

ATTACHMENT

REVISED COMBINED PLANNING SCHEME
AMENDMENT AND PERMIT C41

Refer Item 11.2.2.1

WANGARATTA PLANNING SCHEME

AMENDMENT C41

EXPLANATORY REPORT

Who is the planning authority?

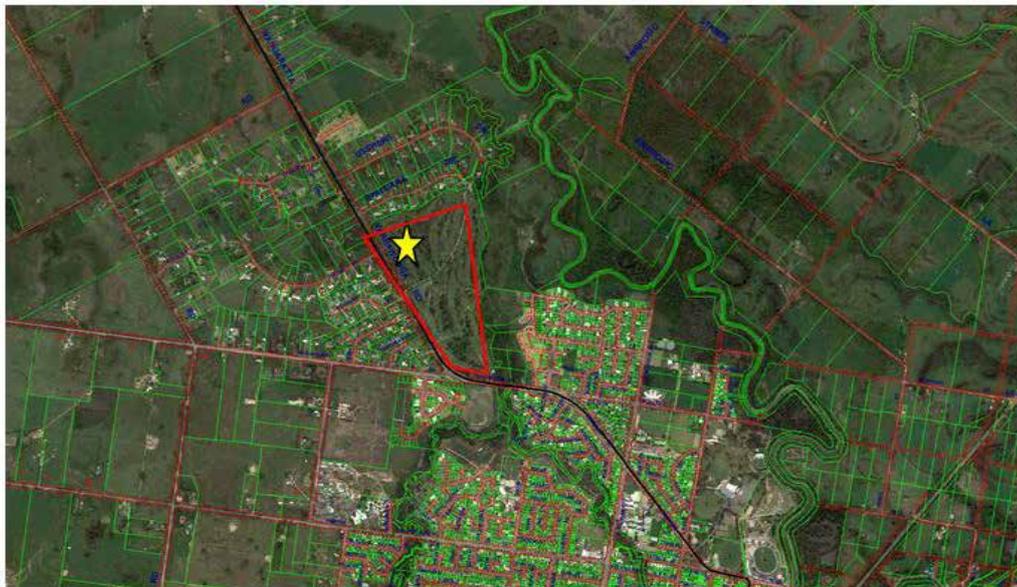
This amendment has been prepared by the Rural City of Wangaratta, which is the planning authority for this amendment.

The amendment has been made at the request of North East Survey Design on behalf of the Wangaratta Golf Club.

Land affected by the amendment

The amendment applies to land described as Lot 27 LP135240, commonly known as 68 Waldara Drive, Waldara. The land is identified as the Wangaratta Golf Course.

Site Location Map



Proposed rezoning and development site



Wangaratta Golf Course

What the amendment does

The amendment rezones approximately 5.8 hectares of land within Lot 27 LP135240 from Special Use Zone – Schedule 4 (Golf Course) to General Residential Zone.

Strategic assessment of the amendment

- **Why is the amendment required?**

The amendment is required to enable the development of part of the subject land for a 50 lot subdivision and subsequent residential development, including an internal road and open space reserve.

The land is presently owned by the Wangaratta Golf Club and used as a golf course. The landowner now seeks to divest itself of part of the land in order to provide funding for upgrades to the club and facilities. The future of the Wangaratta Golf Club (the Club) is uncertain if it is not able to generate income to upgrade facilities and boost membership. The Club provides an important local sporting facility and is the only golf club within the boundary of Wangaratta township. The Club is an established community resource providing recreational opportunities for residents and visitors to the area.

The current zoning, Special Use Zone – Schedule 4 (Golf Course) does not allow residential development. Residential development directly linked to golf courses through Special Use Zone provisions have been unsuccessful in other parts of the State, and it is recommended that the residential development have an appropriate residential zoning to reflect its intended future use. Given the primary use of surrounding land is low density residential development it is appropriate to rezone the land to a General Residential Zone. A small portion, (being approximately 11% of the subject site, or 5.8 hectares of a total 53 hectares) on the western side of the site has been identified as most suitable, given access to Wangaratta-Yarrowonga Road and proximity to existing residential land. The existing zoning of the land (SUZ4) specifies use of the land as a golf course, and as such a rezoning of the land is required to permit future residential development. This outcome cannot be achieved by any other means other than rezoning.

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

To provide for the fair, orderly, economic and sustainable use and development of land.

Overall, the development is considered to represent an orderly and efficient development in the context of Wangaratta's continued urban growth. The rezoning and subsequent subdivision will create additional residential opportunities within an existing residential location.

Proposed lot sizes range from 500m² to 1200m², with the majority of lots larger than 900m². This will ensure the successful integration of the new residential development within the surrounding low density residential development pattern. Use of the General Residential Zone will ensure modest residential development. The subdivision permit will control future development through a Section 173 Agreement preventing further subdivision of lots and suitable setbacks and view corridors to maintain an open, low density feel. The Section 173 Agreement will also limit the development of each lot to one dwelling only. The landscape treatment to the Yarrowonga-Wangaratta Road will include open style fencing and landscaping to further promote the existing low density character of the area.

To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.

Consideration has been given to the natural context of the site and surrounds. The rezoning and subsequent residential subdivision will require removal of approximately five native trees. The development will provide a central open space reserve which will retain existing remnant vegetation. This reserve will be further re-vegetated as part of a formal landscaping plan required by the subdivision permit.

To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.

The rezoning of the subject land will facilitate the retention of an existing sporting asset for the people of Wangaratta. The subject land is within an existing urban area and can be serviced by all necessary urban infrastructure. The development of this parcel of land represents appropriate residential infill development in an area identified for future residential expansion.

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

The rezoning will have minimal impact upon the environmental conditions of the subject land given the land is highly modified for use as a golf course. A *Flora and Fauna Assessment of proposed Waldara Residential Development, Wangaratta* (Biosis, May 2012) has been prepared that makes an assessment of the proposal against the relevant Commonwealth and State environmental legislation. The report identifies a small number of native trees to be removed as a result of the proposed subdivision and also identifies trees worthy of retention. Both the proposed open space reserve, and proposed Section 173 Agreement on the planning permit will ensure the retention, protection and enhancement of important remnant native vegetation.

The subject land is not subject to flooding or significant bushfire risk and has direct access to a main road. The topography is flat, ensuring minimal soil disturbance and issues with construction management.

The rezoning and future development of the land for residential purposes will contribute to a greater supply and choice of residential land within Wangaratta.

The future development of the land will also result in increased investment in both land and housing within Wangaratta. The sale of the land will also provide funding for the continued upgrade and improvements to the golf course.

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

The amendment addresses bushfire risk by proposing a residential subdivision layout that meets Country Fire Authority requirements. The CFA has reviewed the subdivision layout, and its request for a second vehicle access is accommodated by a second emergency vehicle access at the northern end of the site.

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

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act and complies with Ministerial Direction 11 – Strategic Assessment of Amendments.

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

The amendment implements the objectives of Clause 11 – Settlement, as follows:

- § It promotes the sustainable growth and development of regional Victoria.
- § It represents orderly use of land and efficient use of existing infrastructure.
- § It makes available residential land for development in Wangaratta, identified in the *Draft Regional Growth Plan*, June 2013 as a medium to high growth location.
- § The rezoning of the land will contribute to the supply of residential land within an existing urban area of Wangaratta, as identified in the Wangaratta Urban Growth Framework (*Draft Regional Growth Plan*, June 2013) that can be provided with all necessary urban infrastructure.
- § It will protect existing sensitive native vegetation and habitat and incorporate these into new open space and habitat networks.
- § The development of additional residential land will not remove or compromise any productive or environmentally sensitive areas of the municipality.

· **How does the amendment support or implement the Local Planning Policy Framework (LPPF), and especially the Municipal Strategic Statement (MSS)?**

The current LPPF does not anticipate the rezoning and development of the Waldara Golf Course for residential purposes. This is because the current LPPF is almost ten years old and in need of review. The potential rezoning and sale of part of the golf course is a recent proposal by the Waldara Golf Club, therefore is not reflected as a strategic opportunity in the current Scheme.

The amendment implements the strategic directions of the LPPF and the MSS by providing additional residential land adjacent an existing urban area where all necessary urban infrastructure is available. The LPPF states *'Land to the northwest and west of Wangaratta has considerable potential for the provision for future residential development due to locational advantages, attractive setting with views to the Warby Ranges, ability to extend reticulated services and absence of environmental constraints'*.

Strategic directions include to *'encourage and provide a range of innovative residential subdivision and development design and type to provide a sense of community, a sense of place and neighbourhood, adequate access, pedestrian and vehicular connectivity, attractive recreational spaces, human interaction, a range of lot sizes, a variety of housing types and affordable housing'*.

The proposed rezoning and development meets these directions by creating an estate with a unique neighbourhood character, pedestrian scale, links to cycle paths and transport links and an attractive central open space reserve.

The site is located in close proximity to the main growth corridor identified in the Wangaratta and Environs Framework Plan.

Council is currently working on a Population and Housing Strategy. The latest draft document dated 27 May 2013 identifies the rezoning of part of the the golf course by Council as a residential growth opportunity for the north-west area of the city.

The amendment does not propose to introduce a new local policy or change any existing policy. The amendment does not affect any other existing local planning policy or tool.

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

The amendment proposes to use the new General Residential Zone which is the most appropriate residential zoning for the land having regard to it's intended future development. Key purposes of the General Residential Zone are to *'encourage development that respects the neighbourhood character of the area'* and *'to provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport'*. The accompanying planning permit aims to limit further residential development on-site and ensure development respects the existing broader neighbourhood character, environmental and landscape characteristics.

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

Through preparation of the draft planning permit for subdivision and removal of native vegetation, the views of all relevant agencies have been sought and addressed, including Department of Planning and Community Development, VicRoads, Country Fire Authority and service authorities.

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

The amendment will not have a significant impact on the transport system. Consideration has been given to the existing road and pedestrian/bicycle networks in the submitted *Traffic Impact Assessment Report* (Traffic Works, May 2012). No further assessment against the Transport Integration Act 2010 is required.

Resource and administrative costs

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

There will be minimal impact on the resource and administrative costs of Council, once the subdivision is approved and constructed. The new zoning is not expected to generate any further planning approvals for dwellings under the new General Residential Zone, as all lots will be over 500m² and limited to construction of one dwelling on a lot.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No. 15 the following panel hearing dates have been set for this amendment:

- Directions hearing: [To be determined]
- Panel hearing: [To be determined]

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the Rural City of Wangaratta office, Wangaratta Government Centre, 62-68 Ovens Street, Wangaratta and on Council's website at www.wangaratta.vic.gov.au.

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

PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF PART 4 OF
THE PLANNING AND ENVIRONMENT ACT
1987

Permit No.: PInApp12/090

Planning Scheme: Wangaratta Planning
Scheme

Responsible Authority: RURAL CITY OF
WANGARATTA

ADDRESS OF THE LAND:

Lot 27 LP 135240 68 Waldara Drive Waldara VIC
3678

THE PERMIT ALLOWS:

Staged subdivision of the land (50 Lots) and
removal of native vegetation

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Rural City of Wangaratta Conditions

1. The subdivision as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Section 173 Agreement

2. Prior to the issue of a Statement of Compliance for the subdivision hereby permitted, the owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* and confirmation of lodgement of the Agreement pursuant to Section 181 of the Act must be provided to the Responsible Authority. The Agreement must provide for the following:
 - a. Trees numbered 67 and 155, as identified in the *Flora and Fauna assessment of proposed Waldara residential development, Wangaratta* (Biosis Research Pty Ltd, May 2012) and located on lots 12 and 6 respectively must be retained in perpetuity to the satisfaction of the Responsible Authority.
 - b. Garages and covered parking areas must be set back a minimum of 5.5 metres from the front of each lot. Where garages and parking areas are accessed from the side boundary of the lot they must be a minimum of 5.5 metres from that boundary.
 - c. No vehicle may gain access to the Wangaratta-Yarrowonga Road from any lot within the subdivision. Vehicle access must be via the approved internal access road and intersection with the Wangaratta-Yarrowonga Road.
 - d. No lot is to be further subdivided so as to create a smaller lot.
 - e. No more than one dwelling may be constructed on each lot.

Date Issued:

**Date Permit comes into
operation:**

(or if no date is specified, the permit
comes into operation on the same day as
the amendment to which the permit
applies comes into operation)

**Signature for the Responsible
Authority**

Management of Native Vegetation

3. Prior to the issue of a Statement of Compliance, native trees being retained within the open space must be inspected by an arborist qualified with native trees and a report prepared of any works to be conducted for the ongoing health and structural integrity of these trees, taking into account risk issues with their placement in future reserves. Recommended works must be completed before handover of these trees to the Responsible Authority.

4. Within three months of native vegetation removal, a Vegetation Offset Management Plan (VOMP) must be developed to the satisfaction of the Responsible Authority. The VOMP must include:
 - Calculation of appropriate offsets;
 - A description of the site where the offset will be provided, including a site plan;
 - A schedule of works required to achieve the offset over a ten year period, including but not limited to the following details:
 - (a) Management actions to be performed (eg. fencing, weed control, pest control, revegetation);
 - (b) Person(s) responsible for implementing the specified management actions;
 - (c) Timeline for the implementation of the management actions;
 - (d) Method by which the management actions will be undertaken; and
 - (e) Standard to which the management actions will be undertaken.

5. During construction works on the site, any remnant vegetation must be protected by an appropriate Tree Retention Zone (TRZ), free of digging, trenching, excavation, stockpiles, chemical or material mixing and storage, parking or any other disturbance, and marked with a physical barrier on site. The TRZ will have a radius from the tree of at least 12 DBH (diameter of the tree at breast height). By default, a tree will be considered lost and require an offset if one of the above activities occurs over more than 10% of the total area of the TRZ.

6. If the exclusion zones referred to in Condition 5 are not put in place or construction works cannot be physically carried out without impacting these zones, the relevant trees, whilst still retained must be counted as removed and an appropriate offset plan produced.

Landscape Master Plan

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7. Prior to the issue of a Statement of Compliance, a Landscape Master Plan for the proposed open space and street landscaping must be submitted to, and be approved by the Responsible Authority. The plan must include:
 - (a) A survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - (b) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, pot sizes, sizes at maturity and quantities of each plant;
 - (c) A detailed drawing showing street tree planting requirements, in accordance with Council's *Tree Management Strategy* (November 2007).
 - (d) Trees 48, 49 and 51 identified in the report *Flora and Fauna assessment of proposed Waldara residential development, Wangaratta* (Biosis Research Pty Ltd, May 2012) to be retained in the reserve;
 - (e) The area immediately adjacent trees 48, 49 and 51 to be established with a groundcover of endemic native grasses to replace maintenance by mowing and no seating or paths to be installed in the area;
 - (f) Delineation of the area by a path is required and any fallen timber and endemic native grasses to be retained and improved in future landscaping;
 - (g) Tree 77 identified in the above report to be retained and landscaping adjacent this tree must, as far as practicable, use endemic native species to complement the grey box being retained; and
 - (h) Tree 93 identified in the above report to be retained and protected from conflict with recreational use of the reserve by delineating the area under the canopy with landscaping and mulching and no placement of seating in this area.
8. Prior to the issue of a Statement of Compliance for each stage, the works detailed on the approved landscaping plans must be completed to the satisfaction of the Responsible Authority.
9. Street trees must be provided, planted and protected by the developer in accordance with Council's *Tree Management Strategy* (November 2007).
10. For reasons of safety and practicality, no medians are to be vegetated with grass or vegetation needing slashing or mowing.
11. Any fill imported for landscaping must be weed and disease free (including exotic species that can impact on native areas).

Fencing

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12. Prior to the issue of a Statement of Compliance, open style fencing in a muted tone and to a height of 1.8 metres must be constructed along the rear boundaries of lots abutting the Wangaratta-Yarrowonga Road to the satisfaction of the Responsible Authority. The developer is wholly responsible for the cost of all fencing to this road reserve.

Restrictive Covenant

13. No covenant or restriction of title may be registered to the subject land unless otherwise approved by the Responsible Authority.

Telecommunications

14. The owner of the land must enter into an agreement with:
- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and
 - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
15. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
 - a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Technical Services - General

16. Before a Statement of Compliance can be issued, the applicant must undertake, or cause to be undertaken, full construction of all new roads, shared paths and footpaths, drainage and related infrastructure. All these works must conform to plans and specifications prepared at the expense of the applicant by a qualified Engineer, and endorsed by the Responsible Authority before construction begins. Unless otherwise agreed in writing, the Authority will only approve plans and specifications

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which comply with the *Infrastructure Design Manual [IDM]*, the *Urban Stormwater: Best Practice Environmental Management Guidelines 2006*, published by CSIRO, and all relevant permit conditions.

Drainage

17. All storm-water runoff originating from the subject property during a 5-year ARI event must be collected and conveyed by underground pipes to a legal point of discharge identified by the Responsible Authority. Unless these pipes are located within a reserve, easements must be created in favour of the Rural City of Wangaratta to facilitate the future maintenance of the relevant assets.
18. The peak discharge from the developed property in a 5-year ARI event must not exceed the equivalent pre-development discharge in a 1-year ARI event.
19. All storm-water runoff originating from the subject property in a 100-year ARI event must be collected and conveyed by overland flow paths and/or underground pipes to a legal point of discharge identified by the Responsible Authority. Unless the flow paths and/or pipes are located within a reserve, appropriate easements must be created in favour of the Rural City of Wangaratta to facilitate future maintenance of the relevant assets.
20. The peak discharge from the developed property in a 100-year ARI event must not exceed the equivalent pre-development discharge in a 10-year ARI event.
21. Unless other arrangements are proposed by the applicant and approved by the Responsible Authority, the necessary flow control must be achieved by a retardation basin, designed and operated in accordance with Section 18 of the IDM, to which all underground discharge from the property, and all discharge through the northern overland flow path, are directed.
22. The basin must incorporate both primary and secondary outlets so that the discharge limits for 5-year and 100-year events are achieved, and the outflow is conveyed under gravity by underground pipes to an outfall approved by the Responsible Authority. Unless the pipes are located within a reserve, appropriate easements must be created in favour of the Rural City of Wangaratta to facilitate future maintenance of the relevant assets.
23. Before construction begins, detailed drainage plans with computations must be prepared in accordance with Section 19 of the IDM, and submitted to and approved by the Responsible Authority.
24. The drainage plans must incorporate measures to enhance the quality of water discharged from the site and to protect downstream infrastructure and waterways by the application of water-sensitive urban design principles. All the works must be designed and constructed in accordance with Section 20 of the IDM, and to the satisfaction of the Responsible Authority.

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25. The retardation basin and associated infrastructure must be fully constructed and handed over to the Council prior to the issue of the Statement of Compliance for the first stage of the development, and appropriate easements must be created in favour of the Rural City of Wangaratta to facilitate future maintenance of the relevant assets.
26. Temporary easements must be provided to ensure that Council has access to underground infrastructure that will ultimately be located in the road reserve.

Traffic Engineering and Roads

27. Before construction begins, a Traffic Impact Assessment Report prepared in accordance with Section 9 of the IDM, must be submitted to and approved by the Responsible Authority. A Statement of Compliance can be issued only when the measures recommended in the TIAR have been fully designed and constructed to the satisfaction of the Responsible Authority.
28. All internal roads must be designed and constructed to at least the standard of an Access Street, as defined in Section 12 Table 2 of the IDM, with a minimum reserve width of 16m, and a minimum 7.5m carriageway, or to such higher standards as may be recommended in the TIAR. The proposed one-way circulation system is acceptable in principle, subject to a review of the detailed design by the Responsible Authority. Traffic calming measures must be provided to restrict vehicle speeds to the target 40kph for Access Streets.
29. A permanent sealed turning circle must be provided where the eastern stub road terminates at the property boundary. This turning circle must be constructed to the standards specified by, and to the satisfaction of, the Responsible Authority.
30. Development controls must be applied to ensure that garages are set back by at least 5.5m from the front of each Lot, to reduce the likelihood that cars will be required to park in the street, and three visitor parking spaces must be provided to service the eastern stub road.
31. Concrete garbage collection pads must be installed adjacent to the kerb and channel close to the intersections between the eastern and western stub roads and the main internal road to service those Lots accessed from the respective stub roads.

Kerb and Channel

32. Type SM2M kerb and channel, in accordance with IDM standard drawing SD100, must be constructed along the entire frontage of each and every Lot, including the Reserves, within the development, unless otherwise approved by the Responsible Authority.
33. Where barrier kerbing exists on the frontage of a Lot, the applicant must provide, or cause to be provided, a vehicle crossing designed and constructed in accordance with IDM clause 12.9 and standard drawing SD240 or SD245, as appropriate.

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Footpaths and Shared Path

34. All footpaths and pedestrian crossings must be designed and constructed in accordance with IDM Clause 13.3. Footpaths must be provided on both sides of all roads, with the exception of those boundaries adjacent to Reserves.
35. The access way between Lots 19 and 20 must be constructed and sealed from boundary line to boundary line to the normal standards of a shared path as defined in IDM Clause 13, and adequate arrangements made for the area to be drained. Removable, lockable bollards must be installed at each end to deny entry to motor vehicles. Street lighting must be so arranged as to ensure that the access way is adequately illuminated.
36. All roadways, footpaths and shared paths within the development, including the associated Reserves, must be located above the LSIO Boundary. All necessary measures must be taken to secure the safety of users and the long-term security of the relevant infrastructure.

Earthworks

37. Any existing dams located within the subject property must be drained, desilted, filled and compacted in accordance with the relevant Australian Standard, and compaction test results must be provided to the Responsible Authority for building approval purposes.

Staged Development

38. If the applicant wishes to complete the works in stages, construction plans and specifications for each stage must be submitted to and approved by the Responsible Authority. The applicant must construct, or cause to be constructed, to the satisfaction of the Responsible Authority, any temporary works required to facilitate traffic movements after each stage has been completed.
39. In particular, temporary court bowls, secured by an easement of way, must be designed and constructed to the satisfaction of the Responsible Authority where stub roads remain at the conclusion of each stage, and arrangements must be made to ensure that permanent sealed road surfaces are not damaged by traffic using these court bowls.
40. All construction plan approvals will lapse if the Planning Permit is extended.

Construction Management

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41. Before the works commence, a site management plan detailing the measures to be taken to control stormwater discharge and sedimentation on the site during the construction process must be submitted to, and approved by, the Responsible Authority.
42. The applicant must ensure that all practicable measures are taken to maintain vehicle and machinery hygiene, and to avoid the spread of soil-borne pathogens and weed seeds.
43. No excavated or construction materials may be placed or stored outside the site area or on the adjoining road reserves, except where the materials are required in connection with any road or footpath construction works in such reserves that are required as part of this permit.
44. All infrastructure created by this development must be maintained by the applicant for a period of 3 months following practical completion, and the applicant must thereafter accept liability for correcting defects that become evident during the following 9 months.
45. For each stage, the applicant must provide the Responsible Authority with a maintenance bond equal to 5% of the civil construction costs (excluding GST). This bond will be held by the Authority until any and all defects notified to the applicant before or during the liability period have been made good to the satisfaction of the authority.
46. For each stage, the applicant must pay to the Responsible Authority plan checking fees equal to 0.75% of the total civil construction costs (excluding GST) and site supervision fees equal to 2.5% of the total civil construction costs (excluding GST).
47. All drains and batters, and all areas disturbed in the course of the works, must be topsoiled and seeded to establish grass cover. The reserve areas must be tidied, levelled and trimmed to a standard capable of being maintained by a small tractor and slasher.
48. As-constructed drawings, in DWG or DXF format, for all civil construction works covered by the permit must be submitted to, and accepted by, the Responsible Authority. The road data must be provided in R-SPEC format and the drainage data in D-SPEC format.
49. Before undertaking any works on public land or roads, the applicant must obtain a permit from the relevant authority giving *Consent to Work within a Road Reserve*.

Expiry of Permit

50. This permit will expire if one of the following circumstances applies:
 - a. the plan of subdivision is not certified within two (2) years from the date of this permit;

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- b. the registration of the subdivision is not completed within five (5) years from the date of this permit.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within three months afterwards.

North East Water Conditions

51. The developer will be required to service each new lot with water supply and reticulated sewerage service.

SP AusNet (Electricity) Conditions

52. The applicant must enter into an agreement with SPI Electricity Pty Ltd for supply of electricity to each lot on the endorsed plan.

53. The applicant must enter into an agreement with SPI Electricity Pty Ltd for the rearrangement of the existing electricity supply system.

54. The applicant must enter into an agreement with SPI Electricity Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by SPI Electricity.

55. The applicant must provide easements satisfactory to SPI Electricity Pty Ltd for the purpose of "Power Line" in the favour of "SPI Electricity Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing SPI Electricity Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plans and/or abutting land.

56. The applicant must obtain for the use of SPI Electricity Pty Ltd any other easement required to service the lots.

57. The applicant must adjust the position of any existing SPI electricity Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.

58. The applicant must set aside on the plan of subdivision Reserves for the use of SPI Electricity Pty Ltd for electric substations.

59. The applicant must provide survey plans for any electric substations required by SPI Electricity Pty Ltd and for associated power lines and cables and execute leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. SPI Electricity Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88(2) of the Transfer of Land Act prior to the registration of the plan of subdivision.

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60. The applicant must provide to SPI Electricity Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
61. The applicant must provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by SPI Electricity Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity safety Act 1998.
62. The applicant must ensure that all necessary auditing is completed to the satisfaction of SPI Electricity Pty Ltd to allow the new network assets to be safely connected to the distribution network.

VicRoads

63. Before the use of the development approved by this permit commences, the following road-works on Wangaratta-Yarrowonga Road must be completed to the satisfaction and at no cost to VicRoads and as described in the Austroads Guide to Road Design-Part 4A: Unsignalised and Signalised Intersections, August 2009 Edition:
- a. Complete all the mitigating works required, as recommended in the TIAR (Job No 111870, Final Rev dated 1 May 2012 prepared by Traffic Works);
 - b. Construct the "BAR" right turn treatment for northbound traffic turning into the development site;
 - c. Construct the "BAL" left turn treatment for southbound traffic turning into the development; and
 - d. Widen Wangaratta-Yarrowonga Road to retain the existing left turn lane for northbound traffic turning on to Woodland Grove. The extent of works shall be determined by the Traffic Impact Analysis for this movement. As a result, any clear zone issue will also need to be addressed.
64. Prior to the commencement of the use hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:
- a. Constructed to the satisfaction and at no cost to the Roads Corporation (VicRoads).
 - b. Formed to such levels and drained so that they can be used in accordance with the plan.
 - c. Treated with an all-weather seal or some other durable surface.
65. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the Responsible Authority
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operational efficiency of the road or public safety (eg. by spilling gravel onto the roadway).

66. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the Responsible Authority and the Roads Corporation.

67. All disused or redundant vehicle crossings must be removed and the area reinstated to match with the adjacent road environment to the satisfaction of VicRoads prior to the commencement of the use hereby approved.

END DOCUMENT

(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment
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Date Issued:

Date Permit comes into operation:

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Signature for the Responsible Authority

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister administering the **Planning and Environment Act 1987** under section 96I of that Act.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - * the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if -
 - * the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - * the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
 - * the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

- * Any person affected may apply for a review of -
 - a decision of the responsible authority refusing to extend the time within which any development or use is to be started or any development completed; or.
 - a decision of the responsible authority refusing to extend the time within which a plan under the **Subdivision Act 1988** is to be certified, in the case of a permit relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**; or.
 - the failure of the responsible authority to extend the time within one month after the request for extension is made.
 - * An application for review is lodged with the Victorian Civil and Administrative Tribunal.
 - * An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
 - * An application for review must state the grounds upon which it is based.
 - * An application for review must also be served on the Responsible Authority.
 - * Details about applications for review and the fees payable can be obtained from Victorian Civil and Administrative Tribunal.
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32.08 GENERAL RESIDENTIAL ZONE

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V8

Shown on the planning scheme map as **GRZ** with a number (if shown).

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To encourage development that respects the neighbourhood character of the area.

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.08-1 Table of uses

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V8

Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Home occupation	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must meet the Car parking requirements under clause 52.06-3. The site must adjoin, or have access to, a road in a Road Zone.
Minor utility installation	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.
Railway	
Residential aged care facility	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Community market	
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship)	
Plant nursery	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Road Zone. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use

Amusement parlour
Animal boarding
Animal training
Brothel
Cinema based entertainment facility
Horse stables
Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Community market, Convenience shop, Food and drink premises, Plant nursery)
Saleyard
Stone extraction
Transport terminal
Warehouse (other than Store)

32.08-2

Subdivision

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v8

Permit requirement

A permit is required to subdivide land.

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 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

Exemption from notice and review

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

32.08-3

Construction and extension of one dwelling on a lot

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v8

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
 - A lot of less than 300 square metres, or
 - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

32.08-4 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

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V8

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

A permit is not required to construct one dependent person's unit on a lot.

32.08-5 Requirements of Clause 54 and Clause 55

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A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.08-6 Buildings and works associated with a Section 2 use

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V8

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.

32.08-7 **Maximum building height requirement for a dwelling or residential building**

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v8

The maximum height of a building used for the purpose of a dwelling or residential building must not exceed the building height specified in a schedule to this zone.

This does not apply to:

- An extension of an existing building that exceeds the specified building height, provided that the extension does not exceed the existing building height.
- A building which exceeds the specified building height for which a valid planning or building permit was in effect prior to the introduction of this provision.

If no building height is specified, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

32.08-8 **Application requirements**

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An application must be accompanied by the following information, as appropriate:

- For a residential development of three storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For residential development of four or more storeys, an urban context report and design response as required in Clause 52.35.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The siting and use of existing and proposed buildings.
 - Adjacent buildings and uses.
 - The building form and scale.
 - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.08-9 **Decision guidelines**

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Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of this zone.
- Any other decision guidelines specified in a schedule to this zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.
- For a development of four or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004).

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.08-10 Advertising signs

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Advertising sign requirements are at Clause 52.05. This zone is in Category 3.

Notes:

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

ATTACHMENT

**DRAFT AMENDMENT NO.48 – KING RIVER AND
TRIBUTARIES FLOOD PLAIN STUDY AND MAPPING**

Refer Item 11.2.2.2

WANGARATTA PLANNING SCHEME

AMENDMENT C48

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Wangaratta Rural City Council is the planning authority for this amendment. The amendment has been made at the request of the North East Catchment Management Authority.

Land affected by the amendment

The land affected by the amendment is the King River and tributaries (Boggy Creek, Black Range Creek, Meadow Creek and Hurdle Creek), extending from Lake William Hovell at the southern end of the municipality, north to the Hume Freeway immediately southeast of the Wangaratta township.

What the amendment does

The amendment proposes to implement the *King River Rural Floodplain Study*, September 2004 and *King River Tributaries Flood Mapping Study*, December 2004 by amending and applying the Land Subject to Inundation and Floodway Overlays to flood affected land, listing the studies as reference documents to the planning scheme, amending the schedules to both overlays to apply relevant flood controls and exemptions and introducing the *King River Rural Floodplain Management Plan*, 2013 as an incorporated document to the planning scheme to guide applications under both overlays.

Strategic assessment of the amendment

The amendment has been prepared in accordance and complies with Minister's Direction No 11 *Strategic Assessment of Amendments* and Practice Note 46, *Strategic Assessment Guidelines for Planning Scheme Amendments*.

The amendment meets the requirements of the Minister's Direction and guidelines as follows:

· Why is the amendment required?

The amendment is required to implement the *King River Rural Floodplain Management Plan*, 2013. Specifically, the amendment is required to:

§ Planning Scheme Maps 44LSIO-FO, 45LSIO-FO, 46LSIO-FO and 50LSIO-FO:

§ Amend planning scheme map Nos 44LSIO-FO, 45LSIO-FO, 46LSIO-FO and 50LSIO FO to:

- Ø Implement the recommendations of the *King River Rural Floodplain Study*, September 2004 and *King River Tributaries Flood Mapping Study*, December 2004.
- Ø Amend flooding overlays (FO and LSIO) along the King River.
- Ø Apply new **flooding overlays (FO and LSIO)** along King River tributaries (Boggy Creek, Black Range Creek, Meadow Creek and Hurdle Creek).

§ Planning Scheme Map 49LSIO-FO and 52LSIO-FO:

Insert new planning scheme map Nos 49LSIO-FO and 52LSIO-FO the Wangaratta Planning Scheme to apply flooding overlays (FO and LSIO) along Boggy Creek and Black Range Creek.

§ Clause 21.12, Reference documents:

Amends reference documents to include the *King River Rural Floodplain Study*, September 2004 and *King River Tributaries Flood Mapping Study*, December 2004 as reference documents to the Wangaratta Planning Scheme.

§ Clause 44.03, Floodway Overlay:

Amends the Schedule to the Floodway Overlay to introduce permit exemptions for minor buildings and works, use of the new incorporated document *King River Rural Floodplain Management Plan*, 2013 as a decision guideline for the overlay and exemptions from referrals.

§ Clause 44.03, Land Subject to Inundation Overlay:

Amends the Schedule to the Land Subject to Inundation Overlay to introduce permit exemptions for minor buildings and works, use of the new incorporated document *King River Rural Floodplain Management Plan*, 2013 as a decision guideline for the overlay and exemptions from referrals.

§ Clause 61.03 Schedule:

Amends the Schedule to Clause 61.03 to introduce new planning scheme map Nos 49LSIO-FO and 52LSIO-FO into the Wangaratta Planning Scheme.

§ Clause 81.01 Schedule:

Amends the Schedule to Clause 81.01 to introduce the *King River Rural Floodplain Management Plan*, 2013 as an incorporated document to the Wangaratta Planning Scheme.

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

The amendment implements the objectives of planning in Victoria as outlined in Section 4 of the *Planning and Environment Act 1987* through:

- § Providing for the fair, orderly, economic and sustainable use and development of land.
- § Providing for the protection of natural and man-made resources.
- § Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- § Protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- § Balance the present and future interests of all Victorians.
- § Ensuring sound, strategic planning and co-ordinated action at State, regional and municipal levels.
- § Enabling land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.
- § Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes.

§ Ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

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

Environmental effects:

The amendment will have no significant effect on the environment or the environment on the use or development envisaged in the amendment. The amendment will have positive effects on the environment through:

- § Recognition of natural environmental flooding conditions and hazard in planning mapping, strategies and controls.
- § Protection of the King River environs for flood storage and passage.
- § Ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Social and economic effects:

Overall, the amendment is expected to have positive social and economic benefits for landowners, Wangaratta Rural City Council and the general community. Positive social and economic effects will accrue from the amendment through:

- § Minimising and managing risk to people, property, stock and public assets in floodprone areas.
- § Aligning development outcomes and controls in floodprone areas with identified, current flood risk.
- § Providing increased certainty and consistency for development proposals in floodprone areas.
- § Creating resource savings for landowners and authorities by removing the need for planning permit and planning referrals for minor buildings and works in identified flood risk areas.

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

Addressing bushfire risk is not relevant for this amendment as the land affected by the amendment is not identified as being of high bushfire risk.

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

The amendment complies with all Minister's Directions under Section 12 of the Planning and Environment Act 1987.

The amendment complies with Minister's Direction No 11, *Strategic Assessment of Amendments*. All requirements to be met under the direction have been considered and met in the preparation of the amendment. The amendment implements the *King River Rural Floodplain Study*, September 2004 and *King River Tributaries Flood Mapping Study*, December 2004, which provide the strategic assessment and justification for changes to the Wangaratta Planning Scheme proposed by the amendment.

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

No other Minister's Direction is directly affected by the amendment.

The amendment complies with the following DCPD advisory notes:

- § PN11: *Applying for a planning permit under the flood provisions - a guide for councils, referral authorities and applicants*, August 2000.
- § PN12: *Applying the flood provisions in planning schemes - a guide for councils*, November 2012.
- § PN13: *Incorporated and reference documents*, August 2000.

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

The amendment generally complies with and implements the State Planning Policy Framework of the Wangaratta Planning Scheme. In particular, the amendment implements:

§ Clause 13, Environmental risks:

Clause 13.02, Floodplains:

Clause 13.02-1, Supply of urban land:

Objective:

To assist the protection of:

- § *Life, property and community infrastructure from flood hazard.*
- § *The natural flood carrying capacity of rivers, streams and floodways.*
- § *The flood storage function of floodplains and waterways.*
- § *Floodplain areas of environmental significance or of importance to river health.*

Strategies include:

- § *Identify land affected by flooding, including floodway areas, as verified by the relevant floodplain management authority, in planning scheme maps. Land affected by flooding is land inundated by the 1 in 100 year flood event or as determined by the floodplain management authority.*
- § *Avoid intensifying the impacts of flooding through inappropriately located uses and developments.*

Policy guidelines include:

Planning must consider as relevant:

- § *Any floodplain management manual of policy and practice, or catchment management, river health, wetland or floodplain management strategy adopted by the relevant responsible floodplain management authority.*

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

The amendment generally complies with and implements the Local Planning Policy Framework of the Wangaratta Planning Scheme. In particular, the amendment implements:

§ Clause 21.10, Environmental management and heritage:

Issues include:

- § *Flooding is a major land use issue in the municipality, which has the major floodplain systems of the Ovens River and King River*

Strategies include:

- § *Recognise and protect the natural functions of floodplains and the need to restrict subdivision, buildings and works in floodplains in accordance with flood hazard.*

Further work includes:

- § *In conjunction with the natural resource management agencies, continue to upgrade natural resource and hazard mapping and planning controls in the planning scheme.*

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

The amendment makes proper use of the Victoria Planning Provisions. The amendment proposes to amend overlay mapping, introduce reference documents into strategies, amend overlay schedules and introduce an incorporated document. These are the most appropriate tools to implement recommendations of flood studies and apply amended and upgraded planning controls to guide the development of land in identified floodplains.

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

The amendment has been prepared with a view to meeting the views and guidelines of relevant government department and service authorities. The amendment implements the *King River Rural Floodplain Study*, September 2004 and *King River Tributaries Flood Mapping Study*, December 2004, studies that were commissioned by the North East Catchment Management Authority. The North East Catchment Management Authority has requested and agreed to the amendment.

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

Is the amendment likely to have a significant impact on the transport system, as defined by section 3 of the Transport Integration Act 2010?

The amendment is not considered to have a significant impact on the transport system. There is adequate existing access to sites affected by this amendment off main roads to the west (Tone Road) and east (Greta Road).

Are there any applicable statements of policy principles prepared under section 22 of the Transport Integration Act 2010?

There are no statements of policy principles applicable under section 22 of the *Transport Integration Act 2010*.

Resource and administrative costs

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

There will be no adverse impact on the resource and administrative costs of the responsible authority. The amendment will create resource and administrative savings through implementing mapping to reflect current flooding risk and removing the need for planning permit and planning referrals for minor buildings and works in identified flood risk areas.

Future proposals for use and development will be considered on their merits through a planning permit process, which has associated prescribed fees based on the proposal.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

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

Where you may inspect this Amendment

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

Wangaratta Rural City Council
62 – 68 Ovens Street
Wangaratta.

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

INCORPORATED DOCUMENT

KING RIVER RURAL FLOODPLAIN MANAGEMENT PLAN, 2013

1.0 The land to which this incorporated document applies:

This incorporated document applies to the floodplains of the King River and tributaries to which the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) apply. This land is described as:

§ The King River floodplain, extending from Lake William Hovell at the southern end of the municipality, north to the Hume Freeway immediately southeast of the Wangaratta township.

§ King River tributaries of Boggy Creek, Black Range Creek, Meadow Creek and Hurdle Creek.

2.0 Purpose of this incorporated document:

This incorporated document has been prepared to:

§ Encourage new development on the floodplain by providing landholders with guidance on appropriate development proposals.

§ Guide proposals for subdivision, buildings or works under the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) of the Wangaratta Planning Scheme.

§ Manage existing and future development of land in the King River rural floodplain, specifying appropriate specific land use planning requirements for various types of developments.

§ Provide a consistent approach for floodplain management and development assessment between the King River and Lower Ovens River floodplains.

§ Minimise flood danger to the community and flooding agencies through appropriate land use and development.

§ Establish a balance between flood risk and development in the King River rural floodplain.

3.0 Background to the *King River Rural Floodplain Management Plan*:

The King River Rural Floodplain Management Plan draws its' underlying principles from the Best Practice Principles for Floodplain Management in Australia (CSIRO 2000) and Victoria Flood Management Strategy (DNRE 1998). In particular the Victoria Flood Management Strategy (DNRE 1998) provides the following vision for the sustainable use of floodplain and the responsible management:

§ Local communities participate in flood risk decisions.

§ Land use planning measures minimise future flood risk and damages

Flooding along the King River occurs regularly on a seasonal basis. Minor flooding results in minor disruption and inconvenience. Significant flooding events as in 1917, 1974, 1993, and 1998 have resulted in extensive property, agricultural and infrastructure damages. The floods in the King River travel quickly down the valley due to the relatively steep slope. This quick flood travel time is reflected in a relatively rapid rise and fall of flood event in the King River.

4.0 Use and development of land:

Development application requirements:

An application to construct a building, construct or carry out works or subdivide land, must be accompanied by four sets of plans and supporting documents that demonstrate the following relevant development requirements have been met.

Where relevant, the supporting documents and plans (drawn to scale) must show the following:

- § The boundaries and dimensions of the property.
- § A regional locality plan showing the property whereabouts within the region, including roads, streams and other prominent land marks.
- § The layout plan of the existing and proposed building, works or subdivision boundaries.
- § Floor level of any existing and proposed buildings to Australian Height Datum.
- § Natural ground levels of the proposed dwelling site to Australian Height Datum, taken by a licensed surveyor.
- § Natural ground levels along access routes to flood free land (as indicated by the planning scheme flood overlays and zone) to Australian Height Datum, taken by a licensed surveyor. The access route includes access along any relevant government road to the property and then to the proposed dwelling location.

Subdivision:

In addition to Clauses 44.03 and 44.04 of the Wangaratta Planning Scheme, the following conditions must be considered as part of the assessment for any proposal for subdivision:

- § Excision of new lot(s), solely for the purposes of dwelling construction, located partly within FO, or located partly or wholly within LSIO, must have a building envelope above the 100 year ARI flood level.
- § Access to the building envelope by a defined access route along which the 100 year ARI flood depth is not greater than 0.5 m above natural surface.

Dwellings:

In addition to Clauses 44.03 and 44.04 of the Wangaratta Planning Scheme, the following conditions must be considered as part of the assessment for any proposal for dwelling:

- § Construction of a new dwelling, including replacement dwelling, must be located on the highest land and/or where the 100 year ARI flood depth is less than 0.5 m above the natural surface, unless the applicant can demonstrate to the satisfaction of the responsible authority and floodplain management authority that an alternative site is more suitable.
- § Along the defined access route (road) to any new dwelling(s), the 100 year ARI flood depth above the natural surface must be less than 0.5 m.
- § Building pads for new dwellings must be limited to be no more than 2 metres from the building footprint.
- § Minimum floor level of any new dwelling must be 300 mm above the 100 year ARI flood level or a higher level set by the responsible authority.
- § Only one new dwelling will be permitted per lot. A replacement dwelling will require the removal of the existing dwelling within 3 months of completion of the replacement dwelling.

Dwelling extensions:

In addition to Clauses 44.03 and 44.04 of the Wangaratta Planning Scheme, the following conditions must be considered as part of the assessment for any proposal for a dwelling extension:

- § Where a dwelling extension (or multiple extensions) is greater than 20 m² and below the nominal flood protection level, the following conditions must be met:
 - Ø Water resistant materials are to be used up to the nominal flood protection level.
 - Ø Within the FO, approval is required from the responsible authority and the floodplain management authority.
- § The construction of the ground floor area of any dwelling extension (single or multiple), which is more than 300 millimetres below the 100-year ARI flood level and greater than 20 m² to the existing dwelling at 25 February 1998, must be set at least to the nominal flood protection level or a higher level as determined by the responsible authority.
- § The construction of the ground floor area of any dwelling extension (single or multiple) between the 100-year ARI flood level and 300 millimetres below the 100-year ARI flood level, must not be more than 40 m² greater than the existing dwelling at 25 February 1998. Where a dwelling extension (or multiple extensions) is greater than 20 m² and below the nominal flood protection level the owner must:
 - Ø Enter into an agreement with Wangaratta Rural City Council under Section 173 of the *Planning and Environment Act 1987*, stating that

combined ground floor area of the constructed extension together with any future extensions, must not be lower than the highest existing ground floor level, and must not exceed 40 m². Extensions beyond 40 m² must be set at least to the nominal flood protection level.

§ The construction of the ground floor area of any dwelling extension (single or multiple) between the 100-year ARI flood level and the nominal flood protection level, must not be more than 80 m² to the existing dwelling at 25 February 1998. Where a dwelling extension (or multiple extensions) is greater than 20 m² and below the nominal flood protection level the owner must:

Ø Enter into an agreement with Wangaratta Rural City Council under Section 173 of the *Planning and Environment Act 1987*, stating that combined ground floor area of the constructed extension together with any future extensions, must not be lower than the highest existing ground floor level, and must not exceed 80 m². Extensions beyond 80 m² must be set at least to the nominal flood protection level.

§ Building pads for new extension must be limited to be no more than 2 metres from the extension footprint.

Non-habitable buildings:

In addition to Clauses 44.03 and 44.04 of the Wangaratta Planning Scheme, the following conditions must be considered as part of the assessment for any proposal for a non-habitable building:

§ All non-habitable buildings must be designed to minimise flood flow path blockage.

§ No fill or build up must be undertaken to achieve an elevated (above natural surface) building platform without equivalent free draining compensatory flood storage provided.

Stock pads:

In addition to Clauses 44.03 and 44.04 of the Wangaratta Planning Scheme, the following conditions must be considered as part of the assessment for any proposal for a stock pad:

§ A stock pad area raised above the 100 year ARI, the area to be based on a maximum allowance of 10 m² per head of property cattle carrying capacity. The property cattle carrying capacity is determined by the current general formulae employed by the Department of Environment and Primary Industries.

§ No restriction to the finished height of the stock pad. The height of fill required for the finished height to reach the 100 year ARI flood level must not be greater than 0.5 m.

§ Stock pads must only be permitted where the entire property lies within LSIO and / or FO.

- § Equivalent free draining compensatory flood storage is required in association with stock pad construction.
- § Stock pads must be shaped to minimise any obstruction to the flood flow.
- § Stock pads may be permitted as part of building pads for other non-habitable buildings.
- § Stock pads may adjoin an existing levee. The finished height of the remainder of the levee must not increase.
- § For an approved stock pad, Wangaratta Rural City Council at its' discretion may enter into, with the owner, a Section 173 agreement under the provisions of *Planning and Environment Act 1987*. This agreement:
 - Ø Should state the finished height of the stock pad.
 - Ø State that the owner is responsible for maintenance and use of the stock pad.
 - Ø Must state that the Wangaratta Rural City Council or the North East Catchment Management Authority do not accept liability for any loss incurred.

New levee construction and additions to existing levees:

In addition to Clauses 44.03 and 44.04 of the Wangaratta Planning Scheme, the following conditions must be considered as part of the assessment for any proposal for the construction of a new levee or an addition to an existing levee:

- § Any new levee construction must be designed to protect the immediate surrounding of an existing habitable dwelling, where the floor level is below the 100-year ARI flood level, with the total area enclosed (protected) by the new levee limited to less than 1000 m² (including foot print of new levee).
- § Any addition to an existing levee must be designed to protect the immediate surrounding of an existing habitable dwelling where the floor level is below the 100-year ARI flood level, with the total area enclosed (protected) by the new levee limited to less than 1000 m² (including foot print of new levee).

Amendment C48

List of changes to the Wangaratta Planning Scheme

Clause / Map Numbers	Change	Comment
PLANNING SCHEME MAP CHANGES		
Map Nos 44LSIO-FO, 45LSIO-FO, 46LSIO-FO, 50LSIO-FO.	Planning Scheme Maps 44LSIO-FO, 45LSIO-FO, 46LSIO-FO and 50LSIO-FO are amended in the manner shown on the attached maps marked "Wangaratta Planning Scheme, Amendment C48".	<p>Amends planning scheme map Nos 44LSIO-FO, 45LSIO-FO, 46LSIO-FO and 50LSIO-FO to:</p> <p>§ Implement the recommendations of the <i>King River Rural Floodplain Study</i>, September 2004 and <i>King River Tributaries Flood Mapping Study</i>, December 2004.</p> <p>§ Amend flooding overlays (FO and LSIO) along the King River.</p> <p>§ Apply new flooding overlays (FO and LSIO) along King River tributaries (Boggy Creek, Black Range Creek, Meadow Creek and Hurdle Creek).</p>
Map Nos 49LSIO-FO and 52LSIO-FO.	Insert new Planning Scheme Map 49LSIO-FO and 52LSIO-FO in the manner shown on the attached maps marked "Wangaratta Planning Scheme, Amendment C48".	Inserts new planning scheme map Nos 49LSIO-FO and 52LSIO-FO the Wangaratta Planning Scheme to apply flooding overlays (FO and LSIO) along Boggy Creek and Black Range Creek.
LOCAL PLANNING POLICY FRAMEWORK		
Clause 21.12	<p>Replace Clause 21.12 in the form of the attached document to:</p> <p>§ Include the <i>King River Rural Floodplain Study</i>, September 2004 and <i>King River Tributaries Flood Mapping Study</i>, December 2004 as reference document to the Wangaratta Planning Scheme.</p>	Amends reference documents to include the <i>King River Rural Floodplain Study</i> , September 2004 and <i>King River Tributaries Flood Mapping Study</i> , December 2004 as reference documents to the Wangaratta Planning Scheme.

Clause / Map Numbers	Change	Comment
OVERLAYS		
Clause 44.03 Schedule	Replaces the Schedule to the Floodway Overlay in the form of the attached document to: § Introduce controls and exemptions for the overlay.	Amends the Schedule to the Floodway Overlay to introduce permit exemptions for minor buildings and works, use of the new incorporated document <i>King River Rural Floodplain Management Plan, 2013</i> as a decision guideline for the overlay and exemptions from referrals.
Clause 44.04 Schedule	Replaces the Schedule to the Land Subject to Inundation Overlay in the form of the attached document to: § Introduce controls and exemptions for the overlay.	Amends the Schedule to the Land Subject to Inundation Overlay to introduce permit exemptions for minor buildings and works, use of the new incorporated document <i>King River Rural Floodplain Management Plan, 2013</i> as a decision guideline for the overlay and exemptions from referrals.
GENERAL PROVISIONS		
Clause 61.03 Schedule	Insert new Planning Scheme Map Nos 49LSIO-FO and 52LSIO-FO.	Updates the Schedule to Clause 61.03 to introduce new planning scheme map Nos 49LSIO-FO and 52LSIO-FO into the Wangaratta Planning Scheme.
INCORPORATED DOCUMENTS		
Clause 81.01 Schedule	Inserts the following incorporated document to the Wangaratta Planning Scheme: " <i>King River Rural Floodplain Management Plan, 2013</i> " " C48 ", in the form of the attached document.	Introduces the <i>King River Rural Floodplain Management Plan, 2013</i> as an incorporated document to the Wangaratta Planning Scheme.
LIST OF AMENDMENTS		
List of Amendments	Insert: Amendment number " C48 ", In operation from "[DATE TO BE INSERTED BY DPCD]", Brief description: "The amendment implements the <i>King River Rural Floodplain Study, September 2004</i> and <i>King River Tributaries Flood Mapping Study, December 2004</i> by amending and applying the Land	Updates the list of amendments in the Wangaratta Planning Scheme.

Clause / Map Numbers	Change	Comment
	Subject to Inundation and Floodway Overlays to flood affected land, listing the studies as reference documents to the planning scheme, amending the schedules to both overlays to apply relevant flood controls and exemptions and introducing the <i>King River Rural Floodplain Management Plan, 2013</i> as an incorporated document to the planning scheme to guide applications under both overlays.”	

ATTACHMENT

**SPECIAL COMMITTEES OF COUNCIL –
COMMITTEE MEMBERSHIP APPOINTMENTS**

Refer Item 11.2.3.1



APPOINTMENT TO COMMITTEES OF COUNCIL POLICY

Responsible Officer: Manger Community and Recreation	Document No:	60
	Adoption Date:	19 February 2013
Authorising Officer: Director Community Wellbeing	Approved By:	Council
	Review Date	19 February 2017

Introduction

Wangaratta Rural City Council has:

- 7 standing Advisory Committees who provide advice and feedback in areas of particular interest; and
- 18 Special Committees, 17 of which are convened to control Council owned or managed community facilities. The eighteenth being the Friends of Lacluta Special Committee relates to Council's relationship with the communities of Lacluta in Timor Leste.
- The Murray to Mountains Rail Trail Management Joint Special Committee, as a joint committees, is exempt from this procedure and all appointments will be made in accordance with the relevant charter.

Council's Advisory Committees comprise:

- Agriculture and Agribusiness Advisory Committee;
- Arts, Culture and Heritage Advisory Committee;
- Audit Advisory Committee;
- Place Naming Committee;
- Sport and Recreation Advisory Committee;
- Wangaratta Unlimited Board; and
- Youth Council.

Council's Special Committees comprise:

- Bowmans-Murmungee Memorial Hall and Tennis Reserve Special Committee,
- Carboor Soldiers Memorial Hall and Recreation Reserve Special Committee,
- Edi Hall and Recreation Reserve Special Committee,
- Eldorado Public Hall Special Committee;
- Everton Hall and Sporting Complex Special Committee;
- Friends of Lacluta Special Committee ;
- Milawa Hall and Park Special Committee;
- Moyhu Soldiers Memorial Hall Special Committee;
- Murray To Mountains Rail Trail Management Joint Special Committee;
- Myrree Recreation Reserve Committee Special Committee;
- North Wangaratta Sports Reserve Committee;
- Old Murmungee Hall Special Committee;
- Oxley Public Hall Committee Special Committee;
- Wangaratta Showgrounds Special Committee;

- Whitfield Recreation Reserve Special Committee;
- Whorouly Hall Special Committee;
- Whorouly Memorial Park Special Committee; and
- Whorouly South Community Centre Special Committee.

Purpose

The purpose of this policy is to ensure the appointment of appropriately skilled individuals for representation to Council's Advisory and Special Committees.

Statement

Terms of appointment

1. Advisory Committees – appointments are for a period of three years. A third of members retire each year.
2. Special Committees - appointments are for a period of three years. Every three years the entire Committee retires.

Ordinary vacancies

3. The Chief Executive Officer will undertake an expression of interest process for the appointment of new members to:
 - Council Advisory Committees with the exception of Youth Council which has a separate appointment process as outlined in its charter.
 - Section 86 Special Committees of Council.
4. Nominations for new committee members will be called for prior to the completion of the term of the retiring committee members.

This call is generally made in April with a closing date in May, with new members commencing their appointment in August.

5. An "Expression of Interest" kit comprising information related to each committee, a copy of the charter and a nomination form will be provided for each of Council's Advisory and Special Committees. A skills matrix will be used for selecting Advisory Committee members which outlines the particular skills will also be included.
6. Following completion of the expression of interest process a Business Paper Report will be provided to Council recommending that Council determine (with consideration of the established skills matrix in the case of Advisory Committees) the appointment of new members to the Committees.
7. With regard to Special Committees, where there are more nominations than vacancies and the nominees address the requirements of the relevant Special Committee, Council may at its discretion, appoint a number of members to the Special Committee greater than that specified in the charter.
8. All nominees will be notified by a letter from Council as to the outcome of the appointment process.

9. Newly appointed members will receive information regarding the responsibilities related to being a committee member.

Unforeseen Vacancies

If a member resigns his or her position during the term of the committee Council will call for a nomination for a replacement committee Member as outlined in points 1 – 9 above. The new member will serve the remaining term of the committee member they are replacing.

Refusal of nominations

Council has the discretion to refuse any nomination.

Definitions

Nil

References

- Agriculture and Agribusiness Advisory Committee Charter;
- Arts, Culture and Heritage Advisory Committee Charter;
- Audit Advisory Committee Charter;
- Place Naming Committee Charter;
- Sport and Recreation Advisory Committee Charter;
- Wangaratta Unlimited Board Charter; and
- Youth Council Charter.
- Bowmans-Murungee Memorial Hall and Tennis Reserve Special Committee Charter,
- Carboor Soldiers Memorial Hall and Recreation Reserve Special Committee Charter,
- Edi Hall and Recreation Reserve Special Committee Charter,
- Eldorado Public Hall Special Committee Charter;
- Everton Hall and Sporting Complex Special Committee Charter;
- Friends of Lacluta Special Committee Charter ;
- Milawa Hall and Park Special Committee Charter;
- Moyhu Soldiers Memorial Hall Special Committee Charter;
- Murray To Mountains Rail Trail Management Joint Special Committee Charter;
- Myrree Recreation Reserve Committee Special Committee;
- North Wangaratta Sports Reserve Committee Charter;
- Old Murungee Hall Special Committee Charter;
- Oxley Public Hall Committee Special Committee;
- Wangaratta Showgrounds Special Committee Charter;
- Whitfield Recreation Reserve Special Committee Charter;
- Whorouly Hall Special Committee Charter;
- Whorouly Memorial Park Special Committee Charter; and
- Whorouly South Community Centre Special Committee Charter.



APPOINTMENT TO COMMITTEES OF COUNCIL PROCEDURE

Responsible Officer: Manger Community and Recreation	Document No:	60
	Adoption Date:	19 February 2013
Authorising Officer: Director Community Wellbeing	Approved By:	Council
	Review Date	19 February 2017

Purpose

The purpose of this procedure is to establish a process for the appointment of appropriately skilled individuals for representation to Council's Advisory and Special Committees.

Statement

Terms of appointment

1. Advisory Committees – appointments are for a period of three years. A third of members retire each year.
2. Special Committees - appointments are for a period of three years. Every three years the entire Committee retires. Due to the large number of committees appointments will be staggered. Please see schedule 1.

Vacancies

3. The Chief Executive Officer will nominate an officer to manage the expression of interest process and to be the point of contact for the public for the appointment of new members to:
 - Council Advisory Committees with the exception of Youth Council which has a separate appointment process as outlined in its charter.
 - Section 86 Special Committees of Council.
4. Nominations for new committee members will be called for not less than four months preceding the completion of term of retiring committee members. The Chief Executive Officer will declare a closing date for nominations.

This call is generally made in April with a closing date in May, with new members commencing their appointment in August.

5. A call for nominations for the various Committees will be placed on Council's website and advertised in the Wangaratta Chronicle and other local rural newsletters as a minimum.

6. "Expression of Interest" kits will be available from Council offices and from Council's website. Kits will also be provided to all retiring committee members and to the chair or president of each committee for distribution to the local community.
7. Completed nomination forms are to be returned to Council. Forms received after the closing date may not be accepted.
8. When all nominations have been received a Forum Report will be prepared for Council detailing the nominee(s) for each Committee.
9. Following the Forum Report a Business Paper Report will be provided to Council recommending that Council determine (with consideration of the established skills matrix in the case of Advisory Committees) the appointment of new members to the Committees.
10. All nominees will be notified by a letter from Council as to the outcome of the appointment process. Responsible Officer to prepare letters and send letters under the Chief Executive Officer's signature.
11. Newly appointed members will receive information regarding the responsibilities related to being a committee member. Responsible Officer to prepare and distribute information.

Definitions

Nil

Responsibilities

- Agriculture and Agribusiness Advisory Committee – Director Sustainability;
- Arts, Culture and Heritage Advisory Committee - Director Community Wellbeing;
- Audit Advisory Committee – Director Sustainability;
- Place Naming Committee – Director Infrastructure Services;
- Sport and Recreation Advisory Committee - Director Community Wellbeing;
- Wangaratta Unlimited Board - Chief Executive Officer
- Youth Council - Director Community Wellbeing.
- Special Committees - Director Community Wellbeing,

References

- Agriculture and Agribusiness Advisory Committee Charter;
- Arts, Culture and Heritage Advisory Committee Charter;
- Audit Advisory Committee Charter;
- Place Naming Committee Charter;
- Sport and Recreation Advisory Committee Charter;
- Wangaratta Unlimited Board Charter; and
- Youth Council Charter.
- Bowmans-Murungee Memorial Hall and Tennis Reserve Special Committee Charter,
- Carboor Soldiers Memorial Hall and Recreation Reserve Special Committee Charter,
- Edi Hall and Recreation Reserve Special Committee Charter,
- Eldorado Public Hall Special Committee Charter;
- Everton Hall and Sporting Complex Special Committee Charter;
- Friends of Lacluta Special Committee Charter ;
- Milawa Hall and Park Special Committee Charter;

- Moyhu Soldiers Memorial Hall Special Committee Charter;
- Murray To Mountains Rail Trail Management Joint Special Committee Charter;
- Myrree Recreation Reserve Committee Special Committee;
- North Wangaratta Sports Reserve Committee Charter;
- Old Murrumgee Hall Special Committee Charter;
- Oxley Public Hall Committee Special Committee;
- Wangaratta Showgrounds Special Committee Charter;
- Whitfield Recreation Reserve Special Committee Charter;
- Whorouly Hall Special Committee Charter;
- Whorouly Memorial Park Special Committee Charter; and
- Whorouly South Community Centre Special Committee Charter.

ATTACHMENT

RECORDS OF ASSEMBLIES OF COUNCILLORS

Refer Item 12



ASSEMBLY OF COUNCILLORS
9 July 2013
Draft Council Meeting Agenda & Deputations
Commenced 5.30pm

Present:

Councillors: Councillor R Parisotto, Mayor; Councillor N Amery; Councillor T Atkins;
Councillor J Fidge; Councillor D Joyce; Councillor C McClounan;
Councillor P O'Brien

Officers: Kelvin Spiller, A/CEO; Peter Godfrey, A/DI (arrived 6:15pm);
Peter Mangan, A/DS, (arrived 6:15pm)

Apologies: Nil

Absent:

Ms Patti Wenn, A/DCW

In attendance: Peter Stephenson Municipal Inspector

Conflict of Interest Disclosures:

Councillor T Atkins declared a conflict of interest in item 11.2.2.2 as she is a Board Member of North East Catchment Management Authority (NECMA).

As there was no discussion of item 11.2.2.2, Councillor T Atkins was not required to leave the room.

Matters Considered:

The following items were discussed:

- 11.2.1.1 DRAFT HUME REGIONAL GROWTH PLAN JUNE 2013 – PUBLIC EXHIBITION AND CALLING FOR SUBMISSIONS
- 11.2.2.1 REVISED COMBINED PLANNING SCHEME AMENDMENT AND PERMIT C41
- 11.2.2.2 DRAFT AMENDMENT NO 48 – KING RIVER AND TRIBUTARIES FLOOD PLAIN STUDY AND MAPPING
- 11.2.3.1 SPECIAL COMMITTEES OF COUNCIL – COMMITTEE MEMBERSHIP APPOINTMENTS
- 11.2.4.1 PLANE TREE ISSUES IN MELDRUM STREET, WANGARATTA
- 11.2.4.2 CONTRACT C1213-059 FOR THE CONSTRUCTION OF STAGE 3 OF THE WANGARATTA CHILDREN'S SERVICES CENTRE

- 11.4.1.1 AGRICULTURE AND AGRIBUSINESS ADVISORY COMMITTEE
- 11.4.1.2 WANGARATTA UNLIMITED ADVISORY BOARD (COMMITTEE) MEETING REPORT
- 11.4.1.3 ARTS CULTURE AND HERITAGE ADVISORY COMMITTEE REPORT
- 12. RECORDS OF ASSEMBLIES OF COUNCILLORS
- 13.1.1.1 COUNCILLOR FIDGE NOTICE OF MOTION NO.53
- 15. AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS
- 17. CONFIDENTIAL BUSINESS

Other Items discussed:

1. Briefing Paper 1: WPAC Café
2. Briefing Paper 2: Regional Development Australia Funding Round Five

Meeting Closed:

The meeting closed at 7:10pm.



ASSEMBLY OF COUNCILLORS
25 June 2013
Councillors Briefing Forum
Commenced 5:30pm

Present:

Councillors: Councillor R Parisotto, Mayor; Councillor N Amery; Councillor T Atkins;
Councillor J Fidge; Councillor D Joyce; Councillor C McClounan;
Councillor P O'Brien

Officers: Kelvin Spiller, A/CEO; Peter Godfrey, ADI (arrived 6:10pm); Peter
Mangan, ADS (arrived 6:10pm); Patti Wenn, ADCW (arrived 6:10pm).

Apologies: Nil

In attendance: Peter Stephenson Municipal Inspector

Conflict of Interest Disclosures: Nil

Matters Considered:

The following items were discussed:

- 4.2.1 STATUS REPORTS
- 4.2.3.1 REPORTS HELDOVER FROM PREVIOUS FORUMS
- 4.2.3.2 CONSULTANT REPORTS NOT APPROVED
- 4.2.5.1 WANGARATTA PERFORMING ARTS CENTRE – OPERATIONS REPORT
- 4.2.5.2 SPONSORSHIP – WANGARATTA PERFORMING ARTS CENTRE
- 4.2.5.3 TOWNSHIP BLITZ REPORT
- 4.2.5.4 DRAFT MOYHU COMMUNITY HUB FEASIBILITY REPORT
- 4.2.6.1 ROWAN STREET UNDERPASS SAFETY

Other Items discussed:

1. Budget 2013/2014

Meeting Closed:

The meeting closed at 9:10pm



ASSEMBLY OF COUNCILLORS

19 June 2013

**Special Briefing Forum – council Plan 2013-2017 & Budget 2013/2014
Commenced 5.30pm**

Present:

Councillors: Councillor R Parisotto, Mayor; Councillor N Amery; Councillor T Atkins;
Councillor J Fidge; Councillor D Joyce; Councillor C McClounan;
Councillor P O'Brien

Officers: Peter Godfrey, ADI; Peter Mangan, ADS; Patti Wenn, ADCW

Apologies: Nil

In attendance: Peter Stephenson Municipal Inspector

Conflict of Interest Disclosures: Nil

Matters Considered:

The following items were discussed:

1. COUNCIL PLAN
2. BUDGET 2013/2014
3. WISAC CONTRACT

Meeting Closed:

The meeting closed at 9:42pm.



ASSEMBLY OF COUNCILLORS
18 June 2013
Ordinary Meeting of Council
Commenced 5.30pm

Present:

Councillors: Councillor R Parisotto, Mayor; Councillor N Amery; Councillor T Atkins
Councillor J Fidge; Councillor D Joyce; Councillor C McClounan;
Councillor P O'Brien

Officers: Peter Godfrey, ADI; Peter Mangan, ADS; Patti Wenn, ADCW

Apologies: Nil

In attendance: Peter Stephenson, Municipal Inspector

Conflict of Interest Disclosures:

Councillor N Amery declared a conflict of interest in item 11.2.2.6 as his son, Todd Amery, is the applicant.

Councillor T Atkins declared a conflict of interest in items 11.2.2.7 as she is a Board Member of North East Catchment Management Authority (NECMA).

As there was no discussion of items 11.2.2.6 and 11.2.2.7, Councillors Amery and Atkins were not required to leave the room.

Matters Considered:

The following items were discussed:

- 11.2.1.1 ADVISORY COMMITTEES – NEW MEMBER NOMINATION PROCESS
- 11.2.1.2 DRAFT MANUFACTURING SECTOR SUPPORT STRATEGY
- 11.2.1.3 TOURISM EVENT FUNDING POLICY REVIEW
- 11.2.1.4 TOURISM BRAND STRENGTH REVIEW
- 11.2.1.5 COUNCILLOR AND MAYORAL ALLOWANCES
- 11.2.2.1 NEW LOAN
- 11.2.2.2 WANGARATTA PLANNING SCHEME AMENDMENT C43 (RURAL PLACES)
- 11.2.2.3 WANGARATTA PLANNING SCHEME AMENDMENT C44 (URBAN PRECINCTS)
- 11.2.2.4 ADVERTISING SIGNS POLICY – AMENDMENT TO WANGARATTA PLANNING SCHEME

- 11.2.2.5 PLANNING PERMIT APPLICATION PLNAPP13/076 - USE AND DEVELOPMENT OF A DWELLING ON A RURAL LOT LESS THAN 40 HECTARES AT GAYFER ROAD SPRINGHURST VIC 3682,
- 11.2.2.8 ENGAGEMENT OF CONSULTANTS - THE DEPARTMENT OF TRANSPORT, PLANNING AND LOCAL INFRASTRUCTURE (FORMERLY DPCD) RURAL FLYING SQUAD – IMPLEMENTATION OF FLOODPLAIN MANAGEMENT PLAN OVENS RIVER FLOOD STUDY – AMENDMENT TO WANGARATTA PLANNING SCHEME
- 11.2.3.1 APPOINTMENT OF YOUTH COUNCIL 2013/14
- 11.2.3.2 CONTRACT C1213/045 FOR THE MANAGEMENT AND OPERATION OF THE WISAC AND THE OLYMPIC AND YARRUNGA POOLS
- 11.2.4.1 ADOPTION OF THE DRAFT ROAD MANAGEMENT PLAN
- 11.2.4.2 PETITION – PLANE TREE ISSUES IN MELDRUM STREET, WANGARATTA
- 11.2.4.3 REPORT ON JOINT LETTER AND PETITION – REQUEST TO SEAL EDI-CESHUNT ROAD, CESHUNT
- 11.4.1.1 ARTS CULTURE AND HERITAGE ADVISORY COMMITTEE REPORT
- 11.4.1.2 AUDIT ADVISORY COMMITTEE MEETING REPORT
- 11.4.1.3 AUDIT ADVISORY COMMITTEE MEETING REPORT
- 11.4.1.4 YOUTH COUNCIL ADVISORY COMMITTEE REPORT
- 11.4.1.5 YOUTH COUNCIL ADVISORY COMMITTEE MEETING REPORT
- 12. RECORDS OF ASSEMBLIES OF COUNCILLORS
- 13.1.1.1 NOTICE OF MOTION NO. 52
- 15. AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS
- 17. CONFIDENTIAL BUSINESS

Meeting Closed:

The meeting closed at 6:20pm.

ATTACHMENT

COUNCILLOR FIDGE –
NOTICE OF MOTION NO.54

Refer Item 13.1.1.2

Councillors also recognise the following considerations:

- a) as a member of the Council there is respect for the decision-making processes of the Council which are based on a decision of the majority of the Council;
- b) an overriding concern ought to be in achieving a balance in the matters that are communicated;
- c) information of a confidential nature must not be communicated;
- d) information relating to decisions of the Council on approvals, permits and specific technical matters must only be communicated in an official capacity by a designated officer of the Council.

9. DISPUTE RESOLUTION

Internal Dispute Resolution

Before commencing any formal dispute resolution process, the Councillors who are parties to any disagreement will endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to represent the best interests of the community. Councillors may seek assistance in resolving their differences.

This dispute resolution procedure is intended to be used when Councillors have been unable to resolve an interpersonal conflict and where the situation is unduly affecting the operation of the Council.

It is not intended to resolve differences in policy or decision-making, which are appropriately resolved through discussion and voting in Council and Committee Meetings.

Councillors have a responsibility to try every avenue possible to resolve such disputes. The Mayor should be involved as soon as practically possible after a Councillor is aware that they are in dispute with another Councillor. As leader of the Council team, the Mayor should facilitate discussion between parties in dispute.

If reconciliation of the dispute is not possible after Mayoral intervention, it is the responsibility of the Mayor to seek assistance from an external mediator to resolve the dispute, preferably with the active support of parties to the dispute, who must be informed of such a decision in any circumstance.

The Mayor may call upon the Chief Executive Officer to provide or arrange such assistance and should consult with the Chief Executive Officer about the nature and extent of the mediation required.

If a mediator or conciliator is appointed, all Councillors will cooperate with the dispute resolution process and provide reasonable assistance to the mediator or conciliator when requested.