

The background of the entire page is a dark blue map of Moyhu Township. The map features a network of white lines representing roads and property boundaries. A prominent road runs diagonally from the top left towards the bottom right. Another road runs horizontally across the middle. To the right, a winding white line represents a river or stream. Various smaller roads and lots are outlined in white, creating a complex grid-like pattern.

Moyhu

Township Development Plan

Appendices

Appendices

A - Draft Planning Scheme Changes:

Local Policy.

- Clause 2.03 (Update)
- Clause 11.01-1L Moyhu (New)

Overlays

- Clause 43.02 (Design and Development Overlay) – (New Schedule)
- Clause 42.02 (Vegetation Protection Overlay) –(New Schedule)

B: Heritage Place Citations

A: Draft Planning Tools:

Existing Local Planning Policy Updates (*Track Changes*):

2.03-1 Settlement:

Townships

Townships are in demand for new residential, low density residential and rural living growth options, particularly **Glenrowan**, **Oxley and Milawa**, **Moyhu and Oxley**. Township Development Plans have been prepared for the three townships to provide a strategic vision and coordinated approach to population growth, housing provision, township revitalisation, protecting amenity and managing change.

The **Glenrowan** Township Development Plan (at Clause 11.01-1L-01) establishes a vision to create a rural township centre, protecting the landscape and nationally significant heritage character. Focusing on the preservation of the Kelly Gang Siege site and protection of the remnant native vegetation that contributes to its neighbourhood character.

The **Milawa** Township Development Plan (at Clause 11.01-1L-02) delivers a vision that recognises the rural character of Milawa, its role within the 'Gourmet Region' and the need to protect its landscape setting.

*The **Moyhu** Township Development Plan (at Clause 11.01.1L-05) establishes a vision to guide the future expansion of the township to support the local community and surrounding King Valley, including opportunities for growth, in a scale that is compatible with the existing character of the town including the celebration, the retention and protection of significant vegetation assets and the surrounding rural and significant landscape character of the King Valley environs.*

The **Oxley** Township Development Plan (at Clause 11.01-1L-03) establishes a vision of reinforcing the rural 'farm gate' character of Oxley, providing opportunities for development of a scale complementary to the character of the town, supporting surrounding farming activity, small scale tourism and connected pedestrian and cycle network linking the township to its recreation reserve and the King River.

Draft Clause 11.01-1L-05

Moyhu Township

Policy application

This policy applies to all land identified within and immediately adjoining in the Moyhu Township Plan as identified in the Moyhu Township Development Plan.

Objectives

To reinforce Moyhu's role as the key urban settlement within the King Valley.

To facilitate a diverse and complementary mix of land uses that support the community of Moyhu and the greater King Valley.

To enhance the amenity and accessibility between the township the King River, Moyhu Recreation Reserve and surrounding education facilities.

Strategies

Support development that respects and enhances the existing scale and rural character of the township.

Design any development that expands the township to provide active frontages along any interface with farming zoned land.

Support development that increases amenity, improves connection to surrounding natural landscapes and supports health and well being.

Built Form & Character

Objectives

To create a distinct and engaging built form character, designed for people, place and the environment.

Strategies

Encourage urban and architectural design that considers the existing township character and environmental elements.

Support infill development within the existing township form.

Actively manage the urban / farming interface along with the variety of land uses within the Town.

Respect and enhance the identified heritage assets within the Town.

Encourage the retention of buildings or parts of buildings that have efficient recycling potential and can be adapted to a variety of uses.

Provide a diversity of housing in strategic locations across the Town.

Public Realm

Objective

To improve the quality of the public realm and create a socially connected and healthy community.

Strategies

Create attractive and safe streets that accommodate all users.

Improve accessibility to existing open spaces.

Ensure the built environment, streets and public open spaces are designed to minimise their contribution to the urban heat island effect and to contribute to urban cooling including designing cool routes that support active travel.

Design the public realm and landscaping to be resilient to future climate conditions, bushfire resilient and to incorporate water sensitive design including passive and active irrigation.

Movement & Access

Objective

Improve the safety, amenity, productivity and accessibility of movement to and around the Town as outlined in the Moyhu - Movement and Access Plan

Strategies

Support improved connectivity within the present and future Town structure.

Support the creation, upgrading and completion as relevant, connectivity links between the Town and the King River, Moyhu Primary School and the Moyhu Recreation Reserve.

Provide high levels of pedestrian and cycling amenity.

Improve connectivity within the township and expanded urban structure, with a priority on active transport (walking/cycling) networks being the most efficient and effective transport within the township.

Support the creation of cool routes within subdivision design through the establishment of continuous canopy cover.

Infrastructure:

Strategies

Require the installation of any new services to be located underground.

Design development to protect the existing landscape values on and adjoining the site, including canopy, vegetation and habitat for biodiversity.

To support development that reduces the amount of stormwater runoff onsite, and improves the quality of stormwater, and impacts for stormwater that leaves a development.

To encourage development that supports innovation in the use and reuse of water.

Sub Precinct A: Township – Byrne Street

Objectives:

- Promote the continued residential use of this precinct.
- To reinforce the role of this precinct as a major tourist gateway and arrival experience.

Strategies:

- Support the continued enhancement of the arrival experience through this precinct.
- Support residential uses and compatible tourism uses.
- Support further consolidation and residential infill, including on double fronted lots to Market Street.
- Investigate and support a subdivision to separate the Lions Park Reserve from the road reserve and rezone Lions Park to Public Park and Recreation Zone.

Sub Precinct B – Commercial Centre

To reinforce the precinct as the preferred location for commercial activity within the township.

Strategies:

- Direct Commercial uses to locate within this precinct to create a vibrant commercial and community focal point for the town.
- Discourage the establishment of new residential uses within this Precinct.
- Ensure that appropriate investigations and remediation (if required) are undertaken into the potential for land contamination from past land uses on land at 9 and 22 Byrne Street, prior to the approval for any development or sensitive uses being either established or extended.
- Support improvements to the Carl Schultz Reserve to create a town square as a community focal point.

Sub Precinct C: Township – Bartley Street

Objective:

- Reinforce the role of the precinct as primarily a residential area.

Strategies:

- Direct new residential development including infill uses to establish within the precinct.
- Support the further development and subdivision of underutilized Township zoned land.
- Avoid and further extension of TZ South of Bartley Street for residential purposes.
- Ensure that appropriate investigations and remediation (if required) are undertaken into the potential for land contamination from past land uses on land at 33-35 Bartley Street (former fuel depot), prior to the approval of any development that involves the establishment of sensitive uses on the land.

Sub Precinct D: Former Moyhu Depot

Objective:

- Facilitate the re development or re-use and remediation of this centrally located site for community or social based uses.

Strategies:

- Prior to the approval of any use and development for the establishment or extension of sensitive uses, ensure that appropriate investigations and remediation (if required) are undertaken into the potential for land contamination of both 3 and 5.
- Subject to resolution of any potential contamination issues, support the re-development of the former Depot land (No.3) for either one or a mix of the following:
 - Community based or Social Enterprise based uses.
 - Affordable housing.
 - Community battery location, EV charging stations subject to further investigation.
 - Overflow car parking.
- Ensure that any re-development capitalizes on the sites central and prominent location.

Sub Precinct E: Moyhu Recreation Recreation**Objective:**

- Reinforce the Moyhu Recreation Reserve as the principal formal recreation center for the township and surrounding area.

Strategies:

Support improved connectivity between the reserve and the greater township by:

- The creation of a pedestrian / cycle link (explore on road options given large road reserve) along Bartley Street
- The creation of internal cycle / pedestrian link between through the principle SDA areas.

Sub Precinct F: Farming Zone

- Support the continued agricultural use of Farm zoned land.
- Require the agent of change to incorporate amenity interfaces within their land, through measures like perimeter roads and open space.
- Support the long-term investigation of the extension of Market Street northwards to create a secondary connection to the Wangaratta-Whitfield Road.

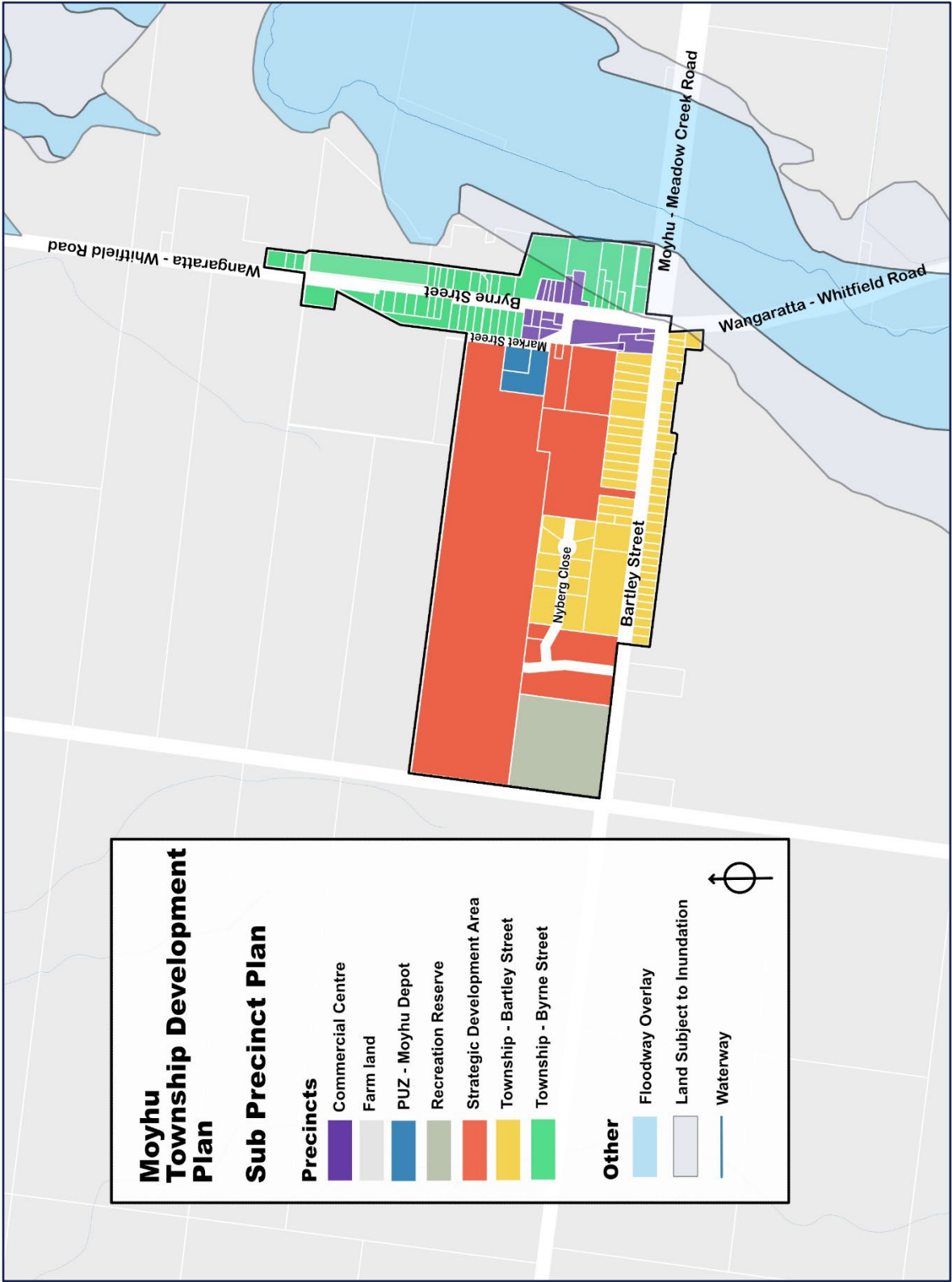
Strategic Development Area (SDA)

Rezone this area to a combination of Township and Low Density Residential Zones.

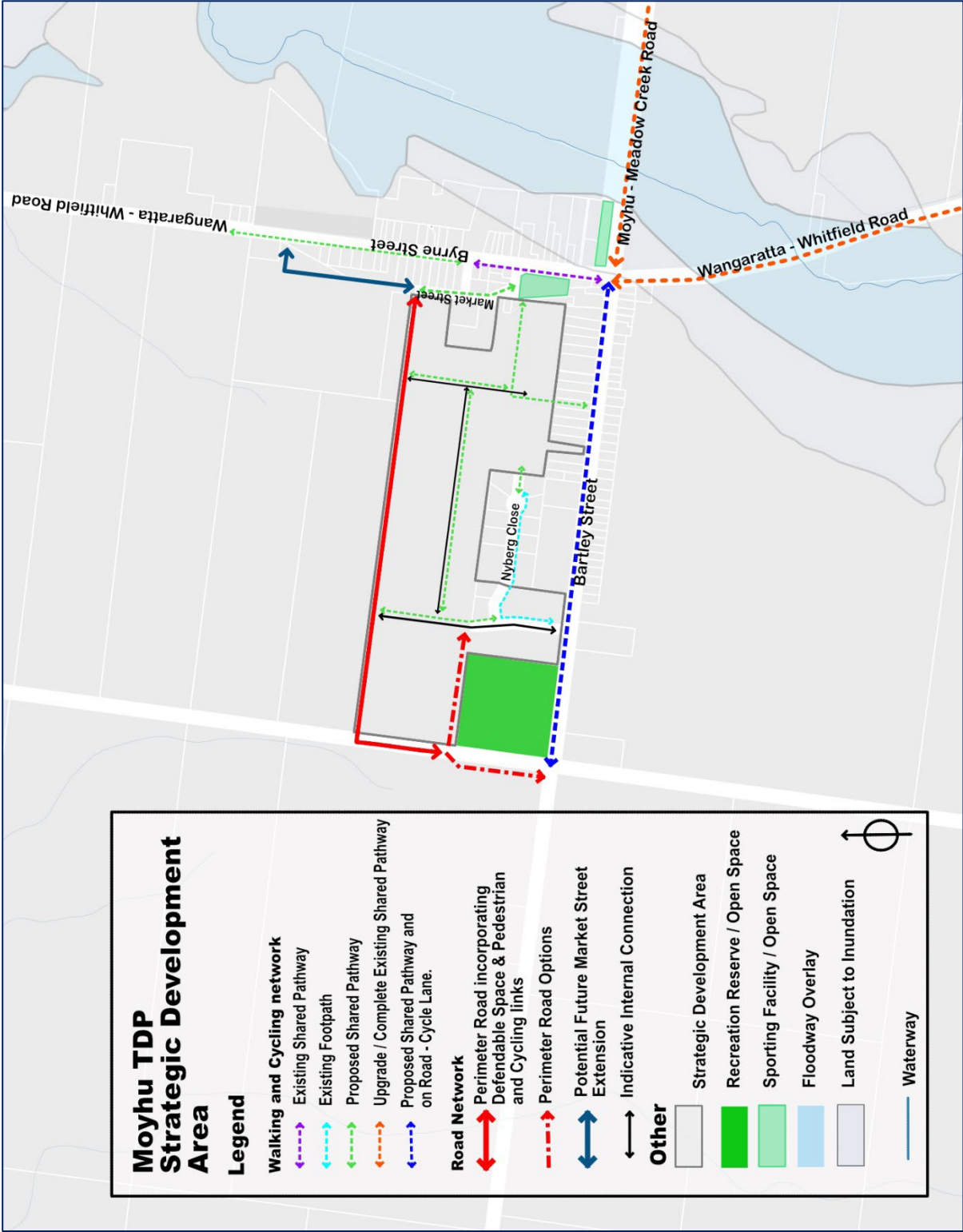
Design the development of this area to achieve:

- A diversity of housing typologies including medium density.
 - A re-connection of the two linear axis of the township to achieve a long term consolidated urban form.
 - Increased bushfire reliance for the town through subdivision design.
 - Opportunity to facilitate the development of currently land locked sites.
 - Opportunities for cross town connectivity for pedestrian and cyclists.
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Moyhu Township Development Plan – Sub Precinct Plan



Movement & Access Plan



Design and Development Overlay Schedule XX (Draft)

SCHEDULE XX TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO XX**.

MOYHU STRATEGIC DEVELOPMENT AREA (SDA)

1.0 Design objectives

Promote the Moyhu SDA as the primary location of township growth and residential land use.

To ensure new urban opportunities consider the existing township character and incorporate transitions to the surrounding farmland.

Design urban growth and open space areas to focus on the creation of people orientated places and layouts that promote safe and healthy environments.

Support the establishment of an active transport network within the town and to nearby educational and recreational facilities.

Ensure that residential development prioritise the retention of native and significant vegetation to continue their on-going contribution to the character and biodiversity of the area.

2.0 Buildings and works

A permit is not required to construct a building or construct or carry out works for the following:

- A new dwelling.
- An extension or alteration to an existing dwelling.
- A new outbuilding associated with a dwelling.
- An extension or alteration to an existing outbuilding.

3.0 Subdivision

An application for a permit to subdivide land must meet the following requirements:

Subdivision Design and Built Form and Character

Require subdivision to:

- Create a consolidated urban form for Moyhu.
- Support the creation of a variety of lot sizes within the Township Zoned land.
- Support a dwelling design first approach led by Clause 55 prior to any subdivision of the land for medium density housing.
- Create lots that are regular in shape unless required to protect vegetation and avoid natural features.
- Design development to respect the existing small rural township character of Moyhu.
- Avoid the creation of battle axe lots.
- Ensure that all lots have direct street frontage with the exception of those associated with an established medium density housing development.
- Design development to celebrate, retain and protect existing significant trees (both exotic and native) to ensure its contribution to the character and amenity of the area.

Environmentally Sustainable Design (ESD)

Require subdivision to incorporate the principles of Environmental Sustainable Design to minimise future energy consumption for heating and cooling through the following by:

- Optimising lot design and future building orientation to support passive design principles.
- Support the creation of building envelopes that maximise design to access winter warming sun, limit summer solar heat gain and access dominant cooling breezes.
- Consider the use of alternative water sources (public and private), including water tanks, stormwater re-use and localised water systems.
- Incorporate water sensitive urban design infrastructure.

Landscaping and Vegetation – Public Realm

Create a centrally located area of open space within the SDA incorporating existing significant trees.

Any area of the public open space occupied by serving infrastructure including underground tanks will be considered encumbered open space.

Require the retention and protection of existing trees, and to promote further planting of new trees as a significant component of local identity and neighbourhood character.

Incorporate large remnant trees within areas of open space or road reserves and provide complementary street tree planting.

Design any landscaping to contain bush fire resilient species and consider any on-going management requirements.

Design road layouts to support the establishment of canopy trees, including through curb outstands that can mitigate the impacts of the urban heat island affect.

Support street enhancement works including increased street tree planting.

Movement and Access

Infrastructure facilitating movement and access around the Strategic Development area must generally be in accordance with the layout shown on Map 1 to this schedule and include:

Active Transport (Walking / Cycling)

Require the creation of key active transport (pedestrian and cycling) routes that provide the following connections:

Create behavioural change within the town by prioritising walking and cycling as the most direct and efficient form of transport for all users.

Pedestrian / Cycling routes are to be established with supporting canopy landscaping to create future cool routes.

Require Pedestrian and Cycling links within the subdivision design including around the estates perimeter road.

Perimeter Road

Require an internal perimeter road around the development of the precinct to support protection from bushfire hazards (including grasslands) and provide an amenity buffer to adjoining farmland.

Design the final alignment of the perimeter road and others within the precinct to be varied in alignment as required to retain and celebrate the existing significant native vegetation as a priority. Alignment options on the western side of the Recreation Reserve (outside of road reserve) are subject to investigation, landowner consent and future subdivision.

The perimeter road reserve must be by design:

- Provide a permanent, largely maintenance free fuel breaks.
- Provide opportunities for active surveillance
- Facilitate access and egress for fire suppression, emergency response and evacuation.
- Function and act as defensible space to ensure the SDA achieves a BAL 12.5 rating.
- Incorporate walking and cycling infrastructure.
- Incorporate feature street tree planting

Cross-linking roads should be provided within the subdivision to provide at least two ways in and out.

Avoid the creation of cul-de-sacs within any subdivision design.

New road access must be located so as to promote and provide for connectivity between existing roads where possible, while minimising impacts on existing dwellings and associated residential infrastructure.

Infrastructure

Require all lots to be connected to reticulated sewer and water.

Support the use of Water Sensitive Urban Design (WSUD) infrastructure within any development.

Bushfire Design Elements

Staged subdivision must be designed to:

- Implement a logical staging and maintenance plan that avoids leap frogging.
- Include perimeter roads around any stage or alternative temporary bushfire protection measures.

Design lots to outward face the hazard.

Avoid battle-axe allotments.

Create building lots and building envelopes to have a maximum of BAL-12.5 in accordance with AS.3959-2018.

Require the incorporation of strategic water supply (tank/s) within the subdivision or fire hydrants to support bushfire suppression activities.

Ensure that the design of development does not result in any increase in bushfire risk to existing development.

4.0 Signs

None specified.

5.0 Application requirements

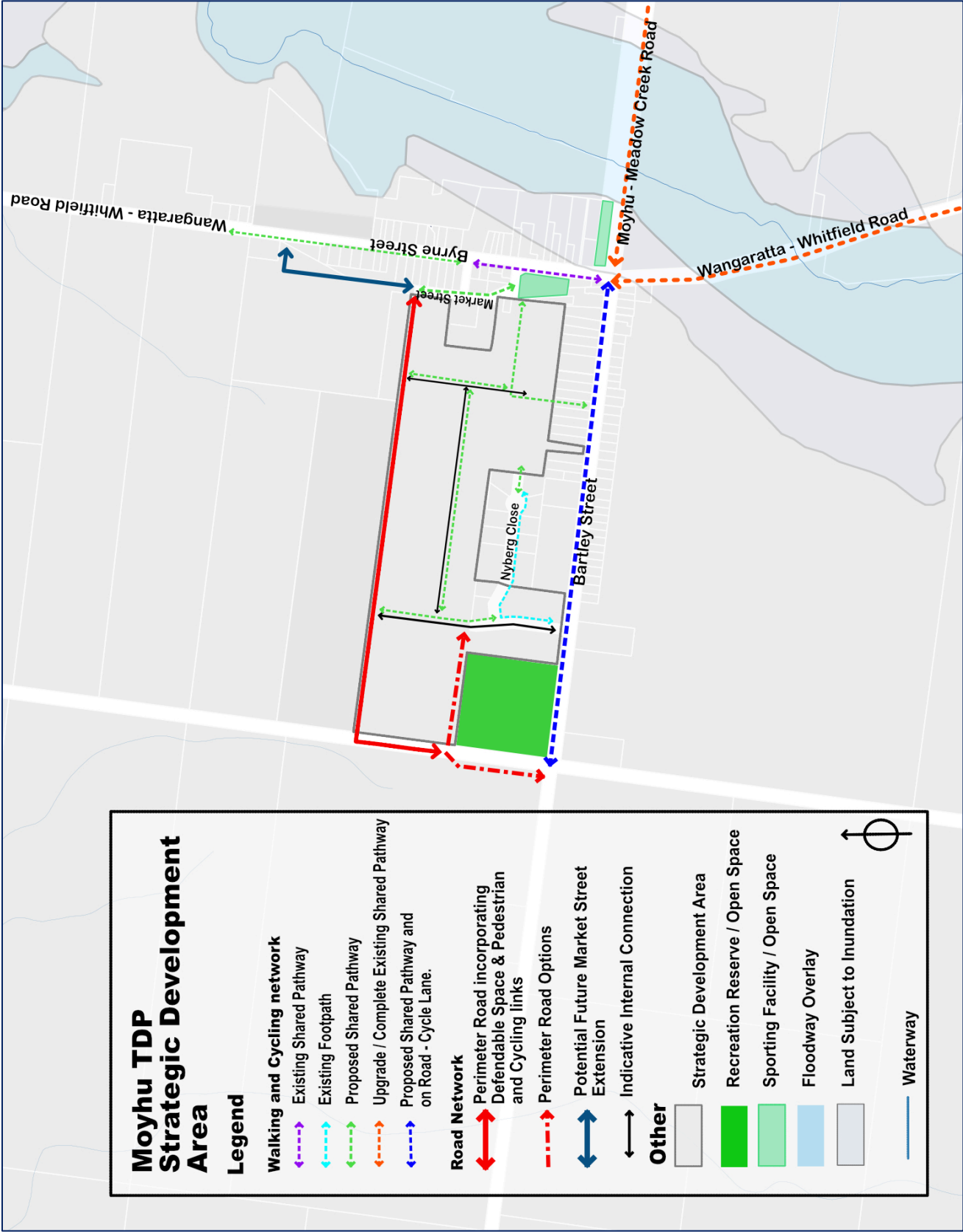
The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written report that demonstrates how the design response of any proposed development meets the requirements of this clause.
- A bushfire management plan and report which demonstrates how the proposal meets the requirements of this Schedule and creates a low-risk environment.
- A vegetation assessment report prepared by a suitably qualified person that outlines the design response to the existing vegetation to be retained and any to be removed.

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the subdivision design and layout provides adequate road frontage.
- The ability of the subdivision to contribute to the overall character of the area.
- The ability of the subdivision to provide for optimal solar access and orientation to all lots.
- The impact of the subdivision on the character of the existing land use and development pattern.
- The ability of the subdivision to actively plan and design for bushfire risk to create a low risk environment.
- The ability of the subdivision design to provide the opportunity for the retention of existing native and significant vegetation, including the ability for complementary plantings.



SCHEDULE 3 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO3**.

MOYHU STRATEGIC DEVELOPMENT SITES VEGETATION PROTECTION

1.0 Statement of nature and significance of vegetation to be protected

The Moyhu Township including the designated Strategic Development Area is an area that has historically experienced a significant level of clearance and modification and as a consequence does not include any examples of indigenous understorey patches.

Despite the high level of modification, the area does contain examples of mature scattered remnant trees including hollow bearing trees and patches of trees. These trees are considered significant biodiversity assets in an otherwise cleared landscape and provide a valued landscape attribute to the town and surrounding area.

2.0 Vegetation protection objectives to be achieved

To prevent the loss of native and particularly indigenous vegetation incurred by development in Moyhu.

To retain the amenity, aesthetic and habitat value of Australian native vegetation and indigenous vegetation within the township of Moyhu.

To ensure that subdivision and development proposals have proper regard to the landscape character of township areas.

To ensure that new development has proper regard for the established landscape, streetscape and development pattern in terms of being consistent with the existing balance between vegetation and building form in the local area and contributing to the landscape character of the area.

To retain, protect and promote further planting of trees for their contribution to stabilising local environmental processes including shading and cooling effects, sequestration of pollutants and management of storm water.

3.0 Permit requirement

A permit is required to remove, destroy or lop any vegetation native to Australia. This does not apply to:

- The removal, destruction or lopping of vegetation which is less than 2 metres high or has a single trunk circumference of less than 0.4 metre at a height of 1.4 metre above ground level.
- The pruning of vegetation to remove that part of any branch which overhangs an existing dwelling or outbuilding or is within 2 metres of an existing dwelling or outbuilding.
- To remove, destroy or lop the minimum extent of vegetation necessary to maintain public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like.
- To remove, destroy or lop vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped.
- To prune vegetation to maintain or improve its health, structure or appearance including regeneration.
- To remove, destroy or lop vegetation that is being maintained in accordance with a management program developed by a suitably qualified arborist and approved by the responsible authority.

Note:

Pruning of a tree is defined as removing branches (or occasionally roots) from a tree or plant using approved practices, to achieve a specified objective such as maintaining the health and appearance of the tree.

Lopping is defined as the practice of cutting branches or stems between branch unions or internodes.

4.0 Application requirements

The following application requirements apply to an application for a permit under 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the Responsible Authority:

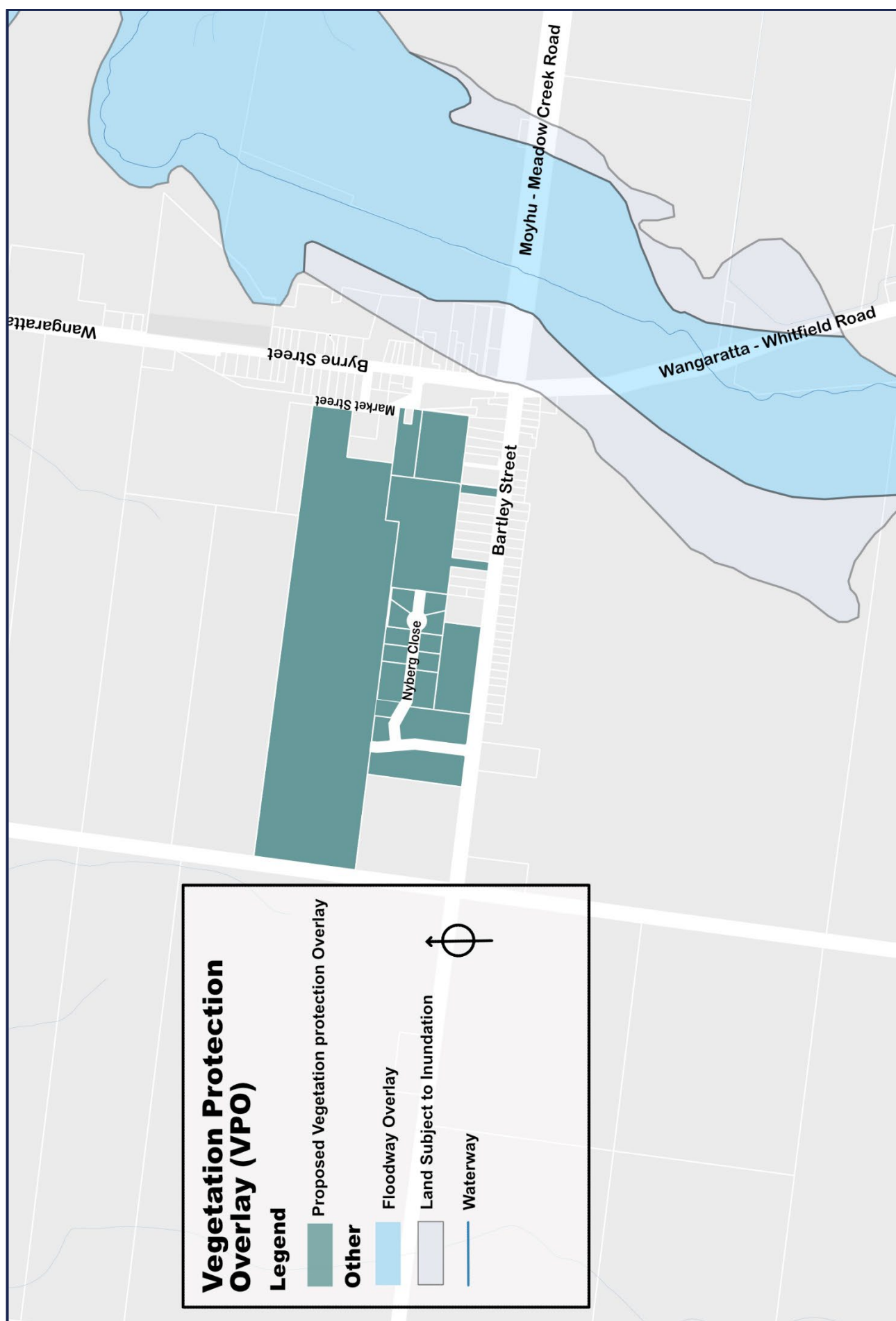
An application must include the following information:

- A detailed report prepared by a suitably qualified professional that outlines:
 - The extent of native vegetation to be removed, destroyed or lopped.
 - The actions taken to avoid and minimise the removal of vegetation.
- A vegetation management plan that outlines:
 - All existing vegetation on the site, the extent, purpose of the proposed removal and the species, density and locations of trees and other vegetation to be planted.

5.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The vegetation protection objectives of this schedule. The value of the native vegetation to be removed in terms of its habitat, landscape and environmental values, age, physical condition, rarity or variety.
- The need for a report, by a properly qualified person and to the satisfaction of the responsible authority, on the vegetation and habitat significance of the vegetation to be removed.
- Whether there is any reasonable alternative means of designing subdivision or the siting of buildings and works in order to conserve the native vegetation of the area.
- The extent to which the removal of vegetation is necessary to achieve proper fire management.
- If retention cannot be achieved, or a tree is considered appropriate for removal, consider whether the site provides adequate space for offset planting of indigenous or native trees that can grow to a mature height similar to the mature height of the tree to be removed. If it is not appropriate to select an indigenous or native tree species, the selected species should be drought tolerant.



B: Heritage Citations

Byrne Street:

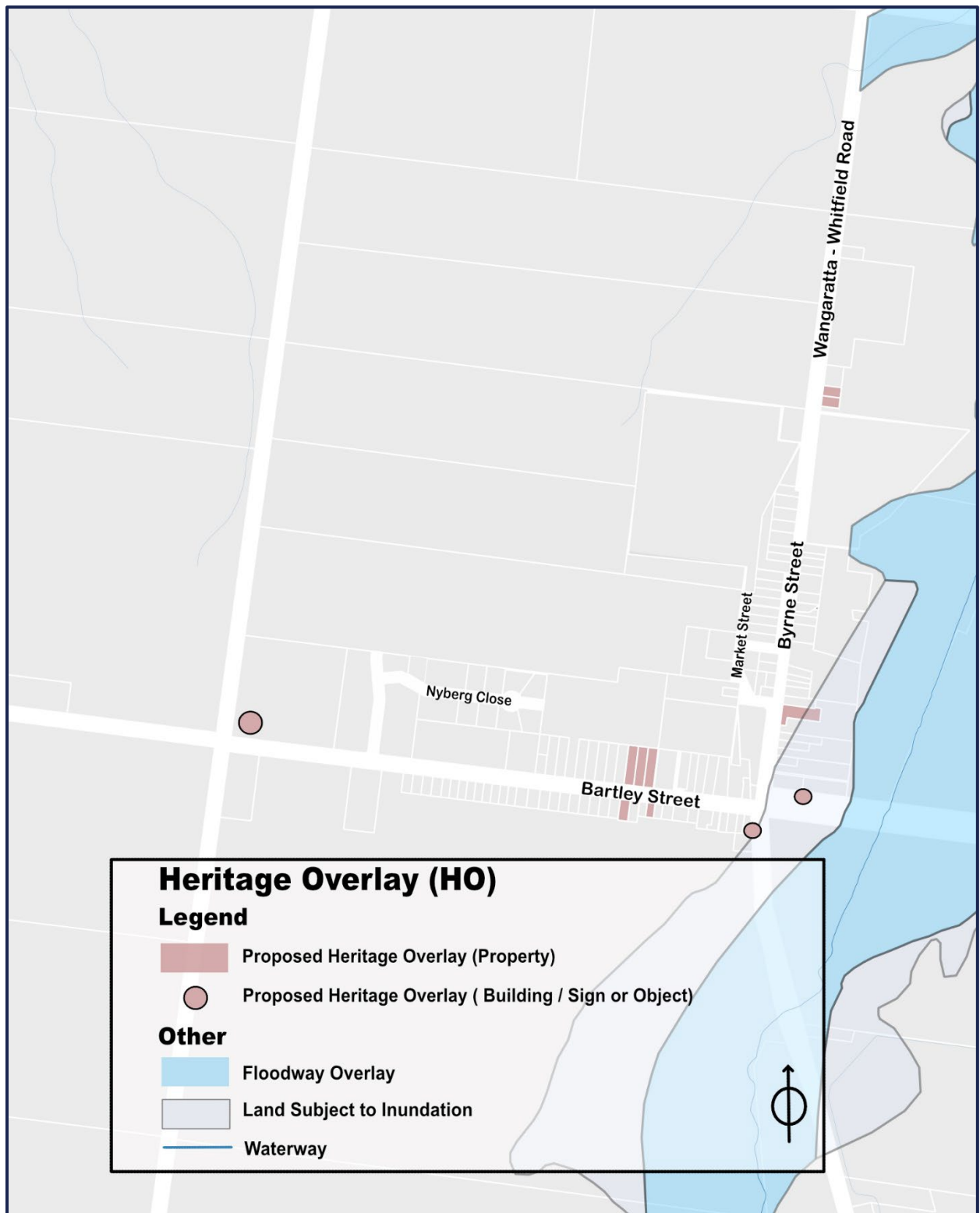
- 16 Byrne Street
- 18 Byrne Street

Bartley Street:

- 22 Bartley Street
- 23 Bartley Street
- 24-26 Barley Street (Soldiers Memorial Hall)
- 29 Bartley Street

Other:

- All Saints Anglican Church and Manse
- Moyhu Masonic Centre
- Moyhu Police Lock-up
- Spirit of Salts and Moyhu Station Sign
- Pavilion Nissen Hut - Moyhu Recreation Reserve



Proposed Heritage Overlays.

