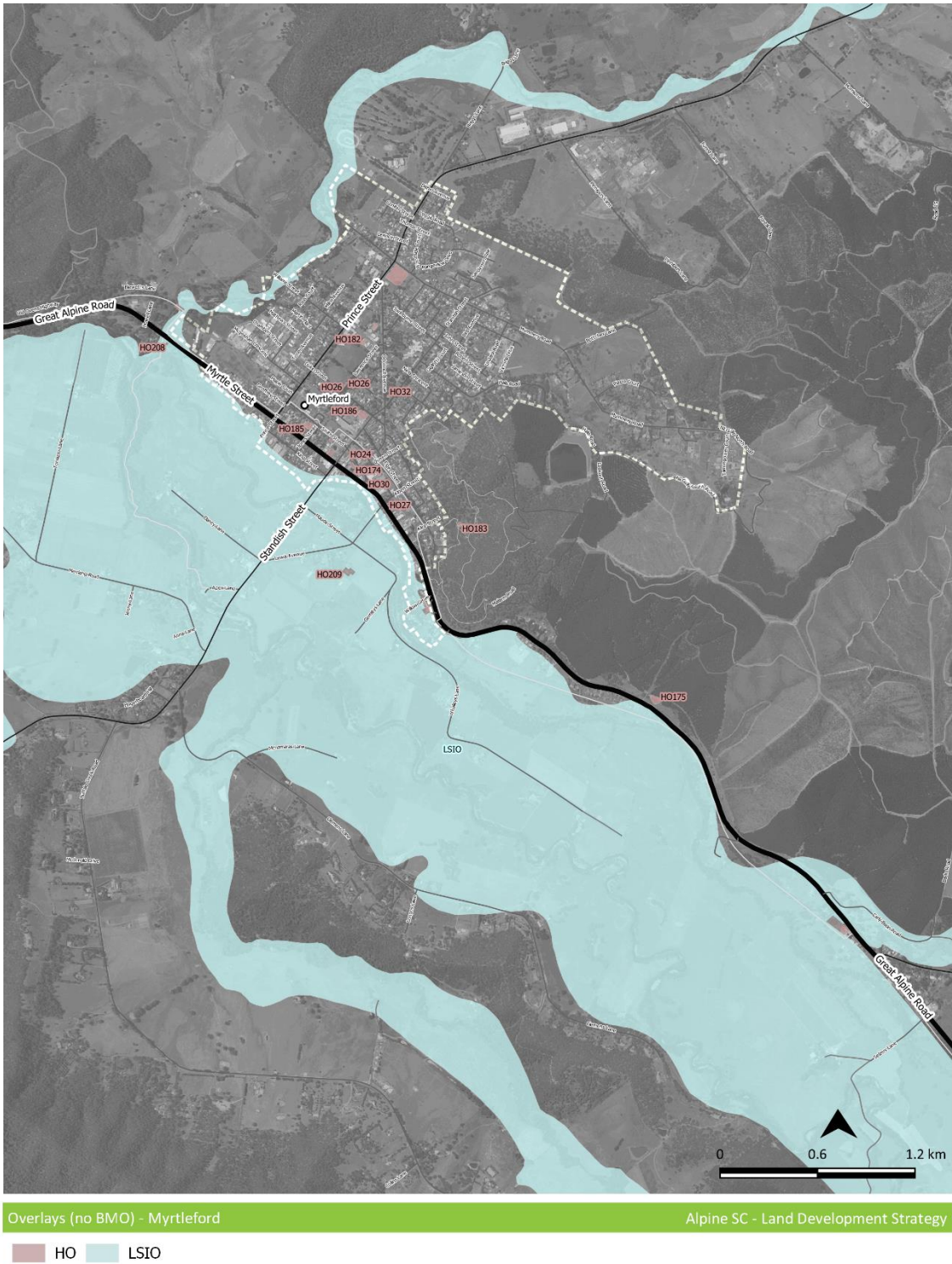


TABLE 2: OVERLAYS IN ALPINE'S URBAN AREAS

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
Environmental and Landscape Overlays				
42.03 Significant Landscape Overlay (SLO)	The SLO identifies, conserves and enhances the character of significant landscapes.	Ovens River, Happy Valley, Porepunkah, Kiewa Valley Highway between Dederang and Mount Beauty, Wandiligong	A permit is required to construct a building or carry out works, construct a fence if specified in the schedule to the overlay, and remove, destroy or lop any vegetation specified in a schedule to this overlay. Exemptions apply to uses such as emergency works, extractive industry, fire protection, noxious weeds and traditional owners.	Aims to maintain the character, nature and key elements of significant landscapes. There are several uses which do require a permit including residential and most employment lands excluding some heavy industrial.
	Schedule 1: Upper Kiewa Valley significant landscape area		The landscape of the Upper Kiewa Valley has a distinct character. The visual boundaries are definite in this landscape not only between natural features but also the townships which are generally well contained with little urban sprawl. A key element is the views across the cleared valley floor to Mount Bogong.	Objectives to be achieved include: <ul style="list-style-type: none"> – Contain housing, to existing townships with definite visual boundaries. – Encourage appropriately sited development to reduce ribbon development along the Kiewa Valley Highway. – Encourage rural development of a "human" scale and form. – Maintain existing vegetation on the steeper slopes of the valley to maintain its integrity. – Maintain the contrasts in landform and land use between the valley floor and the steep vegetated valley walls. – Maintain the existing rural landscape.
	Schedule 3: Wandiligong		Objectives to be achieved include: <ul style="list-style-type: none"> – Maintain relationship of historic buildings with the landscape. 	The main landscape considerations to be protected is the natural, historical and cultural

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
	Valley significant landscape area		<ul style="list-style-type: none"> – Continue the mosaic of patterns, forms and colours of the natural and built environment – Ensure development, specifically housing and subdivision, is sympathetic to the natural and historical and cultural landscape. – Encourage rural development of a "human" scale and form. – Minimise vegetation clearance along creeks and roadsides. 	landscape. This has implications as it restricts what type of built form and scale can occur.
	Schedule 4: Buckland Valley significant landscape area		<p>Objectives to be achieved include:</p> <ul style="list-style-type: none"> – Maintain the contrasts in landform and land use between the valley floor and the imposing Mt. Buffalo. – Maintain the existing pastoral landscape of the valley floor. – Maintain the view of Mt. Buffalo from the valley. – Encourage appropriately sited development to reduce ribbon development along the Buckland Valley Road and the impact on the views to Mt. Buffalo on the western side of the road. – Encourage rural development of a "human" scale and form. – Minimise vegetation clearance along the Buckland River, creeks and roadsides. 	The main landscape considerations to be protected is the existing land use and views. This limits development capacity as it restricts development height and scale.

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
	Schedule 5: Upper Ovens and Harrietville Valley significant landscape area		<p>Objectives to be achieved include:</p> <ul style="list-style-type: none"> – Contain urban development, specifically housing, to existing townships with definite visual boundaries. – Encourage appropriately sited development – Encourage rural development of a "human" scale and form. – Maintain the contrasts in landform and land use between the valley floor and the steep vegetated valley walls. – Maintain the existing pastoral landscape of the valley floor. – Minimise vegetation clearance along the Ovens River, creeks and roadsides. 	Main objective is to maintain development specifically housing to existing townships. This limits development potential such as in new release areas or the clearing of bushland to accommodate housing.
Heritage and built form overlays				
43.01 Heritage Overlay (HO)	The HO identifies areas with natural or cultural significance, in order to preserve and enhance the elements which contribute to the places of heritage significance. This includes Victorian Heritage Registered elements, and	Myrtleford, Bright, Harrietville, Mudgegonga, Wandiligong	<p>A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.</p> <p>Schedule to the HO specifies heritage places with external paint controls (design guidelines), tree controls and internal alterations controls.</p>	Heritage items constrain development as design guidelines and controls apply which limit the capacity of development that can occur. Heritage listed items may not be able to be removed or altered which limits where development can occur.

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
	places of local significance			
43.02 Design and Development Overlay (DDO)	The DDO identifies areas which are affected by specific requirements relating to the design and built form of new development.	Bright, Falls Creek	<p>Schedule 1 to the DDO specifies:</p> <ul style="list-style-type: none"> – All buildings are setback at least 10 metres from any lot boundary abutting the Back Porepunkah Road reserve and/or rail trail – The density of dwellings does not exceed one dwelling per lot – All fences are less than 1.8 metres high. Solid fences abutting the Back Porepunkah Road reserve and/or rail trail are setback at least 5 metres from the boundary – The setback area between any solid fence and the Back Porepunkah Road reserve and/or rail trail boundary is landscaped – Maintain an average lot size of 1000 square metres when subdividing 	Main design considerations are density of dwellings, landscaping, height of fences and setbacks from roads and railways.
43.04 Development Plan Overlay (DPO)	The DPO identifies areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land. It also exempts an	Bright, Mount Beauty	<p>A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared.</p> <p>The development plan may consist of plans or other documents. A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone,</p>	Note the DPO in Mount Beauty (Glenbourne Drive) is recommended to be removed as part of the Planning Scheme Review, as it has no content.

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
	application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.		Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.	
	Schedule 3: Schedule 3 to clause 43.04 development plan overlay		<p>Applies to Lots 1 & 2 ON PS613866 and lots 1, 2, 4, 5, 7 - 9 on TP859376 – Great Alpine Road.</p> <p>Key development requirements for the development plan include:</p> <ul style="list-style-type: none"> – Provide for a 50 metres buffer distance between the Great Alpine Road and residential uses – Provide a range of lot sizes and identify potential residential densities across stages of development with lot sizes generally increasing to the south of the land with no lots for residential purposes being created further south of any perimeter road along the southern boundaries of the land adjacent to the pine plantation. 	<p>Other key requirements for the development plan include:</p> <ul style="list-style-type: none"> – Need to include adequate open space in development plan – Outline how the layout and appearance of the subdivision will be in keeping with or enhance the site when viewed from the Great Alpine Road – Describe the relationship of proposed development on the land to existing and proposed developments on adjoining land. – Provide for the orderly staging of development and supply of services – Include a subdivision design that minimises the risk of house-to-house fire spread including building envelopes being separated by at least 10 metres from each other and the boundary of the lot

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
Land management overlays				
44.04 Land Subject to Inundation Overlay (LSIO)	The LSIO identifies land areas affected by the 1 in 100 year flood and ensures that development maintains the free passage and temporary storage of floodwaters.	Bright, Myrtleford, Nug Nug, Mudgegonga	<p>A permit is required for several building and construction works including roadworks, fences, bike paths, verandas and to subdivide land.</p> <p>If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.</p>	LSIO limits development potential where it applies as development may not be permissible in highly flood prone areas (such as near wetlands and rivers) or may be impacted by development constraints.
44.06 Bushfire Management Overlay (BMO)	The BMO ensures that the development of land prioritises the protection of human life and strengthens community resilience to bushfire. It ensures that development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.	Most of the Shire, except the more open agricultural areas e.g., parts of the Kiewa Valley, lower Ovens Valley, Happy Valley	<p>Have to provide several bushfire assessments for an application.</p> <p>An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in the schedule.</p> <p>A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include a condition. This also applies to construct a building or construct or carry out work.</p>	Several uses including accommodation and office requires a permit. The conditions which apply for subdivision are constraining as they contain protection measures such as defensible space and a bushfire shelter. This limits the capacity of development on a lot.

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
	Schedule 1: Dinner Plain, Bright, Mt Beauty, Myrtleford, Porepunkah, Tawonga South Bal-12.5 Areas		<p>The application to construct or extend one dwelling on a lot must include all the requirements set out in the schedule. Clause 53.02 applies in all other circumstances.</p> <p>The following requirements apply to an application to construct a single dwelling on a lot:</p> <ul style="list-style-type: none"> - The dwelling must be constructed to BAL-12.5 - Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the canopy of trees separated by at least 2 metres. - A static water supply must be provided in accordance with Clause 53.02 - If these requirements are not met, the requirements of Clause 53.02 apply. 	Limits development potential where it applies as it specifies setbacks and static water supplies which limit how much development can occur on a lot.
	Schedule 2: Dinner Plain, Bright, Myrtleford, Tawonga, Tawonga south BAL-29 areas		<p>An application to construct or extend one dwelling on a lot must include all the requirements set out in the schedule. Clause 53.02 applies in all other circumstances.</p> <p>The following requirements apply to an application to construct a single dwelling on a lot:</p> <ul style="list-style-type: none"> - The dwelling must be constructed to BAL-29 	Limits development potential where it applies as it specifies setbacks and static water supplies which limit how much development can occur on a lot.

Clause	Purpose	Location	Capacity/development considerations	Implications for the LDS
			<ul style="list-style-type: none"> Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the canopy of trees separated by at least 2 metres. A static water supply must be provided in accordance with Clause 53.02 <p>If these requirements are not met, the requirements of Clause 53.02 apply.</p>	
Other overlays				
45.03 Environmental Audit Overlay (EAO)	This Clause ensures that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.	Porepukah	<p>Before a sensitive use (e.g., residential use, or childcare centre) commences either:</p> <ul style="list-style-type: none"> A certificate of environmental audit must be issued for the land, An environmental auditor appointed under the Environment Protection Act 1970 must make a statement that environmental conditions of the land are suitable for the sensitive use. 	Limits development potential of a site as contaminated land cannot be developed for residential, or employment lands uses.

6. Other regulations that affect land use and development

6.1 Covenants

A restrictive covenant is a private treaty or written agreement between landowners that limits the way land can be used and developed. The planning system is only activated if there is an application to remove or vary a covenant; councils and government do not create or enforce them.

A registered restrictive covenant is a restrictive covenant recorded on the certificate of title for the burdened land. There are multiple types of restrictive covenants. In the Alpine Shire LGA, they include limits on subdivision, heights, setback, and what dwellings can be used for such as not being allowed to rent out the dwelling. This *Land Development Strategy* cannot directly impact covenants; however, it is necessary for them to be considered as a burden on land which may restrict future development options in future.

7. Implications for the Land Development Strategy

- The *Hume Regional Growth Plan* identifies Myrtleford, Bright and Porepunkah as key regional settlements where moderate population growth is anticipated in future. It flags that future growth should be managed in a way that limits encroachment into productive agricultural areas.
- The *Hume Regional Adaptation Snapshot* and *Climate-Ready Hume* reports highlight that climate change will affect the Hume region's primary production, infrastructure, and tourism industries, as well as broader health and community, and environment. In particular, within the Alpine Shire area, the tourism industry especially snow sports will face significant challenges as a result of the warming climate.
- Transport and agricultural infrastructure will be increasingly exposed to periodic flooding and increased heat loading, for example, food and fruit processing facilities, irrigation infrastructure and bioenergy plants in Puckapunyal. In relation to the environment, biodiversity in flora and fauna face degradation, for example, the Mountain Pygmy Possum, a species limited to high mountain habitats.
- Local plans and strategies identify key challenges for the Shire that could be addressed in some way via the *Land Development Strategy*:
 - Housing availability and affordability within Alpine Shire - reflected by the low rates of dwelling growth, low density stock, low rates of permanent occupancy and higher than average property prices.
 - Industry - the Alpine Shire economy is reliant on a few key industries, including Tourism (e.g., Accommodation and Food Services, Retail Trade), Agriculture and Forestry, as well as Manufacturing. The forestry sector was significantly impacted by the 2020 bushfires.
 - Tourism - impacted by the COVID-19 pandemic and 2020 bushfires.
 - Encroachment of farming land by residential subdivision.
 - Fragmentation of rural land.
 - structural change in agricultural industries.
 - Environmental protection.
 - Tourism opportunities conflicting with landscape amenity and agricultural land.
 - Priority areas for improvement for open spaces and recreation include improved provision of infrastructure for walking and cycling, increased opportunities for informal and casual recreation activities, and upgrades to existing facilities.
- The MPS in the Alpine Planning Scheme identifies several issues across the themes settlement and housing, infrastructure, economic activity and environmental and natural resources, which are managed with local policies in the scheme. The key issues identified will be important

considerations if there are land supply gaps and the need for additional land to be rezoned for housing, industrial or commercial uses in the next phase of this project.

- Clause 02.03 Settlement identifies a settlement hierarchy that sees the Shire's main urban centres as Bright, Porepunkah, Mount Beauty-Tawonga South and Myrtleford. The next phase of this project will consider the implication of this settlement hierarchy when considering appropriate places where future growth may be directed (if required).
- Clause 02.03-9 Infrastructure highlights that development in many parts of the Shire is constrained due to infrastructure capacity limitations or the proximity of environmental hazards to townships. This will be an important consideration in the next phase of the project.
- There are currently several covenants that apply to private land across the Shire, preventing further subdivision and in some instances preventing landowners from renting their dwellings. These legal controls may pose limitations on the capacity of some settlements to address housing need shortages through incremental infill development and are very difficult to remove.

DRAFT

**CANBERRA / NGAMBRI /
NGUNNAWAL**

Level 2, 28-36 Ainslie Avenue
Canberra ACT 2601
+61 2 6257 4525
sgsact@sgsep.com.au

HOBART/ NIPALUNA

PO Box 123
Franklin TAS 7113
+61 421 372 940
sgstas@sgsep.com.au

MELBOURNE / NAARM

Level 14, 222 Exhibition Street
Melbourne VIC 3000
+61 3 8616 0331
sgsvic@sgsep.com.au

SYDNEY / WARRANG

Suite 2.01/50 Holt Street
Surry Hills NSW 2010
+61 2 8307 0121
sgsnsw@sgsep.com.au

DRAFT

